

Council Chambers
300 First Street
Woodland, California

August 17, 1993

The Woodland City Council convened a special session at 6:45 p.m. and immediately adjourned to closed session in the Second Floor Conference Room of City Hall to discuss labor relations. Council Members present at the meeting were: Rominger, Crescione, Flory, Sandy and Slaven; absent: none. City Manager Kris Kristensen was also present at the meeting.

Council adjourned the closed session and the special session at 7:38 p.m.

The Woodland City Council met in regular session at 7:40 p.m. in the City Hall Council Chambers.

PLEDGE OF ALLEGIANCE:

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

ROLL CALL:

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

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Kristensen, Sipprelle, Wegener, O'Toole, Nies, Wilson, McDuffee, Woodruff, Horgan, Bob Brunsell (legal counsel)

CITY MANAGER ANNOUNCEMENT:

City Manager Kris Kristensen announced that the Council met in closed session from 6:45 p.m. until 7:38 p.m. pursuant to Government Code Section 54956.9(b) to discuss significant exposure to litigation and labor relations pursuant to Section 54957.6. He said no Council action was taken at the meeting.

MINUTES:

On motion of Council Member Sandy, seconded Council Member Slaven and carried by unanimous vote, the City Council approved the minutes of the regular meeting of May 4, 1993 (Council Member Flory abstained), as prepared.

COMMUNICATIONS:

1. From Georgia Houpt a letter was received urging Council to adopt a "no

smoking" ordinance. The City Clerk indicated that she sent a letter to Ms. Houpt advising that the City Council has not yet considered adoption of such an ordinance.

2. From Debbie D'Antonio a letter was received in support of a Wal-Mart locating in Woodland. Council also received a copy of a letter from Senior Planner Tim Bach advising Ms. D'Antonio of the status of the project. No Council action was necessary.

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

4. From W. Robert Phibbs, attorney, a letter was received urging Council to adopt an ordinance prohibiting the placing of advertising material on vehicles.

Assistant City Attorney Ann Sippelle advised that her firm has researched this issue, and such an ordinance is not illegal but there are First Amendment concerns. The ordinance would have to be narrowly tailored and content neutral; the ordinance could not ban leafleting altogether. She said as long as the ordinance was time, place and manner restrictive the ordinance could be considered.

The Council requested that the City Clerk refer the letter to the Downtowners and the Chamber of Commerce so that they can communicate to their respective members that some members of the public feel this is a problem.

COMMITTEE REPORTS:

1. From City Manager Kris Kristensen a report was received transmitting the minutes of the Yolo County Transit Authority Board of Directors meeting of June 23, 1993. No Council action was necessary.

2. From Community Development Director Janet Ruggiero a report was received transmitting the minutes of the Southeast Area Financing Task Force meeting of July 26, 1993.

The City Manager pointed out that a subsequent meeting was held on August 13, and progress is being made. He said he expects on September 7 to present a resolution of intention to the Council to start setting up the Community Facilities District for the Southeast Area.

3. From Assistant City Manager Kristine O'Toole a report was received transmitting the minutes of the Woodland Access 43 meeting of July 28, 1993. No Council action was necessary.

4. From the Community Development Director a report was received summarizing action taken at the Planning Commission meeting of August 5, 1993, as follows:

- a. Commission approved a conditional use permit for the Hughes Apartment Project at 350 College Street. This project involves 12 apartment units on

the second story of a commercial building. The Commission also certified an NDEIR on this item.

b. Commission continued the College Park II project to September 2, 1993.

c. Commission made the interpretation that a ceramic shop is a permitted use at the Beamer Business Park project (northeast corner of Beamer and East Streets).

No Council action was necessary.

5. From Director of Public Works Gary Wegener a report was received transmitting the minutes of the Traffic Safety Commission meeting of August 9, 1993

6. From the City Manager a report was received summarizing topics discussed at the County/City 2 x 2 meeting of August 11, 1993. The 2 x 2 discussed the one-half cent sales tax measure, Proposition 172, to be on the November 1993 ballot to determine if the current one-half cent sales tax rate will continue past December 1993. If passed the tax will remain in place for two years and must be used to support public safety services. Counties will receive 95% of the proceeds with cities receiving the remaining 5%. State estimates indicate the tax will annually generate about \$7 million for Yolo County and \$180,000 for the City of Woodland. Also discussed was the City's General Plan update. The process will likely take over a year, and the goals statement for the update has been completed by the Council and the Planning Commission. At the next meeting on September 28 the property owners/developers will be asked to present their ideas for changes to the Plan.

No Council action was necessary.

7. From the City Manager a report was received summarizing topics discussed at the Chamber/City 2 x 2 meeting of August 11, 1993. No Council action was necessary.

PUBLIC COMMENT:

Mayor Rominger thanked Steve Borchard, Kristine O'Toole, and Dudley Holman for serving as camera operators for this meeting.

PRESENTATIONS - "SCHOOL'S OPEN-DRIVE CAREFULLY" MONTH PROCLAMATION:

Patrick Kane, District Manager from the California State Automobile Association (CSAA), thanked the Council for joining CSAA in an awareness for traffic safety during the month of September when children are going back to school.

On motion of Council Member Sandy, seconded by Council Member Flory and

carried by unanimous vote, the City Council proclaimed September as "School's Open - Drive Carefully" month.

Mayor Rominger presented the proclamation to Mr. Kane.

HEARING - COMMUNITY DEVELOPMENT BLOCK GRANT 1992-93 PERFORMANCE REPORT:

Mayor Rominger said that this time was set for a hearing to consider the 1992-93 Performance Report on the expenditure of Community Development Block Grant (CDBG) funds.

Senior Planner Howard Nies reported that during the past year \$192,389.83 was spent in CDBG funds, and there is a balance of \$273,108.19.

Mayor Rominger opened the public hearing, and there being no comments she closed the hearing.

On motion of Council Member Sandy, seconded by Council Member Slaven and carried by unanimous vote, the City Council instructed staff to forward the Performance Report to HUD on the CDBG funds expended as of June 30, 1993 as outlined in the staff report.

TEMPORARY ADJOURNMENT OF COUNCIL MEETING:

Mayor Rominger temporarily adjourned the meeting of the Council at 7:56 p.m. in order to convene the meeting of the City of Woodland Redevelopment Agency Board of Directors. See Agency minutes attached to these Council minutes as Exhibit A. At 8:24 p.m. the Redevelopment Agency Board meeting was adjourned, and the Council meeting was reconvened.

TEMPORARY ADJOURNMENT OF COUNCIL MEETING:

Mayor Rominger temporarily adjourned the meeting of the Council at 8:24 p.m. in order to convene the meeting of the City of the Woodland Public Facilities Corporation Board of Directors. See Corporation minutes attached to these Council minutes as Exhibit B. At 8:25 p.m. the Woodland Public Facilities Corporation Board meeting was adjourned, and the Council meeting was reconvened.

REPORTS OF CITY MANAGER:

CONSENT CALENDAR:

On motion of Council Member Sandy, seconded by Council Member Flory and carried by unanimous vote, the City Council approved the following Consent

Calendar items:

COMPLETION OF WEST GIBSON ROAD WIDENING PROJECT:

The City Council accepted the Gibson Road Widening project, Project No. 92-02, constructed by Teichert Construction as complete; 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. 3750 - AIR QUALITY GRANT:

The City Council adopted Resolution No. 3750 approving an application for funds under the AB 2766 (air quality) grant program. AB 2766 is the State legislation which allows the Yolo-Solano Air Quality Management District (AQMD) to impose a \$4.00 surcharge on all vehicles registered within its District. The surcharge revenues are to be used solely to reduce air pollution from motor vehicles and other activities which implement the California Clean Air Act. The Yolo-Solano AQMD has set up a funding program to disburse some of the AB 2766 revenues. In the 1993-94 funding cycle, the AQMD plans on disbursing approximately \$450,000; Yolo County should receive about 60% of the disbursement and Solano County should receive about 40% of the total disbursement.

RESOLUTION NO. 3751 - ENERGY COMMISSION FINANCING:

The City Council adopted Resolution No. 3751 authorizing the filing of an application for Energy Commission Financing and accepting a loan from the California Energy Commission (C.E.C.) up to \$267,000 if the C.E.C. recommends funding. The funds would be used to implement the lighting modifications and energy control systems portion of the recommendations in the Energy Efficiency Study prepared by Newcomb Anderson Associates for the C.E.C. The loan payback period can be up to 11 years.

RESOLUTION NO. 3752 - FY 1993-94 TRANSPORTATION CLAIM:

The City Council adopted Resolution No. 3752, entitled "Resolution Authorizing Filing of Annual (FY 1993-94 Transportation Development Act funds) Claim with Sacramento Area Council of Governments."

REGULAR CALENDAR:

LEISUREVILLE MOBILE HOME RENT:

Vice Mayor Gary Sandy reported that after several meetings over the past couple of weeks a tentative agreement has been reached between the tenants and

the owner of Leisureville Mobile Home Park. He said thanks to three tenants of Leisureville, Mel Dahl, Jack Fechter and Herb Brown, agreement was reached. He also thanked Mr. and Mrs. Stabb for their efforts.

Jack Fechter said the tenants of Leisureville Mobile Home Park would like to withdraw their request for a mobile home rent stabilization ordinance, and he said they wanted to thank the Council for its concern and for working with them. He also thanked the City Manager, the Community Development Director and especially Vice Mayor Sandy who brought about this agreement.

Herb Brown said on behalf of the tenant owners at Leisureville he thanked the Council for the team effort which culminated into an agreement as recent as 6:00 p.m. last night.

Mayor Rominger thanked the tenants for bringing the issue to the Council's attention and for working with the Council and staff to resolve the issue.

BEAMER-KENTUCKY ASSESSMENT DISTRICT:

Finance Director Pete Woodruff requested actions from the Council to proceed with the bond process for the Beamer-Kentucky Assessment District financing. He said this bond issue is different in that early on a decision was made not to pre-select a bond underwriter and work with them through the process. With this bond issue in an attempt to save some money, he said, staff has gone to a semi-competitive bid. The services of Jim Hadder and Associates were secured, and he has drafted an official statement to allow going to bid. As a result, he said, at this time there are no precise figures on exactly how the bonds are going to be structured and exactly what the interest rate that will be. He said bond counsel Bob Brunsell was also in the audience to answer any questions from Council.

Jim Hadder said he sent out copies of the official statement to prospective bidders for proposals, and he has received many responses. He said the market has been moving in our favor and all of the projections based on the engineer's report indicate an interest rate of 7 1/2 percent. He projected that the bids will come in below 6 1/2 percent.

On motion of Council Member Flory, seconded by Council Member Slaven and carried by unanimous vote, the City Council adopted Resolution No. 3753 amending the amended Engineer's Report for the Beamer-Kentucky Assessment District, adopted Resolution No. 3754 determining assessments remaining unpaid for the Beamer-Kentucky Assessment District, adopted Resolution No. 3755 approving the fiscal agent agreement with Bank of America National Trust and Savings Association for the Beamer-Kentucky Assessment District, adopted Resolution No. 3756 authorizing issuance of bonds for the Beamer-Kentucky

Assessment District, adopted Resolution No. 3757 authorizing the City Manager to approve the Preliminary Official Statement and Official Statement for the Beamer-Kentucky Assessment District, and adopted Resolution No. 3758 authorizing the City Manager to approve the bond sale for the Beamer-Kentucky Assessment District.

WASTEWATER PRETREATMENT DEVELOPMENT PROGRAM:

Senior Civil Engineer Mike Horgan reported that the City's current wastewater discharge permit requires the City to develop an industrial pretreatment program which involves all commercial and industrial users within the City. The intent of the program is to insure that the City's effluent waste discharge from the treatment plant complies with State and Federal requirements. There are also programs to protect the City's collection system personnel and their duties as well as the treatment plant operators and their duties from undue risk and exposure to chemicals. In addition, there is the need to protect the treatment plant system itself (biological system) from undue constituents that can be discharged and also to eliminate the possibility of metals and other sludge accumulated at the treatment plant. He said the program will take extensive testing, approximately \$80,000 alone. The Cities of Davis and West Sacramento have gone through that portion of the program already, and that is the nature of the cost they are seeing. Additionally, he said staff is working with WILLDAN and Associates to develop a request for proposals (RFP) for consulting services. The Federal regulations are voluminous, and the program may take up to three years for full implementation. He said the program should be self-funded at some point down the road and is tailored to industrial and commercial dischargers with specific constituents, and those users should carry the load for the program. Next month the RFP will be finalized, and he said he would report back to Council at that time. He said there has been no decision made on whether to recover costs or just develop a revenue program to maintain the program.

Director of Public Works Gary Wegener said the program would be financed from Sewer Funds. He said staff has been working with the Regional Water Quality Control Board (RWQCB) which has been asking for a technical reporting schedule and how the City's program gets into compliance. Staff met with RWQCB last week and requested an extension on the due date of the technical report. After staff receives the report on the scope of the work from WILLDAN and Associates, he said, Council may be asked to proceed with an RFP for a consultant to put together the program for the City. He said the State agencies are required to run the programs within the State, but they have to enforce the Federal Environmental Protection Agency requirements. He said the State was willing to give extensions, but some local groups suggested that the Federal authorities should handle the program.

Mr. Horgan said currently sampling and testing identifies what is coming

into the treatment system rather than using some generalized values. Within the scope of work for the RFP the City asked that both the current limits the City has been using to identify the limitations that apply to local industry but also the new Inland Surface Water Act/surface water plan limits which become effective in the year 2000. Those requirements are much more stringent and will present the City with a real challenge. He said by identifying these limits now the City will be able to look at what the impacts will be and have some time to address those issues. At this current time, he said, the City may have certain constituents in the water that the City pumps to drink that would not be allowable under the Inland Surface Water Act. He added that other groups throughout the State may be challenging those requirements.

LIBRARY BOARD APPOINTMENT:

On motion of Council Member Slaven, seconded by Council Member Flory and carried by unanimous vote, the City Council appointed Tirso Serrano as a member of the Library Board for a term ending December 31, 1995.

LEAGUE OF CALIFORNIA CITIES CONFERENCE DELEGATES:

On motion of Council Member Slaven, seconded by Council Member Sandy and carried by unanimous vote, the City Council designated Mayor Rominger as the voting delegate representing the City of Woodland at the Annual Conference of the League of California Cities to be held October 16-19, 1993, and appointed Council Member Flory as the alternate.

Council agreed to review the League of California Cities resolutions at a study session prior to the Annual Conference.

REPORT ON CITIZEN CONCERNS ON BICYCLE/AUTOMOBILE COLLISION:

The City Manager read a report from Acting Police Chief Russ Smith addressing the concerns expressed at the August 4 Council meeting regarding the 11-year old son of Sharon Davis and parental notification of her son's bicycle vs. automobile collision which occurred on July 23, 1993. He said the report states that the dispatch call indicated the boy was injured, and the Fire Department and an ambulance was also dispatched. When the officer arrived the bicyclist appeared not to be injured, and the boy told the officer and the firefighter he was not injured. The attending firefighter did an evaluation on the boy, and other than two minor scratches there were no signs of injuries. The ambulance response was then cancelled. The collision was not documented because the collision was classified as a non-injury collision. Because there were very minor injuries, the officer took no further action. While it would have been preferable to have the parent notified, there was no violation of Department policy in that regard. The Acting Police Chief sent a memo to the Police Department supervisors notifying

them of the Department's past procedures and practices in these types of cases and sensitizing them to this issue.

ADJOURNMENT:

At 9:05 p.m. the meeting was adjourned to August 24, 1993, 7:00 p.m.

City Clerk of the City of Woodland