Council Chambers 300 First Street Woodland, California

June 21, 1994

The Woodland City Council convened a special session at 6:45 p.m. and immediately adjourned to closed session in the Second Floor Conference Room of City Hall for a conference with Labor Negotiator Bill Avery, Government Code Section 54957.6. Council Members present at the meeting were: Sandy, Borchard, Flory, Rominger, and Slaven; absent: none. Staff members present at the meeting were City Manager Kristensen and Assistant City Manager Kristine O'Toole.

Council adjourned the closed session and the special session at 7:27 p.m.

The Woodland City Council met in regular session at 7:30 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, Rominger, Slaven, Flory

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Kristensen, Ruggiero, Murphy, Wegener, Gatie, Buchanan,

Ponticello, Utterback, Smith, O'Toole, DeWeerd

#### CITY MANAGER ANNOUNCEMENT:

City Manager Kris Kristensen announced that the Council met in closed session from 6:45 p.m. until 7:27 p.m. for a conference with Labor Negotiator Bill Avery permitted under State 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 Flory and carried by unanimous vote (Council Members Borchard and Slaven abstained), the City Council approved the minutes for the Council meeting of March 15, 1994, as prepared.

# COMMUNICATIONS:

1. From Acting Finance Director Rosemary Abrahams a notice was received

advising of claims paid for accounts payable and payroll for May 1994. No Council action was necessary.

- 2. From Judith Bechthold a letter was received submitting her resignation from the Traffic Safety Commission. The City Clerk advised that a letter of appreciation to be signed by the Mayor will be sent to her.
- 3. From Terry Bassett, Transit Director for the Yolo County Transit Authority, a letter was received advising of the receipt of \$74,230 from the California Energy Commission as a partial match to purchase three new compressed natural gas buses for YCTA's Woodland service. Council was advised that the City of Woodland will not have to contribute matching funds for this purchase.
- 4. From Larry Willey a letter was received stating that he is opposed to special assessments and supports a sales tax increase. He expressed his views on programs to cut.
- 5. From Larry Chillemi, President of American River Patriots, a letter was received expressing concerns about closing the Community Swim Center.

Council was advised that City staff will contact Mr. Chillemi to indicate that the City has not proposed closing the Community Swim Center, but proposed closing the Municipal Swim Pool as a budget cut.

#### **COMMITTEE REPORTS:**

- 1. From City Manager Kris Kristensen a report was received transmitting the minutes of the Water Resources Association of Yolo County meeting of May 4, 1994. No Council action was necessary.
- 2. From Assistant City Manager Kristine O'Toole a report was received transmitting the minutes of the Woodland Access meeting of May 11, 1994. No Council action was necessary.
- 3. From Community Development Director Janet Ruggiero a report was received summarizing action taken at the Planning Commission meeting of June 2, 1994, as follows:
  - a.Commission discussed whether the Planning Commission should take a position on the Landscape and Lighting District. Commission directed staff to determine if City Council would like a recommendation from the Planning Commission, and if they do, place on the June 16 agenda.
  - b.Commission approved a tentative map which divides the Woodland Hotel into four condominium units. Each floor comprises one unit. Commission also approved a conditional use permit for the Hotel and certified an NDEIR.
  - c.Commission recommended approval to the City Council of an amendment to the Southeast Area Specific Plan regarding noise levels in residential

areas. This amendment changes the maximum noise level from 60db Ldn to 65db Ldn. Commission certified an Addendum to the Southeast Area Specific Plan EIR addressing the change in noise level.

- d.Commission received a presentation by the Yolo-Solano Air Quality Management District on air quality issues, including the draft Federal Implementation Plan and proposed Commute Alternative Rule.
- e.Commission discussed the Child Care Master Plan with representatives from the Child Care Commission.

On motion of Council Member Flory, seconded by Council Member Rominger and carried by unanimous vote, the City Council set a July 5, 1994 hearing to amend the Southeast Area Specific Plan regarding noise.

4. From the City Manager a report was received summarizing topics discussed at the Chamber/City 2 x 2 meeting of June 8, 1994. No Council action was necessary.

#### OIL AND GAS BIDS:

City Clerk Jean Winnop advised State law requires that bids for leasing City property for oil and gas production be opened during the Council meeting. The subject property is a 133 acre site at the northeast corner of East Beamer Street and County Road 102. She opened the one bid received which was from Vern Jones Oil and Gas. Included with the bid was an oil and gas lease signed and notarized, a memorandum of oil and gas lease signed and dated, and a check in the amount of \$2,000. The Council will consider award of the lease under Regular Calendar items.

#### **PUBLIC COMMENT:**

Wayne Berlin said the City is complaining that it has no funds to repair streets, and the Council was advised tonight that funds were spent on three new busses.

The City Manager said the funds used to purchase the Clean Air vehicles came largely from a Federal grant, and funds were also received from other sources, including the State Energy Commission. There were no City funds contributed.

Mr. Berlin said the taxpayers have paid for the busses through gas taxes. He said the money should be spent where it needs to be spent.

The City Manager said the City has received Transportation Development Act funds on a regular basis since 1971, and the first priority for those funds is for transportation purposes. Any monies left after those expenditures can be used for street and road purposes. He said over the last 15 years there has been a steady increase in the

expressed need for public transit services within the community. Currently the City has had to expend in excess of \$600,000 to deal with those unmet transit needs. He said the services are used and thousands of rides are given on a regular basis throughout the year. He said the ridership statistics are available through the Yolo Transit Authority.

Debbie Peterson and her two children spoke in support of continued funding for the Child Care Program at its current level of service as well as other recreation programs provided by the City.

Mona Allen, Alex Seiberth and Tanya Garcia also spoke in support of the Child Care Program,

Several persons spoke on behalf of the Folklorico and the Woodland Swim Team.

The City Clerk advised Council that she had received a notice of intent to circulate a petition to pass a smoking measure for the City of Woodland. She said the City Attorney's office has 15 days from June 14, 1994 in which to prepare a summary and ballot title. The proponents have 180 days in which to obtain signatures and are not certain whether they will have the signatures necessary to qualify for the November 1994 ballot or the next municipal election ballot.

The City Clerk also announced that there are a number of vacancies on various City advisory commissions and boards, and the City is currently seeking applicants for a community at large member to the Downtown Parking Committee.

#### RESOLUTION NO. 3825 - GAS AND OIL LEASE:

Patrick Rogers, company representative of Vern Jones Oil and Gas, asked that the Council consider taking action at this time on the oil and gas lease of City property instead of later in the meeting as scheduled on the agenda. He said there was only one bid submitted and only one biddable factor.

Council agreed to consider the gas and oil bid at this time.

City Attorney Bob Murphy said Council's options are either to reject the bid or award the bid which does meet all of the terms of the invitation to bid.

The City Manager pointed out that money generated from the gas and oil production are general fund revenues.

On motion of Council Member Rominger, seconded by Council Member Borchard and carried by unanimous vote, the City Council adopted Resolution No. 3825, "Resolution of Acceptance of the City Council of the City of Woodland Awarding Bid for the Lease of Certain Real Property for Oil and Gas Production", and directed the City Manager to execute the Memorandum of Oil and Gas Lease and the Oil and Gas Lease with Addenda.

The subject property is a 133 acre site at the northeast corner of East Beamer Street and County Road 102.

#### PRESENTATION - LIBRARY FUND RAISER:

Library Services Director Marie Bryan reported on the success of the Library fund raiser, "The Golden Gyre" which occurred on May 21, 1994. She thanked the underwriters for the event.

# RESOLUTION NO. 3824 - VOLUNTEER EFFORTS FOR PARKS AND RECREATION OFFICE BUILDING REMODEL:

Parks and Recreation Director Tim Barry reported that on Saturday and Sunday, June 4 and 5, 1994, a group of volunteers painted the exterior of the newly remodeled Park and Recreation Office Building at 1122 Main Street. The group was comprised of Cosme Munoz of Creative Painting; Park and Recreation Commissioners Lane Evans, Doug Souza and Skip Davies; and three City employees on their own time, Tom and Carol Souza, and himself. He said the work was completed in two days time, and their efforts brought the project to completion ahead of schedule and under budget.

On motion of Council Member Rominger, seconded by Council Member Slaven and carried by unanimous vote, the City Council adopted Resolution No. 3824, a Resolution of Appreciation for volunteers who painted the Parks and Recreation building.

Council Member Slaven joined Mayor Sandy in presenting resolutions to the volunteers.

#### PRESENTATION FROM WOODLAND ACCESS:

Bonnie Freshwater, President of Woodland Access, said Sonic Cable has been paying franchise fees to the City of Woodland for about 20 years. From that franchise fee are funds for establishing three access channels: government access, education access, and public access (Woodland Access). She said Woodland Access can now start to operate because of the money received from Sonic Cable. She thanked the Marketing Director of Sonic Cable and introduced Ruth Stegner who is coordinating all of the volunteers who operate the cameras at Council and various commission meetings. She said now with the receipt of a grant in the amount of \$40,000 Woodland Access will be able to purchase video equipment. She thanked the City of Woodland for providing administration of the program.

#### JULY 4TH CELEBRATION DONATION:

Tom Lombrazo said as a part of Chrysalis Group, Rick Elkins and ten sponsors \$5,000 was raised for the Woodland July 4 celebration. Rick Elkins said some of the contributors were: County Fair Mall, Laugenour and Meikle, Teichert Construction, North

American Title Company, Placer Title Company, Solano Concrete and others.

Mayor Sandy said the City will be sending a letter of appreciation to the contributors.

# <u>HEARING - CITYWIDE PARK MAINTENANCE AND LANDSCAPING DISTRICT AND CITYWIDE ROAD MAINTENANCE ASSESSMENTS:</u>

City Manager Kris Kristensen gave the Council and audience a brief history about the proposed Citywide Park Maintenance and Landscaping District and Citywide Road Maintenance Assessments. He said the biggest effect on the City's operations is a set of actions by the State of California that have either increased costs or decreased City revenues significantly reducing the City's General Fund in the amount of \$1.7 million on an annual basis as of this year. Over the last two years the City has taken steps to reduce expenses considerably in the amount of \$1 million annually. He said the public has not seen those cuts in direct services because the cuts have been in support services. There have been losses in services, such as contributions to the fireworks celebration for July 4, reduction in 14 full time staff positions both management as well as supervisory and front line levels, and increases in revenue for Hotel-Motel taxes, documentary transfer fees, business license registration fees, and a new storm drainage enterprise fund fee. He said there are three significant problems facing the City: an anticipated General Fund problem in the amount of \$500,000, problems with insufficient funds for maintaining roads, and emergency communications equipment costs. Proposed reductions in the Public Works Department and Parks and Recreation Department budgets have resulted in a balanced budget for FY 1994-95. He said Proposition 172 moneys have been modified so that a portion can be used for emergency communications equipment for this coming year. In an effort to restore some of those cuts Council authorized staff to circulate a proposal to create two Citywide districts. The Park Maintenance and Landscaping District would recover costs for ballfield maintenance and certain kinds of public landscaping, mainly the tree maintenance operation and related sidewalk program. Secondly, the proposed Road Maintenance Assessments would generate money to augment the road maintenance programs the City has. He said the last public hearing was held on May 24 in the Council Chambers, and a public meeting was held on June 14, 1994 in the High School Little Theater. Material has been sent to property owners and registered voters, and numerous speeches have been made before community groups. Tonight, he said, is the final hearing for the proposed assessments. He said the districts should be handled separately because they operate independently. On the positive side, he said with regard to the draft budget for 1994-95 submitted in May which included \$530,000 in cutbacks staff feels there may be \$230,000 to restore some of those cuts. He said this helps the Council with regard to the landscape maintenance district issue and gives Council some options, but he said the issue with the road maintenance assessments has not changed from what was originally presented to Council.

Director of Public Works Gary Wegener thanked Management Analyst from the Public Works Department, Lynn Gatie, and Tim McGrew from the Fire Department for

their assistance in putting together information on the districts. He said they did an excellent job on a very difficult subject to inform people about the proposed districts. He used the overhead projector to explain how the districts were setup.

# Park Maintenance and Landscaping District

Park and recreational facilities maintenance (ballfields and soccer fields) costs for 1994-95

\$170,000

Public landscaping (street tree maintenance and sidewalk repair due to street trees) costs for 1994-95

380,000

Total proposed District

\$550,000

plus incidental expenses for engineering, administration, noticing, publication, public education and related expenses

10,000

Total cost to be levied

\$560,000

He said the proposed Park Maintenance and Landscaping District assessments are restricted to residential property with a total annual assessment proposed for \$41.19 per year for single family and \$27.46 per year for multi-family residential. He said if the districts do not pass the tree and sidewalk repair programs will be drastically reduced. The tree program will be reduced to minimum maintenance of trees that are on City property; trees on private property as well as sidewalks fronting private property will have to be maintained by the property owners. If there are problems enforcing that, the City will be forced to use abatement procedures similar to the clean lot program. If the Park Maintenance and Landscaping District does not pass four layoff notices will be mailed out effective July 1. He said he was concerned that if the programs need to be cut he would not want to cut at this time and later try to reinstate because there is significant disruption to the employee moral and efficiency of the program. With regard to the Road Maintenance Assessments he displayed a map of the three-year road maintenance program if the assessments are approved.

#### **Road Maintenance Assessments**

Estimated total cost for pavement overlays/ reconstruction for 1994-95 to be funded from assessments

\$210,000

Sand seals/crack sealing, pothole repair at various locations for 1994-95

285,000

**Total Assessments** 

\$495,000

The Road Maintenance Assessments per year for each single family unit is \$16.43, for each multi-family unit \$11.50, for commercial property \$250.57 per acre, and for industrial property \$161.03 per acre. He said the City Clerk has received the protest and support letters, and most cover both assessment districts. He said there has been little protest from the commercial and industrial sector of the City. He said the protest threshold for the Park Maintenance and Landscaping District is 50 percent of the property that is proposed to be assessed, and the City has approximately 10,000 residences. This means there would have to be about 5,000 protests to reach the protest threshold. He said for the Road Maintenance Assessments there are approximately 19,000 registered voters, and the threshold there is 25 percent for a protest.

City Clerk Jean Winnop reported that she calculated the communications received for the assessment districts to date. For the Park Maintenance and Landscaping District 91 letters of protest were received from property owners and 21 letters of protest which did not indicate an address. With respect to the Road Maintenance Assessments she said she received 82 letters of protest and 21 letters of protest without addresses. She said she received 149 letters and signatures on petitions in support of the Park Maintenance and Landscaping District and 115 letters and signatures on petitions in support of the Road Maintenance Assessments.

Vice Mayor Rominger noted that the Council is considering the maintenance assessment districts now but Council does not address the preliminary 1994-95 budget until the Regular Calendar which follows the Redevelopment Agency agenda which includes the Redevelopment 1994-95 Budget. She said she would like the Council to consider action on all three items at the same time so the Council can have the whole picture. She suggested conducting the hearing for the two proposed districts and defer consideration by the Council on those districts until after the Council considers the FY 1994-95 Preliminary Budget.

Mayor Sandy opened the hearing on the two proposed maintenance districts, and he imposed a two-minute time limit per speaker.

The following persons offered comments: Michael Bojorquez, David Rubes, David Grose, Bryant Stocking, Manuel Souza, Brad Gollober, Marian Siller, Mel Knapp, Jim Collin, Wayne Berlin, Tom Vail, Jenny Stallard, John Hunter, Alex Seiberth, and Joe Chase.

There being no further comments the hearing was closed.

#### FY 1994-95 PRELIMINARY BUDGET:

The City Manager said with regard to comments made during the public hearing on the assessment districts the need for districts in the future is really uncertain. The state of local government finance within California needs to be looked at. He said the League of California Cities as well as the County Supervisors Association of California are actively working with the State legislature to try to make some solutions that do make sense. He said cities and counties are not interested in putting any more burden on businesses and

residents than they can possibly handle. He said they are aware that where there is that kind of burden the economy does not work. He pointed out that the kind of cut backs made already are significant. He said staff is proposing levels of revenues and expenditures in the General Fund which have not been this low for four years. He said all of the easy answers are gone and the proposed maintenance districts is one alternative to consider. Each and every city in the County of Yolo has already implemented some type of landscaping and lighting district and has other kinds of revenue as well. The City is still dealing with a good strong set of services and revenues that are supporting those services in the General Fund in the amount of \$15 million. He said the City has an estimated reserve balance in the General Fund of about \$1.4 million which represents about nine percent of the City's expenditures in the General Fund. The reserve is kept to provide the Council with a fall back in the event of some type of emergency. He said the Council needs to address the level of reserves it wants to keep. He said his report to the Council included information from various members of the staff responding to questions from the Council at the June 7 meeting regarding issues of compensation, use of volunteers, recovering costs of handling development proposals, review of the equipment replacement program, Police and Fire overtime costs, top administrative staffing, and ambulance service. He said they have not been able to obtain requested information on the adult sports programs.

After some discussion by Council the City Manager used the overhead projector to review a series of proposed budget options for FY 1994-95.

After considerable discussion about the various options, Council Member Borchard said he favored Option C (see Exhibit A attached) as outlined by the City Manager with the Parks and Recreation Commission's recommended budget cuts but he wanted to leave the \$37,641 allocation for Child Care in the budget.

Mayor Sandy said that would leave a reserve of \$1.4 million and a hedge against the State budget cuts of \$360,433. He said Option C would also restore the Municipal Pool, youth ball field maintenance and contributions to some of the recreational groups. He said Council Member Borchard suggested reinstating the Child Care Coordinator (\$37,641). With that exception there would be \$322,792 as a hedge against the State budget cuts, and an expected ending balance of \$1,722,792.

Mayor Rominger said that is too much money to leave in reserves.

Council Member Slaven suggested that \$28,000 be cut from the General Fund for the Wellness Program.

The City Manager advised that the Wellness Program has been effective in lowering the City's workers' compensation costs and health program costs over the last couple of years. He said that cut may come back and bring on more costs in later years. He said Option C would includes about \$418,000 in cuts.

After further 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 adopted Option C for the General Fund Budget for Fiscal Year 1994-95, deducted the Wellness Program (\$28,000), and added the Child Care Program (\$37,641) -- [Option C includes youth ballfield maintenance (\$77,700), Folklorico (\$4,724), Woodland Gymnastics (\$5,000), and Municipal Pool (\$68,103)]:

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

NOES: COUNCIL MEMBERS: Rominger

# <u>CITYWIDE PARK MAINTENANCE AND LANDSCAPING DISTRICT AND CITYWIDE ROAD MAINTENANCE ASSESSMENTS</u>:

The City Manager said with Council's action on the General Fund Budget for FY 1994-95 the Council has restored through the general fund ballfield maintenance for the youth but not for the adult ballfields. He said the Park Maintenance and Landscaping District proposal could be lowered to deal with that portion, and Council could also keep in the tree maintenance and sidewalk maintenance which are already a part of the proposal.

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

After discussion of Council views on the formation of the maintenance districts, the following action was taken:

On motion of Council Member Flory, seconded by Council Member Slaven and carried by unanimous vote, the City Council agreed not to form the Citywide Park Maintenance and Landscaping District at this time.

On motion of Council Member Slaven, seconded by Council Member Flory and carried by the following vote, the City Council agreed not to form the Citywide Road Maintenance Assessments:

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

#### FY 1994-95 PRELIMINARY BUDGET:

On motion of Council Member Rominger, seconded by Council Member Slaven and carried by unanimous vote, the City Council adopted the balance of the Preliminary Fiscal Year 1994-95 Operations and Maintenance as presented.

The City Manager said staff will proceed with the layoffs in accordance with Council action.

Council took a recess from 11:05 p.m. until 11:19 p.m.

#### TEMPORARY ADJOURNMENT OF COUNCIL MEETING:

Mayor Sandy temporarily adjourned the meeting of the Council at 11:19 p.m. in order to convene the meeting of the City of Woodland Redevelopment Agency Board of Directors. See Agency minutes attached to these Council minutes as Exhibit B. At 11:25 p.m. the Redevelopment Agency Board meeting was adjourned, and the Council meeting was reconvened.

#### REPORTS OF CITY MANAGER:

#### **CONSENT CALENDAR:**

Council was advised that the annual claim for Transportation Development Act funds was being removed from the agenda, and will be presented for approval at the July 5 meeting.

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

#### COMPLETION OF PARKS AND RECREATION BUILDING REMODEL:

The City Council accepted the Parks and Recreation Office remodel project as complete (by Buchignani Construction of Woodland); directed the City Clerk to file a notice of completion; and authorized the Mayor and City Manager to sign the notice of completion.

#### RESOLUTION NO. 3826 - APPROPRIATIONS LIMIT FOR 1994-95:

The City Council adopted Resolution No. 3826, setting the fiscal year 1994-95 Appropriations Limit for the City of Woodland at \$20,689,055.

#### ECONOMIC DEVELOPMENT STRATEGIC PLAN:

The City Council approved the Economic Development Strategic Plan.

### **BANKING SERVICES:**

The City Council approved solicitation of proposals for banking services for the City.

#### RESOLUTION NO. 3827 - FEDERAL BIKEWAY PROJECT:

The City Council adopted Resolution No. 3827 entitled "Resolution Authorizing Adoption of Program Supplement Nos. 013 and 014 to Local Agency-State Agreement for Federal Aid Projects No. 03-5046 (Bikeway Upgrade and

Installation [BUI] Project).

#### STAFF REPORT ON 1994 CRUISE NIGHT PROPOSAL:

The City Council approved the proposed events for the 1994 Cruise Night (August 6, 1994) subject to the parking condition required by the Police Department.

#### PURCHASE OF TOWABLE STREET BROOM:

The City Council awarded the bid for one (1) towable street pull-broom to Edward R. Bacon Company from Sacramento, California, in the amount of \$14,490.66.

#### **REGULAR CALENDAR:**

# **UPDATE ON WAL-MART PROPOSAL:**

The Community Development Director advised the Council on some chronological events which have occurred with the Wal-Mart proposal. Recent news articles have indicated that the Wal-Mart Corporation has withdrawn from the Laugenour site in Woodland. Wal-Mart also decided not to make payment for additional costs needed to complete the Draft Environmental Impact Report (EIR). She said the time deadlines were not on the part of the City staff but on the part of Wal-Mart who took extensive amounts of time in making decisions as well as the fact that they changed their representative, changed their engineering firm, and changed their legal firm all through the process. She said the draft EIR was recirculated recognizing that it is the City's EIR and that the City had the responsibility of defending the document. She said the decision has been made by the property owner, John Laugenour, to continue the project, and Mr. Laugenour has put up additional monies to complete the EIR on the basis that he still intends to try to attract a large box user for the site with the remainder being a commercial center. She said she was aware that the Council has received much criticism in connection with the Wal-Mart proposal and just wanted to give Council some background when responding to questions from the community. She said the issue of the EIR is a City responsibility and not a Wal-Mart responsibility.

#### AWARD 1993 STREET PROJECT CONTRACT:

On motion of Council Member Rominger, seconded by Council Member Flory and carried by unanimous vote, the City Council awarded the 1993 Street Project contract, Project 93-05, Alternate A, to Teichert Construction for a bid of \$98,866.90 and approved a 10 percent contingency, for a total not to exceed \$109,500.

## YOLO SOLANO AIR QUALITY MANAGEMENT DISTRICT BOARD:

On motion of Council Member Rominger, seconded by Council Member Slaven and carried by unanimous vote, the City Council approved the plan to reconfigure the Board of Directors of the Yolo Solano Air Quality Management District (YSAQMD) to include the following 14 members: four (4) members of the Yolo Board of Supervisors; three (3) members of the Solano County Board of Supervisors; the mayor or a member of the City Council from each of the Yolo County cities of Davis, West Sacramento, Winters and Woodland; the mayor or a member of the City Council from each of the Solano County cities of Dixon, Rio Vista and Vacaville; plus one alternate member for each of the above agencies.

On motion of Council Member Rominger, seconded by Council Member Flory and carried by unanimous vote, the City Council appointed Mayor Sandy as the Woodland City Council representative and Council Member Borchard as the alternate to the new YSAQMD Board of Directors to serve for a period of two years.

#### CITY ATTORNEY BUDGET ADJUSTMENT FOR FY 1993-94:

The City Manager said the Council needs to address two issues. One deals with the City Attorney budget for FY 1993-94. He said the City has had City Attorney services with Kronick, Moskovitz, Tiedemann and Girard since January of 1991 who are performing their services on an hourly fee plus expenses basis. Each year the City has budgeted what staff feels the costs will be, and this year the budgeted amount was underestimated. In FY 1991-92 actual expenses totalled \$156,284, and in FY 1992-93 they totalled \$175,241. In FY 1993-94 the City predicted a lower rate of service needs and costs and therefore budgeted \$156,900, but he felt we will reach \$200,000 by the end of the fiscal year. The reasons for the increase is the increased activity in the personnel arena, and he recommended an increase in their budget by \$43,100. He said in an effort to control future costs he and City Attorney Bob Murphy discussed something other than the hourly fee and talked about a retainer (flat amount) concept whereby most of the City services would be included. Certain services would not be covered by the retainer; basically any litigation or actions where a court action would be initiated by the City or imposed by the City would be paid by an hourly fee plus expenses basis. Also, he said the City Attorney's office would like to take on more responsibilities such as bond counsel service. The dollar amount under the new proposal would be a monthly retainer of \$10,800 which would be the same rate for a two-year period of time, and on an annual basis this would be \$129,600. He said he was certain there would be more costs beyond the retainer, and he suggested setting up a budget of \$130,000 for the retainer and an additional \$50,000 for anticipated expenses beyond the retainer for a total budget of \$180,000. This compares with this year's cost of \$200,000.

City Attorney Bob Murphy explained the nature of the services to be provided with the new retainer basis contract.

On motion of Council Member Flory, seconded by Council Member Slaven and carried by unanimous vote, the City Council approved an increase of \$43,100

to the City's FY 1993-94 City Attorney budget and approved a new two-year retainer agreement with Kronick, Moskovitz, Tiedemann and Girard for City Attorney services beginning July 1, 1994.

# **ADJOURNMENT:**

At 11:55 p.m. the Council meeting was adjourned.
City Clerk of the City of Woodland