

Council Chambers  
300 First Street  
Woodland, California

November 5, 1996

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

PLEDGE OF ALLEGIANCE:

Mayor Rominger opened the meeting and 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, Borchard, Flory, Losoya, Ryhal

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Kristensen, Siprelle, Ruggiero, Barry, Wegener, Vicars, Tice, Ponticello, Brown

MINUTES:

On motion of Council Member Flory, seconded by Council Member Borchard and carried by unanimous vote, the City Council approved the minutes for the regular Council meeting of September 17, 1996, as prepared.

COMMUNICATIONS:

1. From State Department of Alcoholic Beverage Control a copy of an application was received for an on sale general alcoholic beverage license for 433 College Street (Judy's Place). Community Services Officer Leilani Vierra had advised that the Police Department has no concerns with the issuance of this license.

2. From Maria S. Pena a claim against the City was received stating that roots from a City tree damaged the sewer line on her property. The City's insurance representative recommended that Council reject the claim and refer it to them.

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous vote, the City Council rejected the claim against City submitted by Maria Pena and referred the claim to the City's insurance representative.

3. From Mrs. M. M. Koelling a letter was received stating that the sidewalk in front of the Post Office on Court Street needs repair work. Council was advised that the Public Works Department is preparing a response, and Council Members will be given a copy of that letter.

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

application was received for an on sale beer and wine license for 55 West Main Street (formerly Koffee Hut). Community Services Officer Leilani Vierra had advised that the Police Department has no concerns with the issuance of this license.

5. From Randall Pack a letter was received submitting his resignation as a member of the Historical Preservation Commission. The Council was advised that a letter of appreciation will be prepared, and Council will be asked at a later date to appoint Council Members to interview applicants for the position.

6. From Robert Chavarria a claim against the City was received stating that his vehicle was damaged as a result of skidding on loose sand on Sixth Street near El Dorado Drive on July 27, 1996. The City's insurance representative recommended that Council reject the claim and refer it to them.

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous vote, the City Council rejected the claim against the City submitted by Robert Chavarria and referred the claim to the City's insurance representative.

#### COMMITTEE REPORTS:

1. From Library Services Director Marie Bryan a report was received transmitting the minutes of the Library Board meetings of September 10 and September 23, 1996.

2. From Police Chief Russ Smith a report was received transmitting the minutes of the Yolo County Communications Emergency Services Agency Board meeting of October 2, 1996.

3. From Parks, Recreation and Community Services Director Tim Barry a report was received summarizing action taken at the Park, Recreation and Community Services Commission meeting of October 16, 1996.

4. From Community Development Director Janet Ruggiero a report was received summarizing action taken at the Planning Commission meeting of October 17, 1996, as follows:

- a. Commission changed the next Planning Commission meeting date from November 7, 1996 to November 6, 1996.
- b. Commission certified a negative declaration as the appropriate level of environmental review and approved a use permit for a Shell Mini-Mart to be located at 596 North East Street.
- c. Commission received a written and verbal report on the current status of the Habitat Conservation Plan.

d. In regard to the review of elevations of Winncrest Homes the Commission sent the developer back to staff for review and approval of further changes to proposed homes, while taking into consideration the following direction from the Planning Commission:

- (1) Application of new exterior materials to be employed.
- (2) Changes to chimney designs.
- (3) Modifications to garage door designs.
- (4) Revision of roof materials to create greater variety.

5. From the Parks, Recreation and Community Services Director a report was received summarizing action taken at the Commission on Aging meeting of October 18, 1996.

6. From the Community Development Director a report was received transmitting the minutes of the East Street Corridor Specific Plan Committee meeting of October 29, 1996.

7. From the City Manager a report was received summarizing issues discussed at the Davis/City 2 x 2 meeting of October 30, 1996.

PUBLIC COMMENT:

Joe Keehn, 533 College Street, distributed pictures to the Council of Dennis Gay's carriage house, 527 College Street. He said Mr. Gay is in violation of State codes and he wanted the matter placed again on a future Council meeting agenda.

Mayor Rominger said the only issue the Council was able to consider at its last meeting was the height of the carriage house. She said in order to get the final building permit and get the inspectors to sign off, the carriage house will have to meet every requirement of the codes.

Tim Listerman, 21 Fiske Avenue, said he had applied for the removal of a mulberry tree at his residence, but the Tree Commission last night denied his request.

The City Manager said staff will have a report back to Council on the matter at the next meeting. He said the City's policy has been if a tree in the City's tree planting easement is in good condition, the responsibility for removal and trimming goes back to the property owner.

After further comments from Mr. Listerman, Council Member Borchard advised that because of the Brown Act the Council cannot respond to questions at this time about his particular problem. He said the matter could be placed on another agenda, and at that time the Council could discuss the issues.

Parks, Recreation and Community Services Department Director Tim Barry invited the viewing audience to attend the Beamer Park information faire to be held November 14, 1996, 6:00 p.m. at Beamer School.

Director of Public Works Gary Wegener invited Council and members of the viewing audience to observe the Veteran's Day display in the downstairs lobby of City Hall put together by Kari Loth of the Public Works Department. He also noted that there has been publicity about Federal funds being taken away from the City, and he will send the Council a letter about the funding.

#### PRESENTATION - WOODLAND OPERA HOUSE:

Jeff Keane, Executive Director of the Woodland Opera House, gave the Council a report on the financial status and future programs of the Woodland Opera House. He said in addition to the financial statement he submitted with the staff report he wanted to advise that currently Woodland Opera House, Inc., is financially stable, is not in debt and is current with its bills.

#### REPORTS OF CITY MANAGER:

##### CONSENT CALENDAR:

Council Member Borchard removed the following items from the Consent Calendar: (1) revisions to the City's Mello-Roos goals; and (2) acceptance of Douglass Junior High traffic signal project. Mayor Rominger inquired about the cost of the weather data gathering equipment.

The Public Works Director said the cost would not exceed \$4,000.

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

##### FIRE STATION NO. 2 REROOF PROJECT COMPLETION:

The City Council accepted as complete the roof replacement at Fire Station No. 2, Project No. 95-08, by Gudgel-Yancey Roofing, Inc.; directed the City Clerk to file a notice of completion; and authorized the Mayor and City Manager to sign the notice of completion.

##### WEATHER DATA GATHERING EQUIPMENT:

The City Council authorized the Director of Public Works to procure weather data gathering equipment in an amount not to exceed \$4,000.

MEETING WITH NEIGHBORS OF SUTTER STREET PROPERTY:

The City Council received the minutes from the October 28, 1996, meeting with neighbors of the City's Sutter Street Corporation Yard. City staff discussed with the neighbors the City's intent to sell the property and possible land uses.

ADDENDUM TO FIRE STATION 3 TRAINING CENTER DESIGN CONTRACT:

The City Council approved Addendum No. Two to the contract for services between the City and Keith Long/Architect, which increases the Phase 1 Design Fees by \$1,314 from \$8,000 to a total not to exceed amount of \$9,314; and authorized the Director of Public Works to execute the Addendum on behalf of the City.

REVISIONS TO CITY'S MELLO-ROOS GOALS:

Finance Director Margaret Vicars responded to questions from Council Member Borchard regarding back up tax and special tax revenues with respect to funding through the Mello-Roos Community Facilities Act.

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous vote, the City Council approved Revised Goals and Policies for the use of the Mello-Roos Community Facilities District financing for public infrastructure (see attached).

DOUGLASS JUNIOR HIGH TRAFFIC SIGNAL PROJECT COMPLETION:

Senior Civil Engineer Nick Ponticello responded to questions from Council Member Borchard regarding the Douglass Junior High traffic signal project. Council Member Borchard commended the Public Works Department for getting the signal project completed on time before school started in the fall.

On motion of council Member Borchard, seconded by Council Member Losoya and carried by unanimous vote, the City Council accepted the Traffic Signals and Safety Lighting at College Street and Douglass Junior High school, Project No. 95-06, as complete (by Richard A. Heaps Electrical Contractor, Inc.); directed the City Clerk to file a notice of completion; and authorized the Mayor and City Manager to sign the notice of completion.

REGULAR CALENDAR:PROPOSED DAYTIME CURFEW:

Police Lieutenant Terry Brown said several months ago the Police

Department made a presentation to Council on the success of the Attendance Recovery Program which they were working on jointly with Woodland Joint Unified School District. At that time Council asked the staff to explore the possibility of a daytime curfew which they did. He said they reviewed daytime curfew programs from about five cities in California. He said the City of Fairfield is one of the agencies that most recently enacted such an ordinance. He said the Police Department drafted an ordinance with the assistance of the City Attorney, and one of the biggest changes from what presently exists in the City Code is the daytime portion and a portion that adds parental responsibility for allowing a child to be out after curfew, either daytime or night time. He said when originally drafted they attempted to indicate the hours for each individual school, but that was impossible.

Staff then decided that 8:00 a.m. until 3:00 p.m. would be the best hours and would cover the normal school year. He said they received comments about private schools having different days off, but he said the Police Department will continue to stop students during the day as they currently do. He said the first thing the Officers do is call the school to see whether the child should be in school, and the daytime curfew will not change that procedure. The daytime curfew ordinance will allow the Police Department, if the child is truant, to return the child to school and issue a citation. If a child is suspended or expelled, the Police Department has currently nothing it can do with the child. The daytime curfew ordinance would give the Police Department another tool there. With first time offenders of curfew violation the Police Department's current practice is to cite them and bring them into the diversion program. The Police Department works with the parents to see how they can help them. A second violation will again place the offender in the diversion program and also possibly a referral to the County Probation Department. They can also be cited directly into Traffic Court where a first time violation will cost them \$118 and progresses from there. The offender may possibly lose their driver's license. He said the proposed ordinance will not change the Police Department's interaction with youth today but will give them more control. He said there is more and more of a problem with weapons on the street and knives on campus. He said the School has done a great job of trying to keep students off the streets. He said the Police Department plans to give a warning with the first daytime curfew ordinance violation and a citation with the second violation.

Council Member Borchard noted that the proposed ordinance specifies an exception to the night time curfew ordinance when "the minor is going to, at or returning directly home from a meeting, entertainment, recreational activity, place of employment, or dance." The ordinance, he said, under the "Responsibility of parents or guardians" states that it shall be "unlawful for the parent, guardian, or other adult person having the care and custody of a minor under the age of eighteen years to permit or allow such minor to loiter, idle, wander, stroll or play on the public streets, highways, roads, alleys, parks, playgrounds or other public grounds, public places and public buildings, place of amusement . . ." Council Member Borchard asked for some clarification about the minor traveling to and

from a recreational activities, and the provision that parents or guardians are not allowed to let their children idle, stroll, etc., around playgrounds or amusement places. He said these provisions seem to contradict each other.

Lieutenant Brown said a lot of the curfew ordinance is "the spirit of the law", and the Police Department, for example, is not going to stop a child who gets out of a movie at 11:30 p.m. The Police Department wants the child to go home and does not want to cite the child, but the Police Department does not want young people without a parent or guardian at Denny's at 2:30 a.m. either. He said a lot of it rests with the officer on the street, but he said there might be a better way to word the ordinance.

City Attorney Ann Siprelle said the section of the proposed ordinance regarding the responsibility of parents and guardians is qualified by the words "in violation of this section." Basically the proposed ordinance says that a minor is not permitted to loiter or hang out idly, but the exception is that if a minor is at a meeting or a place of entertainment or is going to or from he or she is not presumed to be loitering.

Council Member Borchard said he would still like a wording change to better clarify "in violation of this section."

Asa Utterback said he has a lot of respect for the Police Department, and he strongly supports the idea of keeping young people in school because education is critically important, but he strongly opposes the proposed ordinance because it is inherently a violation of our constitutional rights. He said the Education Code already provides for the rights of Schools to keep children in school, and he felt adoption of the proposed ordinance would only be adding a minor tool. He noted that one school in Woodland is year-round school, and the various schools are in session at different times. He said the ordinance leaves a lot of latitude for detaining an innocent child who has no reason to be afraid of a police officer. Also, he said many people look younger than they really are, and they might also be detained. He said according to the Pre-emption Doctrine local governments cannot pass laws addressing a subject already deal with by the California Legislature. City and County governments can only adopt regulations regarding municipal affairs, not matters covered by State legislation. Since there are already laws on truancy, cities are prohibited from passing local truancy laws. He noted there are many other people in the audience who are also opposed to the proposed ordinance.

Council Member Borchard asked Mr. Utterback if he was also opposed to the night time curfew.

Mr. Utterback said the night time curfew is already in place and is not at issue here.

Vice Mayor Losoya said there was a case in Southern California where students were being stopped by local police and a Court overruled the officer's right to stop them. He said maybe staff should research the issue to find out if it is constitutional to stop a student just because they look of school age. He said we need to do something to reduce the problem of weapons being carried by youth and supported the concept of the curfew, but we need to be careful to protect the City's rights.

Mayor Rominger said Mr. Utterback made some very good points, and she would like some responses to his concerns. She suggested that the Council defer the matter to the November 19, 1996 meeting, to allow the City Attorney to respond.

Council Member Borchard said he agreed that the matter should be deferred to November 19.

#### STUDY OF LIBRARY BLOCK PARKING/LANDSCAPING IMPROVEMENTS:

Director of Public Works Gary Wegener said the City has had requests for the past six to eight months from the Library Rose Club to expand the rose garden at the Library into the parking lot west of the Library at the northeast corner of College and Court Streets. He said the long range plans the City has called for completion of the parking lot in that area which has been identified in the Major Projects Financing Plan. He said in an effort to get a response to the Rose Club the Council needs to decide if it wants to proceed with the existing plans and complete the parking lot to City standards, with landscaping and lighting or pursue the Rose Club's suggestion of turning the area into an outdoor cultural center with amphitheater, rose garden and rose covered pergolas. He said the recommendation from staff is to proceed with the project for completion of the parking lot to City standards but incorporate the rose motif into the landscaping. He said the Rose Club has indicated that their first desire will always be to develop a cultural center, but absent that if the area will be developed into a parking lot, the Rose Club would work with the City on landscaping with a rose motif. He said with the latter there would be some loss of parking spaces, but that would be relatively minimal.

Council Member Borchard asked how many parking spaces would be eliminated with the inclusion of the rose motif.

The Public Works Director said full construction with land and improvements would cost an additional \$8,000. With construction of the two facilities, the gravel area and paved area would yield between 120 and 145 spaces.

The City Manager said at this point staff is still guessing what that number



will be. He said the loss could be up to 30 percent depending on the landscaping configuration.

Mayor Rominger invited comments from representatives of the Woodland Rose Club. The Rose Club members did not indicate a desire to speak about the issue.

Council Member Flory said he supports staff's recommendation. Originally the Rose Club proposed taking all of the parking front and back of the lot, but a compromise was reached to utilize the assets of the Rose Club to develop the lot into something more than just pavement.

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous vote, the City Council authorized the Public Works Director to initiate design for the upgrade of the parking lot at the northeast corner of College and Court Streets to bring the facility up to City standards utilizing roses in the landscaping.

#### YOLO COUNTY MEMBERSHIP IN SACRAMENTO BALLPARK AUTHORITY:

Senior Planner Colleen McDuffee said earlier this year the State Legislature adopted and the Governor signed Senate Bill 441 which authorizes the creation of the Sacramento Baseball Authority ("Authority"). She said the purpose of the Authority is to facilitate the construction and operation of a ballpark suitable for playing professional baseball. Under Senate Bill 441 there are five counties in the region that may elect to join the Authority: Sacramento, San Joaquin, Placer, El Dorado, and Yolo. In order to become a part of the Authority the Boards of Supervisors of each County must adopt a resolution stating that they want to participate. Should Yolo County decide it wants to opt into the Authority all of the territory within the County, including the incorporated cities would be part of what went into the Authority. Yolo County is seeking input from the cities within the County and is asking for recommendations on whether Yolo County should participate in the Authority. SB 441 allows the Authority to issue revenue bonds to finance the ballpark provided that the majority of voters within the counties that belong to the Authority first approve the issue. The Authority, however, would not be allowed to issue other types of special taxes or assessments. She said staff asked the City of Sacramento if there have been any studies done on the regional benefit to construction of a ballpark in Sacramento to get an idea of the impact on Woodland. To date there has not been such a study performed. She said the City of Davis considered this matter a few weeks ago and they recommended that the County not participate in the Authority. She gave the Council copies of the legislation and an analysis by County Counsel's office.

Council Member Borchard said there are going to be unexpected expenses and contributions from local agencies who participate in the Authority. He said any funding would have to be on a voluntary basis, and he said the financing is not set

up well.

Vice Mayor Losoya said he felt it was an exciting project and something that the City could find interesting to participate in, but he agreed the way it is proposed there is no flexibility for those who want to participate.

After further discussion the City Council agreed to recommend that Yolo County not participate in the Sacramento Ballpark Authority. Mayor Rominger asked staff to convey the Council's unanimous consensus to the County of Yolo.

#### CITY STRATEGIC PLANNING SERVICES:

The City Manager said last April the City organization began to look at ways of increasing productivity, efficiency and morale and formed a strategy planning group which made recommendations to the Council in September to proceed with a City-wide strategic planning effort which includes a component for total quality management (TQM) within the organization. On September 24 the Council requested that the group come back with a proposal for consultant assistance to help guide in those areas. He said the planning group solicited information from about 15 of 20 firms who were interested and experienced with this service, and 8 of those who responded indicated their interest and their qualifications. The planning group recommends that five of those firms be sent request for proposals to be reviewed. The planning group recommended a seven-member panel to review the proposals, and the panel would include one Council Member. He estimated the cost to be between \$7,000 and \$30,000. He said when the panel comes back to the Council at the first Council meeting in January the cost estimate will be more refined. He said the group started this process with an idea of looking at productivity and ways to move strategically forward as an organization, and this is a long term commitment. The seven member panel would consist of: one Council Member; one Woodland business community representative experienced in strategic planning and TQM (Joe Peyton of Fleetwood is recommended); one representative from a nearby public agency experienced in strategic planning and TQM (the City of Davis and County of Yolo have people who could be asked); and four members of the City organization (Assistant Planner Paul Hanson, Public Works Director Gary Wegener, Police Captain Del Hanson and Public Works Maintenance Supervisor Jerry Gedatus are recommended by the Planning Group).

Mayor Rominger said that West Sacramento has been innovative in various areas, and she suggested that a representative from that City serve as the public agency representative.

Vice Mayor Losoya volunteered to be the Council representative on the panel.

On motion of Council Member Borchard, seconded by Mayor Rominger and

carried by the following vote, the City Council authorized the issuance of Requests for Proposals for services in connection with the development of a City strategic plan and related activities; and appointed Vice Mayor Losoya to serve on a panel to review these proposals:

AYES: COUNCIL MEMBERS: Borchard, Losoya, Ryhal, Rominger  
NOES: COUNCIL MEMBERS: Flory

#### CITY MEMBERSHIP IN INNOVATIONS GROUP:

The City Manager said at the September 24, 1996 Council meeting when the strategy plan proposal was reviewed the group recommended that the City become a member of a nationwide organization called "the Innovations Group." Membership costs \$1,500 for the year. Membership includes inquiry service, on-line access to the Local Government Network, a wide variety of newsletters, and discounts on workshops, satellite televised training, handbooks, guidebooks and research packets.

On motion of Council Member Borchard, seconded by Council Member Ryhal and carried by unanimous vote, the City Council approved a \$1,500, one year City membership in the Innovations Group.

#### CITY HALL IMPROVEMENTS ARCHITECTURAL SERVICES:

Community Development Director Janet Ruggiero said the last significant improvements to City Hall were made in 1976, and since that time there has been a growth in service demands from an increased population, and staff has experienced changes in service delivery brought on by new technologies. In 1987 the City commissioned a space needs study on the City Hall and Police Station by local architect, Gary Wirth, who worked on the 1976 project. In addition to laying out the groundwork for Police facility requirements the study also outlined anticipated City Hall space needs over the next 20 years. Excerpts from the study were included in the staff report to Council. With the City's adoption of the Major Projects Financing Plan the City began to collect development fees to accumulate funds for such improvements, especially City Hall. She said recently the Council authorized the preparation of architectural drawings for the remodel of portions of Fire Station 1 and Finance Department work areas in and adjacent to City Hall. During the course of this work it became apparent that this is a good time to address other existing needs in the remaining portions of City Hall as well. Specifically, City Hall needs exist: (1) Community Development and Public Works public counter spaces are inadequate in size and not handicapped accessible; and (2) Public Works office space is inadequate. Additionally, when people come to use the computers to look up information or roll out a set of plans to review, the counter does not provide the space. She said as we move more into the technology age when people are seeking information on the computer systems,

the space is not available. She said there is also the possibility of combining the counters for one-counter service to the public. In working on these improvements she said the City could also resolve some long term questions such as whether the office space needs of the City's Parks, Recreation and Community Services Department can be accommodated in the City Hall/Police Station facilities. This department is currently in temporary quarters at Sixth and Main Streets. She said we need to consider what the future use of the Police Station should be after the Police Department has moved to its new facility. She said staff has worked with Wirth and McCandless to prepare a scope of work for these issues. In general the scope of work updates the 1987 City Hall Space Study to determine if the figures contained within the report reflect current and projected needs. Secondly the scope of work would determine if adequate space needs exist within City Hall to accommodate the future needs of Public Works and Community Development as well of those of other departments such as the Parks, Recreation and Community Services.

The City Manager said the City facilities are just not capable of providing the same kind of services they were designed to provide 20 years ago, especially with the Americans with Disabilities Act requirements. We are dealing with considerably different technology. He said the Council is being asked to approve a study as to how to make the changes and is not approving the changes at this time.

The Community Development Director said staff could probably go ahead and do some changes and report back to the Council, but staff's fear is that if the study is not done the changes may have to be torn out in two years.

Council Member Flory said the scope of work is too broad. He said we do not know when we are going to have a new Police Station, and his concern is that we do not know where we are going five to six years down the road.

The Public Works Director said staff is proposing basically a master plan which is long range, and the concern is if the scope is limited to City Hall we would not identify the needs of future tenants. He said the new Police Station will come at some point in time, and we would like to know what those needs will be.

Mayor Rominger said she agreed with Council Member Flory that the space needs for the Parks, Recreation and Community Services Department and future use of the current Police Station is so far down the road. She said it would be premature to consider that at this time. She said we need to reconfigure the current City Hall. When we finally build a new Police Station at another location we will be able to determine at that point what the best use of the current Police Station is. She said Parks, Recreation and Community Services is perfectly comfortable where they are, and she is comfortable with them there.

The Community Development Director said it is not a matter of looking for a

new location for Parks, Recreation and Community Services. She said the question is the space needs for Community Development and Public Works and the Parks, Recreation and Community Services. After that basic analysis is made then we can make changes to the City Hall building projecting five to ten years.

Mayor Rominger said the Council has also discussed in the past maybe moving the Council Chambers to the Police Station. She said there are a lot of ideas and she is not sure we are ready to pursue.

Vice Mayor Losoya said another way to look at this is the price we will pay for the study will include that facility. If we do not do that now the cost will be greater in the future.

Council Member Ryhal said if the study needs to be done, rather than a short term look the study should have a broader scope.

On motion of Vice Mayor Losoya, seconded by Mayor Rominger and carried by the following vote, the City Council authorized the City Manager to enter into a contract with Wirth and McCandless, Architects to carry out the scope of work in Attachment II (of the staff report) regarding the City Hall for a cost not to exceed \$23,200:

AYES: COUNCIL MEMBERS:	Borchard, Flory, Losoya
NOES: COUNCIL MEMBERS:	Ryhal, Rominger

COPS MORE GRANT APPLICATION FOR COMPUTER EQUIPMENT:

Police Captain Del Hanson said the Woodland Police Department in conjunction with the Yolo County Communications Emergency Services Agency (YCCESA) and the Davis Police Department is applying for a COPS (Community Oriented Policing Services) MORE grant application for computer equipment, training and central records management system. He said through the grant process we will get an automated state of the art process for the Police Department. He said matching funds would be used from AB 3229 (\$100,650), which the City has already set aside for the Department's purchase of new technology, as well as funds from the Department's Asset Forfeiture Account. He said the grant applications are reviewed on a rolling basis and he anticipated hearing back from the COPS Office before the end of calendar year 1996. If the agencies are not successful with the grant, the Police Department will proceed with a scaled down version of an automated process from the AB 3229 funds. He said no action is necessary from Council, and if awarded the grant, Council will be asked for permission to receive the grant.

REPORT ON CONTRACT CONTINGENCY POLICY AND USE:

Senior Civil Engineer Nick Ponticello briefed the Council on contract contingency policy and use. He said on an average the City uses about four percent of the construction contingency and the design contingency per contract. He said the City typically requests a five percent contingency for a consultant contract. With construction contracts the contingency is typically 10 to 15 percent.

GOVERNMENT CABLE TELEVISION CHANNEL SERVICES:

The City Manager reviewed with Council the City's usage of the government channel, Channel 20. He said the City has been experiencing some problems with picture quality, and Sonic Cable is trying to correct the problem. He said with the vacant Assistant City Manager position Parks, Recreation and Community Services Director Tim Barry has been the staff person coordinating with WAVE for broadcast coverage and securing camera operators.

TELEPHONE/FAX/COMPUTER ACQUISITION POLICIES:

The City Manager said he has received requests from some Council Members to get a cellular telephone and fax to use in conducting City business. He said he has received requests from both Council Members and several other City employees to take advantage of prices offered by vendors to the City in the purchase of computer equipment for their own personal use, at their own personal expense. He said the City currently provides cellular telephones and pays for the related services to City department heads and the City Manager at their request, who must at times conduct City business away from their office. Those employees may use the telephones for personal as well as City business, but are required to reimburse the City for the cost of personal calls. The telephones are the City's property and must be returned when the employee leaves City employment. He said when the City finally gets its computer networking set up he would like every Council Member to be set up with an E-Mail system, and he felt that would be more beneficial to the Council than the phones.

After Council discussion the following action was taken:

On motion of Council Member Borchard, seconded by Council Member Flory and carried by the following vote, the City Council authorized City Council Members and all regular City employees to purchase computer hardware and software for personal use at their own personal expenses through established City purchase agreements with local vendors:

AYES: COUNCIL MEMBERS:	Borchard, Flory, Rominger
NOES: COUNCIL MEMBERS:	Losoya, Ryhal

On motion of Council Member Ryhal, seconded by Council Member Losoya

and carried by the following vote, the City Council authorized City Council Members to receive at Council Member's request, a cellular telephone and/or fax machine, including service costs, at City expense for use in conducting City business:

AYES: COUNCIL MEMBERS: Flory, Losoya, Ryhal, Rominger  
NOES: COUNCIL MEMBERS: Borchard

FUTURE MEETING AGENDA ITEMS:

Council Member Ryhal requested a future meeting agenda item to review the massage establishment ordinance. He also requested a future agenda item to allow Neal Peart to speak regarding the Hays Truck Yard, 1225 East Oak Avenue.

ADJOURNMENT:

At 9:35 pm the meeting was adjourned.

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City Clerk of the City of Woodland