Council Chambers 300 First Street Woodland, California

September 19, 1995

The Woodland City Council convened a special session at 6:15 p.m. and immediately adjourned to closed session in the Second Floor Conference Room of City Hall for a Conference with Labor Negotiator Bill Avery regarding General Services Unit, Mid-Management Association, Woodland Professional Police Employees' Association, Police Mid-Management Unit, Fire Mid-Management Unit, Confidential Employees, and Management Employees (Government Code Section 54957.6). Council Members present at the meeting were: Sandy, Borchard, Rominger, Slaven; Council Members absent: Flory. City Manager Kris Kristensen and Assistant City Manager Kristine James also attended the closed session.

Council adjourned the closed sessions and the special session at 6:50 p.m.

The Woodland City Council met in regular session at 7:00 p.m. in the City Hall Council Chambers.

PLEDGE OF ALLEGIANCE:

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: Sandy, Borchard, Flory, Rominger, Slaven

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Kristensen, Ruggiero, James, Vicars, Siprelle, Barry, Nies,

Ramirez, Buchanan, Brown, Martin, Wilson, Bryan

CITY MANAGER ANNOUNCEMENT:

The City Manager announced that the Council met in closed session from 6:15 p.m. until 6:50 p.m. for a conference with Labor Negotiator Bill Avery (Government Code Section 54957.6). He said no Council action was taken at the meeting.

MINUTES:

On motion of Council Member Rominger, seconded by Council Member Slaven and carried by unanimous vote (Council Members Borchard and Flory abstained), the City Council approved the minutes for the special Council meeting of June 8, 1995, as prepared.

On motion of Council Member Rominger, seconded by Council Member Flory and carried by unanimous vote (Council Member Borchard abstained), the City Council

approved the minutes for the special Council meeting of June 29, 1995, as prepared.

On motion of Council Member Flory, seconded by Council Member Slaven and carried by unanimous vote (Council Member Rominger abstained), the City Council approved the minutes for the regular Council meeting of August 2, 1995, as prepared.

COMMUNICATIONS:

1. From Mary F. Steindorf a letter was received stating that she lives on Northwood Drive in Woodland and has been experiencing problems with numerous cats in the neighborhood. The City Clerk advised that Council Members received a response letter from Police Chief Russ Smith.

The City Manager said the Police Department is working with County Animal Control to see if there is some internal way to address the concerns.

2. From Diane Ditler a letter was received requesting that the City replace a stop sign which was removed at Gibson Road and Road 101 near Willow Spring School.

The City Clerk said the Public Works Department is preparing a response to this letter. She said she received similar letters from Sharon Bal and Robert Haws after the agenda binders were distributed.

Public Works Director Gary Wegener said the Traffic Safety Commission discussed this matter at its meeting last night, and he said a letter will be sent to the people who provided names and addresses advising the steps the City intends to take to review this problem again. He said basically the procedures relative to the turn restrictions will be explained and the fact that the turn restrictions were in the Southeast Area Specific Plan. He said staff will outline the procedures if there is interest in changing that Plan as well as the approximate time frame. He said the City will be monitoring the area over the next six months, and the matter will be agendized for the next Traffic Safety Commission meeting.

- 3. From the County of Yolo Waste Advisory Committee a letter was received recommending adoption of the Siting Element and Summary Plan of the County Integrated Waste Management Plan. The City Clerk noted that this matter will be discussed under the public hearing portion of the agenda.
- 4. From the Yolo County Fair Board a letter to the Redevelopment Agency Board was received nominating Dudley Holman as its representative on East Street Corridor Specific Plan Committee. Appointments to the Committee are expected to be considered at the next Redevelopment Agency Board meeting on October 3.

COMMITTEE REPORTS:

- 1. From Fire Chief John Buchanan a report was received transmitting the minutes of the Yolo County Communications Emergency Services Agency Board meeting of August 9, 1995.
 - 2. From City Manager Kris Kristensen a report was received transmitting the

minutes of the Yolo Solano Air Quality Management District meeting of August 9, 1995.

- 3. From the City Manager a report was received transmitting the minutes of the Water Resources Association meeting of August 10, 1995.
- 4. From Assistant City Manager Kristine James a report was received transmitting the minutes of the Yolo County Public Agency Risk Management Insurance Authority Board meeting of August 30, 1995.
- 5. From Community Development Director Janet Ruggiero a report as received transmitting the minutes of the County Habitat Management Plan Steering Committee meetings of July 27 and August 30, 1995.
- 6. From the Community Development Director a report was received transmitting the minutes of the Downtown Parking Committee meeting of September 6, 1995.
- 7. From the Community Development Director a report was received summarizing action taken at the Planning Commission meeting of September 7, 1995, as follows:
 - a.Commission approved a conditional use permit for a day care center at the First Church of the Nazarene, 100 Woodland Avenue. The child care center will accommodate 30 children, 3 to 6 years in age. The Planning Commission also certified an NDEIR.
 - b.Commission approved a conditional use permit that will allow for an expansion to the La Fogata Bar, 906 Main Street. The Planning Commission also certified an NDEIR on this item.
 - c.Commission approved Tentative Parcel Map No. 4620, which divides a 1/2 acre parcel into two lots. The parcel is located on the south side of Kentucky Avenue, west of Palm Avenue. The Planning Commission also certified a Categorical Exemption.

PUBLIC COMMENT:

Matthew Brown, Woodland resident, said he wanted to speak about the massage ordinance. Mayor Sandy said Mr. Brown could speak regarding that issue when the Council discusses regular agenda items.

Mary Ann Smith, Woodland resident, said she was speaking for many residents in the Valley Homes area located west of Road 101 between Gibson Road and Gum Avenue. She said they were surprised that they are no longer able to make a left hand turn from County Road 101 nor can they make any left hand turn onto County Road 101 from Gibson Road. She said this is a major concern to the residents in the area, and there are safety issues at the Willow Springs School. She asked that this matter be scheduled on the next Council meeting agenda.

Mayor Sandy said the Traffic Safety Commission is looking into the issue, and he suggested that the Commission could hold its meeting in the Willow Springs School area to make it more convenient for the residents.

Community Development Director Janet Ruggiero briefed the Council on the process regarding the Southeast Area Specific Plan. She said the Plan carefully delineates the configuration for the traffic in the area, so in order for a change to occur the Plan will have to be amended as well as the EIR. She said the initiation of that change will from either the property owners through a fee or the Council will have to initiate that amendment for the process to occur.

Robert Haws, owner of a house at 1553 Owens Valley Drive, said there is only one place for ingress or egress and that is on Road 101. He said he has signatures of about 75 residents who want the change back to a four-way stop at Gibson and Road 101 or even a traffic signal, anything but a right-turn only. He said this restriction has placed a bottleneck at the intersection. The traffic is slowed down but the problem is not solved. He suggested restricting truck traffic for trucks which are over a specified weight as an alternative means to slow the traffic down. He said he felt every homeowner has a right to access to his property.

The Public Works Director said his staff will notice all of the residents in the area of the Traffic Safety Commission meeting.

Mayor Sandy congratulated Vice Mayor Elaine Rominger who was just this week elected as President of the Sacramento Valley Division of the League of California Cities. Vice Mayor Rominger said she will be assuming her duties as President after the League of California Cities Annual Conference in October, and the First Vice President of the Division is the Mayor of Yuba City, Sandy Hilliard. She said the second Vice President is the Mayor of Gault, Richard Pratt. She said City Clerk Jean Winnop will probably be the Secretary-Treasurer of the Division, and the City of Woodland will be hosting the Division meeting in June of 1996.

Council Member Flory said he invited the Sacramento Area Commerce and Trade Organization (SACTO) to hold its Board of Directors meeting in Woodland, and SACTO would like Woodland to host the Board meeting in November. He said this will give Woodland an opportunity to have 25 to 30 CEOs, presidents and vice presidents of large corporations from the Sacramento region coming to Woodland for a lunch and a tour.

PROCLAMATION - BANNED BOOKS WEEK:

Library Services Director Marie Bryan reported to the Council on various books

which have been challenged or banned during the past year.

On motion of Council Member Slaven, seconded by Council Member Rominger and carried by unanimous vote, the City Council proclaimed September 23-30, 1995, as Banned Books Week in Woodland.

Mayor Sandy presented the proclamation to the Library Services Director.

PROCLAMATION - FIRE SAFETY AWARENESS WEEK:

Fire Chief John Buchanan said 50 percent of the City organization is in the field of fire prevention, and 50 percent of the Fire Department employees are present at the meeting. Fire Prevention Specialist Kathy Amen briefed the Council on activities for Fire Safety Awareness Week.

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous vote, the City Council proclaimed October 8-14, 1995, as Fire Prevention Week in Woodland.

Mayor Sandy presented the proclamation to Ms. Amen.

HEARING - SYCAMORE POINTE PROJECT:

Mayor Sandy said the first public hearing scheduled is a continued hearing to consider the Planning Commission's recommendation regarding the Sycamore Pointe project to amend the General Plan and Southeast Area Specific Plan land use designation; rezone 5.5 acres to C-2/PD and R-M/PD; and consider appeals of the conditional use permit and tentative map for Sycamore Pointe. The hearing was continued from the September 5 Council meeting.

Senior Planner Howard Nies said the Sycamore Point project is located at East Main Street and Pioneer Avenue. He said the project is divided into two issues. The first issue is the Planning Commission's recommendation, and the second is the appeals of the Planning Commission's decisions on the conditional use permit. The Planning Commission recommends that the Central Commercial be increased from 8 acres to 11 acres on this project and the Medium Density Residential be increased from 6 acres to 8.5 acres. There is also and Addendum EIR for the project, and staff provided the Council with a modified Addendum which responds to the Remy and Thomas letter received at the last Council meeting. The Planning Commission recommended Central Commercial and Medium Density Residential by a 6-0 vote. Mr. Nies said the Commission felt the 8 acre site was odd-shaped, and 3 acres would be appropriate to allow the normal building coverage for a typical 8 acre site. The Medium Density Residential seemed appropriate in view of the fact that the institutional uses will be next to the commercial site. The second issue is the appeals. One appeal filed by Tony Evans has been withdrawn, and the second appeal filed by Malcolm Leiser has been withdrawn subject to a phasing condition

being attached to the use permit.

Community Development Director Janet Ruggiero said after a meeting with developers and the appellant, an eighteenth condition was added. This condition basically states that a 6,100 square foot shop area located north of the Food 4 Less shall be subject to a phasing plan. She then explained the plan.

Mayor Sandy opened the public hearing.

Mark Engstrom said he assisted in the coordination of this project. He said there are two separate parcels and a number of parties involved. After a series of meetings with the Community Development Director, Malcolm Leiser, and Tony Evans all of the issues were resolved. He said they are all in agreement with all of the conditions imposed in the staff report.

Malcolm Leiser thanked Mayor Sandy and the Community Development Director for assisting in getting the issues resolved. He said he had some serious concerns about the project and how it effects the neighborhood commercial at Gibson Center. He said there are two conditions contained in the permit that address his primary concerns. One is the condition restricting the store to a discount store which is identical to the condition imposed on the Yolo Polo project, and the last condition which was developed at their meeting involved phasing.

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

On motion of Council Member Rominger, seconded by Council Member Slaven and carried by unanimous vote, the City Council certified the Addendum EIR for the Southeast Area Specific Plan with the finding that amendment to the Southeast Area Specific Plan and the Woodland Area General Plan of changing 5.5 acres of Low Density Residential to 3 acres of Central Commercial and 2.5 acres of Medium Density Residential and requested entitlements at the southeast corner of East Main Street and Pioneer Avenue will not result in additional significant impacts.

Resolution No. 3900:

On motion of Council Member Slaven, seconded by Council Member Rominger and carried by unanimous vote, the City Council adopted Resolution No. 3900 amending the General Plan and Southeast Area Specific Plan to change 5.5 acres of Low Density Residential to 3 acres of Central Commercial and 2.5 acres of Medium Density Residential at the southeast corner of East Main Street and Pioneer Avenue.

Ordinance No. 1268:

On motion of Council Member Flory, seconded by Council Member Rominger

and carried by unanimous vote, the City Council introduced and read by title only Ordinance No. 1268 changing the zoning of 5.5 acres of R-1/PD to 3 acres of C-2/PD and 2.5 acres of R-M/PD for property at the southeast corner of East Main Street and Pioneer Avenue.

On motion of Council Member Flory, seconded by Council Member Borchard and carried by unanimous vote, the City Council upheld the Planning Commission's approvals of the conditional use permit for the 11 acre commercial shopping center and 2.5 acre institutional uses at the southeast corner of East Main Street and Pioneer Avenue with the following findings and conditions of approval (including the addition of Condition No. 17 recommended by staff and Condition No. 18), the landscaping modification for Sycamore Pointe and Tentative Map No. 4256:

Findings:

The Project will be consistent with the General Plan and Southeast Area Specific Plan designation of Medium Density Residential and Central Commercial.

Conditions of approval:

- 1. Secure approval and satisfy requirements of all agencies of jurisdiction.
- 2.Any existing water well shall be abandoned under permit. Plan check approval and permit shall be obtained from Yolo County Health for any proposed food facility at the site.
- 3.Photometric data must be provided to indicate that the parking area will be equipped with one foot-candle of minimum maintained illumination per square foot of parking surface to include the entire paved area. The parking area shall be illuminated from dusk until the termination of business every operating day.
- 4.Said lighting shall be constructed by using sufficient poles and fixtures so that the lighting is evenly distributed over the surface and does not impede upon adjacent public and/or private properties. This has been accomplished in other projects by using refractors.
- 5. Provide consistent design which includes the same roof materials throughout the commercial shopping center and modification of the staples roof to incorporate the theme of the center.
- 6.Development of this project will require the signal to be installed ahead of schedule. Therefore the developer shall design and construct

the signal with this project. The City will reimburse the developer for design and construction costs when Phase II Community Facilities District improvements are initiated.

- 7.The bus stop on Pioneer Avenue shall include a bus shelter which shall be maintained by the shopping center.
- 8. The site plan and elevations of the institutional uses shall be subject to the approval of the community development director.
- 9. Provide a water feature or acceptable art work at the north corner of the commercial center to the satisfaction of the Community Development Director.
- 10.Install landscaping on the triangle to the west of the commercial center. The developer will be reimbursed for the cost of the landscaping by the Community Services District.
- 11. Provide bicycle parking subject to the approval of the Community Development Director.
- 12.Limit the building square footage of the commercial center to 105,946 square feet.
- 13.City Council approval of the General and Specific Plan amendments and rezoning for this project.
- 14. Modify the landscape plan to make the plant material changes recommended by the Parks, Recreation and Community Services Department.
- 15.If the location generates an unacceptable number of police calls for service, the Police Department will review hours of operation and minimum owner provided security measures.
- 16.Permitted uses in the shopping center shall include price impact food stores (warehouse "discount style" box grocery stores) such as Food 4 Less, Pak N' Save, Food Source, Super K-Mart, and Price Club/Costco. Conventional grocery stores (full service "neighborhood serving" supermarkets) such as

Albertsons, Bel-Air, Lucky's Raley's, Smiths Food and Drug Center, and Safeway shall be prohibited.

- Staff shall make the final determination regarding consistency of proposed uses with this condition. The staff determination may be appealed to the Planning Commission.
- 17. The applicant shall hold harmless the city, its council members, officers, agents, employees, and representatives from liability for any award, damages, costs, and fees incurred by the city and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the city in any such action.
- 18. The 6,100 square foot shop area located north of the Food 4 Less store shall be subject to a phasing plan. Construction of the shell building shall be allowed at the time of the shopping center construction but tenant occupancy shall only be permitted in compliance with the phasing plan which is as follows:

# of tenants	Square Footage	Timing for Occupa	<u>ncy</u>		
1	6,100		Immed	Immediately	
1	< 6,100		Immediately		
2	3,050	each tenant	Immediately		
2	< 3,0	050 each tenant	1997		
3	< 6,1	.00		1998	
4 or more	< 6,1	.00		1999	

Mayor Sandy thanked Mark Engstrom, the Stilles and Malcolm Leiser for coming together on this issue in a way that will ultimately benefit Woodland.

HEARING - 1993-94 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS:

Mayor Sandy said the second public hearing scheduled is to consider amendments to the entitlement statement for the use of 1993-94 Community Development Block Grant (CDBG) funds.

Senior Planner Howard Nies said there are two CDBG projects that need additional funding to be competed. The first is Freeman Park where an additional \$2,596 is needed to complete the installation of the children's play equipment. The second deals with the

Development Assistance Corporation's (DAC's) project at 925 North Street for a sevenunit apartment, and an additional \$45,000 is needed to complete that project. Staff recommended that the Council approve the transfer of those unused funds from projects that have been completed or where there is excess funding. HUD requires two public hearings on any amendment, so the hearing for this meeting will be continued to October 3.

Vice Mayor Rominger asked for a breakdown of costs and balances in CDBG funds at the October 3 Council meeting.

Mayor Sandy opened the public hearing.

Dick Bornholdt, representing Development Assistance Corporation, explained their proposed apartment development at 925 North Street. He said the project was put out to bid and the bids were too high. After the project was reduced interest rates went up, and the mortgage amount DAC could borrow dropped. He said DAC has arrived at a solid loan commitment from Business and Professional Bank and received a solid bid from Buchignani and Sons, a local contractor. He said the Housing Authority together with DAC will be developing the project. He said the additional \$45,000 is needed to assure that they can keep rents at below market rate rents and still pay the mortgage.

There being no further comments, Mayor Sandy closed the public hearing. The Council continued the hearing to October 3, 1995, 7:00 p.m.

HEARING - SITING ELEMENT/SUMMARY PLAN FOR COUNTYWIDE INTEGRATED WASTE MANAGEMENT PLAN:

Mayor Sandy said the third public hearing is to consider approval of the final Siting Element and Summary Plan of the Yolo County Integrated Waste Management Plan.

Recycling Coordinator Rebecca Brown briefed the Council on the process and the requested action.

Vice Mayor Rominger said the executive summary in the staff report discuses capacity and that the landfill capacity will expire at current levels in 2032. She asked if the County of Yolo is receiving waste from other jurisdictions or if there is any contemplation of that.

Ms. Brown said there are some wastes coming in from other locations, but she said she did not have any figures. She said the Plan indicates the County accepts imported waste primarily from Sacramento and Solano Counties totalling approximately 27,000 tons in 1994. She said County representatives would be better able to answer these types of questions regarding the operation of the County landfill.

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

the hearing.

City Manager said if the Council desires staff could get answers to these questions and report back to Council at the October 3 meeting.

Vice Mayor Rominger said specifically she would like to know the amount of additional waste that the County landfill receives from other jurisdictions and the justification for receiving it.

Council Member Borchard said he would like to know considering the current overhead the amount of refuse the County needs to import to keep the landfill "in the black."

Vice Mayor Rominger said she would also like information on the restrictions on the types of waste that are received.

The Council continued the hearing to October 3, 1995.

REPORTS OF CITY MANAGER:

CONSENT CALENDAR:

Mayor Sandy asked that the agenda item regarding the animal control services agreement with the County be removed from the Consent Calendar.

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

LEASE AGREEMENT WITH AEROMODELERS:

The City Council approved a seven-year lease agreement with Woodland/Davis Aeromodelers, Inc., for use of 30 acres at the Community Park for \$500.00 per year.

HEALTH INSURANCE CLAIMS ADMINISTRATION:

The City Council approved the renewal of contract agreements with Blue Shield to perform claims administration and US Benefits to provide insurance for City's self-insured health plan for the period October 1, 1995 to April 30, 1996.

<u>DESIGN, CONSTRUCTION & INSTALLATION OF SCADA WATER WELL</u> MONITORING SYSTEM:

The City Council awarded a professional services contract to Westin

Engineering, Inc., for \$30,312.00 for design, construction and installation of a SCADA water well monitoring system; authorized the Public Works Director to execute the contract; and authorized expenditures not to exceed \$50,880 (\$30,312 for Tasks 1-5, \$15,568 for Tasks 6-9, and \$5,000 for contingency).

PROVISIONAL APPOINTMENT OF AQUATICS SUPERVISOR:

The City Council approved an override of Personnel Rule 5.6.6 and approved the appointment of a Provisional Aquatics Supervisor for a period of sixty (60) days, or until this regular position is filled. This appointment will not exceed ninety (90) days.

COUNTY FLOOD PLAIN MANAGEMENT PLAN PREPARATION:

The City Council authorized staff participation in a program to develop a Countywide Flood Plain Management Plan.

WASTEWATER TREATMENT DESIGN REPORT SUPPLEMENT:

The City Council authorized the Director of Public Works to enter into a sole source contract with ECO:LOGIC of Roseville, California, to prepare a supplement to the 1987 Wastewater Treatment Plant Design Report in an amount not to exceed \$15,000.

POLICE DEPARTMENT VEHICLE PURCHASES & CONVERSION:

The City Council approved the purchase of four (4) unmarked sedans totaling \$29,600 in budgeted FY 1995-96 funds and one (1) additional marked patrol unit totaling \$23,000 in funds from Equipment Rental (Fund 10); and Council approved the conversion of one Community Services Officer vehicle to a marked patrol unit.

BID CALL FOR SEWAGE SLUDGE TRANSPORTATION TO COUNTY LANDFILL:

The City Council authorized the Public Works Director to (1) send sludge from the Beamer Street pond site to the Yolo County Central Landfill and (2) advertise a notice inviting bids for furnishing all labor, material, transportation equipment and services necessary for completing excavation and transport of sludge from the Beamer Street pond site to the Yolo County Central Landfill.

REGULAR CALENDAR:

ANIMAL CONTROL SERVICES:

Mayor Sandy said he thought the City was working on a long term goal to privatize animal control services in Woodland.

Police Chief Russ Smith said privatization of animal control services is a long term goal which has been discussed with other Yolo County agencies. He said that project deals with some significant issues, and he did not anticipate that to occur within the next year. He said at this time he is proposing a two-year animal control services agreement with the County because they could not staff for one year and then layoff for the second year. He said it will take one to two years to study the issues and conceivably the program could be implemented in the third year.

Mayor Sandy asked the Chief what the County's explanation is for the increasing costs of the service.

Chief Smith said the County has labor contracts with fixed costs in addition to increasing maintenance costs according to the cost of living and doing business. Those costs are built into the contract. He said if there is a savings it rolls into next year's budget. Responding to further questions from Mayor Sandy, the Chief said the Police Department addresses the complaints from the public about dog and cat problems and coordinates with animal control services in terms of enforcement. He said these types of calls are not numerous compared with other types of calls his department receives.

Mayor Sandy asked the Police Chief to keep the Council continually updated regarding privatization of this service over the next two years.

On motion of Council Member Slaven, seconded by Council Member Flory and carried by unanimous vote, the City Council authorized the City Manager to enter into an agreement with Yolo County for animal control services for Fiscal Years 1995-96 and 1996-97.

ORDINANCE NO. 1269 - MASSAGE BUSINESSES:

Assistant City Attorney Ann Siprelle said in follow-up to the last Council meeting with the Council adopted urgency ordinance prohibiting new massage establishments until a permanent ordinance takes effect she presented the Council with an urgency ordinance which would enact regulations applicable to existing and new massage establishments. The proposed ordinance requires the owners of massage establishments and all massage technicians to obtain a permit from the Police Department in conjunction with the issuance of a business license. Any existing technicians and owners of businesses would not need to get a new business license but would need to get a permit from the Police Department. She said she and staff have met with many owners of massage establishments in Woodland and have made some changes per their suggestions to make the regulations less onerous for small businesses and for existing businesses. She said they have come to agreement on all of the issues, and she said if the Council decides to enact the ordinance she pointed out three suggested changes in response to the County Health Department's request. She said the County Health Department would not be involved in the issuance of massage technician permits, and she pointed out the suggested changes to the draft ordinance.

Community Development Director Janet Ruggiero said the Health Department would still be informed of the permit through the business license process, but the communicable diseases clause was removed from the first draft of the ordinance. She said the inspections will be performed by the City rather than the Health Department.

Mayor Sandy asked why there is an age restriction, and the Assistant City Attorney reported that the age factor was included in the model ordinance.

Matthew Brown made inquiries about why the restrictions are necessary. The Community Development Director responded to his questions.

Cynthia Frueh thanked staff for working with owners of massage businesses and for being very reasonable and cooperative. She said each item was reviewed, and she was happy with the outcome of the proposed ordinance.

After some discussion Council took the following action with respect to age restrictions in the proposed ordinance:

On motion of Council Member Rominger, seconded by Council Member Slaven and carried by the following vote, the City Council eliminated the age limitation in Section 15-6-5(3) of the proposed ordinance:

AYES: COUNCIL MEMBERS: Flory, Rominger, Slaven, Sandy

NOES: COUNCIL MEMBERS: Borchard
ABSENT: COUNCIL MEMBERS: None

On motion of Council Member Flory, seconded by Council Member Borchard and carried by unanimous vote, the City Council introduced and read by title only Ordinance No. 1269, an Urgency Ordinance of the City Council of the City of Woodland Regulating the Establishment and Operation of All Massage Businesses within the City of Woodland.

ORDINANCE NO. 1270/RESOLUTION NO. 3901 - UTILITY USER'S TAX REDUCTION:

Finance Director Margaret Vicars requested Council introduction of an ordinance amending the utility user's tax ordinance, Ordinance No. 1075, and adoption of a resolution to implement a reduction in the utility user's tax rate. She said the City imposed a utility user's tax in 1985 following an advisory vote on the City-wide election ballot. Last summer she said the Council approved refinancing the bonds for the Library project which reduced the average annual debt service needed for the bond issue and thus reduction in the City's lease obligation. The annual payment on the lease obligation went from \$326,000 to an average of \$305,000. The proposed change in the water system utility user's fee rate is a

result of this reduction in the lease payment. The planned change will lower the utility user's fee rate from 21 percent of the billed water charge (including the demand fee) to 18 percent of the billed water charge (including the demand fee). This change represents a 14.3 percent reduction in cost to the customer. Since 1985, she said, the City has reduced the fee various times. The fee was originally 38 percent and dropped to 32 percent, and three years ago the rate was dropped to the 21 percent. The effective date of the rate change will be October 1995.

Responding to a question from Council Member Flory, the Finance Director said the average residential water bill will be reduced about 45 cents every two months, and for those customers who are at the \$500 cap the reduction will be \$60 on a yearly basis.

On motion of Council Member Flory, seconded by Council Member Borchard and carried by unanimous vote, the City Council introduced and read by title only Ordinance No. 1270, "An Ordinance Amending the Utility User's Tax Ordinance No. 1075 and Repealing Ordinance No. 1175" and adopted Resolution No. 3901, "A Resolution of the City Council of the City of Woodland Implementing a Reduction in the Utility User's Tax Rate."

ROAD MAINTENANCE ASSESSMENTS:

Public Works Department staff distributed a comparison of the Engineer's Report spread on proposed road maintenance assessments. Director of Public Works Gary Wegener said the proposed action is to select a method of spread, adopt the resolution of intent to levy the assessments, and authorize mailing of the legal notices. The resolution of intention sets the dates for a public meeting on October 26 and a public hearing on November 7. He said these dates will allow for Council action on the assessments to initiate engineering work to get the first project under contract in the summer of 1996. At the last Council meeting staff discussed four different options of spread, and Council decided to eliminate Options I and II. He said Options III and IV are being presented at this time, and the engineer's report has been developed for those two options.

Daryl Reynolds of Vail Engineering explained the options. He said <u>both</u> options (1) have the same assessment district boundaries (City limits), (2) levy assessments to collect \$1.9 million for FY 1996-97, (3) segregate costs into an annual maintenance and backlog, (4) collect the backlog (\$1.4 million) over 5 years only; (5) collect the annual maintenance costs (\$500,000) and annual administrative costs (\$10,000) every year and continue to collect this after 5 years; (6) spread costs to residential and non-residential properties within the City; (7) use dwelling unit equivalents with trip generation rates being the relational measure of benefit between various types of properties; (8) spread annual maintenance costs and arterial costs the same except for vacant land; (9) include the same maximum assessment rate formula for determining maximum assessments after 5 years; and (10) include the exemption from annual maintenance costs for properties fronting on new roads 5 years or less in age. He

said the only two items that are different in options III and IV are that the backlog costs which are identified in the report are the same for arterials but in IV the local and collector streets the costs are broken out differently. In Option III the local collector backlog cost is spread on a City-wide basis more broadly and more generally. In Option IV the backlog costs are identified as primarily benefiting residential or primarily benefiting commercial/industrial properties, and those costs are spread to either residential or commercial and industrial. This Option tends to spread the costs more to those properties that benefit. For vacant land Option III costs are spread on a parcel basis and Option IV costs are spread on a parcel and acreage basis at 50% of the developed rate. He then listed the individual assessments proposed for the various categories.

The Public Works Director said during the public meeting and public hearing process changes can be made in the engineer's report, but assessment rates cannot be raised for any of the categories of property.

Howard Amen said he thought when he paid City taxes he was paying for road maintenance, and he questioned additional assessments for this purpose.

The City Manager explained that property taxes have not been a source of funding for road maintenance for quite some time. Property taxes have been paying for mainly police protection, fire protection, etc. He said there has been some difficulty with property taxes over the last few years; the State has decided that the amount of property tax dollars that has been going to cities should be considerably less than in times past. He said today the City is receiving about 15 to 20 cents of every property tax dollar that is paid. He said that amount does not go toward road maintenance. The key funding sources for road maintenance over the years has been (1) Transportation Development Act dollars (the sales tax placed on the sales of fuel) and (2) gas taxes. He said the City is finding over time that those sources of funds are not sufficient to handle the maintenance requirements for roads.

The Public Works Director said those primary revenues used for road maintenance in 1986 totalled \$9,000 per road mile in the City per year, and in 1995 that number decreased to \$7,600 per road mile.

Mr. Amen said if less money is coming in, the budget needs to be adjusted.

Charlene Shaffer, Executive Director of the Woodland Chamber of Commerce, said at the Chamber Board felt after the last Council meeting that it did not have enough information for a forum scheduled on this topic tomorrow. She said October 26 is the Farm City banquet and requested that the public meeting not be held at that time. She thanked staff for its cooperation in getting information to the Chamber and for the efforts of the Blue Ribbon Task Force.

Meg Stallard inquired about the timing of placing the assessments on the tax rolls. She asked how the City will handle the internal borrowing to fund the

road maintenance next year.

The City Manager said the funding will come from dollars the City has from development fees collected or enterprise funds. The funds would be temporarily borrowed to use for those road projects and then paid back upon receipt of the assessments.

The Public Works Director said the intent was to borrow the \$1.9 million per year for each of the five years.

Finance Director Margaret Vicars said we are only looking at a three to four month time period. The engineering work will start in January 1996, and the City may actually start spending money in March, April or May with the idea that \$1.9 would be spent by the time taxes come in December. She said this is only a one-year turn around and not an unusual function to go through a tax year.

The Public Works Director said the intent is that if the maintenance (basically the overlay of asphalt on the road) is not done when it needs to be done, the street has to be reconstructed totally and the cost is three to five times as much as the overlay.

Meg Stallard said the School District has had diminishing funds over the years, and she is frustrated that the School District has a bond measure on the November 7 ballot. She said the School Board and the School District office has the concern that the proposed assessments are just one more thing on top of another. She said if the School District's bond measure passes the average homeowner's annual taxes will be reduced by \$30.00. She asked the Council to consider delaying this action until there is a new Council at the end of March or early April 1996 if the assessments will not be collected until August of 1996.

Council discussion of the two options of spread followed.

A motion of Council Member Flory, seconded by Mayor Sandy, to select Option III Methodology of Spread failed to carry by a two to three vote of the Council.

On motion of Council Member Rominger, seconded by Council Member Borchard and carried by the following vote, the City Council selected Option IV Methodology of Spread for the Citywide Road Maintenance Assessments:

AYES: COUNCIL MEMBERS: Borchard, Rominger, Slaven

NOES: COUNCIL MEMBERS: Flory, Sandy ABSENT: COUNCIL MEMBERS: None

The Director of Public Works said every registered voter may file a written protest to the assessments.

Assistant City Attorney Ann Siprelle said in order for a person to protest the

assessments the person must be a registered voter on the date of the protest hearing.

Council agreed to reschedule the public meeting on the road assessments for Wednesday, October 25, 1995. The Council agreed to hold the protest hearing on an adjourned meeting date of November 14, 1995.

The Public Works Director suggested that the notices be mailed on October 16 prior to the public meeting and public hearing.

Council discussed the mailing of the legal notices to registered voters and/or property owners. Mayor Sandy suggested only complying with the law by mailing the notices to registered voters. The City Manager pointed out that staff is also planning to do other kinds of public notices which are not mailed to people, and there will be adequate information available to the public. He said there is much duplication with mailing to both segments. Vice Mayor Rominger suggested that the notice indicate that the City is attempting to get the information out and is aware there will be duplication in the mailing. The Public Works Director said the additional cost of mailing to the property owners would be about \$8,000. After further discussion the following action was taken:

Resolution No. 3902:

A motion of Council Member Rominger, seconded by Council Member Borchard, failed by the following vote to adopt Resolution No. 3902, a Resolution of Intention to levy and collect Citywide Road Maintenance Assessments and to authorize preparation and mailing of legal notices to registered voters and property owners who reside in Woodland:

AYES: COUNCIL MEMBERS: Borchard, Rominger NOES: COUNCIL MEMBERS: Flory, Slaven, Sandy

ABSENT: COUNCIL MEMBERS: None

On motion of Council Member Rominger, seconded by Council Member Borchard and carried by unanimous vote, the City Council adopted Resolution No. 3902, a Resolution of Intention to levy and collect Citywide Road Maintenance Assessments.

On motion of Council Member Rominger, seconded by Council Member Flory and carried by the following vote, the City Council authorized preparation and mailing of legal notices regarding the Citywide Road Maintenance Assessments to registered voters and property owners who reside in Woodland:

AYES: COUNCIL MEMBERS: Borchard, Flory, Rominger

NOES: COUNCIL MEMBERS: Slaven, Sandy ABSENT: COUNCIL MEMBERS: None

Council took a recess from 9:57 p.m. until 10:11 p.m.

COMPUTER SYSTEM MANAGEMENT EVALUATION:

Council Member Flory requested that the Council consider the computer system management evaluation now instead of later as scheduled on the agenda.

The City Manager gave Council background on the City's computer system improvements. He asked for Council consideration of the hardware improvements, wiring the system and upgrading the PCs so that they could be networked throughout the City organization. He said it might be prudent to seek an independent assessment of this proposal and the needs of the organization for computers. He said staff solicited proposals from different vendors who are qualified in the area of doing this work and who would not likely be vendors for the actual procurement later on of computers for the project. He said he requested proposals in the \$2,000 range for the analysis, and staff recommends retention of the services of the RAN Company. He said the turn around time is two to three weeks for a report back to the Council.

Vice Mayor Rominger noted that M. J. Schmidt Associates who have addressed the Council before regarding computer needs were not invited to submit a proposal.

The City Manager said staff's intent was to solicit proposals from companies who were capable of doing the analysis and were not interested in providing products or services when the actual improvements are made. He said the letters Council received from Schmidt Associates actually offered to sell products to the City. He said a number of local vendors were not contacted to submit proposals.

Marvin Lord of M. J. Schmidt Associates said his company is proposing to do an evaluation on the City's software and hardware upgrades. He said his company is no longer interested in being a vendor. He said they would like to take the information that has been collected and their own private audit and look at the proposals that have been presented.

The City Manager said he will review the proposal from M. J. Schmidt Associates regarding evaluation of computer needs and system management and report back to Council on September 26, 1995.

PUBLIC COMMENT:

Mayor Sandy said an individual missed the public comment period and would like to speak at this time.

On motion of Council Member Flory, seconded by Council Member Slaven and carried by unanimous vote, the City Council extended the meeting from 10:30 p.m. until 11:00 p.m.

Jack Freeman said he read an article in the newspaper which stated that City inspectors can now fine violators, and he asked for a clarification.

Vice Mayor Rominger said when the Council adopted this regulation her concern was that the first time offenders would be fined without a notice given. She said the first violation is not fined, but he second or third violation could be fined. She said this is one of the provisions in the City's nuisance abatement ordinance. Previously the method used for abating a nuisance was to write a letter without a fine, but the City has found that some people create a nuisance on their property. These people were sent a letter and two weeks later the nuisance reappears. She said the new regulation is an effort in extreme cases to redemedy the nuisances.

Assistant City Attorney Ann Siprelle said the City can issue a citation which is a notice to appear. She said the fine is not imposed by the inspectors but by the Court.

CONTINUATION OF RECREATION FACILITY AIDE POSITION:

Parks, Recreation and Community Facilities Director and Park Superintendent George Ahlgren briefed the Council on the Recreation Facility Aide position and program which was started more than two years ago.

On motion of Council Member Slaven, seconded by Council Member Rominger and carried by unanimous vote, the City Council allocated \$9,889 for FY 1995-96 for continuation of the Recreation Facility Aide position and program.

WASTEWATER EFFLUENT REUSE AND SALE:

Council heard a report from Director of Public Works Gary Wegener and Water Conservation Coordinator Harrison Phipps on wastewater effluent reuse and sale potential.

On motion of Council Member Flory, seconded by Council Member Borchard and carried by unanimous vote, the City Council extended the meeting from 11:00 p.m. until 11:30 p.m.

CITY TRESTLE PONDS FLOWAGE:

The Public Works Director gave Council an update on City's trestle ponds flowage issues in the By-pass area adjacent to the settling basin. He said the City has been working for some time with Reclamation District 2035, Yolo Shortline and Conaway on flowage issues where the City's storm drain water discharges into the settling basin.

MICROFILMING SERVICES AND EQUIPMENT:

On motion of Council Member Slaven, seconded by Council Member Flory and carried by unanimous vote, the City Council approved the solicitation of pricing for microfilming archived building plans currently in storage.

NOMINATION TO RECLAMATION DISTRICT 2035 BOARD:

On motion of Council Member Borchard, seconded by Council Member Slaven and carried by unanimous vote, the City Council concurred with the nomination of Vice Mayor Elaine Rominger to the Reclamation District 2035 Board of Trustees.

WATER RESOURCES ASSOCIATION OF YOLO COUNTY REPRESENTATIVE:

Vice Mayor Rominger asked the Council to postpone action on selecting a City representative to the Water Resources Association of Yolo County Board of Directors until October 3, 1995.

FUTURE MEETING AGENDA ITEMS:

Vice Mayor Rominger said she was concerned about Caltrans and maintenance of roadways along soundwalls. She said she was concerned that there could be a fire hazard with the growth and the dry conditions. The City Manager said the new Caltrans Director for District III will be in Woodland on September 27, and he will discuss the matter with her at that time.

ORDINANCE NO. 1266 - NUISANCE ABATEMENT:

On motion of Council Member Rominger, seconded by Council Member Flory and carried by unanimous vote, the City Council adopted and read title only Ordinance No. 1266 relating to fines for violation of City's nuisance ordinance.

ORDINANCE NO. 1267 - CAMPING ON PUBLIC/PRIVATE PROPERTY:

On motion of Council Member Rominger, seconded by Council Member Borchard and carried by unanimous vote, the City Council adopted and read title only Ordinance No. 1267 regulating camping on public and private property.

ADJOURNMENT:

At 11:15 p.m. the meeting was adjourned to September 26, 1995, 7:00 p.m.

City Clerk of the City of Woodland