CITY OF WOODLAND
300 FIRST STREET
WOODLAND, CALIFORNIA

CITY COUNCIL
CLOSED SESSION AGENDA

JUNE 19, 2012

5:00 P.M.

A. CALL TO ORDER

B. CLOSED SESSION

B.1 Conference with Labor Negotiators, Pursuant to Section 54957.6
Agency Designated Representatives: Paul Navazio, Amy Buck Kimberly McKinney and Dania Torre Wong
Employee Organization(s): Professional Police Employees' Association, Police Supervisors Association, Police Mid-Management Employees, Professional Firefighters' Association, Fire Mid-Management Employees, Woodland City Employees' Association, Mid-Management Association and Confidential Employees

JOINT REGULAR CITY COUNCIL/
WOODLAND FINANCE AUTHORITY

6:00 P.M.

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. COMMUNICATIONS-PUBLIC COMMENT

This an opportunity for the public to speak to the Council on any item other than those listed for public hearing on this agenda. Speakers are requested to use the microphone in front of the Council and to begin by stating their name, whether they reside in Woodland and the name of the organization they represent if any. The Mayor may impose a time limit on any speaker depending on the number of people wanting to speak and time available for the rest of the agenda. In the event comments are related to an item scheduled on the agenda, speakers may be required to wait to make their comments until that item is considered.

E. COMMUNICATIONS–COUNCIL/STAFF STATEMENTS AND REQUESTS

This is an opportunity for the Council Members and Staff to make comments and announcements, to express concerns, or to request Council's consideration of any items a Council Member would like to have discussed at a future Council meeting.

F. MINUTES

F.1 Adopt the Minutes of the Joint City Council/Woodland Finance Authority Meeting of May 15, 2012

G. COMMUNICATIONS - WRITTEN

G.1 Receive Notice from PG&E Regarding Application Filing to Approve its 2013 Cost of Capital Proposal

H. COMMITTEE REPORTS

H.1 Receive Library Board of Trustees Meeting Minutes of April 5, 2012

H.2 Receive Water Resources Association Board of Directors Meeting Minutes of January 9, 2012

I. PRESENTATIONS

1. Receive 4th of July Report

2. Adopt Certificate of Appreciation for Mark Cocke

J. CONSENT CALENDAR

3. Receive the Fire Department Monthly Status Report for April 2012

4. Receive the Public Works Department Monthly Status Report for April 2012

5. Accept Pioneer-Parkland Extension, CIP 09-27 as Complete; Authorize City Clerk to File Notice of Completion

6. Accept ADA Improvement Project, CIP 12-04 as Complete; Authorize City Clerk to File Notice of Completion

7. Award Construction Contract, Parks Irrigation Rehabilitation, Phase 3, Project No. 10-01 to Procida Landscape, Inc.

8. Set Public Hearing for July 3, 2012 to Hear and Approve the List of Delinquent Refuse Accounts

9. Approve the Purchase of New Utility Service Vehicle

10. Adopt Resolution Authorizing Filing of Annual Transportation Development Act Claim with Sacramento Area Council of Governments

11. Direct City Clerk to Review City's Conflict of Interest Code

12. Authorize City Manager Execution of Yolo County Work Experience Training Program Agreements

13. Award Construction Contract, Lemen-North-East Street Realignment, CIP 00-04

14. Authorize Mayor to Sign Parking License Agreement with Woodland Community College for 4th of July Parking

15. Award Construction Contract for the Soil Cementing of WPCF Pond 11 Project, Project #10-11 to Ghilotti Construction Company

16. Adopt Resolutions Initiating the Process, Preliminarily Approving the Engineer's Report and Setting the Public Hearing for the Spring Lake Specific Plan Area and Gateway Landscaping and Lighting Districts

K. PUBLIC HEARING

17. Hold Public Hearing and Adopt Resolution Affirming the Planning Commission's May 17, 2012 Findings and Conditions of Approval of the Panattoni Tentative Parcel Map No. 5009; Affirm the Commission's Adoption of the Mitigated Negative Declaration; Approval of the Mitigation Monitoring and Reporting Program, Tentative Parcel Map No. 5009, the Site Plan, Landscape Plan and Comprehensive Sign Plan for Parcels 1 and 2 for the Project

18. Hold Public Hearing to Receive Public Comments on Renewal of Assessment for Woodland Visitor Attraction District; Adopt Resolution Confirming the 2012-2013 Annual Assessment Report

19. Hold Public Hearing and Adopt Resolution Approving the Annual Levy Report and Ordering the Levy and Collection of Assessment within the North Park Landscaping and Lighting District

20. Hold Public Hearing and Adopt Resolution Approving the Annual Levy Report and Ordering the Levy and Collection of Assessment within the Streng Pond Landscaping and Lighting District

21. Hold Public Hearing and Adopt Resolution Approving the Annual Levy Report and Ordering the Levy and Collection of Assessment within the West Wood Landscaping and Lighting District

L. REPORTS OF THE CITY MANAGER

22. Adopt Resolution Approving Fiscal Year 2012/2013

23. Adopt Resolution Approving Appropriations Limit for Fiscal Year 2012/2013

24. Approve Submitted Appeal to Allow Short Sale of Property Located at 1967 Hershey Drive Subject to Receiving Approximate Payment

25. Waive First Reading and Read by Title Only the Draft Ordinance Related to Amendment of Municipal code Chapter 23C, Article XII, Recyclable Materials

26. Approve Amendments of Sections 1-3-7 and 5.1 of the City Woodland Municipal Code Relating to Penalties for Violations of the Code

27. Appoint Members to Library Board of Trustees

M. ADJOURN

I declare under penalty of perjury that the foregoing Agenda for the Joint City Council/Woodland Finance Authority Regular meeting of the City of Woodland scheduled for Tuesday, June 19, 2012 was posted on June 15, 2012 in the outside display case at City Hall, 300 First Street, Woodland, CA, and was available to the public during normal business hours.

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Ana B. Gonzalez, City Clerk

Upon request, agendas and documents in the agenda packet will be made available in appropriate alternative formats to persons with a disability, as required by law. Any such request must be made in writing to the Office of the City Clerk of the City of Woodland. Requests will be valid for the calendar year in which the request is received, and must be renewed prior to January 1st.
Persons needing disability-related modifications or accommodations in order to participate in public meetings, including persons requiring auxiliary aids or services, may request such modifications or accommodations by calling the Office of the City Clerk (530-661-5806) at least 48 hours prior to the meeting.

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM
F.1

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Council Minutes

Report in Brief

Attached are the minutes of the Joint City Council/Woodland Finance Authority Regular Session of May 15, 2012.

Recommendation for Action

It is recommended that Council adopt the minutes of the Joint City Council/Woodland Finance Authority Regular Session.

Prepared by: Ana Gonzalez
City Clerk

Paul Navazio
City Manager

Attachment

DRAFT MINUTES

TUESDAY, MAY 15, 2012

City Hall – 300 First Street – 2ND Floor Council Chambers

6:00 P.M.

OPEN SESSION

The Joint Regular City Council/Woodland Finance Authority meeting was called to order by Mayor Pimentel at 6:00 p.m. on Tuesday, May 15, 2012 at the Woodland City Hall Council Chambers.

ROLL CALL

Council Members Present:	Mayor Artemio Pimentel Vice Mayor Skip Davies Council Member Martie Dote Council Member Bill Marble Council Member Tom Stallard
Council Members Absent:	None
Staff Present:	City Manager Navazio City Attorney Andrew Morris Public Works Director Greg Meyer Community Development Director Nick Ponticello City Clerk Ana Gonzalez

PLEDGE OF ALLEGIANCE

Led by Army Command Staff Sergeant Desmont Upchurch.

COMMUNICATIONS-PUBLIC COMMENT

None

COMMUNICATIONS–COUNCIL/STAFF STATEMENTS AND REQUESTS

Vice Mayor Davies – This morning, Vice Mayor Davies and Council Member Stallard attended the Tony Diaz Drive Dedication Ceremony.

Council Member Dote – Attended Energy Committee Meeting and talked about continued public outreach on the Climate Action Plan and feed-back from first meeting with members of the community. Attended County-wide group looking at community choice and aggregation. The community buys and builds energy supply. PG&E would continue to deliver, repair and service the lines for the customer. Marin Clean Energy was at the meeting to address the group. Also attended the Solid Waste Committee with Council Member Stallard.

Council Member Stallard – Also attended the Tony Diaz Drive Dedication Ceremony with Vice Mayor Davies. We need to remember how precious life is and how grateful we should be for those. Making great progress on Solid Waste. City has achieved prior goal set by the Legislature a few years ago of recycling 50% of our waste. Staff has been working hard to prepare an Ordinance to consider on June 19, 2012 Council meeting. Reducing solid waste is important for all of us. Council Member Stallard also mentioned that Deputy Director of Cal-Trans, Martin Tuttle is part of the Cal-Trans Native Advisory Committee that meets at the Cal-Trans office in Woodland on a quarterly basis. Cal-Trans has tried to convince group to meet downtown and they don't want to meet downtown, they like coming to Woodland. Last comment made was the birth of Tom's grandson born on Saturday, May 12, 2012.

Council Member Marble – Nothing to report.

Mayor Pimentel – Nothing to report.

MINUTES

Adopted the Minutes of the Joint City Council/Woodland Finance Authority Meeting of May 1, 2012
Action: Adopted
Moved/Seconded: Council Member Davies, Council Member Dote
Motion carried by the following roll call vote:
Ayes: Davies, Dote, Marble, Stallard and Pimentel
Noes: None

COMMUNICATIONS - WRITTEN

Received Notice from PG&E Regarding Application for Recovery of the 2011 Market Redesign and Technology Upgrade Initiative
Action: Received
Moved/Seconded: Council Member Davies, Council Member Marble
Motion carried by the following roll call vote:
Ayes: Davies, Marble, Stallard and Pimentel
Noes: Dote

PRESENTATIONS

Action: Adopted and Received
Moved/Seconded: Council Member Dote, Council Member Stallard
Motion carried by the following roll call vote:
Ayes: Davies, Dote, Marble, Stallard and Pimentel
Noes: None

Proclamation Recognizing the Celebration of Juneteenth on Sunday, June 17th, 2012 – Council Member Dote presented Proclamation to Jack Jackson and other members of the community.

Proclamation Recognizing May 20-26, 2012 as Public Works Week – Council Member Marble presented Proclamation to City of Woodland employees Tim Frank and Josh Vierra.

Proclamation Recognizing June 11-16, 2012 as United States Army Week – Council Member Stallard presented Proclamation to Sgt. Desmont Upchurch and Sgt. Robert From of the United States Army.

Received Commission on Aging Annual Update from Commissioner Benjamin Garman.

CONSENT CALENDAR

Action: Adopted
Moved/Seconded: Council Member Marble, Council Member Dote
Motion carried by the following roll call vote:
Ayes: Davies, Dote, Marble, Stallard and Pimentel
Noes: None

5. Received the Fire Department Monthly Status Report for March 2012

6. Received the Public Works Department Monthly Status Report for March 2012
7. Approved Amendment No. 1 to Subdivision Improvement Agreement, Subdivision No. 4675, Parkside, between City of Woodland and Standard Pacific Corporation – Council Member Dote had a question about the right of way connection to East Street. Community Development Director Ponticello stated that this issue with PG&E should be resolved by the end of the year.

8. Received Treasurer's Quarterly Investment Report Quarter Ending March 31, 2012

PUBLIC HEARING

Action: Accepted
Moved/Seconded: Council Member Dote, Council Member Marble
Motion carried by the following roll call vote:
Ayes: Davies, Dote, Marble, Stallard and Pimentel
Noes: None

9. Held a Public Hearing and Accepted the General Plan Housing Element Annual Progress Report and gave Direction to Staff to Process Report for Filing

Action: Adopted
Moved/Seconded: Council Member Davies, Council Member Dote
Motion carried by the following roll call vote:
Ayes: Davies, Dote, Marble, Stallard and Pimentel
Noes: None

10. Held a Public Hearing; Adopted **Resolution No. 6057** to Approve the 2012-2013 Community Development Block Grant Action Plan Approval; Authorized City Manager Execution Authorities

REPORTS OF THE CITY MANAGER

Action: Adopted
Moved/Seconded: Council Member Davies, Council Member Stallard
Motion carried by the following roll call vote:
Ayes: Davies, Dote, Marble, Stallard and Pimentel
Noes: None

11. Approved Amendment One to Agreement Regarding Reimbursement of Spring Lake Specific Plan Improvements, Subdivision 4675, Parkside; Authorized City Manager Execution Authorities

Action: Approved and Received
Moved/Seconded: Council Member Marble, Council Member Dote
Motion carried by the following roll call vote:
Ayes: Davies, Dote, Marble, Stallard and Pimentel
Noes: None
Council Member Davies had concerns regarding this report and his concerns were addressed by Principal Civil Engineer Doug Baxter.

12. Received and Approved the 2011 Annual Water Quality Report

Action: Adopted
Moved/Seconded: Council Member Stallard, Council Member Marble
Motion carried by the following roll call vote:
Ayes: Davies, Dote, Marble, Stallard and Pimentel
Noes: None

13. Adopted **Resolution No. 6058**; Approved funding from the Yolo County Transportation District (Yolobus) to the Spring Lake area; Authorized City Manager Execution Authorities

ADJOURNMENT

Mayor Pimentel declared the meeting adjourned at 7:26 PM.

Ana B. Gonzalez
City Clerk

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM
G.1

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Council Communications

Report in Brief

Attached are communications received for information only.

1. Notice from Pacific Gas and Electric dated April 30, 2012 regarding Application to Approve its 2013 Cost of Capital Proposal A. 12-04-018

Prepared by: Ana Gonzalez
City Clerk

Paul Navazio
City Manager

Attachment

April 30, 2012
TO: STATE, COUNTY AND CITY OFFICIALS

NOTIFICATION OF APPLICATION FILING BY PACIFIC GAS AND ELECTRIC COMPANY TO APPROVE ITS 2013 COST OF CAPITAL PROPOSAL A. 12-04-018

On April 20, 2012, Pacific Gas and Electric Company (PG&E) filed an application with the California Public Utilities Commission (CPUC) to decrease its authorized cost of capital for its electric and gas utility operations for test year 2013. If approved by the CPUC, PG&E's electric revenues[1] would decrease by approximately $74.6 million or 0.6 percent, and its gas revenues would decrease by approximately $22.7 million, or 0.7 percent.

In addition, PG&E proposes that the CPUC continue to authorize the automatic cost of capital adjustment mechanism referred to as the Annual Cost of Capital Adjustment Mechanism (ACCAM). The ACCAM automatically adjusts PG&E's authorized cost of capital based on changes in benchmark interest rates, in lieu of an annual COC proceeding for the period 2014 to 2015.

Definition of the cost of capital
Cost of capital is a financial term defining how much a corporation is allowed in rates as a return on its invested capital. In this proceeding, the CPUC will determine the appropriate capital structure[2] for PG&E, as well as PG&E's reasonable costs of long-term debt, preferred stock and common stock that are part of the authorized cost of capital. The cost of capital authorized in this application will be applied to capital investments authorized by the CPUC for PG&E.

Summary of PG&E's Key Reasons for Its Cost of Capital Request
Approval of PG&E's cost of capital proposals will assist the company in:

- Maintaining an investment-grade credit rating, thereby reducing overall financing costs
- Attracting the capital necessary to serve PG&E's customers safely and efficiently at reasonable rates
- Continuing the ACCAM to remove the costs and burdens associated with an annual cost of capital proceeding, while adjusting cost of capital based on defined changes in utility bond interest rates

Will rates increase as a result of this application?
No, approval of this application will decrease electric rates by less than one percent for bundled service customers (those who receive electric generation as well as transmission and distribution service from PG&E) and for direct access and community choice aggregation customers (those who take electric supply from non-PG&E suppliers). Electric rates for some departed load customers (customers who purchase their electricity from a non-utility supplier and receive transmission and distribution service from a publicly owned utility or municipality) will decrease slightly due to changes in the California Alternative Rates for Energy (CARE) discount. The annual electric revenue requirement decrease of $74.6 million will decrease the system bundled average rate by 0.6 percent (relative to current rates).

A typical bundled residential electric customer using 550 kWh per month would see a decrease in their average monthly bill of 0.6 percent or $0.50, from $89.73 to $89.23 per month. A customer using 850 kWh per month (roughly twice baseline) would receive a decrease of 1.1 percent or $1.98, from $185.92 to $183.94 per month. Individual customer bills may differ.

If the CPUC approves PG&E's request, a typical residential gas customer using 37 therms per month would see an average monthly gas bill decrease of $0.25, from $46.13 to $45.88. Individual customer bills may differ.

PG&E will provide a more illustrative allocation of the potential rate decreases among customer classes, under its proposal , in a bill inset to that will be mailed directly to customers in May.

FOR FURTHER INFORMATION
To request a copy of the application and exhibits or for more details, call PG&E at **1-800-743-5000**.
For TDD/TTY (speech-hearing impaired), call **1-800-652-4712**.
Para más detalles llame al **1-800-660-6789** 詳情請致電 **1-800-893-9555**

You may request a copy of the application and exhibits by writing to:
Pacific Gas and Electric Company
Cost of Capital Application
P.O. Box 7442, San Francisco, CA 94120.

THE CPUC PROCESS
The CPUC's Division of Ratepayer Advocates (DRA) will review this application.

The DRA is an independent arm of the CPUC, created by the Legislature to represent the interests of all utility customers throughout the state and obtain the lowest possible rate for service consistent with reliable and safe service levels. The DRA has a multi-disciplinary staff with expertise in economics, finance, accounting and engineering. The DRA's views do not necessarily reflect those of the CPUC. Other parties of record may also participate.
The CPUC <u>may</u> hold evidentiary hearings where parties of record present their proposals in testimony and are subject to cross-examination before an Administrative Law Judge (ALJ). These hearings are open to the public, but only those who are parties of record may present evidence or cross-examine witnesses during evidentiary hearings. Members of the public may attend, but not participate in, these hearings.

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[1] Revenue describes the total amount of money customers pay in rates for the gas and electric service they receive.

[2] Capital structure is a financial term used to describe the relative amounts, or weighting of debt and equity used to fund PG&E's investments in its plant and equipment.

After considering all proposals and evidence presented during the hearing process, the ALJ will issue a draft decision. When the CPUC acts on this application, it may adopt all or part of PG&E's request, amend or modify it, or deny the application. The CPUC's final decision may be different from PG&E's application.

If you would like to learn how you can participate in this proceeding or if you have comments or questions, you may contact the CPUC's Public Advisor as follows:

Public Advisor's Office 505 Van Ness Avenue Room 2103 San Francisco, CA 94102	**1-415-703-2074** or **1-866-849-8390** (toll free) TTY **1-415-703-5282** or **1-866-836-7825** (toll free) Email to **public.advisor@cpuc.ca.gov**

If you are writing a letter to the Public Advisor's Office, please include the number of the application (12-04-018) to which you are referring. All comments will be circulated to the Commissioners, the assigned Administrative Law Judge and the Energy Division staff.

A copy of PG&E's Cost of Capital Application and exhibits is also available for review at the California Public Utilities Commission, 505 Van Ness Avenue, San Francisco, CA 94102, Monday–Friday, 8 a.m.–noon, and the CPUC's website at www.cpuc.ca.gov/puc.

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM
H.1

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Library Board of Trustees minutes for the April 5, 2012 regular meeting.

Report in Brief

Staff recommends that the City Council receive the Library Board of Trustees minutes for the April 5, 2012 regular meeting

Recommendation for Action

No action required.

Prepared by: Heather Muller
Library Services Director

Reviewed by: Woodland Library Board of Trustees

Paul Navazio
City Manager

Attachment

WOODLAND PUBLIC LIBRARY
BOARD OF TRUSTEES
Minutes, April 5, 2012

Present: Alain Traig, Bod Goding, Jorel Difuntorum, Tom Pavao and Kay Hodges
Staff: Heather Muller, Sue Bigelow

The meeting was called to order at 4:00 pm.

I. Welcome Visitors
Alain welcomed Diane Adams.

II. Public Comment: None

III. Review of Agenda
The agenda was accepted as submitted.

IV. Approval of Minutes
The minutes of the March 1, 2012 meeting were approved as submitted..

V. Communications

Cara's baby, Violet Lee, was born on Tuesday, April 3rd and both Cara and Violet are doing well.

Heather and Sue attended the Yolo County Women's History Luncheon; the organization gave the library a $100 donation.

The library's security system is being updated this week.

The Rose Club's annual garden tour is scheduled for Sunday, April 29th.

VI. Old Business

A. Budget Update
At the March 27th workshop, department managers provided "best case/worse case" scenarios for the projected budget shortfall. The library's projected cut would be 2 percent, which translates to $72,000 in the "best case" scenario and $129,000 in the "worst case" scenario. To accomplish such cost reductions, cuts to both staffing and library hours would be necessary. Four of the five City Council members agreed that the library and parks and recreation had already been cut enough.

B. Catalog partners update and direction

C. For the time being, Sacramento will continue to partnership in the delivery of materials to Woodland and other outlying areas. Heather will nonetheless continue to pursue other options in the event this situation changes.

VII. New Business

A. Literacy Learning Center discussion and direction
Bud, Alain and Heather met with Mayor Art Pimentel, Vice Mayor Skip Davies and Acting City Manager Kevin O'Rourke on March 12th and the city officials asked for more detail on how the courtyard storage space would be utilized for consolidating Literacy functions. Heather and Sue reviewed with the board a recommendation for how the space would be used as well as an initial space design. This information will be shared with the city officials at a follow-up meeting scheduled for April 16th.

VII. Reports

A. Director: Heather will be away from the office during the week of April 8th.
B. Board:
1) Council meeting attendance: Alain attended the City Council meeting on March 20th when the Council declared April 16-20 National Library Week. Alain complimented Heather on her gracious and informative presentation at that meeting.
2) Individual Board Reports: None..

The meeting was adjourned at 5:35 p.m.
The next meeting will be May 3, 2012, at 4:00 pm
Minutes prepared by Kay Hodges

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM
H.2

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Water Resources Association Board of Directors Meeting Minutes for January 2012

Report in Brief

Attached are the January 9, 2012 Water Resources Association Board of Directors Meeting Minutes. These minutes were approved at the March 19, 2012 meeting.

Background

The Water Resources Association meets quarterly and submits meeting minutes to all jurisdictions attending the meeting. Meeting Minutes are then shared with Council.

Recommendation for Action

No action required. For information only.

Prepared by: Johanna Currie
Senior Management Analyst

Reviewed by: Gregor G. Meyer
Public Works Director

Paul Navazio
City Manager

Attachments: January 9, 2012 Water Resources Association Board of Directors Meeting Minutes

MINUTES OF JANUARY 9, 2012
OF THE BOARD OF DIRECTORS
WATER RESOURCES ASSOCIATION OF YOLO COUNTY

1. CALL TO ORDER & INTRODUCTIONS
The meeting was called to order at 3:00 p.m. by Chair, William Marble.

Board members present:	William Marble – City of Woodland, WRA Chair Cecilia Aguiar-Curry – City of Winters, Treasurer Sid England – University of CA Davis Gary Schaad - Dunnigan Water District Jim Mayer - Yolo County Flood Control & WCD Fritz Durst – Reclamation District 108 Chris Ledesma - City of West Sacramento Regina Cherovsky - Reclamation District 2035 Don Peart – Colusa County Water District
Alternate members present:	Tim O'Halloran – Yolo County Flood Control & WCD Jacques De Bra – City of Davis Lewis Bair – Reclamation District 108 Shelly Murphy – Colusa County Water District Duane Chamberlain – Yolo County Kurt Balasek – City of Winters Donita Hendrix – Dunnigan Water District
Associate members present:	Jeanette Wrysinski – Yolo County Resource Conserv. District Lynnel Pollock – Cache Creek Conservancy
Members of the Public & Agency Staff:	Mark Cocke, City of Woodland Max Stevenson, Yolo County Flood Control & WCD Cindy Tuttle – Yolo County Betsy Marchand, Yocha Dehe Wintun Nation Bob Schneider - Tuleyome Dave Pratt Marty Stripling – Reclamation District 787 (River Garden Farms) Eric Paulsen – Yolo County Farm Bureau Robert Morrow – eSystems Analytics Group Will Halligan – Luhdorff & Scalmanini John Fawcett - Luhdorff & Scalmanini Gary Reents - Reclamation District 2035/WDCWA

2. **APPROVAL OF AGENDA** – The Board motioned, seconded and unanimously approved the agenda.

3. **PUBLIC FORUM** – There were no comments from the public.

4. **CONSENT ITEMS** - The Board motioned, seconded and unanimously approved all consent items.
   a. Approved minutes: November 14, 2011 Board meeting
   b. Received financial reports: November 2011
   c. Received minutes of Executive Committee: 11/8/11
   d. Received minutes of Technical Committee: 11/3, 12/1/11

5. **INFORMATIONAL ITEMS**
   a. *Report from WRA Chair*: Chair Marble attended a Public Policy Institute of California Speakers Series with Congressman Kevin McCarthy. Discussion included a range of critical issues facing Federal and State government including creating sustainable water polices. Chair Marble shared some of the highlights from a recent ACWA meeting including keynote speaker Jim Mayer, Lewis Bair moderating

a flood issues panel and a panel discussion on the Prop 218 process. Waters rates are definitely increasing throughout California. He encouraged everyone to review ACWA's field poll of California voters that reflects the economy as their key concern more than water issues.

b. *WRA Annual Newsletter - The Year in Review 2011:* Donna reviewed the current newsletter. She encouraged member agencies to inform her of their accomplishments throughout 2012 for inclusion in next publication. The newsletter is distributed to a broad group of local, state and federal officials, as well as the entire WRA mailing database. It can also be viewed or download from the WRA's website.

6. **NOMINATING COMMITTEE RECOMMENDATIONS**
WRA by-laws require holding an annual meeting in January to elect Board Officers and appoint certain personnel. Tim O'Halloran, Nominating Committee Chair, reported on the Committee's recommendations to elect the following board officers and appointments for 2012: William Marble, Chair; Sid England, Vice-Chair; Cecilia Aguiar-Curry, Treasurer; Donna Gentile, Board Secretary and Perry, Bunch, Battaglia & Johnston, Inc., Auditor. There were no other nominations presented. The Board motioned, seconded and unanimously approved all consent items.

Donna added that this is the last audit to be performed by Perry Bunch Battaglia & Johnston per a 3 audit agreement with the WRA. The next audit period will be in 2 years. WRA staff will request bids prior to the next audit as requested by the WRA Board. She informed that fewer companies are interested in auditing an organization like the WRA given its size and organizational structure. The WRA is allowed to use the same firm in a competitive bid process.

Post Meeting Note: The current Executive and Technical Committee structure remains in place with Jacques De Bra continuing to serve as the Chair of the WRA Technical Committee.

7. **RECEIVE AUDIT REPORT: Fiscal Years Ending 6/30/10 and 6/30/11**
Rick Johnston, CPA, Perry Bunch Battaglia & Johnston, reported on the completed 2-year audit of the WRA's financial operations. The WRA's financial statements fairly represent the organization's finances in the opinion of the auditor. Rick reviewed each section of the audit and notes to the financial statements. He explained any adjustments made to the general fund for the purposes of the audit on the Statements of Net Assets and Activities. He offered to answer any questions about the audit. He complemented Donna on her conscientious bookkeeping procedures. The WRA has sufficient control procedures in place to maintain accurate reporting and tracking of their financial records. The Board motioned, seconded and unanimously accepted the final audit report.

8. **UPDATE on WATER LEGISLATION & REGULATORY ISSUES** – Chair Marble asked Cindy Tuttle to share Yolo County's concerns stated in their letter to the Central Valley Flood Protection (CVFP) Board on their draft CVFP Plan released in December. Donna circulated Yolo County's CVFPP comment letter to the WRA Board earlier today via email. If other agencies comment on the Plan, please forward a copy of their letters to Donna who will forward to Yolo County.

Tim O'Halloran reported on a variety of items. He acknowledged two 2012 appointments to the CVRWQCB from Yolo County, Bob Schneider and Jennifer Lester Moffitt. The Capitol-to-Capitol (CAP-to-CAP) committees have begun planning and preparing initiatives for this year's Sacramento Metro Chamber CAP-to-CAP program. Local representatives will coordinate and collaborate to promote regional priorities to our Congressional representatives in Washington, D.C. Monitoring entities statewide are submitting data to DWR's CASGEM program for groundwater elevation monitoring. CASGEM's website is still working out some access difficulties for the monitoring entities. The Delta Stewardship Council is sponsoring some field hearings on the draft Delta Plan EIR. A hearing will be held in Clarksburg on January

18 at 6 pm. The deadline for written comments on the draft EIR is February 2nd. Tim relayed discussions at the WRA Technical Committee on the challenges each agency faces while trying to monitor and comment on the myriad of complicated Delta processes, especially during this time of limited staffing and resources. A number of regional coalitions have been established in response to the various Delta processes. The WRA and individual agencies can benefit from aligning with these coalitions in support of their efforts. Tim suggested the WRA Technical Committee develop a matrix of these coalitions to identify who and what they are monitoring. A matrix can provide a useful, historical track record of agencies and their position on issues. He listed some of the coalitions that he is aware of based on his involvement. Lewis shared how RD 108 collaborates with various coalitions to leverage their opinions and voice their concerns about processes that are too complex for one agency to monitor with limited staffing and time. Jim Mayer offered to share his knowledge of available technology (affordable or free internet-based user generated software) that could accelerate communication and centralize information. Chair Marble asked the Technical Committee to meet with him and investigate further then report their findings to the WRA Board.

9. **UPDATE on WRA TECHNICAL COMMITTEE (TC) UPDATE**
   a. *Technical Committee Activities Update:* Jacques De Bra, TC Chair, summarized the TC's activities to carry out the WRA Board's vision by focusing on local project implementation, integrated regional water management planning, monitoring legislative/regulatory issues and Delta water planning. The TC also investigates and secures funding opportunities for the benefit of WRA members. The WRA's newsletter provides a good highlight of the activities over the past year. He reviewed the 4 projects allocated funding by the WRA in FY2011-12, which are: establishing a surface water monitoring plan (beginning with Cache Creek data), a Cache Creek invasive weed management plan, and the Westside IRWMP. The Yolo Basin Foundation is instrumental in the on-going integrated planning for the Yolo Bypass and collaboration on Bay-Delta planning, which is why the WRA provides financial assistance in their efforts.

   b. *Update on Westside IRWMP/Prop. 84 Planning Grant Process:* Jacques reported on the "super-regional" IRWMP that is being developed over the next 18 months with a $1 million grant from DWR ($1.5 million total project). Jacques distributed a handout on the Westside planning process with information on the project's new website and 3 upcoming kick-off meetings to inform and engage the public in the development of the Westside IRWMP.

10. **PRESENTATION: Historical Overview of Sacramento River Water Rights & Federal Contracts,** Lewis Bair, Reclamation District 108 – Lewis graciously allowed his presentation to be postponed to the next Board meeting in lieu of the other presentations that drew more discussion that anticipated.

11. **UPDATE on Sacramento River Surface Water Joint Intake & Diversion Project,** Regina Cherovsky, General Manager, Reclamation District 2035, introduced Gary Reents, project manager for the Joint Fish Screen/Intake & Diversion Project for RD2035 and Woodland-Davis Clean Water Agency (WDCWA). Regina informed that an important project milestone will be reached by mid-February that transfers legal ownership of the intake site from Conaway to RD2035 and WDCWA (80/20). Gary distributed an Intake project information sheet (Sept. 2011) that includes a project description, the implementation schedule and anticipated cost. Gary provided more updated information. The total project cost is now anticipated to be $36-38 million. The project is in the final design stages and environmental permitting should be completed by the end of this summer. A biological assessment has been completed. A 404 permit application will be submitted to the USACE by the end of this month. It is anticipated that this process will ultimately result in a biological opinion and NEPA compliance. The total cost for the final project design and environmental permitting is $1.56 million ($1.16 million federal funds and $400,000 local funds). Additional state and federal money has been requested for project construction in 2013 and 2014. Chair Marble commented that

this project has established an agricultural-urban partnership that is unique in its size and scope in all of the western United States. This project exemplifies the best environmental and economic solution.

12. **UPDATE on Woodland-Davis Regional Surface Water Supply Project,** Dennis Diemer, General Manager, Woodland-Davis Clean Water Agency (WDCWA), presented an update on the surface water supply project. He reviewed the structure and history of WDCWA. He summarized issues of concern, goals and objectives to be addressed by the project. More than two dozen alternatives have been considered over the past 15 years. He elaborated on the conclusion that Sacramento River water supply is the best long-term, sustainable solution with the lowest cost and the least environmental impact. Improved water quality is a major benefit from integrating groundwater and surface water supplies for drinking water and wastewater discharge requirements. Water conservation is being actively pursued along with researching aquifer storage and recovery methods to supplement supplies during seasonal variances. Mr. Diemer discussed 3 topics currently garnering public interest: can deep wells be used instead of the surface water project, the reasoning behind selecting the Design Build Operate (DBO) model and project affordability concerns. He concluded his presentation by highlighting the milestones achieved, activities planned for 2012 and the project implementation schedule through 2016. He answered questions from members of the Board and public. Mr. Diemer's PowerPoint presentation is available on the WRA's website for more details.

    Chair Marble offered a few closing comments on Woodland's water rate study process and the Woodland City Council's unanimous support of the surface water project. He echoed the importance of public education and involvement about the issues for the communities of Woodland and Davis.

13. **MEMBERS' REPORTS & FUTURE AGENDA ITEMS:**
    Chair Marble asked Board members what types of presentations or discussions they would like to have on future agendas. Many members are interested in Delta related water topics for each meeting, including hearing from organizations that may have opposing views. The WRA meetings also offer a central location to share information amongst member agencies. Other topic ideas offered were: mercury issues, economic impacts, technical underground well/aquifer information and flood activity updates from West Sacramento's Flood Control Agency (WSFCA). Please send any specific requests or speaker suggestions to Donna or any of the WRA Executive Committee members.

14. **NEXT MEETING DATE: March 19, 2012** from 3-5 pm, Woodland Community Center

15. **ADJOURNMENT** - The meeting adjourned at 5:00 p.m.

Respectfully submitted,

Donna L. Gentile

Donna L. Gentile
Board Secretary & Administrative Coordinator

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM 1.

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Fourth of July Celebration

Report in Brief

This report outlines the activities that will occur on the Fourth of July. The events were planned by volunteers in the community and are only made possible through generous donations from individuals, organizations, and businesses. Events will be held during the day culminating with the City's 20th annual fireworks show at Pioneer High School.

Background

Since 2004, the Woodland Recreation Foundation (WRF) has taken the lead in planning the City's Fourth of July Celebration. WRF's years of dedication to this event provided an enormous benefit to the community that is immeasurable. In 2012, WRF was unavailable to assist in the same manner as previous years to plan the events. Mayor Pimentel and Vice-Mayor Davies lead the volunteer efforts to promote, solicit donations, and organize the City sponsored celebrations (Bike Fest and Parade, Swim Fest, Ice-Cream Social, and Fireworks Celebration).

Fourth of July activities and their sponsors include:

- Woodland Schools Foundation 5-3-1 Run!: A 1 mile, 5k, and 5 mile run/walk for all ages kick's off the day's events at 8:00 a.m. at Pioneer High School. The Woodland Schools Foundation and Fleet Feet Sports host this event to raise funds for Woodland schools.

- WPFA Annual Pancake Breakfast: A pancake breakfast will be held at Fire Station #3 from 8:00 a.m. to 11:00 a.m.. This event is sponsored by the Woodland Professional Firefighters Association with proceeds being provided to Woodland Polytechnic Academy.

- Bike Fest and Parade: This family favorite is held at Heritage Plaza and begins at 9:00 a.m. with kids decorating their bikes or scooters and then "parading" before celebrity judges. The event has been expanded this year to include a "Bike Fest" showcasing interesting and unusual bicycles. Prizes are awarded in various categories and after winners are announced, all participants "parade" down Main Street to Freeman Park. Community volunteers (Maria

Tebbutt, Sheila Groom, and Enrique Fernandez) organized this event. Donors for the prizes (to date) include Tom and Meg Stallard (grand prize of 4 tickets to a River Cats game), Pizza Guys, Cookie Company, Steve's Place Pizza, Sord Boardshop, Mojo's Lounge & Bar, Mojo's Kitchen 428, Razz Frozen Yogurt, Lulu's Luxe Beauty Lounge & Boutique, and U.S. Bicycling Hall of Fame. Bayside Church will also be providing water.

- Freeman Park Family Fun Fest: The events for the Freeman Park Family Fun Fest are still in the planning stages. Preliminary plans include a family fun fest starting at 11:00 a.m. once the riders arrive from the Bike Fest & Parade. Bayside Church will be providing water. Other possible events and activities include bounce houses, children's activities, and refreshments. This event will be from 11:00 a.m. – 1:00 p.m.

- Swim Fest: A free event for all ages, this popular Swim Fest is held at the Charles Brooks Community Swim Center from 1:00 p.m. to 4:00 p.m.

- Ice Cream Social: An old fashioned ice-cream social will be held from 1:00 p.m. to 3:00 p.m. at the Woodland Community & Senior Center. This annual event is organized and sponsored by Senior Center Computer Club.

- 20th Annual Fireworks Show: New this year, the annual fireworks celebration will be held at Pioneer High School (the field at Woodland High School, where the event has historically been held, is being re-seeded). The fireworks celebration begins with pre-show activities from 6:00 p.m. to 9:15 p.m. Pioneer High School clubs and student groups will be selling food and refreshments. The City's Parks & Recreation Department staff will be providing entertainment for families with an obstacle course, bounce houses, and tattoo station.

Fiscal Impact

The City events are funded by sponsors. Sponsorships to date include PG&E as the grand finale sponsor donating $10,000 and several other donations from: Nugget Markets, Food 4 Less, Waste Management, Best Best & Krieger, Woodland Elks Lodge, Adams Grain, Conway Preservation Group, Yolo Wayfarer Center, Woodland Healthcare Foundation, Woodland Chamber of Commerce (in-kind), Denny Design (in-kind), The Wave (in-kind), RDM (in-kind), Woodland Recreation Foundation (in-kind), Wave Broadband (in-kind), Art Pimentel, Davies Enterprises, Tom & Meg Stallard, Pioneer Investors, Turn of the Century, Valley Tire Center, BlackPine Holdings, Standard Pacific Homes, and Lawson Property Management.

Public Contact

Posting of the City Council Agenda.

Recommendation

Staff recommends that the City Council receive the information on the 2012 Fourth of July events.

Prepared by: Christine Engel
Recreation Manager

Paul Navazio
City Manager

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM 2.

TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Presentation of Certificate of Presentation to Mark Cocke

Report in Brief:

The City Council recognizes the professional work done by its employees. The City Council specifically wants to recognize the leadership work that Mark Cocke has done to minimize the impacts of the floodplain upon our community, businesses and citizens.

Mark's fine efforts have resulted in removing approximately 4,300 residential and commercial properties from the Federal Emergency Management Agency's (FEMA) high-risk flood zone thereby eliminating the requirement of costly flood insurance. Mark's several years of dedicated work resulted in a map change effective May 16, 2012. His efforts not only reduced flood insurance premiums, but included the removal of floodplain-related building restrictions allowing property owners more freedom to improve properties, and will allow the City more leeway in implementing its up coming General Plan update.

The current economic climate facing the City has placed a financial burden upon our citizens. Saving money by eliminating costly flood insurance for some of those residents now out of the flood zone is an important achievement to our commitment and service to the community.

The City Council extends our sincere appreciation for a job well done.

Prepared by: Doug Baxter
Principal Engineer

Reviewed by: Nicholas J. Ponticello
CDD Director

Paul Navazio
City Manager

Attachment

June 19, 2012

Mark Cocke, P.E.
Senior Civil Engineer
Community Development Department

SUBJECT: Certificate of Appreciation

Dear Mark:

I want to personally thank you and commend you for your outstanding effort on removing approximately 4,300 residential and commercial properties from the Federal Emergency Management Agency's (FEMA) high-risk flood zone thereby eliminating the requirement of costly flood insurance. I know that coming up with FEMA's Final Letter of Map Revision (LOMR) required several years of extensive research, initiative and perseverance on your part.

You took a proactive approach in convincing both the US Army Corps of Engineers and FEMA to accept a study you initiated that more accurately characterized the flood hazards along Cache Creek. These several years of dedicated work resulted on map changes effective May 16, 2012 which not only reduced flood insurance premiums but removal of floodplain-related building restrictions allowing property owners more freedom to improve properties and the City more leeway in implementing its up coming General Plan update.

I understand that you met with many organizations and groups to inform the public on the flood mapping changes and conversed with many people over the phone about the proposed changes to the Flood Insurance Rate Maps. I understand that you treated each individual with the up most respect and courtesy for their concerns and issues. As you know, the current economic climate facing the City has financially burden citizens and saving money by eliminating costly flood insurance for some of those residents now out of the flood zone is an amazing example of commitment and service to the community.

Your sustained creative and professional work has resulted in Woodland property owners saving about $4 million per year. On behalf of the City Council and the Community Development Department, I extend my sincere appreciation for a job well done.

Sincerely,

Paul Navazio
City Manager

cc: Personnel File
Nick Ponticello
Doug Baxter
Brent Meyer

City of Woodland

CERTIFICATE OF APPRECIATION

Honoring

Mark Cocke

Senior Civil Engineer

In recognition of your outstanding work to establish a more accurate flood map for the City of Woodland and thereby removing approximately 4,300 commercial and residential properties from the high-risk flood zone. Your sustained creative and professional work has resulted in Woodland property owners saving about $4 million per year. Thank your for your dedicated service to our community.

Dated this 19th day of June, 2012

Artemio Pimentel, Mayor

Marlin H. "Skip" Davies, Vice-Mayor

Martie L. Dote, Council Member

William L. Marble, Council Member

Tom Stallard, Council Member

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM
3.

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Fire Department Monthly Report for April, 2012

Report in Brief

The Woodland Fire Department's Monthly Status Report includes a wide variety of information in an effort to better inform the public and the City Council. This report summarizes four specific areas of the Fire Department's operation: Overtime, Incident Response, Fire Prevention, and Training. This year, the Fire Department updated its Monthly Status Report format to include a wider variety of information. The report is formatted by division (Administration, Operations, Fire Prevention, and Training) and covers the key projects and/or activities for the month.

Attached for the City Council's review is the Fire Department's Monthly Report for April, 2012.

Prepared by: Shannon Collins
Management Analyst

Reviewed by: Dan Bellini
Chief of Public Safety

Paul Navazio
City Manager

Attachment

Woodland Fire Department Monthly Status Report
Summary – April 2012

(The Woodland Fire Department Monthly Status Report includes a wide variety of information in an effort to better inform the public and the City Council.)

	Previous Month	Current Month	Difference (+ increase/- decrease)
Total Incident Responses			
Fire	12	21	+9
EMS/Rescue	275	291	+16
Hazardous Condition	7	6	-1
Public Service	41	71	+30
Good Intentions	45	41	-4
False Alarms	22	21	-1
Total	**402**	**451**	+49
Mutual/Auto-Aid/Strike Team	4	9	+5
Concurrent Incidents	126	164	+38
Fire Prevention			
Commercial Inspections	23	12	-11
Plan Reviews	2	1	-1
Business License Inspections	13	13	-0
Permitted Inspections	55	66	+10
Residential Inspections	5	4	-1
Resale Inspections	22	14	-8
Engine Company Inspections	60	75	+15
Total	**180**	**185**	+5
Weed Abatement	2.5 hours	4.5 hours	+2.5 hours
Fire Investigations	5.5 hours	0 hours	+0 hours
Pub Ed Events	5	6	+1
Training Hours	1,020.5	992.5	-28.0

Department Highlights: The Woodland Fire Department hosted Haz Mat Specialist F & G classes, Driver Operator 1A, Exposure Control and conducted Aerial and Ground Ladder Testing in the month of April.

Divisions

Administration:

Emergency Management

- *There were no activities in the month of April, 2012.*

Operations:

Incident Activity

The WFD responded to a total of **451** incidents in April, 2012. They included:

- **21 Fires**, for a current annual total of **55.** The **21 fires** included:
  - **7** building/chemical, explosion, fire others
  - **2** grass, vegetation, brush fire
  - **1** passenger vehicle fires, outside equipment
  - **11** outside rubbish, dumpster, trash fire

- **291 EMS/Rescues**, for a current annual total of **1,151.** The EMS/Rescues included:
  - **39** Calls requiring medical assistance
  - **14** EMS calls, cancelled en route or on scene
  - **206** EMS Calls for people with injuries
  - **14** vehicle accidents with injuries
  - **18** motor vehicle/pedestrian accidents with or without injuries

- **6 Hazardous Conditions,** for a current annual total to **41.** The Hazardous Conditions included:
  - **1** toxic conditions, oil or chemical spills, gas leak, hazardous conditions, other
  - **4** electrical wiring, arcing, shorted electrical equipment
  - **1** vehicle accident, general cleanup

- **71 Public Service** Calls, for a current annual total of **218.** The Public Services Calls included:
  - **8** calls for public service
  - **15** invalid public assistance calls
  - **43** cover assignment, standby, move up, unauthorized burns
  - **5** lock-out, water problems, person in distress, other

- **41 Good Intentions** calls, for a current annual total of **196.** The calls included:
  - **24** calls that were cancelled en route or CAD error
  - **14** no incident found on arrivals
  - **2** Steam, smoke, odor of smoke, barbeque, authorized burning
  - **1** good intent call, other

- **21 False Alarm** calls, for a current annual total of **90.**

Concurrent Incidents:

These are incidents that come in simultaneously where apparatus and companies (a crew consisting of a Fire Captain, Engineer, and Firefighter) are either all committed to the same incident, or committed to separate incidents at the same time.

The breakdown of **concurrent incidents** for April, 2012 is:

2 companies committed simultaneously =	85 times
3 companies committed simultaneously =	46 times
4 companies committed simultaneously =	23 times
5 companies committed simultaneously =	10 times

The Woodland FD received **451** calls for service in April, 2012 with **164** being Concurrent Alarms = **36.4%** of the time. This is an increase of **38** calls over March and means that approximately 1 out of every 3 calls would commit two or more fire units simultaneously.

This month, our response time average for getting an initial fire engine on-scene was **5:18 Minutes** for fires and **4:42** for emergency medical services (EMS) calls.

Automatic or Mutual Aid:

Automatic Aid is provided to another agency through formal agreement and occurs automatically on **significant events** without any special request. The agencies we participate in automatic aid with are Davis, Dixon, UC Davis, West Sacramento, Rumsey Rancheria and the volunteer fire departments of Willow Oak, Yolo, and West Plainfield.

Mutual aid occurs when fire departments provide help to one another upon special request when a **significant event(s)** (large incident or multiple small incidents) take place. Every fire agency in Yolo County is a signatory to this agreement.

Total Number of **Aid Given/Received Incidents** in April, 2012: **9**

Aid Received: **7**

- **4** Davis Fire Department
- **1** Sacramento Fire Department
- **2** Willow Oak Fire Protection District

Aid Given: **2**

- **2** Elkhorn Fire Protection District

Current annual total is **32.**

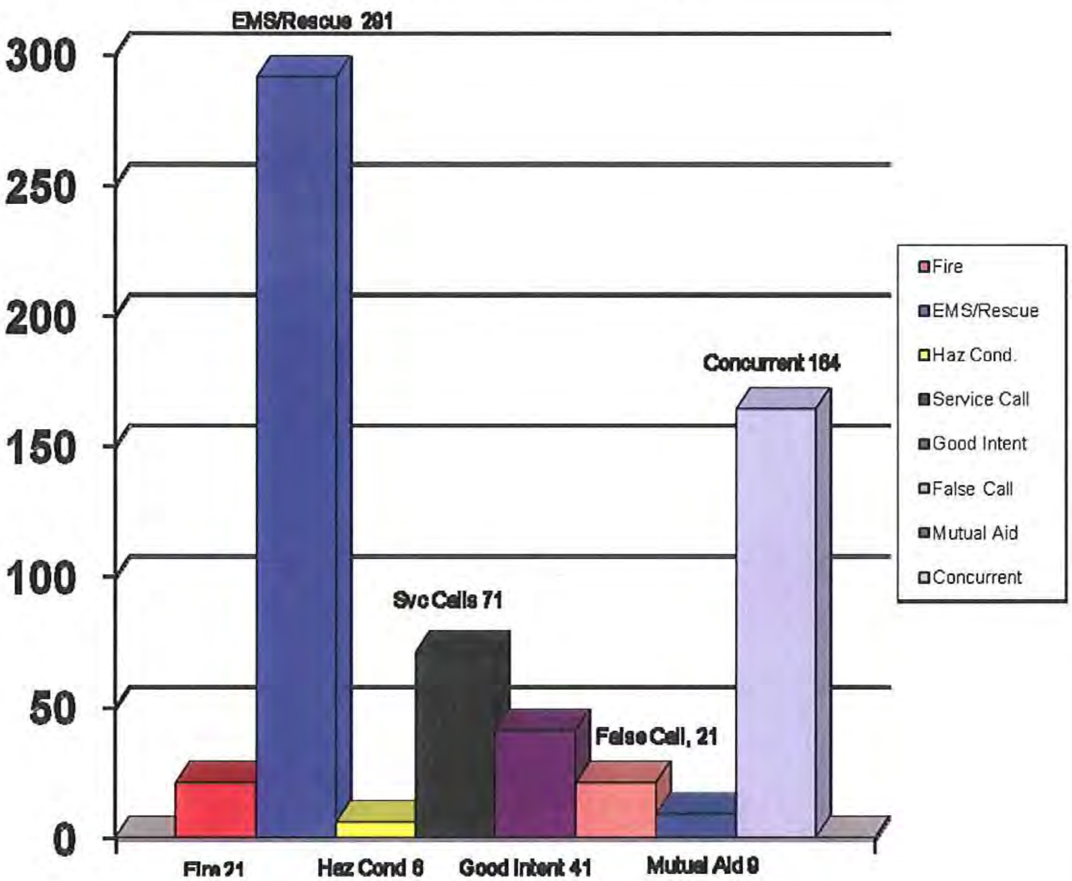
Overtime Summary

This is the seventh month we have been able to see the savings the SAFER Grant Firefighters have made. Our overtime expenses are well below last years numbers. There were a total of **981** overtime hours worked during the month of April, 2012 for a total cost of **$42,205.13.** ***This includes 339 hours of coverage for two Line Battalion Chief's vacancies.***
This includes:

- **840** hours of **Minimum Staffing** at a cost of **$36,861.95** for the month of April 2012. ***This includes 325 hours of coverage for two Line Battalion Chief's vacancies.***
    - In April 2011 we used **1,736** hours to cover **Minimum Staffing** at a cost of **$71,528.68** and for April 2012 we used **840** hours to cover **Minimum Staffing** at a cost of **$36,861.95.** *The SAFER Firefighters have made this reduction possible.*
    - In April 2012 we had no hours of lost time due to Workers Comp.
- **0** hours were needed for **Call-Back Staffing** for the month of April 2012. *(Call Back Staffing is necessary to backfill the stations when a major incident occurs that depletes the minimum staffing levels).*

	Previous Month	Current Month	Difference (+ increase/- decrease)
Cost of Overtime			
Maintain Minimum Staffing	$15,767.69	$20,574.21	+$4,806.52
Maintain Line BC position	$13,265.14	$16,287.74	+$3,022.60
Worker Comp Coverage	$6,002.29	$0.00	-$6,000.29
Call Back Staffing	$0.00	$0.00	0.00
Total	$35,035.12	$36,861.95	+$1,826.83

Current Month By Incident Type



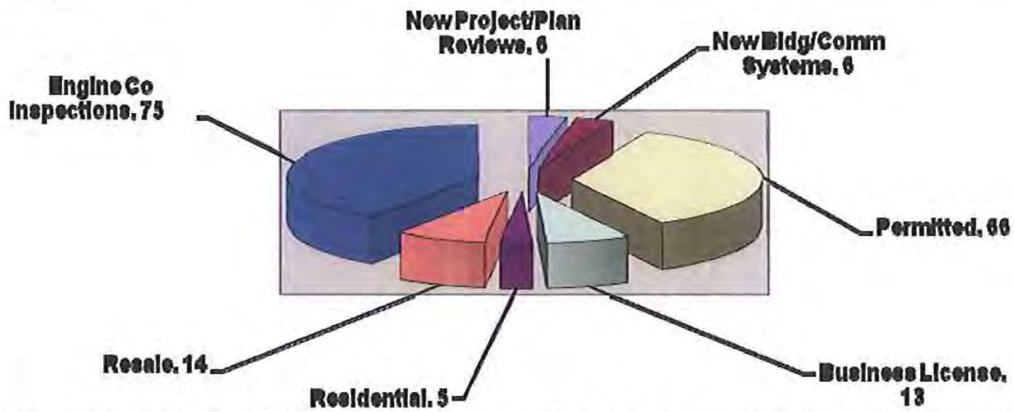
The graph above is a visual summary of the number of incidents that the Fire Department responded to during the weeks April 1, through 31, 2012.

Total Incidents to Date for 2012 - **1,802**

Average Response Time for First Due Units: Fire: **5:18** EMS: **4:42**

FIRE PREVENTION:

The Fire Prevention Bureau conducts several types of inspections and plan reviews. The Bureau concentrates on New Project Development, Civil Drawing Plan Reviews, Building Inspections, On Site Water Systems, Commercial Fire Sprinklers, Residential Fire Sprinklers, Fire Alarm Inspections, Specialized Fire Protection Systems, Fire Permits, Licensed Care Facilities, Business License Inspections, Resale Inspections, Fire Investigation and Code Enforcement, Public Education and Weed Abatement.



For the month of April 2012 the Fire Prevention Specialists conducted the following inspections and plan reviews:

Commercial	
6	New Project Development Reviews
0	Plan Reviews
1	New Building Inspections
5	Commercial Fire Protection Systems
Permit	
66	Fire Permitted Annual Inspections
Business License	
13	Business License Inspections
Residential	
1	Residential Automatic Sprinkler System Plan Reviews
4	Residential Automatic Sprinkler System Inspections
14	Resale Residential Sprinkler Inspections
Engine Company	
75	Business and Mercantile Inspections

Weed Abatement

- **4.5** hours were spent on weed abatement activities in the month of April 2012.

Note: Weeds continue to be an ongoing problem. We believe that the Department will have to commit more staff time to this in the coming months, and we will have to hire contractors to abate some properties. Unfortunately, funds for weed abatement were removed from the budget in previous years and therefore there is no money to hire contractors to abate weeds.

Fire Investigation/Code Enforcement

- **0 hours** of fire investigation was performed in the month of April, 2012.

Public Education

- Woodland Home School Group (4/10/12) Fire Station Tour
- AAA Insurance (4/12/12) Appreciation Day
- Woodland Christian High School (4/19/12) Career Day
- Stella Complex (4/20/12) File for Life
- Woodland Christian Preschool (4/26/12) Fire Safety Presentation
- Dia De Los Ninos Committee (4/27/12) Day of the Children

Maps

- *No new activity for the month of April 2012*

TRAINING:

The following is a summary of training activities conducted in the Fire Training Division during the weeks of April 1 - 30, 2012. During the month of April the following activities occurred at the Woodland Fire Department Training Division:

Training conducted at the Training Center including:

- 12 hours of Multi-Company Drills
- 24 hours of EMS Skills Testing
- 29+ hours Engine Company Inspections
- 140+ hours of Firefighting Tactics and Strategy

During the month of April, career staff reported a total of **916.5** hours of training, resulting in an average of **25.5** hours of training per person.

The reserve staff completed **0** hours of training in the month of April.

Battalion Chiefs had a total of **31** hours of training, and the Fire Prevention Staff had a total of **43** hours of training.

April Highlights: The Fire Department hosted Haz Mat Specialist Classes and Driver Operator 1A.

April ~ 2012 Training Hour(s):

Line staff	**916.5**
Battalion Chiefs	**31.0**
Fire Prevention	**43.0**
Reserves	**0.0**

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM
4.

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Public Works Monthly Status Report

Report in Brief

The Public Work's Department Monthly Status Report includes an executive summary of the monthly activity of all divisions within the Department. This report also includes information regarding key projects and/or activities throughout the months.

Highlights

- Staff received an average of 50 requests for service per day during the month for a total of 1,056 requests during the month.
- Service Requests for the month of April 2012 decreased by 26.1% from April 2011.
- Staff completed 496.75 hours of training in the month of April 2012.
- The Public Works Department has 9 Vacancies as of March 31, 2012.

The operations detail contained in this report is for the month of April 2012; all project related information is current as of May 30, 2012.

Prepared by: Stephanie Frank
Administrative Secretary

Reviewed by: Gregor G. Meyer
Public Works Director

Paul Navazio
City Manager

Attachment

Public Works Department

Monthly Status Report

Summary – April 2012

For the Month of April 2012		
Division	**Service Requests**	**Work Orders**
Administration	460	
Electrical	35	109
Environmental Services		11
Facilities	47	59
Fleet		187
Parks	16	116
Pretreatment		73
Sewer	16	112
Signs & Markings	5	93
Storm Drain	6	7
Streets	29	54
Urban Forestry	32	28
WPCF		
Water	410	180
Grand Total	**1,056**	**1,029**

Service Request – Every time a request for Public Works services is made by phone call, written request, emailed request, or an actual one-on-one request to a PW employee, a **'Service Request'** is generated. This builds a computerized record of all requests made.

Work Order – A **'work order**' is created each time a work crew or individual is assigned a task as a result of either service requests, pre-planned maintenance projects, or by other situations as they arise. This produces a database of work accomplished and the time and materials it took to do the work.

Total for Calendar Year 2012 Through 4/30/2012	
Service Requests	Work Orders Complete
4,417	**3,694**

21 Working Days This Month = 50 Requests for Service per Day

With **1,056 Service Requests received**, Public Works crews handled **937 Work Orders** for the month of April. They included:

Operations & Maintenance

Administration:

- The administration team received 1,056 Service Requests; 460 of which were handled through the front desk, and the other 596 requests were distributed to the appropriate division. (see chart above)
    - ♦ 37 Backflow Notifications were mailed to responsible parties regarding testing requirements
    - ♦ 136 Underground Service Alert (USA's) requests processed
    - ♦ 146 Delinquent Water Shut-Off's
        - 141 Residential Accounts
        - 5 Commercial Accounts

Electrical:

- 16 Street Light Work Orders
  - Annual Maintenance
  - Asset Management
  - 4 Inspections
  - 3 Street Light Services
  - 1 Locate Electrical Lines Service
  - 1 Knockdown Repair
  - 1 Handhole Cover Replacement
- 20 Traffic Signal Repairs
  - Annual Loop Testing
  - Asset Management
  - Conflict Monitor Test
  - 1 Inspection
  - 6 Installation/Upgrades
  - 1 New Signal Installation
  - 1 Pedestrian Indicator Repair
  - 1 Pole Knockdown Repair
  - 5 Signal Repairs
  - 1 Timing Check
- 1 Lift Station Maintenance Service
- 1 Enclosed Storage Facility Service
- 3 Facility Service Requests
- 33 Park Facility Service Requests
- 2 Trash & Debris Clean-Up Services
- 8 Water Pollution Control Facility Service Requests
- 16 Well Site Services (Install/Upgrade, Testing, Data Retrieval, SCADA Modification)
- Received/marked 136 Underground Service Alerts (USA's)

Environmental Services:

- 8 Green Waste Investigations
- 1 Storm System Investigation
- 2 Water Conservation Investigations

Facilities:

- 13 Services/Repairs to City Hall
  - 1 Furniture Assistance Request
  - 1 Generator/Transfer Switch Test
  - 1 HVAC Services
  - 2 Lighting Services
  - 2 Lock Services
  - 1 Plumbing Service
  - 2 Power Loss Services
  - 1 Wall Repair
- 4 Repairs to Fire Stations 1, 2 &3
  - 3 Generator/Transfer Switch Tests
  - 1 Inspection
- 16 Repairs to the Library

- 2 Inspections
- 4 Lighting Services
- 1 Locate Electrical Lines Service
- 3 Lock Services
- 4 Plumbing Services
- 2 Wall Repair Services

- 8 Repairs to the Municipal Service Center
  - 1 Inspection
  - 1 Lighting Service
  - 2 Lock Services
  - 2 Miscellaneous Services
  - 1 Plumbing Service
- 17 Repairs to the Police Department
  - 2 HVAC Services
  - 6 Inspections
  - 1 Lighting Services
  - 1 Miscellaneous Service
  - 7 Plumbing Services
- 2 Repair to the Water Pollution Control Facility
  - 1 Lighting Service
  - 1 Generator/Transfer Switch Test

Facilities has a backlog of 66 Service Requests

Fleet:

- 187 Work Order Repairs to 106 different units (vehicles, apparatus & equipment)
  - 25 Repairs from Preventive Maintenance Service
  - 97 General Repairs
  - 2 Vendor Repairs
  - 6 Road Calls
  - 2 Body Repair, Non-Accident
  - 59 Preventive Maintenance Services

Parks:

- 116 Work Orders
  - 1 Interment
  - 8 Cemetery Maintenance Services
  - 2 Chemical Testing/Calibration Services
  - 9 Equipment Repair/Replacement Services
  - 4 Graffiti Removal Service
  - 3 Irrigation Repair/Replacement Service
  - 31 Litter/Garbage Cleanup Services
  - 27 Park Maintenance Services
  - 1 Pool Cleaning Service
  - 17 Restroom Cleaning Services
  - Restroom Lock/Unlock Service
  - 2 Sports Field Prep/Maintenance
  - 1 String Trimming Service
  - 1 Vandalism Repair
  - 4 Weed Control Services

Pretreatment:

- 15 Auto Related Inspections
- 58 Food Service Related Inspections

Sewer:

- 10 Sewer Cleanout Services
  - ♦ 2 Inspection Services
  - ♦ 1 Preventive Maintenance Services - Installation
  - ♦ 4 Reactive Maintenance Services – Installation
  - ♦ 2 Repair Services
  - ♦ 1 Replacement Service
- 69 Gravity Main Services
  - ♦ 3 Inspection Services
  - ♦ 56 Preventive Maintenance Services Utilizing the CCTV (Closed Circuit Television)
    - 1,205 Events
      - o 16,472 Linear Feet Inspected
  - ♦ 8 Preventive Maintenance service utilizing the HVVC (High Velocity Vacuum Truck)
      - o 8,210 Linear Feet
  - ♦ 2 Service Repairs
- 22 Sewer Lateral Services
  - ♦ 1 Blockage Cleared
  - ♦ 2 Inspections
  - ♦ 4 Service Location Requests
  - ♦ 8 Preventive Maintenance Services Utilizing the CCTV (Closed Circuit Television)
  - ♦ 1 Repair Service
  - ♦ 1 Replacement Service
  - ♦ 1 Rodding Service
  - ♦ 2 Root Control Services
  - ♦ 2 Sanitary Sewer Overflow Event (SSOs)
- 9 Manhole Services (flushing/repair/inspection)
- Received/marked 136 Underground Service Alerts (USA's)

Signs & Markings:

- 4 Departmental Duty Services
  - ♦ 2 Banner Services
  - ♦ 2 Community Billboard Services
- 10 Guide Sign Services
  - ♦ 2 Cleaning Services
  - ♦ 1 Graffiti Removal Service
  - ♦ 1 Knockdown Repair
  - ♦ 6 Routine Maintenance Services
    - 8 Signs
- 10 Object Marker Services
  - ♦ 1 Installation Service
    - 26 Markers
  - ♦ 8 Routine Maintenance Services

        - 36 Markers
    - 1 Survey
- 7 Raised Pavement Markers
    - 7 Repair/Replaced Services
        - 172 Markers
- 47 Regulatory Sign Services
    - 4 Sign Cleaning Services
    - 12 Graffiti Removal Services
        - 10 Signs
    - 3 Knockdown Repairs
    - 26 Routine Maintenance Services
        - 106 Signs
    - 2 Surveys
- 5 Street Marking Services
    - 1 Pavement Painting Service
    - 4 Surveys
- 10 Warning Sign Services
    - 1 Graffiti Removal Service
    - 1 Installation
    - 1 Knockdown Repair
    - 6 Routine Maintenance Services
    - 1 Survey

Storm Drain:

- 2 Gravity Main Services
    - 1 Blockage Cleared
    - 1 Routine Maintenance Service
- 2 Inlet Point Services
    - 1 Inspection
    - 1 Public Outreach
- 1 Lift Station Service
    - 1 Monthly Generator Test
- 1 Trench Repair
- 1 Weed Control Service

Streets:

- 1 Rain Duty Service
- 1 Inspection
- 3 Road Edge Services
    - 1 Repair
    - 2 Weed Abatement Services
- 1 Median Service
    - Hardscaped Median Maintenance
- 2 Parking Lot Services
    - 1 Maintenance Service
    - 1 Trash & Debris Clean-Up Service
- 5 Sidewalk Path Services
    - 1 Downtown Maintenance
    - 1 Repair
    - 1 Spot Repair Service Request

        - 70 Square Feet
    - ♦ 1 Trash & Debris Clean-up
    - ♦ 1 Weed Abatement Service
- 41 Road Services
    - ♦ 1 Accident Clean-Up
    - ♦ 3 Base Failure Repair Services
        - 5,047 Square Feet
    - ♦ Bike Lane Sweeping
    - ♦ 6 Crack Seal Services
        - 70,836 Linear Feet
    - ♦ Pot Hole Patching
        - 777 Holes Patched
    - ♦ 3 Sink Hole Services
        - 18 Square Feet
    - ♦ 8 Skin Patch Services
        - 2,620 Square Feet
    - ♦ 2 Spill Response Services
    - ♦ Traffic Control
    - ♦ Trash & Debris Clean-Up
    - ♦ Trench Repair

Urban Forestry:

- 2 Hazardous Situation Responses
- 13 Tree Planting Services
- 2 Tree Pruning Services
- Tree Removal Program
    - ♦ 1 Tree
- Small Tree Care
- Stump Grinding Service
- Tree Rebate Processing

Water:

- Produced 252,536,272 gallons of drinking water in April
- Received/marked 136 Underground Service Alerts (USA's)
- Final Inspection
- 2 Backflow Investigations
- 2 Blow-off Valve Services
    - ♦ 1 Inspection
    - ♦ 1 Repair
- 15 Control Valve Services (exercise, locate, repair, replace, water turn off/on)
- 3 Enclosed Storage Facility Service
    - ♦ 3 Pressure Readings
- 20 Hydrant Services
    - ♦ 4 Flushing Services
    - ♦ 6 Maintenance Services
    - ♦ 7 Painting Services
    - ♦ 3 Repair Services
- 1 Lateral Line Service
    - ♦ 1 Repair

- 18 Lateral Valve Services
  - 11 Leak Detection Services
  - 1 Service Valve Repair
  - 3 Water Quality Issue
  - 2 Water On/Off Services (Finance, Contractor, Homeowner Request)
- 59 Meter Services
  - 8 Meter Installations
  - 1 Meter Inventory
  - 14 Meter Investigations
  - 4 Meter Maintenance Services
  - 9 Meter Repairs
  - 21 Meter Replacements
  - 1 Meter Box Replacements
- 6 Pressurized Main Services
  - 6 Investigations
  - 7 Repairs
- 59 Production Well Services
  - 2 Auto Dialer Alarm Call-Outs
  - 19 Inspections
  - Disinfection Services
  - 16 Maintenance Services
  - Monthly Reporting
  - No3 Monitoring
  - Sampling
  - Vandalism

Environmental Services

General

- Provided water conservation, composting, and stormwater pollution prevention information and distributed compost bins at the April 14 Food Bank composting class.
- Provided information/outreach on all environmental programs at Heritage Plaza during the April 21 Downtown Sidewalk Sale/Recycle Day and at the April 23 Earth Day event at Woodland Community College.

Solid Waste/Recycling

- C&D Recycling: Monitored 54 project units. Opened 3 permits and closed out 3.
- Green Waste: Issued 66 green waste notices and 15 followup code compliance warnings.
- Public Outreach/Assistance:
  - Provided 7 compost or vermicompost bin rebates.
  - Sponsored Waste Management-staffed annual bulky waste collection event at Yolo County Fair Grounds: 428 residents participated, delivering 50 tons of bulky waste, 56% of which was diverted for recycling.
- Special Projects:
  - *Ordinances/City Code* – Drafting extensive updates.
  - *Commercial Recycling* – Finished draft of local guidelines and ordinance to complement state commercial recycling requirements, effective July 1, 2012.

- *Closure of Old Woodland Landfill* – Received feedback that RWQCB staff is reviewing our November letter report and may request a meeting. City has requested (1) acknowledgment that landfill cells are closed, (2) confirmation that further monitoring is unnecessary, and (3) input on feasibility of site use for solar arrays or other passive use.
- *Environmentally Preferred Purchasing Policy* – Holding draft policy for consideration by new City Manager.
- *Waste Advisory Committee* – Considering feasibility issues associated with Yolo Biogreen Regional Facility for future organics composting at the landfill; County to provide additional information at May WAC meeting.
- *Hazardous Waste* – Completed postcard design and arrangements for mass mailing to Woodland residents on Yolo County Landfill HHW disposal information. Finalizing billboard design on used oil disposal. Working with Regional Recyclers Group on TV/radio spots about used oil recycling. With Yolo County, West Sacramento, and Davis, planning June 23 oil filter exchange event at local auto supply businesses and associated radio publicity.
- *Pharmaceutical Disposal* – Researching permanent pharmaceutical take-back options; met with Council Member Stallard, Supervisor Rexroad, and Deputy Director of Yolo County Planning and Public Works Linda Sinderson to discuss countywide efforts.

Water Conservation

- Public Outreach/Assistance:
  - Investigated 3 commercial water-waste complaints (leaks).
  - Provided rebates for 5 weather-based irrigation controllers or rain sensors and 2 rain barrels.
- Special Projects:
  - *Ordinances/City Code* – Drafting revisions to water conservation and drought declaration ordinances.
  - *Water-Wise Landscape Tour* – Continued planning of June 16 Woodland water-wise landscape tour with citizens' Water Rate Advisory Committee members.
  - *Low-Water Planting-Strip Designs* – Working with Resource Conservation District landscape designer to prepare planting designs and guidelines for low-water alternatives to turf in parking strips.
  - *City Web Information* – Began reorganization of water information on City website to improve public access.

Stormwater

- Public Outreach/Assistance:
  - Investigated and provided guidance regarding two storm drain pollution situations.
- Special Projects**:**
  - *Municipal Permit Development* – Continued to work through California Stormwater Quality Association and the Statewide Stormwater Coalition toward reasonable modifications to SWRCB's draft municipal stormwater permit. Anticipating revised public draft MS4 permit issuance May 18.

Energy Conservation

- Special Projects:
  - *Climate Action Plan* – Prepared draft and final Public Outreach Plans; submitted to PG&E and Yolo County. Held kickoff lunch meeting with stakeholder planning committee of approximately 30 attendees. Planning June 20 public visioning workshop. Met with UCD team members to review solid waste information.
  - *Commercial Property-Assessed Clean Energy (PACE)* – Continuing to plan for Ygrene-administered countywide program; Yolo County group is reviewing program documents tailored to Yolo County jurisdictions.
  - *ICLEI GroupEnergy* – Finalized plans for outreach to City employees and May 8 workshop on group-purchasing opportunity for home energy-efficiency upgrades and solar installations.
  - *Sustainable Communities Planning Grant* – Learned that City is not recommended for grant funding for General Plan update.

Water Pollution Control Facility

Laboratory

- Collected samples and performed over 300 process control and National Pollutant Discharge Elimination System (NPDES) permit compliance tests for the wastewater treatment plant.
- Collected monthly influent, effluent and receiving water monitoring samples; submitted to contract laboratories.
- Collected samples and performed 45 tests on treatment plant storage ponds.
- Continued to Collect/test additional coliform samples and worked closely with Operations to troubleshoot and resolve issues with the UV disinfection system.
- Collected and tested additional process control sample and worked closely with Operations to resolve issues with the secondary treatment process.
- Completed biannual quality control testing.
- Prepared monthly Discharge Monitoring Reports and electronic Self-Monitoring Reports; submitted to the Regional Water Quality Control Board (RWQCB).
- Attended weekly process control meetings
- Attended CWEA Conference

Pretreatment

- Inspections
  - Auto Related Businesses – 1
  - Food Service Business – 48
  - Business of Concern (BOC) – 1
  - Significant Industrial User (SIU) – 0
- Plan review for Building/CDD – 2
- Permit applications or permits issued – 32
- Public education & outreach visits – 91
- Call-outs for spills/illicit discharges – 2
- Administrative Citations Issued – 1
- SIU Self-Monitoring Report Reviews – 2
- Development Review Committee meeting
- Monthly staff meeting/safety tailgate
- Attended CWEA Conference

Utility Engineering

Utility Engineering Legend: **Bolded text** indicates new information

The initials enclosed in ( )'s denotes the lead PW staff on the project.

(DB) Doug Baxter, Principal Civil Engineer (MS) Mark Severeid, Lab Supervisor

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No updated information regarding this project at this time.

Project: Wastewater Treatment Plant/NPDES Permit (5 Year Renewal) (MS/DB)

Status: In April 2009 the final NPDES permit was issued by the RWQCB. The new permit requires the City of Woodland to move to an improved source water supply. It also requires significantly more testing and studies that will substantially increase operating costs.

On April 12, 2010, Mayor Skip Davies, Councilmember Bill Marble, City Staff and City's permit writing consultant Dan Rich met with senior staff from the Regional Water Quality Control Board (RWQCB). The purpose of this City requested meeting was to verify that boron, salt and selenium final limits will be in our waste discharge permit, and that these limits will cause the City to move to an improved water quality supply or other substantially more expensive treatment processes. We discussed all the conceivable alternatives and why improving our water quality supply is the least costly viable option. RWQCB made it clear that boron, salt and selenium final limits will be in our permit. RWQCB also said that they would enforce these limits with fines to eliminate all incentives to delay moving forward and that fines could be as high as $10 per gallon per day of wastewater not in compliance (at current flows the fines would be up to $60,000,000 per day). Under our current permit each year we have to submit compliance reports on moving to an improved source water supply. If we delay for example 2 years and saved $11,000,000 in interest, the fines would exceed that amount to eliminate any incentive to delay implementation of salt reduction.

On 1/5/2011, we met with Board staff to discuss the Time Schedule Order. We presented a sample TSO and they indicated their plan to prepare an administrative draft based on that document. They requested additional data on selenium and salinity to help with setting performance based limits for both constituents. We were advised that the board had made a change to how they handle TSOs; there is now a provision for extending the 5 years for up to an additional 5 years in the event the discharger is unable be in full compliance by the end date of the order but has shown due diligence and has tried to meet the milestones set in the original order. The TSO was issued by the Executive Officer, by delegated authority of the Central Valley Regional Water Quality Control Board, on September 21, 2011. The TSO contains an interim effluent limit for selenium of 31 µg/ L which will be in force thru September 2016.

The interim selenium limit should allow us to be in full Permit compliance until the completion of the surface water treatment plant.

The City of Woodland and the City of Davis evaluated the feasibility of combining treatment into a regional facility. The City of Davis is pursuing its own treatment facility. Both cities will continue to look for ways to work together when in the mutual interest of both cities.

What's Next: The surface water project will continue to be pursued. Fiscal impacts of the permit will continue to be evaluated. Staff is looking into long-term planning options. Wastewater treatment long-term planning is underway.

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM
5.

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Final Acceptance and Notice of Completion for Pioneer-Parkland Extension, CIP 09-27

Report in Brief

On June 21, 2011 the City Council awarded a construction contract to DeSilva Gates Construction in the amount of $2,215,856 to construct the segment of Pioneer Avenue and Parkland Avenue between Farmers Central Avenue and Heritage Parkway. The work was performed in accordance with the plans and specifications and is ready for acceptance by City Council.

Staff recommends City Council accept the Pioneer-Parkland Extension as complete and authorize the City Clerk to file a Notice of Completion.

Background

The Spring Lake Specific Plan (SLSP) circulation element includes a four lane arterial road (Pioneer-Parkland Extension) between Farmers Central Road and Heritage Parkway. The Spring Lake Mello-Roos bond district includes financing for two of the four lanes.

In 2004, the City sold bonds to fund the initial infrastructure needed to support development in the Spring Lake area. In order to meet their respective schedules, the Spring Lake developers constructed all of the major improvements included in the bond documents except this project. There is not a development interest that can carry the cost of these improvements (subject to reimbursement), and may not be for some time. Therefore, the City is stepping forward to complete the necessary infrastructure listed in the bond documents.

Discussion

The contractor began construction of the Pioneer-Parkland Extension in July, 2011 and finished the work in April 2012.

Fourteen change orders were issued in the amount of $195,430. The change orders were necessary due to unforeseen site conditions and design revisions. The total contract value paid to the Contractor is $2,370,876.

Fiscal Impact

This project was funded from Spring Lake bond funding for $3,500,000, as authorized in the Capital Budget. The total project costs for this contract and related costs is $2,770,000. The difference between the total project costs and the construction contract represents the amount expended for design, construction management and right of way.

There is no impact to the General Fund.

Public Contact

Posting of the City Council agenda.

Recommendation for Action

Staff recommends City Council accept the Pioneer-Parkland Extension as complete and authorize the City Clerk to file a Notice of Completion.

Prepared by: James Heath, P.E.
Associate Civil Engineer

Reviewed by: Nicholas J. Ponticello
CDD Director

Paul Navazio
City Manager

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM 6.

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Final Acceptance and Notice of Completion for the ADA Improvement Project, CIP 12-04

Report in Brief

On March 22, 2012, the City executed a construction contract with RSC General & Engineering, Inc. in the amount of $58,322.28 for the 11/12 Community Development Block Grant (CDBG) funded ADA Improvement Project. The project retrofitted existing curb ramps and replaced existing driveways to ADA compliant facilities. The work was performed in accordance with the plans and specifications and is ready for acceptance by City Council.

Staff recommends City Council accept as complete the contract with RSC General & Engineering, Inc. for work on the ADA Improvement Project and authorize the City Clerk to file a Notice of Completion.

Background

The City of Woodland receives CDBG funds annually from the United States Department of Housing and Urban Development (HUD). CDBG funds must be used for activities that assist lower-income persons and to eliminate conditions of blight in the community. In 2011, the Engineering Division applied for and received $103,613 in CDBG grant funding for improvements to various locations specified within the City's ADA transition plan.

The project was necessary to improve ADA accessibility on the City's primary ADA path on Beamer Street (from Ashley Avenue to West Street). Modifications to the West Street/Elliot Street intersection were added to the project during construction.

Discussion

The contractor began construction of the ADA Improvement Project on March 30, 2012 and finished the work on May 10, 2012. The project was completed prior to the June 30 deadline for CDBG funding.

Two change orders were issued for a total amount of $5,913.56. This increase paid for additional work to retrofit existing non-compliant ADA curb ramps and adjustments to account for field conditions.

Fiscal Impact

This project was grant funded from the 11/12 CDBG year for $103,613.00 and included $5,000 of Measure E. The Measure E funding was added during construction to address additional ADA needs. The difference between the total project budget and the construction contract represents the amount budgeted for design and construction management. There is no impact to the General Fund.

Public Contact

Posting of the City Council agenda.

Recommendation for Action

Staff recommends that City Council accept as complete the contract with RSC General & Engineering, Inc. for work on the ADA Improvement Project and authorize the City Clerk to file a Notice of Completion.

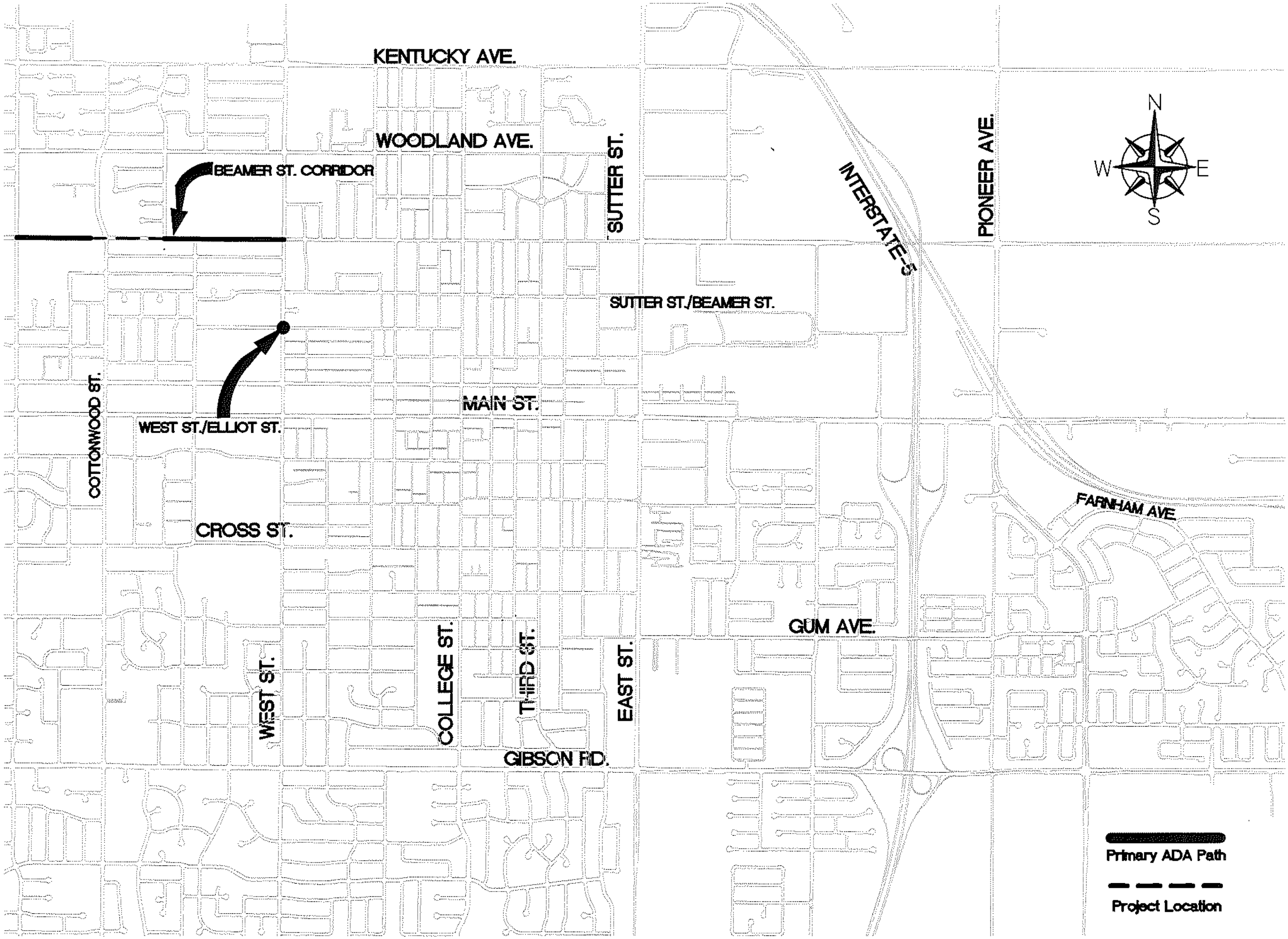
Prepared by: Jair Camacho
Associate Engineer

Reviewed by: Brent Meyer, PE
Principal Civil Engineer/City Engineer

Reviewed by: Nicholas J. Ponticello
CDD Director

Paul Navazio
City Manager

Attachment: Project Location Map



2012 ADA IMPROVEMENT PROJECT LOCATION MAP

NOT TO SCALE

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM 7.

TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Parks Irrigation Rehabilitation, Phase 3, Project No. 10-01; Award Construction Contract

Report in Brief

On May 31, 2012 the City received five (5) bids for construction of irrigation system improvements in various parks throughout the City. On May 1, 2012, Council approved plans and specifications for the project and the bid period commenced.

Staff recommends that the City Council award the construction contract in the amount of $466,032.59 to Procida Landscape, Inc. Sacramento, CA.

Background

This project will replace aging irrigation systems at Tredway Park and Palm/Keystone traffic circle island (in Beamer Park), and complete the landscape improvements at Spring Lake Circle. It includes installation of irrigation controllers at Everman Park, Clark Field, Roddy Park, Traynham Park, Streng Pond, Woodland Cemetery, and Buchignani Field. Clark Field will get a new controller and booster pump as well as piping improvements to eliminate the need for multiple metered water services. This project is the third of four project phases using Measure E funding and Proposition 50 grant funding to rehabilitate Park irrigation systems.

This project will also complete the landscaping along the west side of Pioneer south of Springlake Court, along the south edge of Springlake Court and including the pathway connection with Bourn Court. This work is funded by the Gibson Ranch CFD. The pathway and sidewalks will be open for public use during construction.

Tredway Park will be closed to public access for the construction period from June to November. The Palm/Keystone Island will be closed for about a month. The work at Clark Field will start after October 1st due to scheduled baseball activities this summer.

The City obtained a grant from the State Department of Water Resources in 2007 using Proposition 50 funds for the purpose of making water efficiency improvements at Woodland's Parks. The City executed the grant agreement in January 2008. Under the terms of the Grant, the City is required to upgrade the seven manually irrigated parks: Southland, City, Harris, Christiansen/Camarena (counted as 2 parks), Tredway and Freeman Parks. In 2008/09, the City constructed the first phase of irrigation efficiency improvements at Christiansen Park. In 2011, the City constructed the second phase of irrigation efficiency improvements at City and Harris Parks and installed irrigation system improvements at Woodside, John Ferns, Crawford, Campbell, Klenhard, Douglass, Schneider, and Wayne Cline Parks. Southland Park was rehabilitated prior to this grant using Measure E funds.

Per the State Agreement, the City is required to monitor and report on irrigation usage at all rehabilitated or improved parks. The estimated reduction in annual water usage at Christiansen Park is about 7.2 acre-feet or 315,000 gallons. This is a savings of about 30%. The City will be adding the Phase 2 projects to the monitoring programs and assessing water savings. All of the parks city-wide are on meters except for Tredway and Freeman.

The State granted an extension to the grant extending the completion date to December 31, 2013. Freeman Park will be rehabilitated during the summer of 2013.

Discussion

On May 31, 2012 the City opened the following bids:

Bidder's Name	Base Bid Amount	Total Bid After Minor Adjustments	Notes
Procida Landscape Inc.	$ 466,032.58	$ 466,032.59	1
Saenz Landscape Construction	$ 479,887.40	$ 479,882.40	1
Olympic Land Construction	$ 480,868.26	$ 480,777.68	1
Dominguez Landscape Services, Inc.	$ 483,624.54	$ 482,973.98	1
WABO Landscape & Construction, Inc.	$ 581,429.00	$ 581,429.00	
Engineer's Estimate	$ 524,855.00		

Note 1: The extension of the unit prices and quantities was corrected.

Staff has performed due diligence in reviewing the bids and all bids comply with the technical submittal requirements, except as indicated in the notes above.

Staff anticipates construction starting in late July with completion scheduled for late November. The working time in the contract is 90 days which excludes weekends, holidays and allows for weather-delay time extensions.

Fiscal Impact

The project is fully funded in the Capital Budget. The total budget set aside for phase 3 is $688,000; which consists of $257,000 from Measure E and $431,000 from Proposition 50 (grant).
The Pioneer Avenue & Springlake Court work is funded by Gibson Ranch CFD in the amount of $85,000.

The difference between the total budget (including phase 3 and the Gibson Ranch CFD) and the construction cost is the amount budgeted for design, construction management and construction contingency. There is no impact to the General Fund.

It is anticipated that the total project budget (all phases) will have about $250,000 of savings in Measure E funding. This savings has already been included in the proposed Measure E spending plan. The funding for both Phase 3 and Phase 4 of this project were included in both Measure E spending plans that were provided to the City Council on March 20, 2012.

Public Contact

Posting of the City Council agenda.

Recommendation for Action

Staff recommends that the City Council award the Construction Contract in the amount of $466,032.59 to Procida Landscape, Inc. Sacramento, CA.

Prepared by: Michael Karoly, PE
Sr. Civil Engineer

Reviewed by: Brent Meyer, PE
Principal Civil Engineer/City Engineer

Reviewed by: Nicholas J. Ponticello
CDD Director

Paul Navazio
City Manager

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM
8.

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Waste Management Delinquent Garbage/Refuse Accounts – Call for a Public Hearing

Report in Brief

This action requests that the City Council set a date for the annual adoption of a Resolution to lien local properties for failure to pay for their Waste Management services.

Staff recommends that the City Council set a Public Hearing for July 3, 2012 to hear and approve the list of Delinquent Refuse Accounts and direct the Tax Collector of Yolo County to assess liens against real property to collect delinquent payments.

Background

In 1989 the City negotiated a new Franchise Agreement for garbage/yard refuse service with Waste Management of Woodland. One of the changes to the prior Agreement was that Waste Management would assume the billing responsibilities for refuse services to Woodland customers. At that time, Waste Management requested, and permission was granted, to file property liens to recover delinquent accounts. Before filing a lien with the County, a Public Hearing needs to be held to allow protests of the proposed liens. It is requested that this Public Hearing be set for the Council meeting scheduled for July 3, 2012.

Discussion

The utilization of Waste Management for the issuance of service bills has saved the City a tremendous amount of time and resources to issue and collect such bills.

When the present Agreement was negotiated in 2007, the billing issue was revaluated. It was determined at that time to maintain Waste Management as the billing agent. With the refining of the processes, there have been relatively few issues and the cooperative resolution of those that do arise occurs in a timely manner.

Fiscal Impact

There is little to no fiscal impact to the City to maintain the current process, other than time constraints for processing and releasing the liens. The fees for the recordings are attached to the total amount liened so the property owner assumes that cost.

Public Contact

Waste Management provides reminder bills for overdue accounts. As the billing cycle is every two months, if not paid by the end of the cycle, the property owner is two months in arrears. Waste Management also sends a letter to the property owners indicating to them their property will be liened if the service fee is not paid by a designated date. The Public Hearing notice is also published in the newspaper in a timely manner.

Recommendation for Action

Staff recommends that the City Council set a Public Hearing for July 3, 2012 to hear and approve the list of Delinquent Refuse Accounts and direct the Tax Collector of Yolo County to assess liens against real property to collect delinquent payments.

Prepared by: Ana Gonzalez
City Clerk

Paul Navazio
City Manager

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM 9.

TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Authorize the Purchase of a New Utility Service Vehicle

Report in Brief

Public Works - Utilities Division is requesting authorization to purchase a new water meter service vehicle at a price not to exceed $110,000. Enterprise funds are available and there will be no general fund participation in this purchase. The vehicle has been specifically configured to service all the new and existing meters and is expected to meet the service needs of the meter program over the vehicle's anticipated 15-year life cycle. This service vehicle will be assigned to the Utilities Division and operated by the Meter Service Technician.

Staff recommends that the City Council approve the purchase of a new utility service vehicle.

Background

State law (AB 2572) enacted in 2004 requires water suppliers to install water meters on all customer connections by January 1, 2025. Additionally, beginning in January 2010, all new or previously installed metered services must be billed at a metered rate. Over the past two years the City has been in the process of installing water meters City-wide in support of this State law. This project is nearing completion; therefore, to ensure the proper operation of the 15,200+ functioning meters (14,000 newly installed) Public Works created and filled the position of Water Meter Technician. This new classification/position was approved by Council on June 21, 2011.

In order for this new employee (often by themselves) to efficiently and effectively service this large number of meters, some weighing as much as 500 pounds, an appropriately sized and stocked vehicle needs to be procured.

Discussion

Water meters provide the requisite water use information to support efficient water system operation. This data translates into financial resources for the water enterprise fund, ensures compliance with State law, allows for water system operational analysis, and supports water conservation. When meters fail they always under-report actual water consumption; therefore, insufficient maintenance, improper calibration, or untimely repair/replacement of faulty meters results in a loss of water enterprise revenue, system operational inefficiencies, and undiscovered excessive water use.

Currently, the Meter Technician uses a light duty service vehicle. This vehicle lacks the capacity to house all needed tools, payload capacity to transport required materials, and frame strength to sustain the needed lifting device. As such, to support the Meter Technician, additional staff and equipment must be diverted from other assigned duties in order to meet the lifting and transport needs of the position. The addition of this heavy-duty service vehicle would improve the meter technician's ability to work independently, complete assigned tasks more rapidly, mitigate the additional costs associated with having to use additional staff, and ease crew and vehicle scheduling conflicts.

Fiscal Impact

The funding for this purchase is proposed to come from the water enterprise fund, and is currently available in the FY 11/12 budget. The purchase cost of the vehicle will not exceed $110,000 and there will be no financial impact to the general fund.

Public Contact

Posting of the City Council agenda.

Alternative Courses of Action

1. Approve the purchase of a new utility service vehicle.
2. Do not approve the purchase of a new utility service vehicle and continue current practices.

Recommendation for Action

- Staff recommends Alternative 1: City Council approves the purchase of a new utility service vehicle.

Prepared by: Tim Lloyd
Infrastructure Superintendent

Reviewed by: Gregor G. Meyer
Public Works Director

Paul Navazio
City Manager

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM 10.

TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Transportation Development Act Claim

Report in Brief

Annually, under the Transportation Development Act (TDA), the City is apportioned money derived from the ¼ percent sales tax earmarked for spending on transportation system improvements and transit operations. Throughout California the funds are collected at the State level and passed down to the local level through the regional planning agencies. The attached resolution approves our claim to fully utilize the $2,840,885 in transportation funds available.

Staff recommends that the City Council adopt resolution No.______ authorizing filing of the annual Transportation Development Act claim with the Sacramento Area Council of Governments.

Background

Each year, the City of Woodland receives apportionments of funds under the State Transportation Development Act for support of public transportation services. One allocation is the Local Transportation Funding (LTF) which includes deposited revenues from ¼ percent of the sales tax collected on all retail sales in the County. The County-wide LTF is apportioned to the local jurisdictions annually based on population. The second source of funds is an appropriation by the State to a State Transit Assistance (STA) account.

Public transit must be the first priority for use of LTF, but in more rural counties such as ours, any funds remaining after reasonable efforts have been made to meet public transit needs may be used for street and road purposes.

The Sacramento Area Council of Governments (SACOG) administers these funds as our regional transportation planning agency and approves all claims for the use of the money. In order for the City to receive the apportioned dollars, we must file a claim with SACOG, which outlines the intended use of the TDA funds. These claims will be reviewed by SACOG in July.

Discussion

As mentioned previously, the first priority by law for the use of Woodland's LTF allocations is for transit needs. These transit requirements are handled by the Yolo County Transportation District (YCTD) who submits its annual budget to the City for payment. Any remaining dollars are available for street maintenance, striping, signs, etc., as detailed in the City's O&M budgets. The proposed uses of the FY2012/13 LTF funds are listed on the attached spreadsheet.

STA allocations have not historically been a consistent source of funds available to the City. Any allocation of STA was required to be spent only on transit capital needs; no amounts were permitted for administration or street maintenance. Due to the fuel tax swap enacted by the State in March 2010, this restriction has been temporarily lifted, and STA funds are allowed to be used for operations; as such the City will claim STA funds for FY2012/13 based on estimates from the State Controller's Office and SACOG.

YCTD has been very diligent in keeping their annual operating costs low, with only minimal increases over the last several years. However, as transit service increases in cost, the amount of funding remaining and available for the City's street maintenance program will decrease over time. The 10 year plan for transportation funding, as presented to Council several times and included in the FY12/13 O&M Budget discussed on May 22, takes into account this projected reduction in available funding and relies more heavily on Measure E allocations in the future years. This reliance on Measure E money will be discussed more fully when the revised spending plan is presented to Council for consideration.

Fiscal Impact

If approved, the City of Woodland will be able to claim $2,840,885 in transportation funding, including $2,529,631 in LTF and $311,254 in STA funds. Of this total revenue, $1,404,472 will be available for utilization for City transportation operations and maintenance activities.

Public Contact

Posting of the City Council agenda.

Recommendation for Action

Staff recommends that the City Council adopt resolution No.______ authorizing filing of the annual Transportation Development Act claim with the Sacramento Area Council of Governments.

Prepared by: Kim McKinney
Finance Officer

Paul Navazio
City Manager

Attachments: Proposed Usage of 2012-2013 Transportation Development Act Funds
Resolution

Proposed Use of Transportation Development Act Funds
Fiscal Year 2012/13

	LTF	STA	Total
Current Year Apportionment	2,607,867	311,254	2,919,121
Less: SACOG Administration	(78,236)	-	(78,236)
Net Available for City Use	2,529,631	311,254	2,840,885
PROPOSED USAGE:			
Yolobus Services - Operating	1,218,722	-	1,218,722
YCTD Paratransit Service	195,191	-	195,191
Other Transportation Expenditures	12,500	-	12,500
Community Care Car	10,000	-	10,000
Street Maintenance	1,093,218	311,254	1,404,472
Total	2,529,631	311,254	2,840,885

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND, CALIFORNIA, AUTHORIZING FILING THE ANNUAL TRANSPORTATION DEVELOPMENT ACT CLAIM WITH THE SACRAMENTO AREA COUNCIL OF GOVERNMENTS.

FISCAL YEAR 2012/2013

BE IT RESOLVED by the Council of the City of Woodland that in accordance with Chapter 1400, Statues 197; Chapter 161 and 1002; Statutes 1979; and applicable rules and regulations, the City of Woodland is entitled to file a claim for Transportation Development Act apportionment.

THEREFORE, BE IT RESOLVED that the Finance Officer of the City of Woodland is hereby authorized to file with the Sacramento Area Council of Governments the 2012/13 claim in the amount of $2,529,631 from Local Transportation Funds and $311,254 in State Transit Assistance funds.

PASSED, APPROVED, AND ADOPTED THIS 19th day of June 2012.

AYES:	Council Members:
NOES:	Council Members:
ABSENT:	Council Members:
ABSTAIN:	Council Members:

____
Artemio Pimentel, Mayor
City of Woodland

____
Ana B. Gonzalez, City Clerk
City of Woodland

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM
11.

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Conflict of Interest Code Amendments

Report in Brief

The law states that each even-numbered year the City Council shall direct the City Clerk to assess the need to amend the City's Conflict of Interest Code. Changes are not required more frequently than this legal requirement. However, it is prudent to add, remove, or adjust positions within the City more often than the two year period.

Staff recommends that the City Council direct the City Clerk to review the City's Conflict of Interests Code and report to Council should changes to the adopted Code be necessary.

Background

The Fair Political Practices Commission requires local government agencies to review the Conflict of Interest Code biennially to determine whether the Code is accurate or is in need of revision. The responsibility for such review falls upon the office of the City Clerk. Council must, as per the law, direct the City Clerk to perform such review and report back to the Council not later than October 1st if changes to the Code are needed. The recommended action so directs the City Clerk to conduct such review.

Recommendation for Action

Staff recommends that the City Council direct the City Clerk to review the City's Conflict of Interests Code and report to Council should changes to the adopted Code be necessary.

Prepared by: Ana Gonzalez
City Clerk

Paul Navazio
City Manager

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM 12.

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Yolo County Work Experience Training Program Agreements

Report in Brief

The Yolo County Employment and Social Services Department implements workforce training programs through the State of California's Work Opportunity and Responsibility to Kids program and through the Workforce Investment Act program (WIA). The Parks & Recreation Department has utilized individuals through the County's work experience program for the last three years. The City's agreement with the County to participate in this program expires on June 30, 2012.

Staff recommends that the City Council authorize the City Manager to execute three year agreements for the City to participate in a work experience training program and the CalWORKs work experience and community service training program.

Background

In 2009 the City entered into an agreement with the County to utilize individuals through a WIA work experience training program (WEX). WEX provides for the temporary placement of an individual at a work site in order to develop job specific skills or to assess whether a particular occupation is a good match for the individual. This paid placement (paid by WIA program) can last up to 499 hours. The Parks & Recreation Department has utilized individuals through this program for maintenance activities at the Community & Senior Center.

The County also implements a work experience and community services training program through CalWORKs. CalWORKs is a welfare program that gives cash aid and services to eligible needy California families, including employment services. Welfare-to-Work is a program designed to help people on public assistance become employed and includes the temporary placement of individuals at a work site.

All Yolo County jurisdictions have agreements with the County to participate in the work experience training programs. The City's agreement expires on June 30, 2012 and was limited to the WEX program only for the Parks & Recreation Department. To increase opportunities for other Departments to utilize trainees, the proposed agreements cover all city departments and also the

CalWORKs program. Implementing the work experience training agreements (WEX and CalWORKs) with the County would not obligate the City to accept employees or give up the management rights to select trainees, schedule, assign work, or terminate the individuals if the City no longer desires to utilize the "trainee". It should be noted that the trainees can not replace regular employees and that a training assignment can not be created or result from:

1) the displacement of current employees, including overtime currently worked by these employees

2) filling of positions which would otherwise be promotional opportunities for current employees

3) filling of a position prior to compliance with applicable personnel procedures or provisions of collective bargaining agreements, or

4) a Trainee being employed or a job opening filled when any other individual is on a layoff, a strike, lockout, or other bona fide labor dispute, from the same or any substantially equivalent job, or when the worksite has terminated the employment of any regular employee or otherwise reduced its workforce with the intention of filling the vacancy so created by hiring a Trainee whose wages are subsidized with training funds.

City responsibilities when utilizing trainees through these programs include: providing reasonable and proper supervision and instruction regarding the work assignments to the trainee, reporting the trainees' attendance to the County, and also providing monthly evaluations on each trainee to the County.

Fiscal Impact

The workers utilized by the City through these agreements will be paid by the WIA program through Yolo County (CalWORKs participants are not paid). There will be an insignificant fiscal impact to the City related to overseeing the trainees and providing the reports required in the agreements.

Public Contact

Posting of the City Council Agenda.

Recommendation

Staff recommends that the City Council authorize the City Manager to execute three year agreements for the City to participate in a work experience training program and the CalWORKs work experience and community service training program.

Prepared by: Christine Engel
Recreation Manager

Paul Navazio
City Manager

Attachments:

1) Agreement to Participate in CalWORK's Work Experience and Community Service Training Program

2) Agreement for Work Experience Training

AGREEMENT NO. CW 12-31
(Agreement to Participate in CalWORKs Work Experience and Community Service Training Program)

This Agreement is made and entered into this 1st day of June, 20012, by and between the County of Yolo, a political subdivision of the State of California (hereinafter referred to as County), and City of Woodland (hereinafter referred to as Worksite), who agree as follows:

1. TERM

The term of this Agreement is from 07/01/2012 to and including 06/30/2015.

2. TRAINING

a. Worksite agrees to provide supervised job training and development designed to provide meaningful training to persons recommended by the County (hereinafter referred to as "Trainee(s)") in accordance with a Work Experience/Community Service Training Plan developed by the County (sample contained in Exhibit A). Worksite will provide all facilities, equipment, personnel, labor and materials necessary to provide the foregoing services in accordance with this Agreement.

b. Trainees will supplement, and, under no circumstances supplant, regular employees; and a training assignment may not be created as a result of, and may not result in any of the following:

1) displacement of current employees, including overtime currently worked by these employees,

2) filling of positions which would otherwise be promotional opportunities for current employees,

3) filling of a position prior to compliance with applicable personnel procedures or provisions of collective bargaining agreements,

4) a Trainee being employed or a job opening filled when any other individual is on layoff, a strike, lockout, or other bona fide labor dispute, from the same or any substantially equivalent job, or when Worksite has terminated the employment of any regular employee or otherwise reduced its workforce with the intention of filling the vacancy so created by hiring a Trainee,

5) displacement of established Summer Youth Employment and Training Program training opportunities, or

6) filling of a work assignment customarily performed by an employee of Worksite who is in a job classification within a recognized collective bargaining unit.

The complete contract shall include the following Exhibits attached hereto and incorporated herein:

Exhibit A: Training Plan
Exhibit B: Statement of Understanding
Exhibit C: Trainee Evaluation Form
Exhibit D: Participant Sexual Harassment Complaint Procedure

In the event of any conflict between any of the provisions of this Agreement (including Exhibits), the provision that requires the highest level of performance from Worksite for County's and/or Trainee's benefit shall prevail.

3. PAYMENT

Worksite is not responsible for compensating the Trainee for work performed.

4. PROVISION OF WORK ACTIVITY, EQUIPMENT AND MATERIALS

a. Worksite shall provide each Trainee with the training as set forth in the individual Training Plan developed for that Trainee, and with the assistance to successfully acquire the skills and knowledge to function as a satisfactory employee.

b. During training Worksite shall ensure that each Trainee:

   1) is provided with orientation to Worksite (conditions of work, employer expectations, rules, written grievance procedures, etc.), including but not limited to those items set forth in the Statement of Understanding developed for each Trainee.

   2) is provided with reasonable and proper supervision and instruction regarding duties and work activity.

   3) receives safety instructions and equipment necessary for protection against injury and damage, in accordance with California Occupational Safety and Health Act of 1993 (Cal/OSHA) and child labor law guidelines.

   4) is provided with the same working conditions as current Worksite employees, such as rest and lunch periods.

   5) is provided with a safe and sanitary work environment.

   6) will not be involved in political, religious, lobbying or union activities while under supervision of Worksite.

c. Worksite agrees to:

   1) report the Trainee's attendance and other such information as may be requested by County in a timely manner on forms provided by County. Worksite understands that the Trainee may not participate in the work activity more than the number of hours per week authorized by County. Hours worked will in no instance exceed 35 hours per week.

   2) be available to confer with County on issues of mutual concern.

   3) have the Trainee perform duties at the training level.

   4) provide each Trainee with sufficient meaningful work to occupy all of the time Trainee is assigned to Worksite.

   5) immediately report to County any injury a Trainee sustained while under the supervision of Worksite.

   6) comply with all applicable child labor laws.

d. County agrees to:

1) provide orientation to Worksite staff as to policies and procedures for Work Experience/Community Service, including supervisory responsibilities and County expectations of Trainees.

2) provide Worksite with a Training Plan for each Trainee.

3) provide Worksite with emergency medical release forms signed by Trainee(s), parent, or legal guardian prior to any work assigned to or performed by Trainee(s).

4) monitor each Trainee periodically for job readiness and, when appropriate, transition a Trainee to employment or other job training and development that best meets the needs of that Trainee and is consistent with the CalWORKs program.

5. MONTHLY EVALUATIONS

Worksite shall submit to the County no later than the fifteenth day of each month a report evaluating each Trainee's progress during and through the preceding month, in the form attached hereto as Exhibit C or on such other form as may be developed by the County from time-to-time.

6. WORKSITE DISCRETION

Worksite shall have the right to refuse to accept any Trainee for lawful reasons and the right to discontinue job training and development to any Trainee for good cause. Good cause includes, but is not limited to, failure by the Trainee to comply with the Worksite's employment rules and regulations; insubordination; and frequent absenteeism or tardiness. Worksite agrees that prior to terminating any Trainee, if requested by County, it shall submit the matter to an informal resolution process with County.

7. AVAILABILITY OF RECORDS

County through any authorized representative shall have access to and the right to examine, audit, excerpt and transcribe any books, documents, papers and records of Worksite that, in the opinion of the County, are related to the Worksite's provision of services to the Trainee pursuant to this Agreement. All such records must be kept and maintained for a period of not less than five (5) years after completion of the Agreement or until an audit is completed by the State of California or the United States Department of Labor and all questions arising therefrom are finally resolved, whichever is later. Final resolution means that all litigation related to this Agreement is completed.

8. MONITORING

County has the right to observe and monitor all conditions and activities involved in the performance of this Agreement. The Worksite also understands and agrees that County staff has the right to make unannounced monitoring visits to the Worksite's facility to observe and monitor all conditions and activities involved in the performance of this Agreement.

9. NEPOTISM

No relative by blood, adoption or marriage of any executive or employee of the Worksite or County will receive more favorable treatment when considered for work experience/community service training by Worksite.

10. <u>TERMINATION</u>

a. Either party may terminate this Agreement for any reason upon ten (10) days prior written notice.

b. The County may immediately terminate this Agreement if:

1) Through any cause Worksite shall fail to fulfill in a timely and proper manner its obligations under this Agreement.

2) The Worksite violates any provision of this Agreement.

3) The CalWORKs Program under which this Agreement is made is terminated.

4) Worksite is unable or unwilling to comply with such additional conditions as may be applied by the State of California and the United States Department of Labor to the grant under which this Agreement is made.

c. The County may immediately terminate a Work Experience/Community Service Training Plan if, through any eligibility review or verification process required by the applicable regulations, a Trainee is found to be ineligible for participation for any reason.

d. The termination of this Agreement shall not relieve Worksite of liability to County for any damages sustained by the County by virtue of any breach of this Agreement by Worksite, and County may offset any such damages against any reimbursement or payments otherwise due Worksite pursuant to this Agreement or any other agreement(s) or obligations. County may also take any corrective action as otherwise provided by State or Federal laws and regulations.

11. <u>INDEPENDENT CONTRACTOR STATUS</u>

It is specifically agreed that in the making and execution of this Agreement, Worksite and any agents and employees of Worksite are independent contractors and are not and shall not be construed to be agents or employees of the County and that Worksite shall have no authority, expressed or implied, to act on behalf of County or to bind County to any obligation whatsoever.

12. <u>ASSIGNMENT; SUBCONTRACTING</u>

No performance of this Agreement or any portion thereof may be assigned or subcontracted by Worksite, and any attempt by Worksite to assign or subcontract any performance of this Agreement shall be null and void and shall constitute a breach of this Agreement.

13. <u>NON-DISCRIMINATION IN SERVICES AND BENEFITS</u>

a. Worksite agrees that it will provide services under this Agreement without discrimination based on color, race, creed, national origin, religion, sex, age, sexual preferences, or physical or mental disability in accordance with all applicable Federal, State and County laws and regulations and any administrative directives established by the County Board of Supervisors or the County Administrative Officer, and that it will not deny a trainee any service or benefit, or subject a trainee to segregation or treatment separate or different in any way from that provided to other participants under this Agreement based on color, race, creed, national origin, religion, sex, age, sexual preferences, or physical or mental disability.

b. Worksite acknowledges that it has received, read and understood the County's Participant Sexual Harassment Complaint Procedure and further agrees to participate in those procedures should any complaints be presented as set forth therein (Exhibit D).

14. INDEMINIFICATION; INSURANCE

a. Worksite shall defend, indemnify and hold the County harmless from and against any and all liability, loss, expense, attorneys' fees, or claims for injury or damages arising from Worksite's operations or the performance of this Agreement, with the exception of, and in proportion to, matters that are based upon the negligent or intentional acts or omissions of the County, its officers, agents, employees or volunteers. The County shall defend, indemnify and hold Worksite harmless from and against any and all liability, loss, expense, attorneys' fees, or claims for injury or damages arising from the performance of this Agreement, in proportion to, and to the extent that they are based upon, the negligent or intentional acts or omissions of the County, its officers, agents, employees or volunteers; provided, however, that the County's obligations hereunder shall not extend to or include any claims or other matters based in whole or in part upon any act or omission of the County, its officers, agents, employees or volunteers in selecting, supervising or retaining Worksite.

b. During the term of this Agreement, Worksite shall at all times maintain, at its expense, comprehensive general liability insurance, and automobile liability insurance. The comprehensive general liability insurance shall include broad form property damage insurance.

1) Minimum Coverage (as applicable). Insurance coverage shall be with limits not less than the following:
(A) Comprehensive General Liability - $1,000,000 per occurrence and $2,000,000 per aggregate.
(B) Automobile Liability - $1,000,000 per occurrence (general) and $500,000 per occurrence (property) (include coverage for Hired and Non-owned vehicles) (If a vehicle; whether owned, hired or non-owned; is not required to carry out the performance of the contract scope, this requirement automatically does not apply.).
(C) Professional Liability/Malpractice/Errors and Omissions – $1,000,000/occurrence and $2,000,000/aggregate (If a Trainee is trained, managed or supervised (directly or indirectly) by any engineer, architect, attorney, accountant, medical professional, psychologist, or other licensed professional, or placed in any engineer, architect, attorney, accountant, medical professional, psychologist, or other licensed professional training site, the contractor must provide this insurance. If not, then this requirement automatically does not apply.)
(D) Workers' Compensation – Statutory Limits/Employers' Liability - $1,000,000 per accident for bodily injury or disease. (If no employees, this requirement automatically does not apply.)

2) County, its elected representatives, officers, agents, employees and volunteers shall be named as additional insured or as additional cover party for self insurance, on all liability insurance or self insurance maintained by Worksite other than workers compensation insurance. (Evidence of additional insured may be needed as a separate endorsement due to wording on the certificate negating any additional writing in the description box.) Any insurance maintained by County shall apply in excess of, and not contribute with, insurance provided by Worksite's liability insurance policy. Worksite, its elected representatives, officers, agents, employees and volunteers shall be named as additional insured or as additional cover party for self insurance, on all liability insurance or self insurance maintained by County other than workers compensation insurance. Any insurance maintained by Worksite shall apply in excess of, and not contribute with, insurance provided by County's liability insurance policy. Each insurance policy shall be

endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the other party.

c. The State of California will provide Workers' Compensation/Employers' Liability coverage for the Trainee.

15. COMPLIANCE WITH APPLICABLE LAWS

Worksite shall comply with all applicable laws, decisions, statutes, regulations, ordinances, policies and procedures of the United States, the State of California, and local governments.

16. NOTICES

All notices shall be deemed to have been given when made in writing and delivered or mailed to the respective representatives of County and Worksite at their respective addresses as follows:

Worksite

Attn: Paul Navazio
c/o City of Woodland
300 First Street
Woodland, CA 95695

County

Attn: Contracts Unit
Yolo County Dept. of Emp. and Social Services
25 N. Cottonwood Street
Woodland, CA 95695

Any party may change the address or facsimile number to which such communications are to be given by providing the other parties with written notice of such change at least fifteen (15) calendar days prior to the effective date of the change.

17. SUCCESSORS

This Agreement shall inure to the benefit and bind successors of each of the parties.

18. AUTHORIZED REPRESENTATIVE

The person executing this Agreement on behalf of Worksite affirmatively represents that she/he has the requisite legal authority to enter into this Agreement on behalf of Worksite and to bind Worksite to the terms and conditions of this Agreement. Both the person executing this Agreement on behalf of Worksite and Worksite understand that the County is relying on this representation in entering into this Agreement.

19. FRAUD AND ABUSE

Worksite shall establish management procedures which insure that the County Department of Employment and Social Services is notified within 24 hours of any suspected or proven fraud, abuse, or criminal acts involving training funds or training funded activities.

20. SEVERABILITY

If any provision of this Agreement is held invalid, the remainder of this Agreement shall not be affected thereby, if such remainder would then continue to conform to terms and requirements of applicable law.

21. ALTERATION TO AGREEMENT

No alteration or variation of the terms of this Agreement shall be valid and/or binding unless made in writing and signed by the parties hereto.

22. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the County and Worksite and supersedes all prior negotiations, representations, or agreements, whether written or oral. In the event of a dispute between the parties as to the language of this Agreement or the construction or meaning of any term hereof, this Agreement shall be deemed to have been drafted by the parties in equal parts so that no presumptions or inferences concerning its terms or interpretation may be construed against any party to this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first set forth above.

WORKSITE

Signature Date

Paul Navazio, City Manager
Print Name and Title

City of Woodland
Firm Name
300 First Street
Woodland, CA 95695 (530) 661-5800
Address and Telephone Number

Non-Profit
Type of Organization

COUNTY OF YOLO

DESS DIRECTOR/Designee Signature Date

Nancy O'Hara, Assistant Director
Print Name and Title

Edith Solorzano
Name of Employment Specialist

(530) 661-2750 x4029
Telephone Number

CWES WEX (final, revised 11-9-06).doc

AGREEMENT NO. WEX 12-31
(Agreement for Work Experience Training)

This Agreement is made and entered into this 1st day of June, 20 12, by and between the County of Yolo, a political subdivision of the State of California (hereinafter referred to as County), and City of Woodland (hereinafter referred to as Worksite), who agree as follows:

1. TERM

The term of this agreement is from 07/01/2012 to and including 06/30/2015.

2. WORK EXPERIENCE ACTIVITIES (TRAINING)

a. Worksite agrees to provide supervised work as a training element for assigned Work Experience (WEX) Trainee(s) (hereinafter referred to as Trainee(s)) referred by County in accordance with the Work Experience Training Plan (sample contained in Exhibit A). Worksite will provide all facilities, equipment, personnel, labor and materials necessary to provide the foregoing services in accordance with this Agreement.

b. Trainees will supplement, and, under no circumstances supplant, regular employees; and a WEX training assignment may not be created as a result of, and may not result in any of the following:

1) displacement of current employees, including overtime currently worked by these employees,

2) filling of positions which would otherwise be promotional opportunities for current employees,

3) filling of a position prior to compliance with applicable personnel procedures or provisions of collective bargaining agreements,

4) a Trainee being employed or a job opening filled when any other individual is on layoff, a strike, lockout, or other bona fide labor dispute, from the same or any substantially equivalent job, or when Worksite has terminated the employment of any regular employee or otherwise reduced its workforce with the intention of filling the vacancy so created by hiring a Trainee whose wages are subsidized with training funds.

The complete contract shall include the following Exhibits attached hereto and incorporated herein:

Exhibit A:	Work Experience Training Plan
Exhibit B:	Statement of Understanding
Exhibit C:	Participant Evaluation Form
Exhibit D:	Participant Sexual Harassment Complaint Procedure

In the event of any conflict between any of the provisions of this Agreement (including Exhibits), the provision that requires the highest level of performance from Worksite for County's and/or Trainee's benefit shall prevail.

3. PAYMENT

Worksite is not responsible for compensating the Trainee for work performed.

4. PROVISION OF WORK ACTIVITY, EQUIPMENT AND MATERIALS

a. Worksite shall provide Trainee with the training as set forth in the Training Plan, and with the assistance to successfully acquire the skills and knowledge to function as a satisfactory employee.

b. During training Worksite shall ensure that Trainee:

1) is provided with orientation to Worksite (conditions of work, employer expectations, rules, written grievance procedures, etc.), including but not limited to those items set forth in the Statement of Understanding developed for each Trainee.

2) is provided with reasonable and proper supervision and instruction regarding duties and work activity.

3) receives safety instructions and equipment necessary for protection against injury and damage, in accordance with California Occupational Safety and Health Act of 1993 (Cal/OSHA) and child labor law guidelines.

4) is provided with the same working conditions as current Worksite employees, such as rest and lunch periods.

5) is provided with a safe and sanitary work environment.

6) will not be involved in political, religious, lobbying or union activities while under supervision of Worksite.

c. Worksite agrees to:

1) report the Trainee's attendance and other such information as may be requested by County in a timely manner on forms provided by County. Worksite understands that the Trainee may not participate in the work activity more than the number of hours per week authorized by County. Hours worked will in no instance exceeds 40 hours per week.

2) be available to confer with County on issues of mutual concern.

3) have the Trainee perform duties at the training level.

4) provide each Trainee with sufficient meaningful work to occupy all of the time Trainee is assigned to Worksite.

5) immediately report to County any injury a Trainee sustained while under the supervision of Worksite.

6) comply with all applicable child labor laws.

d. County agrees to:

1) provide orientation to Worksite staff as to policies and procedures for WEX, including supervisory responsibilities and County expectations of Trainees.

2) provide Worksite with a Training Plan for each Trainee.

3) provide Worksite with emergency medical release forms signed by Trainee(s), parent, or legal guardian prior to any work assigned to or performed by Trainee(s).

5. MONTHLY EVALUATIONS

Worksite shall submit to the County no later than the fifteenth day of each month a report evaluating each Trainee's progress during and through the preceding month, in the form attached hereto as Exhibit C or on such other form as may be developed by the County from time-to-time.

6. WORKSITE DISCRETION

Worksite shall have the right to refuse to accept a Trainee for lawful reasons and the right to discontinue the Work Experience Training Plan for any Trainee for good cause. Good cause includes, but is not limited to, failure by the Trainee to comply with the Worksite's employment rules and regulations, insubordination, and frequent absenteeism or tardiness. Worksite agrees to notify the County Department of Employment and Social Services (DESS) staff prior to terminating any Trainee or at the time of termination if not able to give prior notice.

7. COMMISSION OR BROKERAGE FEES

Worksite warrants that no person or selling agency has been employed or retained to solicit commission, percentage, brokerage or contingent fee, excepting bona fide employees of Worksite.

8. AVAILABILITY OF RECORDS

County through any authorized representative shall have access to and the right to examine, audit, excerpt and transcribe any books, documents, papers and records of Worksite that in the opinion of the County are related to the Worksite's provision of services to the Trainee pursuant to this Agreement. All such records must be kept and maintained for a period of not less than five (5) years after completion of the Agreement or until an audit is completed by the State of California or the United States Department of Labor and all questions arising therefrom are finally resolved, whichever is later. Final resolution means that all litigation related to this Agreement is completed.

9. MONITORING

County has the right to observe and monitor all conditions and activities involved in the performance of this Agreement, and to verify cost and price information submitted with respect to this Agreement. The Worksite also understands and agrees that County staff has the right to make unannounced monitoring visits to the Worksite's facility to observe and monitor all conditions and activities involved in the performance of this Agreement.

10. NEPOTISM

No relative by blood, adoption or marriage of any executive or employee of the Worksite or County will receive more favorable treatment when considered for work experience training by Worksite.

11. TERMINATION

a. Either party may terminate this Agreement for any reason upon ten (10) days' prior written notice.

b. The County may immediately terminate this Agreement if:

   1) Through any cause Worksite shall fail to fulfill in a timely and proper manner its obligations under this Agreement.

   2) The Worksite violates any provision of this Agreement.

   3) The grant from the State of California under which this Agreement is made is terminated.

   4) Worksite is unable or unwilling to comply with such additional conditions as may be applied by the State of California and the United States Department of Labor to the grant under which this Agreement is made.

c. The County may immediately terminate a Work Experience Training Plan if, through any eligibility review or verification process required by the applicable regulations, a Trainee is found to be ineligible for participation for any reason.

d. The termination of this Agreement shall not relieve Worksite of liability to County for any damages sustained by the County by virtue of any breach of this Agreement by Worksite, and County may offset any such damages against any reimbursement or payments otherwise due Worksite pursuant to this Agreement or any other agreement(s) or obligations. County may also take any corrective action as otherwise provided by State or Federal laws and regulations.

12. INDEPENDENT CONTRACTOR STATUS

It is specifically agreed that in the making and execution of this Agreement, Worksite and any agents and employees of Worksite are independent contractors and are not and shall not be construed to be agents or employees of the County and that Worksite shall have no authority, expressed or implied, to act on behalf of County or to bind County to any obligation whatsoever.

13. ASSIGNMENT; SUBCONTRACTING

No performance of this Agreement or any portion thereof may be assigned or subcontracted by Worksite, and any attempt by Worksite to assign or subcontract any performance of this Agreement shall be null and void and shall constitute a breach of this Agreement.

14. NON-DISCRIMINATION IN SERVICES AND BENEFITS

a. Worksite agrees that it will provide services under this Agreement without discrimination based on color, race, creed, national origin, religion, sex, age, sexual preferences, or physical or mental disability in accordance with all applicable Federal, State and County laws and regulations and any administrative directives established by the County Board of Supervisors or the County Administrative Officer, and that it will not deny a trainee any service or benefit, or subject a trainee to segregation or treatment separate or different in any way from that provided to other participants under this Agreement based on color, race, creed, national origin, religion, sex, age, sexual preferences, or physical or mental disability.

b. Worksite acknowledges that it has received, read and understood the County's Participant Sexual Harassment Complaint Procedure and further agrees to participate in those procedures should any complaints be presented as set forth therein (Exhibit B).

15. INDEMINIFICATION; INSURANCE

a. Worksite shall defend, indemnify and hold the County harmless from and against any and all liability, loss, expense, attorneys' fees, or claims for injury or damages arising from Worksite's operations or the performance of this Agreement, with the exception of, and in proportion to, matters that are based upon the negligent or intentional acts or omissions of the County, its officers, agents, employees or volunteers. The County shall defend, indemnify and hold Worksite harmless from and against any and all liability, loss, expense, attorneys' fees, or claims for injury or damages arising from the performance of this Agreement, in proportion to, and to the extent that they are based upon, the negligent or intentional acts or omissions of the County, its officers, agents, employees or volunteers; provided, however, that the County's obligations hereunder shall not extend to or include any claims or other matters based in whole or in part upon any act or omission of the County, its officers, agents, employees or volunteers in selecting, supervising or retaining Worksite.

b. During the term of this Agreement, Worksite shall at all times maintain, at its expense, comprehensive general liability insurance, workers' compensation/employers' liability insurance, and automobile liability insurance. The comprehensive general liability insurance shall include broad form property damage insurance.

1) Minimum Coverage (as applicable). Insurance coverage shall be with limits not less than the following:
   i. Comprehensive General Liability - $1,000,000 per occurrence and $2,000,000 per aggregate.
   ii. Automobile Liability - $1,000,000 per occurrence (general) and $500,000 per occurrence (property) (include coverage for Hired and Non-owned vehicles) (If a vehicle; whether owned, hired or non-owned; is not required to carry out the performance of the contract scope, this requirement automatically does not apply.).
   iii. Professional Liability/Malpractice/Errors and Omissions – $1,000,000/occurrence and $2,000,000/aggregate (If a Trainee is trained, managed or supervised (directly or indirectly) by any engineer, architect, attorney, accountant, medical professional, psychologist, or other licensed professional, or placed in any engineer, architect, attorney, accountant, medical professional, psychologist, or other licensed professional training site, the contractor must provide this insurance. If not, then this requirement automatically does not apply.)
   iv. Workers' Compensation – Statutory Limits / Employers' Liability - $1,000,000 per accident for bodily injury or disease. (If no employees, this requirement automatically does not apply.)

2) County, its elected representatives, officers, agents, employees and volunteers shall be named as additional insured or as additional cover party for self insurance, on all liability insurance or self insurance maintained by Worksite other than workers compensation insurance. (Evidence of additional insured may be needed as a separate endorsement due to wording on the certificate negating any additional writing in the description box.) Any insurance maintained by County shall apply in excess of, and not contribute with, insurance provided by Worksite's liability insurance policy. Worksite, its elected representatives, officers, agents, employees and volunteers shall be named as additional insured or as additional cover party for self insurance, on all liability insurance or self insurance maintained by County other than workers compensation

insurance. Any insurance maintained by Worksite shall apply in excess of, and not contribute with, insurance provided by County's liability insurance policy. Each insurance policy shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the other party.

c. The County shall provide Accident insurance coverage to cover Trainee medical costs arising from an accident occurring at the Worksite. Coverage will be limited to the terms of that Policy.

16. COMPLIANCE WITH APPLICABLE LAWS

Worksite shall comply with all applicable laws, decisions, statutes, regulations, ordinances, policies and procedures of the United States, the State of California, and local governments.

17. NOTICES

All notices shall be deemed to have been given when made in writing and delivered or mailed to the respective representatives of County and Worksite at their respective addresses as follows:

Worksite

Attn: Paul Navazio
c/o City of Woodland
300 First Street
Woodland, CA 95695

County
County of Yolo

Attn: Contracts Unit
Yolo County Dept. of Emp. and Social Services
25 N. Cottonwood Street
Woodland, CA 95695

Any party may change the address or facsimile number to which such communications are to be given by providing the other parties with written notice of such change at least fifteen (15) calendar days prior to the effective date of the change.

18. SUCCESSORS

This Agreement shall inure to the benefit and bind successors of each of the parties.

19. AUTHORIZED REPRESENTATIVE

The person executing this Agreement on behalf of Worksite affirmatively represents that she/he has the requisite legal authority to enter into this Agreement on behalf of Worksite and to bind Worksite to the terms and conditions of this Agreement. Both the person executing this Agreement on behalf of Worksite and Worksite understand that the County is relying on this representation in entering into this Agreement.

20. FRAUD AND ABUSE

Worksite shall establish management procedures which insure that the County Department of Employment and Social Services is notified within 24 hours of any suspected or proven fraud, abuse, or criminal acts involving training funds or training funded activities.

21. SEVERABILITY

If any provision of this Agreement is held invalid, the remainder of this Agreement shall not be affected thereby, if such remainder would then continue to conform to terms and requirements of applicable law.

22. ALTERATION TO AGREEMENT

No alteration or variation of the terms of this agreement shall be valid and/or binding unless made in writing and signed by the parties hereto.

23. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the County and Worksite and supersedes all prior negotiations, representations, or agreements, whether written or oral. In the event of a dispute between the parties as to the language of this Agreement or the construction or meaning of any term hereof, this Agreement shall be deemed to have been drafted by the parties in equal parts so that no presumptions or inferences concerning its terms or interpretation may be construed against any party to this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first set forth above.

WORKSITE

____
Signature Date

Paul Navazio, City Manager
Print Name and Title

City of Woodland
Firm Name
300 First Street
Woodland, CA 95695 (530) 661-5800
Address and Telephone Number

Non-Profit
Type of Organization

COUNTY OF YOLO

____
DESS Director/Designee Signature Date

Nancy O'Hara, Assistant Director
Print Name and Title

Edith Solorzano
Name of Employment Specialist

(530) 661-2750 x4029
Telephone Number

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM 13.

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Lemen/North/East Street Realignment Project, Project No. 00-04: Award Construction Contract

Report in Brief

On April 3, 2012, Council approved plans and specifications for the project, and the bid period commenced on May 14, 2012. On June 5, 2012 the City received 3 bids for construction of the Lemen Ave/North St/East St Realignment Project.

Staff recommends that the City Council award the Construction Contract in the amount of $987,251.53 to Ghilotti Construction Company. The construction contract award includes the base bid only.

Background

The Lemen Ave/North St/East St Realignment Project consists of the following improvements:

- Realignment of Lemen Avenue with North Street and East Street making a four leg intersection instead of the current offset intersection.
- Signalization of this new intersection.
- Constructing left turn lanes approaching this intersection.
- Per Council's direction on April 3, 2012, the project no longer includes a raised median island on East Street at Court Street.

Discussion

On June 5, 2012, the City opened the following bids:

Bidder's Name	Base Bid Amount	Add Alternate 2	Add Alternate 3	Add Alternate 4	Total Bid
Ghilotti Construction	$987,251.53	$4,500.00	$30,000.00	$11,560.00	$1,033,311.53
Western Engineering	$1,018,448.00	$7,500.00	$50,000.00	$11,550.00	$1,087,498.00

Bidder's Name	Base Bid Amount	Add Alternate 2	Add Alternate 3	Add Alternate 4	Total Bid
J.A. Gonsalves & Son	$1,211,477.40	$6,900.00	$48,750.00	$11,900.00	$1,279,027.40
Engineer's Estimate	$1,066,464.24	$8,500.00	$40,500.00	$14,728.89	$1,130,193.13

Note: Additive Alternate 1 was deleted during the bid period.

Staff has performed due diligence in reviewing the bids and all bids comply with the technical submittal requirements.

The basis for award was the base bid plus all additive alternates. However, the City has the option of awarding the contract based on base bid only or any combination of base bid plus additive alternates. After reviewing the bid packages, staff has determined that Ghilotti Construction Company is the lowest, responsive, responsible bidder with a total bid price of $1,033,311.53. Staff recommends that Council award the base bid only for the bid price of $987,251.53.

Additive Alternate 1 consisted of additional pavement reconstruction on Lemen Avenue near Yolano Drive that, if included in the work as an extra, will be performed at contract (base bid) unit prices. Additive Alternate 2 consists of installing an irrigation water service, meter, and backflow device for future irrigation. Additive Alternate 3 consists of installing a stamped concrete crosswalk instead of the striped crosswalk in the base bid for the new signalized intersection at Lemen Avenue, North Street, and East Street. Additive Alternate 4 consists of installing a traffic signal interconnect between the new traffic signal at Lemen/North/East Street and Main Street. Staff recommends not awarding any additive alternates due to budget limitations.

Staff anticipates construction starting in July 2012 and completion in January 2013. The working time in the contract is 135 working days which excludes weekends, holidays and allows for weather-delay time extensions.

Construction Impacts
Lemen Avenue will be closed between East Street and Yolano Drive for approximately 2 to 4 weeks at the beginning of the project. Bicycle and pedestrian traffic will be routed through the construction area during this closure and for the remainder of the project. During the widening of East Street, traffic on East Street will be reduced to 3 lanes of traffic to accommodate construction work and equipment.

Fiscal Impact

The project is fully funded in the current capital budget. The total budget for construction is $1,337,000 of which $1,195,000 is Federal funding and $142,000 is Road Development funding. The difference between the total budget for construction and the contract award amount is the amount budgeted for construction management and construction contingency.

There is no impact to the General Fund.

Public Contact

This project has been planned for many years. A public meeting was held in October 2001. The project report and environmental document was approved in 2002. Public meetings were held on February 29, 2012 and March 8, 2012.

There have been monthly updates regarding this project in the Capital Budget Status Report. There have been periodic Council staff reports and press releases regarding the associated PG&E utility undergrounding project and the previously constructed water and sewer line relocation work.

Posting of the City Council agenda.

Recommendation for Action

Staff recommends that the City Council award the Construction Contract in the amount of $987,251.53 to Ghilotti Construction Company. The construction contract award includes the base bid only.

Prepared by: Diana R. Ayón
Associate Civil Engineer

Reviewed by: Nicholas J. Ponticello
CDD Director

Paul Navazio
City Manager

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM
14.

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Parking License Agreement with Woodland Community College for 4th of July Parking

Report in Brief

The City's annual fireworks celebration will be held at Pioneer High School. Pioneer Avenue will be closed for construction during summer, including 4th of July. Parking and accessibility will be limited at Pioneer High School during this construction project. Therefore, fireworks event parking will be provided at Woodland Community College.

Staff recommends that the City Council authorize the Mayor to execute the Parking License Agreement with Woodland Community College for the 4th of July event.

Background

Historically, the annual fireworks celebration was held at Woodland High School. Woodland High School is unavailable this year because of a landscaping project at the football stadium. This year's fireworks event will be held at Pioneer High School. Construction is also occurring on Pioneer Avenue at the same time as the fireworks event, which will limit accessibility to the school's parking lot. Therefore, the primary parking for the fireworks event will be Woodland Community College. An agreement between the City and Woodland Community College must be executed in order to allow for the parking.

Fiscal Impact

There is no fiscal impact associated with executing this agreement and allowing for parking at Woodland Community College. Additionally, sponsorships have been provided by individuals, organizations, and businesses to fund the fireworks celebration.

Public Contact

Posting of the City Council Agenda.

Recommendation

Staff recommends that the City Council authorize the Mayor to execute the Parking License Agreement with Woodland Community College for the 4th of July event.

Prepared by: Christine Engel
Recreation Manager

Paul Navazio
City Manager

Attachment: Parking License Agreement

CITY OF WOODLAND
PARKING LICENSE AGREEMENT
WITH WOODLAND COMMUNITY COLLEGE

This Parking License Agreement ("**Agreement**") is entered into as of __________, 2012 by and between the City of Woodland, a municipal corporation ("**City**") and the Yuba Community College District, a California community college district ("**Owner**"). City and Owner are at times referred to herein collectively as "Parties" and individually as "Party".

Recitals

A. Owner owns and operates the Woodland Community College ("WCC"), including the parking lot located on the WCC campus at 2300 E. Gibson Road Woodland, CA 95776 and depicted in the Exhibit "A," incorporated by this reference ("Lot").

B. The City and the Woodland Recreation Foundation ("Foundation") will be conducting a Fourth of July event ("Event") on July 4, 2012 near the Lot.

C. The City desires for Owner to permit attendees, contractors and members of the public to park their vehicles on the Lot before, during and after the Event.

D. Owner is willing to permit City to use the Lot in conjunction with the Event as requested and as set forth in this Agreement.

NOW, THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION AND THE MUTUAL PROMISES AND COVENANTS OF THE PARTIES SET FORTH IN THIS AGREEMENT, CITY AND OWNER AGREE AS FOLLOWS:

Terms

1. License. In consideration for the insurance and indemnification provisions of this Agreement, Owner hereby grants to City an exclusive license in, on, across, and over the Lot for the purpose of permitting free parking for the City, its employees, contractors and agents, the Foundation, Event participants and members of the public attending the Event from 6:00 a.m. on July 4, 2012 through 12:00 p.m. on July 5, 2012 ("**License**").

2. Indemnification and Insurance. City shall indemnify, defend and hold the Owner, its officials, officers, employees and agents (collectively, "**Owner Agents**") free and harmless from and against any and all losses, claims, damages, or injuries caused by, or arising or resulting from the use of the Lot under the License, except to the extent such liability, claims, losses, demands or actions are caused by or result from the negligent acts or omissions of the Owner Agents. City shall obtain and maintain in full force and effect at all times while this Agreement remains in effect: (a) commercial general liability insurance in the amount of $1,000,000 per occurrence; and (b) property damage insurance in the amount of $1,000,000. Such insurance shall name the Owner as an additional insured.

3. Entire Agreement. This Agreement contains the entire agreement of the Parties with respect to the subject matter hereof and supersedes all prior negotiations, understandings or

agreements. The terms and conditions of this Agreement may be altered, changed or amended only by written agreement of the Parties.

4. Governing Law. This Agreement shall be governed by the laws of the State of California. Venue shall be exclusively in Yolo County.

5. Notices. All notices permitted or required under this Agreement shall be given to the respective Parties at the following address or at such other address as the respective Parties may provide in writing for this purpose:

CITY:	City of Woodland 300 First Street Woodland, CA 95695 Attn: Paul Navazio, City Manager
OWNER:	____________________ ____________________ ____________________ Attn: ________________

Such notice shall be deemed made when personally delivered or when mailed, forty-eight (48) hours after deposit in the U.S. Mail, first class postage prepaid and addressed to the Party at the applicable address.

6. Authority to Enter Agreement. City and Owner represent to the other that they have the requisite power and authority to conduct their business and to execute, deliver, and perform the requirements of, this Agreement. Owner warrants it has the authority to grant to the License. Each Party warrants that the individuals who have signed this Agreement have the legal power, right, and authority to enter into this Agreement and bind each respective Party.

IN WITNESS WHEREOF, this Parking License Agreement has been executed by the Parties on the day and year first written above.

CITY OF WOODLAND	**YUBA COMMUNITY COLLEGE DISTRICT**
____________________ Art Pimentel Mayor	By: ____________________ Title: ____________________
ATTEST:	ATTEST:
____________________ Ana Gonzalez City Clerk	By: ____________________ Title: ____________________

EXHIBIT "A"

GRAPHICAL DEPICTION OF THE LICENSED PARKING AREA

(See Following Page)

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM 15.

TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Soil Cementing of WPCF Pond 11 Project, Project No. 10-11; Award Construction Contract

Report in Brief

This project is approved as part of the Capital Budget. Bidding for the Soil Cementing of WPCF Pond 11 Project started on April 25, 2012 and bids were opened on May 17, 2012.

Staff recommends that City Council award the construction contract for the Soil Cementing of WPCF Pond 11 Project, Project No. 10-11, to Ghilotti Construction Company for $278,900.00

Background

This project consists of removing vegetation and spreading & mixing a combination of quicklime & cement up to a 12" depth and then grading and re-compacting the entire pond bottom. This work is required in order to use Pond 11 for immediate storage of sludge coming from the WPCF so that Pond 7 can go offline for stabilization.

Discussion

A total of three (3) bids were received ranging from $278,900.00 to $ 338,500.00. The low bidder is determined based on Base Bid.

The bids are tabulated below.

Bid Summary	
Bidder	**Amount**
Engineers Estimate	$ 300,000.00
Ghilotti Construction Company	$ 278,900.00
Civil Engineering Construction	$ 335,600.00
ICS-Norcal	$ 338,500.00

After reviewing the bid packages, staff has determined that Ghilotti Construction Company is the lowest, responsive, responsible bidder with a total bid price of $ 278,900.00. Staff anticipates construction to begin in June 2012 and completion in August 2012. The working time in the contract is 25 working days which excludes weekends and holidays.

The California Environmental Quality Act determination for this project is Categorical Exemption: Article 19, Section 15302 Replacement or Reconstruction.

Fiscal Impact

This project will be funded through the Sewer Enterprise Fund (Fund 220). The Capital Budget identifies a total of $1,600,000 in Sewer Enterprise Funding for FY 12-13. There is no impact to the General Fund.

Public Contact

Posting of the City Council agenda.

Recommendation for Action

Staff recommends that City Council award the construction contract for the Soil Cementing of WPCF Pond 11 Project, Project No. 10-11, to Ghilotti Construction Company for $278,900.00

Prepared by: Miguel Chavez
Associate Engineer

Mark Cocke, PE
Senior Civil Engineer

Reviewed by: Brent Meyer, PE
Principal Civil Engineer/City Engineer

Reviewed by: Nicholas J. Ponticello
CDD Director

Paul Navazio
City Manager

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM 16.

TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Intent to Levy Assessment: Spring Lake and Gateway Lighting & Landscaping Districts

Report in Brief

The City of Woodland has Lighting and Landscaping Districts ("L&L" or "Districts") within various areas of the City that were formed to provide a funding source for maintenance of certain improvements located within or adjacent to the Districts. State regulations require City Council action on an annual basis to allow assessment of the annual levy for each District.

Staff recommends that the City Council approve and adopt 1) Resolution ____ to Initiate Proceedings for the Annual Levy and Collection of Assessments; Resolution ____ to Preliminarily Approve the Engineer's Annual Levy Report and the Levy and Collection of Annual Assessments; and 3) Resolution ____ Declaring Intention to Conduct a Public Hearing on July 3, 2012 for the Spring Lake and Gateway L&L Districts.

Background

The Landscaping and Lighting Act of 1972 ("the Act") authorizes cities to impose assessments on benefitted properties to finance construction of street landscaping, street lighting, traffic signals, parks, street trees, sidewalk repair, recreational improvements; as well as maintenance and servicing of any of these improvements. In accordance with Act, the City formed the Spring Lake and Gateway L&L Districts. A brief description of each District is as follows:

- Spring Lake L&L: All property located in the Spring Lake Specific Plan area, which is located in the southeast portion of the City, generally bounded to the north by Gibson Road, to the east by County Road 102, to the south by County Road 25A and generally to the west by County Road 101. There is a portion of the District immediately north of the extension of County Road 24A that extends west of State Highway 113. The District was formed in 2005 and is currently being assessed at well below the maximum assessment amount. This District formation report included an annual CPI escalator, which can continue indefinitely.

- Gateway L&L: Located in the southeast portion of the City, generally bounded to the north by Interstate 5, to the east by County Road 102, to the south by Bronze Star Drive and generally to the west by the City boundaries. The District was formed in 2008 and is currently being assessed below the maximum assessment amount. This District formation report included an annual CPI escalator, which can continue indefinitely.

Discussion

An annual Engineer's Report is required for each District, which describes the District boundaries and the proposed improvements to be assessed to the property owners located within the District. The Report also shows a calculation of a Maximum Assessment and a Proposed Assessment. The Maximum Assessment is equal to the initial assessment determined at District formation, adjusted each year for inflation; the Maximum Assessment is calculated independent of the District's annual budget and proposed annual assessment. The Proposed Assessment is calculated based on the City's operating budget and estimation of maintenance operations required for the fiscal year. The District Engineer's Reports were prepared by Koppel & Gruber Public Finance and are attached for Council's review.

State regulations require a two part process to complete the annual levy. The first part of the process requires Council to take action to initiate proceedings for the levy, preliminarily approve the Engineer's Reports and call for a public hearing. A public hearing is required to complete the levy process. This public hearing is scheduled for July 3, 2012. Following the public hearing, Council may direct changes to the Engineer's Reports or to the levy, but may not increase the levy beyond the maximum approved amount.

In the process for the fiscal year 2011/12 levy, the City Council directed staff to reduce the levy to the Spring Lake L&L back to the 2010/11 levy amount. The revenue generated from the reduced levy was not sufficient to cover the costs, but staff was also directed to explore cost reducing efforts in the District during the current fiscal year. Public Works staff has spent significant time and effort to eliminate costs in the District, including elimination of a Parks Maintenance Worker position, and disposal of obsolete or under-utilized equipment to save on maintenance and replacement costs. Offsetting some of these savings will be the costs related to increased water rates in the City. These same reductions also impact the expenditure budget for the Gateway L&L as well. As a result, the Gateway L&L assessment for FY2012/13 is reduced from prior year.

Fiscal Impact

If approved, the Spring Lake District would generate $663,505 in revenues to offset costs of District maintenance. The proposed assessment for the Gateway District would generate $69,991in revenues, which is consistent with the FY2011/12 assessment.

The following table shows a comparison, by zoning type, of the maximum assessment, the FY10/11 actual assessment and the proposed FY11/12 assessment:

Zoning	Maximum Levy	Fiscal Year 2012/2013 Proposed Levy	Fiscal Year 2011/2012 Levy
SPRING LAKE L&L DISTRICT			
Single Family Developed Residential R3	$1,257.95	$478.74	$472.62
Single Family Developed Residential R4	$1,081.89	$406.61	$401.62
Single Family Developed Residential R5	$976.25	$363.34	$359.02
Single Family Developed Residential R8	$817.80	$298.42	$295.12
Single Family Developed Residential R15	$534.84	$200.08	$197.06
Single Family Developed Residential R20	$499.63	n/a	n/a
Single Family Developed Residential R25	$478.50	$177.00	$174.34
Neighborhood Commercial Per Acre	$12,986.75	$2,215.04	$1,578.30
GATEWAY L&L DISTRICT			
Per Acre	$3,418.89	$1,358.53	$1,703.83

Public Contact

Posting of the City Council agenda.

Recommendation for Action

Staff recommends that the City Council approve and adopt 1) Resolution ____ to Initiate Proceedings for the Annual Levy and Collection of Assessments; Resolution ____ to Preliminarily Approve the Engineer's Annual Levy Report and the Levy and Collection of Annual Assessments; and 3) Resolution ____ Declaring Intention to Conduct a Public Hearing on July 3, 2012 for the Spring Lake and Gateway L&L Districts.

Prepared by: Kim McKinney
Finance Officer

Paul Navazio
City Manager

Attachments

RESOLUTION NO: ________________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND INITIATING PROCEEDINGS FOR THE CITY OF WOODLAND SPRING LAKE LANDSCAPING AND LIGHTING DISTRICT, AND THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2012/2013 PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972

WHEREAS, the City Council by previous Resolutions formed and approved the maximum annual assessment rates for the City of Woodland Spring Lake Landscaping and Lighting District ("District"), pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with section 22500)* ("Act"); and,

WHEREAS, the Act provides the City Council the authority to annually levy and collect assessments for the District on the Yolo County tax roll on behalf of the District to pay the maintenance, services, and operation of facilities and improvements related thereto; and,

WHEREAS, the City Council desires to initiate proceedings for the levy and collection of annual assessments against lots and parcels of land within the District for Fiscal Year 2012/2013 pursuant to provisions of the Act; and,

WHEREAS, the City Council has retained Koppel & Gruber Public Finance for the purpose of preparing and filing an Engineer's Report (the "Report") with the City Clerk; and,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND, FOR THE CITY OF WOODLAND SPRING LAKE LANDSCAPING AND LIGHTING DISTRICT, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1 The City Council hereby appoints Koppel & Gruber Public Finance as the District Assessment Engineer, and orders Koppel & Gruber Public Finance to prepare the Report concerning the District and the levy of assessments for Fiscal Year 2012/2013, in accordance with *Chapter 1, Article 4, beginning with Section 22565* of the Act.

The Engineer's Report shall contain the following:

a) A Description of Improvements;

b) The Annual Budget (Costs and Expenses of Services, Operations and Maintenance);

c) The Method of Apportionment and the proposed amount to be levied and collected against each Assessor Parcel within District for Fiscal Year 2012/2013; and

d) An exhibit showing the boundaries of the District.

Upon completion of the Report, said Report shall be filed with the City Clerk, who shall submit the same to the City Council for its consideration pursuant to *Section 22586* of the Act.

Section 2 The proposed improvements for the District include but are not limited to: the maintenance and operation of public landscaping services including neighborhood parks and appurtenant facilities, maintenance and operation of street lighting and appurtenant facilities, and maintenance and operation of storm drainage and other appurtenant facilities related thereto. The Report describes in more detail the items to be maintained and serviced.

Section 3 The City Council hereby determines that to provide the improvements described in Section 2 of this resolution, it is necessary to levy and collect assessments against lots and parcels within the District.

Section 4 The Finance Officer of the City of Woodland is hereby authorized and directed to take any and all action necessary and appropriate in connection with the annual levy and collection of assessments for the District.

RESOLUTION NO: ________________

PASSED, APPROVED, AND ADOPTED THIS ______ DAY OF _______________, 2012.

STATE OF CALIFORNIA
COUNTY OF YOLO ss.
CITY OF WOODLAND

I, ________________________________, City Clerk of the City of Woodland, County of Yolo, State of California do hereby certify that the foregoing Resolution No. ___________ was regularly adopted by the City Council of said City of Woodland at a regular meeting of said council held on the __________ day of _______________, 2012, by the following vote:

AYES:	Council members:	________________________________
NOES:	Council members:	________________________________
ABSENT:	Council members:	________________________________
ABSTAIN:	Council members:	________________________________

____
Mayor, Artemio Pimentel

Attest:

______________________________________,
City Clerk, Ana B. Gonzalez

RESOLUTION NO: ________________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND PRELIMINARY APPROVING THE CITY OF WOODLAND SPRING LAKE LANDSCAPING AND LIGHTING DISTRICT ENGINEER'S REPORT, AND THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2012/2013

WHEREAS, the City Council has by previous Resolution ordered the preparation of the Fiscal Year 2012/2013 Annual Engineer's Report in connection with the City of Woodland Spring Lake Landscaping and Lighting District ("District"), and levy and collection of assessments against lots and parcels of land within the territory for the Fiscal Year commencing July 1, 2012 and ending June 30, 2013, to pay the maintenance, servicing, and operation of the improvements, pursuant to provisions of the *Landscape and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* ("Act"); and,

WHEREAS, the District Assessment Engineer has prepared and filed with the City Clerk and the City Clerk has now presented to the City Council the Engineer's report entitled "City of Woodland Spring Lake Landscaping and Lighting District Engineer's Report Fiscal Year 2012/2013" (the "Report"); and,

WHEREAS, the City Council has carefully examined and reviewed the Report as presented, and is preliminarily satisfied with the District, each and all of the budget items and documents as set forth therein, and is satisfied that the assessments, on a preliminary basis, have been spread in accordance with the special benefits received from the improvements, operation, maintenance, and services to be performed, as set forth in said Report.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND, FOR THE CITY OF WOODLAND SPRING LAKE LANDSCAPING AND LIGHTING DISTRICT, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1 The above recitals are all true and correct.

Section 2 The Report, as presented, consists of the following:

a) A Description of Improvements;

b) The Annual Budget (Costs and Expenses of Services, Operations and Maintenance);

c) The Method of Apportionment and the proposed amount to be levied and collected against each Assessor Parcel within District for Fiscal Year 2012/2013; and

d) An exhibit showing the boundaries of the District.

Section 3 The Report is hereby preliminary approved, and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

RESOLUTION NO: ________________

The City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation of the Report.

PASSED, APPROVED, AND ADOPTED THIS ______ DAY OF _______________, 2012.

STATE OF CALIFORNIA
COUNTY OF YOLO ss.
CITY OF WOODLAND

I, ________________________________, City Clerk of the City of Woodland, County of Yolo, State of California do hereby certify that the foregoing Resolution No. ___________ was regularly adopted by the City Council of said City of Woodland at a regular meeting of said council held on the __________ day of ______________, 2012, by the following vote:

AYES: Council members: ________________________________

NOES: Council members: ________________________________

ABSENT: Council members: ________________________________

ABSTAIN: Council members: ________________________________

____
Mayor, Artemio Pimentel

Attest:

______________________________________,
City Clerk, Ana B. Gonzalez

RESOLUTION NO: ________________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND, DECLARING ITS INTENTION TO CONDUCT A PUBLIC HEARING ON THE MATTER OF ASSESSMENTS AND ORDER THE LEVY OF ASSESSMENTS FOR THE CITY OF WOODLAND SPRING LAKE LANDSCAPING AND LIGHTING DISTRICT, FISCAL YEAR 2012/2013 PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972

WHEREAS, the City Council has by previous Resolution, initiated proceedings for the levy and collection of assessments against lots and parcels of land within the City of Woodland Spring Lake Landscaping and Lighting District ("District") for Fiscal Year 2012/2013 pursuant to the provisions of the *Landscape and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* ("Act").

WHEREAS, the Act provides the City Council the authority to annually levy and collect assessments for the District on the Yolo County tax roll on behalf of the District to pay the maintenance, services, and operation of facilities and improvements related thereto; and,

.

WHEREAS, the City Council has retained Koppel & Gruber Public Finance as the District Assessment Engineer for the Annual Levy of the District, and to prepare and file an Engineer's Report ("Report") with the City Clerk in accordance with the Act, and that said Report has been prepared and filed with the City Clerk and presented to the City Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND, FOR THE CITY OF WOODLAND SPRING LAKE LANDSCAPING AND LIGHTING DISTRICT, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1 The above recitals are all true and correct.

Section 2 The City Council hereby declares its intention to levy and collect assessments against lots and parcels of land within the District for the Fiscal Year commencing July 1, 2012, and ending June 30, 2013, to pay the costs and expenses of the improvements which are described in the Report. The City Council finds that the public's best interest requires such levy and collection.

Section 3 The territory of the District is within the boundaries and jurisdiction of the District, and the City of Woodland within the County of Yolo, State of California. The boundary map describing the District is on file with the City Clerk and is hereby incorporated by reference into this Resolution. The District is designated as the "City of Woodland Spring Lake Landscaping and Lighting District."

Section 3 The proposed improvements for the District are briefly described as the maintenance and operation of and the furnishing of services and materials for the improvements within the District including, but not limited to, the maintenance and operation of public landscaping services including neighborhood parks and appurtenant facilities, maintenance and operation of street lighting and appurtenant facilities, and maintenance and operation of storm drainage and other appurtenant facilities related thereto. The Report describes in more detail the items to be maintained and serviced.

Section 4 The District Assessment Engineer has prepared and filed with the City Clerk, and the City Clerk has presented to the City Council a Report, in connection with the proposed improvements, a description of an annual inflationary adjustment that will be applied to the assessments in subsequent fiscal years and levy and collection of assessments against lots and parcels of land within the District for Fiscal Year 2012/2013 in accordance with *Chapter 1, Article 4* of the Act, and the City Council did by Resolution approve such Report. Reference is hereby made to said Report for a detailed description of improvements, the boundaries of the District, and the proposed assessments upon assessable lots and parcels of land within the District.

Section 5 The City Council hereby declares its intention to conduct a Public Hearing concerning the improvements and the levy of assessments for the District in accordance with *Chapter 2, Article 1, Section 22590* of the Act. Notice is hereby given that on **Tuesday, July 3rd, 2012**, at 6:00 PM; the City Council will hold a Public Hearing for the District for Fiscal Year 2012/2013, or as soon thereafter as feasible. The Public Hearing will be held in the City Council's regular meeting chambers located at 300 First Street, Woodland, California, at the time so fixed. At the hearing, all interested persons shall be afforded the opportunity to hear and be heard.

Section 6 Pursuant to sections 22626, 22552 and 22553 of the 1972 Act and 6061 of the Government Code, the City Clerk shall give notice of the time and place of the Public Hearing by causing publishing of this Resolution of Intention one time at least 10 days prior to the Public Hearing in the local newspaper, and by posting a copy of this Resolution on the official bulletin City Council customarily used by the City Council for the posting of notices.

Section 7 The Mayor, City Clerk, the City Manager, the City Council and such officers and employees of the City as are appropriate, are authorized and directed to execute such other documents and take such further action as shall be consistent with the intent and purpose of this Resolution.

RESOLUTION NO: _______________

PASSED, APPROVED, AND ADOPTED THIS ______ DAY OF _______________, 2012.

STATE OF CALIFORNIA
COUNTY OF YOLO ss.
CITY OF WOODLAND

I, ________________________________, City Clerk of the City of Woodland, County of Yolo, State of California do hereby certify that the foregoing Resolution No. ___________ was regularly adopted by the City Council of said City of Woodland at a regular meeting of said council held on the __________ day of _______________, 2012, by the following vote:

AYES:	Council members:	________________________________
NOES:	Council members:	________________________________
ABSENT:	Council members:	________________________________
ABSTAIN:	Council members:	________________________________

____
Mayor, Artemio Pimentel

Attest:

______________________________________,
City Clerk, Ana B. Gonzalez

MUNICIPALITIES | SCHOOL DISTRICTS | CITIES | COUNTIES | PARK & RECREATION | WATER DISTRICTS | MUNICIPALITIES | SCHOOL DISTRICTS | COMMUNITIES

CITY OF WOODLAND
SPRING LAKE
LANDSCAPING AND LIGHTING DISTRICT
ENGINEER'S REPORT
FISCAL YEAR 2012/2013

JUNE 12, 2012

KOPPEL & GRUBER
PUBLIC FINANCE

334 VIA VERA CRUZ, SUITE 256
SAN MARCOS
CALIFORNIA 92078

T. 760.510.0290
F. 760.510.0288

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SECTION I. OVERVIEW

A. Introduction

This report constitutes the Fiscal Year 2012/2013 Engineer's Report for the City of Woodland ("City") Spring Lake Landscaping and Lighting District ("District"). This District was formed in March 2005 to provide funding for the maintenance of certain public improvements including but not limited to landscaping, street lighting, traffic signals, drainage, neighborhood parks and other improvements or appurtenant facilities within the District's boundaries.

The City Council pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* ("Act") and in compliance with the substantive and procedural requirements of the *California State Constitution Article XIIIC and XIIID* ("Proposition 218") desires to levy and collect annual assessments against lots and parcels within the District beginning in the fiscal year commencing July 1, 2012 and ending June 30, 2013 to pay for the operation, maintenance and servicing of landscaping, lighting, drainage and all appurtenant facilities. The assessment rates set for 2012/2013 as set forth in this Engineer's Report, do not exceed the maximum rates established at the time the District was formed, therefore, the City and the District are not required to go through a property owner ballot procedure in order to establish the 2012/2013 assessment rates.

B. Contents of Engineer's Report

This Engineer's Report ("Report") describes the District boundaries and the proposed improvements to be assessed to the property owners located within the district. The Report is made up of the following sections.

Section I. Overview – Provides a general introduction into the Report.

Section II. Plans and Specifications – Contains a general description of the improvements that are to be maintained and serviced by the District.

Section III. Estimate of Costs – Identifies the cost of the maintenance and services to be provided by the District including incidental costs and expenses.

Section IV. Method of Apportionment – Describes the basis in which costs have been apportioned to lots and parcels within the Districts, in proportion to the special benefit received by each lot and parcel.

Section V. Assessment Roll – The assessment roll identifies the maximum assessment to be levied to each lot or parcel within the District.

Section VI. Assessment Diagram – Displays a diagram of the District showing the exterior boundaries of the District.

Appendix – This section includes additional information, zoning maps and exhibits which were used to determine the budget and assessments for the different product types.

For this report, each lot or parcel to be assessed, refers to an individual property assigned its own Assessment Parcel Number by the Yolo County ("County") Assessor's Office as shown on the last equalized roll of the assessor.

Following the conclusion of the Public Hearing, the City Council will confirm the Report as submitted or amended and may order the collection of assessments for Fiscal Year 2012/2013.

SECTION II. PLANS AND SPECIFICATION

A. General Description of the District

The proposed territory within the District consists of all lots, parcels and subdivisions of land located in the Spring Lake Specific Plan Area. The majority of the area contains eighteen (18) large un-subdivided parcels and when combined with recently subdivided parcels will result in approximately 3,851 residential units, four (4) commercial sites, six (6) school sites, four (4) neighborhood parks, one (1) mini park, and one (1) public fire station. The County of Yolo owns three (3) parcels in the specific plan area and there is one (1) existing Woodland Community College parcel and two (2) Woodland Joint Unified School District Parcels. Fifteen final subdivision maps were approved in 2005 through 2012 covering portions of the Spring Lake Area representing 1,088 single family lots, 20 multi-family residential units and 156 apartment units. The assessments for all of the parcels within the District will be calculated based on the method described in Section IV Method of Apportionment of this Report.

The Spring Lake Specific Plan Area is located in the southeast portion of the City generally bounded to the north by East Gibson Road, to the east by County Road 102, to the south by County Road 25A, and generally to the west by County Road 101. There is a portion of the Specific Plan Area immediately north of the extension of County Road 24A that extends west of State Highway 113.

B. Description of Improvements to be Maintained and Services

The proposed improvements to be maintained and services provided by the District are generally described as follows:

Landscaping and Appurtenant Improvements
Landscaping improvements (the "Landscaping Improvements") include but are not limited to landscaping, planting, ground cover, shrubbery, turf, trees, irrigation and drainage systems, ornamental lighting structures, playground equipment, play courts, public restrooms, masonry block walls and other fencing, entryway monuments and other appurtenant items located in right of ways, parkways, greenbelts, neighborhood parks and other easements dedicated to the City and located within the boundaries of the District.

This will include but is not limited to the following areas:

- Landscape parkways on the major arterial roadways of the project including Pioneer Avenue, Parkway Drive, Road 102, County Road 25A and East Gibson Road;
- Landscape parkways on the local and collector roads including Farmer's Central Road, Road 24C, Road 101, Matmor Road, Collector One, Collector Two, Collector Four, Collector "A" Street and Highway 113 buffer;

- Landscaping along the mixed use channel, the drainage channels and facilities, agricultural interceptors and the offsite regional ponds;
- Landscaping and park equipment provided in neighborhood park areas including Central Park, Park “A”, Park “B”, Park “C”, Mini-Park, the Offsite Pond Park; and
- Graffiti removal, paint, wall and fence repairs along the block walls and fencing on portions of Pioneer Avenue, Parkway Drive, Road 102, East Gibson Road, County Road 25A, Farmer’s Central Road, Highway 113, the drainage channels and facilities, the offsite regional ponds and the offsite Pond Park.

A more detailed listing of the overall landscape maintenance areas are included the appendix to this report along with the areas specifically budgeted for Fiscal Year 2012/2013.

Street Lighting/Traffic Signals and Appurtenant Improvements
Street lighting improvements (the “Street Lighting Improvements”) include but are not limited to poles, signs, fixtures, bulbs, conduit, conductors, equipment including posts and pedestals, metering devices and appurtenant facilities as required to provide lighting and traffic signals in public streets and sidewalk easements, parks and other easements dedicated to the City and located within the boundaries of the District.

This will include but is not limited to the following:

- Street lighting throughout the arterial, collector, and local roadways totaling approximately 1,740 lights located throughout the project; and
- Traffic signals and appurtenant facilities at eighteen (18) signalized intersections along Pioneer Avenue, Parkway Drive, Road 102, East Gibson Road, County Road 25A and Farmer’s Central Road.

A more detailed listing of the street lighting/traffic signal maintenance areas are included the appendix to this report along with the areas specifically budgeted for Fiscal Year 2012/2013.

The estimated annual cost to provide and maintain the improvements within the District shall be allocated to each property in proportion to the special benefits received.

C. Description of Maintenance and Services

Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the Landscaping Improvements and the Street Lighting Improvements and appurtenant facilities, including repair, removal or replacement of all or part of any of Landscaping Improvements and the Street Lighting Improvements or appurtenant facilities; providing for the life, growth, health and beauty of the Landscaping Improvements including cultivation, drainage, irrigation, trimming, mowing, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris and other solid waste; and the cleaning, sandblasting, repair of fencing and painting of walls and fencing and other improvements to remove or cover graffiti. The Street Lighting Improvements shall be maintained to provide adequate illumination.

Servicing means the furnishing of water and electricity for the Landscaping Improvements including any decorative lighting and the furnishing of electric current or energy, gas or other illuminating agent for the Street Lighting Improvements. Servicing also allows for the replacement of the facilities in order to maintain them in proper working order and to provide specific benefit to the District.

SECTION III. ESTIMATE OF COSTS

A. Estimate of Costs Table

Below are the estimated costs of maintenance and services for the District including incidental costs and expenses. A more detailed accounting of the budget based on the EBU methodologies is included in Section IV.

TABLE 1 Fiscal Year 2012/2013 Estimated Costs			
	ZONE DENSITY TYPE COSTS[1]	PRODUCT/FRONT FOOTAGE TYPE COSTS[2]	TOTAL COSTS
DIRECT COST ITEMS			
Landscaping	$41,362	$113,271	$154,634
Greenbelts & Parks	0	149,453	149,453
Tree Maintenance	73,538	44,756	118,294
Street Lights	93,961	33,516	127,477
Traffic Signals	10,107	36,387	46,494
Graffiti & Wall/Fence Repairs	0	0	0
Capital Items	0	0	0
DIRECT COSTS SUBTOTAL	**$218,969**	**$377,383**	**$596,351**
INCIDENTAL COSTS/EXPENSES			
City Administration	$0	$67,154	$55,154
Consultant/County Administration	0	12,000	12,000
Reserve Fund/Contingency	0	0	0
OTHER COSTS SUBTOTAL	**$0**	**$79,154**	**$67,154**
ESTIMATED MAXIMUM ASSESSMENT	**$218,969**	**$456,537**	**$663,505**
Total Assessor Parcels FY 2012/2013			1,211
Total Equivalent Benefit Units Based on Zoning	1,070.53		1,070.53
Total Equivalent Benefit Units Based on Product Type		3,903.78	3,903.78
Total Front Footage		8,191.00	8,191.00
		Maximum Levy Amount Per EBU[3]	**Fiscal Year 2012/2013 Levy Amount**
Estimated Single Family Developed Residential R3 Per EBU		**$1,257.95**	**$478.74**
Estimated Single Family Developed Residential R4 Per EBU		**$1,081.89**	**$406.61**
Estimated Single Family Developed Residential R5 Per EBU		**$976.25**	**$363.34**
Estimated Single Family Developed Residential R8 Per EBU		**$817.80**	**$298.42**
Estimated Multi Family Developed Residential R15 Per EBU		**$534.84**	**$200.08**
Estimated Multi Family Developed Residential R20 Per EBU[4]		**$499.63**	**n/a**
Estimated Multi Family Developed Residential R25 Per EBU		**$478.50**	**$177.00**
Estimated Neighborhood Commercial Per Acre		**$12,968.75**	**$2,215.04**

1. See "Section IV. Method of Apportionment" for a detailed explanation of the two types of allocation methods.
2. Front Footage applies to the public owned (School Sites, Woodland Community College & Yolo County) properties only.
3. Includes an annual Engineering News Record Common Labor Cost Index rate increase (see section VID) of 22.62% for the past five years.
4. For Fiscal Year 2011/2012 there are not any developed lots with this zoning. These parcels will be subject to the Developed/Undeveloped Rate of $40.34 per proposed unit.

B. Description of Cost Items

The following is a brief description of the costs of maintenance and services for the district included in the table above.

Direct Cost Items – This includes the costs of maintaining and servicing the landscaping, lighting and traffic signal improvements. This may include, but is not limited to, the costs for labor, utilities, equipment, supplies, repairs, replacements and upgrades that are required to properly maintain the items that provide a direct benefit to the District.

The line items listed in this section are summarized into the following categories: Landscaping, Greenbelt and Parks, Trees, Street Lights, Traffic Signals, Walls and Fencing and Capital, all of which are included in a more detailed budget provided in the appendix section of this report.

Incidental Costs and Expenses – This includes the indirect costs not included above that are necessary to properly maintain the district on an annual basis.

- City Administration – This includes the cost or a portion of the costs to coordinate District services including responding to property owner inquiries relating the assessments and services and contracting with professionals to provide administration, legal, and engineering services to the District that are required on an annual basis. Additionally, this includes the City's administration cost of managing the Storm Drainage Conservation Habitat Preservation Management Plan contract that is required as a condition of development of the Spring Lake Specific Plan Area.

- Consultant/County Administration – This is the estimated annual cost to the District for calculating the annual assessments, monitoring parcel changes and final map approvals, preparing the Engineer's Report for City Council approval, placing the assessments on the County tax roll, and the fees the County charges to collect the assessments on the tax bill.

- Reserve Fund/Contingency – The reserve fund provides a funding source to pay for unanticipated infrequent maintenance requirements that may be required for the District. It also provides a source of funds to operate the District from July through December while waiting for the County property tax distributions that typically occur in January and May for the fiscal year beginning in July.

SECTION IV. METHOD OF APPORTIONMENT

A. General

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements, which include the construction, maintenance, and servicing of street lights, traffic signals, landscaping and drainage facilities.

Streets and Highways Code Section 22573 requires that maintenance assessments be levied according to benefit rather than the assessed value.

> *"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."*

Section 22574 of the 1972 Act also allows the designation of zones of benefit within an assessment district if "by reason of variations in the nature, location, and extent of the improvements, the various areas will receive differing degrees of benefit from the improvements."

In addition, Article XIIID and the Implementation Act require that a parcel's assessment may not exceed the reasonable cost for the proportional special benefit conferred to that parcel. Article XIIID and the Implementation Act further provides that only special benefits are assessable and the City must separate the general benefits from the special benefits. They also require that publicly owned properties which specifically benefit from the improvements be assessed.

B. Special Benefit Analysis

Each of the proposed improvements and the associated costs and assessments within the District has been reviewed, identified and allocated based on special benefit pursuant to the provisions of Article XIIID, the Implementation Act, and the Streets and Highways Code Section 22573.

Proper maintenance and operation of landscaping, street trees and streetlights provides special benefit to adjacent properties by providing community character, security, safety and vitality. Below is a discussion of the special benefit that the parcels receive from each of the maintenance categories.

Landscaping Special Benefit
Trees, landscaping and appurtenant facilities, if well maintained, provide beautification, shade and enhancement of the desirability of the surroundings, and therefore increase property value. Specifically they provide a sense of ownership and a common theme in the community providing aesthetic appeal and increased desirability of properties.

- Street trees within the parkways and greenbelts provide special benefit to those properties directly adjacent to those tree-lined parkways and to those that drive along them to get to their property;

- Landscaping within the parkways provide special benefit to those developments that are directly adjacent to the public parkways and to those that drive through them to get to their property; and,

- Landscaping and play equipment within the park sites provide special benefit to those developments that are within the general vicinity of the parks.

Landscaping General Benefit
There are no general benefits associated with local parkway landscaping.

All of the preceding special benefits contribute to a specific enhancement and desirability of each of the assessed parcels within the District. Although the improvements may include landscaping and lighting improvements and other amenities available or visible to the public at large, the construction and installation of these improvements are only necessary for the development of properties within the District and are not required nor necessarily desired by any properties or developments outside the District boundary. Therefore, any public access or use of the improvements by others is incidental and there is no measurable general benefit to properties outside the District or to the public at large.

Street lights Special Benefit
The operation, maintenance and servicing of lighting and traffic signals along local streets, collector and arterial streets of a development provides the following special benefits:

- Improved security of lots and parcels within the development;
- Improved ingress and egress to properties;
- Improved nighttime visibility for the local access of emergency vehicles;
- Improved safety and traffic circulation to and from parcels; and
- Increased deterrence of crime and aid to police and emergency vehicles.

Street lights and signals located at arterials and local streets are considered 100% special benefit to the developments taking direct access at those intersections.

Street lights General Benefit
There are no general benefits related to street lights, signals or appurtenant facilities.

C. Assessment Methodology

To establish the special benefit to the individual lots and parcels within the District an Equivalent Benefit Unit ("EBU") system is used. The EBU method of apportioning benefit is typically seen as the most appropriate and equitable assessment methodology for districts formed under the 1972 Act, as the benefit to each parcel from the improvements are apportioned as a function of land use type, size and development.

Due to the variety and location of the maintenance requirements throughout the Spring Lake project area, two distinct methods of determining a lot or parcels EBU has been established depending on the specific maintenance item. The two methods are discussed below.

1. Zone Density Equivalent Benefit Units

Each parcel of land is assigned an EBU in proportion to the estimated special benefit the parcel receives relative to other parcels within the District. Maintenance costs under this method are allocated based on density for each of the residential projects located throughout the project. This is an effective way of allocating the special benefit to parcels where the maintenance items relate to acreage or lot size such as more dense local landscaping that occurs in some of the residential areas.

Maintenance costs related to the following are allocated utilizing this method:

- Landscaping and lighting along the local and collector roads including Farmer's Central Road, Road 24C, Road 101, Matmor Road, Collector One, Collector Two, Collector Four, Collector "A" Street and Highway 113 buffer; and
- Landscaping and lighting along the agricultural interceptors.

The single family detached residential (SFD) property with an R-5 Zoning has been selected as the basic unit for calculating assessments; therefore a SFD R-5 residential parcel equals one Equivalent Benefit Unit (EBU). All other residential zoned units are compared to the R-5 (5 units per acre divided by the zoning designation number of units per acre) to determine the zonings EBUs. Since typically 5 single family residential units could be constructing on one acre of land, commercial property is assigned 5.0 EBUs per acre of land.

Table 2
EBU Application by Land Use Zoning:

Land Use	Zoning*	EBU/Parcel/ Acre/Unit
Single Family Detached Residential	**R-3**	**1.67 EBUs / Parcel**
Single Family Detached Residential	**R-4**	**1.25 EBUs / Parcel**
Single Family Detached Residential	**R-5**	**1.00 EBU / Parcel**
Single Family Detached Residential	**R-8**	**0.63 EBUs / Parcel**

Multi Family Detached Residential	**R-15**	**0.33 EBUs / Unit**
Multi Family Detached Residential	**R-20**	**0.25 EBUs / Unit**
Multi Family Detached Residential	**R-25**	**0.20 EBUs / Unit**
Neighborhood Commercial	**NC**	**5.00 EBUs / Acre**
Exempt	**EX**	**0.00 EBU / Parcel**

*** The above method for calculating the number of EBUs per parcel/unit will be used if additional single family or multi family residential units not included in the above table are approved for development.**

Definitions and Formulas Related to Zoning EBU Method

Single-Family Detached Residential — This land use is defined as a fully subdivided residential parcel that is part of a final tract map wherein the final map has been recorded with the County as of January 1 of the preceding fiscal year.

Multi-Family Detached Residential — This land use is defined as a residential parcel anticipated to have more than one residential unit that is part of a final tract map wherein the final map has been recorded at the County as of January 1 of the preceding fiscal year.

Neighborhood Commercial — This land use is defined as a commercial parcel that is part of a final tract map wherein the final map has been recorded at the County as of January 1 of the preceding fiscal year.

Exempt Parcels — This land use identifies properties that are not assessed and are assigned 0.0 EBU. This land use classification may include, but is not limited, to lots or parcels identified as public streets and other roadways (typically not assigned an APN by the County); dedicated public easements, open space areas and right-of-ways including greenbelts and parkways; utility right-of-ways; common areas, sliver parcels and bifurcated lots or any other property that can not be developed; park properties, school properties required as part of the development and other publicly owned properties that are part of the District improvements or that have little or no improvement value. These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment.

2. Product Type Equivalent Benefit Units

Each parcel of land is assigned an EBU in proportion to the estimated special benefit the parcel receives relative to other parcels within the District. Maintenance costs under this method are allocated based on product types (single family residential, multi family residential or commercial) located throughout the project. This is an effective way of allocating the special benefit to parcels where the maintenance items relate to the traffic study and impact fee (drainage and parkway) methodologies that were developed for the Spring Lake Specific Plan Area.

Maintenance costs related to the following are allocated utilizing this method:

- Parkway landscaping and lighting on the major arterial roadways of the project including Pioneer Avenue, Parkway Drive, Road 102, East Gibson Road, and County Road 25A;
- Landscaping and lighting along the mixed use channel, subdivision trail corridor, greenbelts, gateway entries, Highway 113 buffer, drainage channels and facilities, and offsite regional ponds;
- Landscaping and lighting in the neighborhood park areas including Central Park, Park "A", Park "B", Park "C", Mini-Park; and
- Graffiti removal, paint, fence and wall repairs along the block walls and fencing on portions of Pioneer Avenue, Parkway Drive, Road 102, and Highway 113.

The single family detached residential property has been selected as the basic unit for calculating assessments; therefore a SFD residential parcel equals one Equivalent Benefit Unit (EBU). The multi-family residential lots do not receive the same special benefit as single family lots and are therefore assigned less than 1 EBUs per units as determined in the Spring Lake Infrastructure Fee Nexus Study prepared by Economic & Planning Systems Inc., dated June 29, 2004 and shown below.

Table 3
EBU Application by Product

Land Use	Zoning	Traffic EBU/ Parcel or Acre	Drainage EBU/ Parcel/Acre/Unit	Park EBU/ Parcel/Acre/Unit
Single Family Residential	**Not applicable**	**1.00 EBU / Parcel**	**1.00 EBU / Parcel**	**1.00 EBU / Parcel**
Multi Family Residential	**Not applicable**	**0.70 EBUs / Unit**	**0.39 EBUs / Unit**	**0.83 EBUs / Unit**
Undeveloped Planned Single Family Residential Development	**Not applicable**	**1.00 EBU / Parcel**	**1.00 EBU / Parcel**	**1.00 EBU / Parcel**
Undeveloped Planned Multi Family Residential Development	**Not applicable**	**0.70 EBUs / Unit**	**0.39 EBUs / Unit**	**0.83 EBUs / Unit**
Neighborhood Commercial	**Not applicable**	**32.67 EBUs / Acre**	**18.97 EBUs / Acre**	**3.05 EBUs / Acre**
Exempt	**Not applicable**	**0.00 EBUs / Parcel**	**0.00 EBUs / Parcel**	**0.00 EBUs / Parcel**

Definitions and Formulas Related to the Product Type EBU Method

Single-Family Residential — This land use is defined as a fully subdivided residential parcel that is part of a final tract map wherein the final map has been recorded with the County as of January 1 of the preceding fiscal year.

Multi-Family Residential — This land use is defined as a residential parcel anticipated to have more than one residential unit that is part of a final tract map wherein the final map has been recorded at the County as of January 1 of the preceding fiscal year.

Undeveloped Planned Single Family Residential Development — This land use is defined as any undeveloped property not fully subdivided with a specific number of proposed single family residential parcels/lots or dwelling units to be developed on the parcel. This land use type will only be assessed for the maintenance requirements associated with the major arterial roadways, channel improvements and incidental costs/expenses based on the anticipated number of units to be developed on the property as shown on the Specific Plan or proposed Tentative Map.

Undeveloped Planned Multi Family Residential Development — This land use is defined as any undeveloped property not fully subdivided with a specific number of proposed multi family residential parcels/lots or dwelling units to be developed on the parcel. This land use type will only be assessed for the maintenance requirements associated with the major arterial roadways, channel improvements and incidental costs/expenses based on the anticipated number of units to be developed on the property as shown on the Specific Plan or proposed Tentative Map.

Neighborhood Commercial — This land use is defined as a commercial parcel that is part of a final tract map wherein the final map has been recorded at the County as of January 1 of the preceding fiscal year.

Exempt Parcels — This land use identifies properties that are not assessed and are assigned 0.0 EBU. This land use classification may include, but is not limited, to lots or parcels identified as public streets and other roadways (typically not assigned an APN by the County); dedicated public easements, open space areas and right-of-ways including greenbelts and parkways; utility right-of-ways; common areas, sliver parcels and bifurcated lots or any other property that can not be developed; park properties, school properties required as part of the development and other publicly owned properties that are part of the District improvements or that have little or no improvement value. These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment.

3. Front Footage Method for Public Owned Properties

Certain public owned properties within the District derive a special benefit from the landscaping and lighting improvements but to a lesser degree than residential or commercial properties. This includes the high school site, the Woodland Community College parcel and the County of Yolo property. Front footage of the landscaped areas and the development standards used outside of the Spring Lake Specific Plan were used to determine the public owned properties special benefit. Since these properties are not subject to the Spring Lake Specific Plan higher landscaping and lighting standard requirements, this is a reasonable method for allocating the maintenance costs that they are benefiting from.

4. Benefit Formula

The benefit formula is applied to each budget line item and then to the parcels within the District based on the preceding Equivalent Benefit Unit (EBU) tables. Each parcel's EBU correlates the parcel’s special benefit received as compared to all other parcels benefiting from the improvements.

The following formula is used to calculate each parcel’s EBU (proportional benefit) **for each of the type of improvement items that are applicable to a particular parcel based on its development status:**

.

Land Use Zoning EBU + Traffic EBU + Drainage EBU + Park EBU = Parcel Type EBU

Parcel Type EBU x Dwelling Units/Parcels/Lots = Parcel EBU

The total number of Equivalent Benefit Units (EBUs) is the sum of all individual EBUs applied to parcels that receive a special benefit from the improvement. An assessment amount per EBU (Rate) for each type of improvement is established by taking the total cost of the type of improvement and dividing that amount by the total number of EBUs of all parcels benefiting from the type of improvement. This Rate is then applied back to each individual parcel’s based on their assigned EBUs to determine the parcel’s proportionate special benefit and assessment obligation from that type of improvement. This same method is used for all other types of improvements.

Maintenance Cost/ Total Number of EBUs = Levy per EBU

Levy per EBU x Parcel EBU = Maximum Parcel Levy Amount

5. Table of EBUs and Rate by Product Type

Below is a summary of the EBUs and Rates per product type and zoning type.

TABLE 4
SUMMARY OF EBUS AND ALLOCATION OF COSTS
PART 1 OF 2

Allocation Method			* * * PRODUCT TYPE * * *		* * * PRODUCT TYPE * * *		* * * PRODUCT TYPE * * *		Traffic (1)	Drainage (2)	(3)	(1)+(2)+(3)=(4)	Traffic (5)	Drainage (6)	Parks (7)	(5)+(6)+(7) = (8)	(4) + (8) = (9)
Zoning	**Land Use**	**Number of Projected Units/Acres**	**EBU Per Product Type (Traffic)**	**Total EBUs or Front Footage (Traffic)**	**EBU Per Product Type (Drainage)**	**Total EBUs or Front Footage (Drainage)**	**EBU Per Product Type (Parks)**	**Total EBUs or Front Footage (Parks)**	**Arterial Roads (Pioneer, Parkway, Rd 102, E. Gibson, Rd 25A)**	**Mixed Use Channel**	**Other Administration Costs**	**Base Costs Allocated To Developed & Undeveloped Property**	**Developed Parcels Only (Highway 113 Buffer, Gateway Entries)**	**Developed Parcels Only (Offsite Channels, Offsite Ponds)**	**Developed Parcels Only (Subdivision Trail Corridor, Greenbelts, Parks)**	**Developed Parcel Costs Only**	**Product Type Total Developed & Undeveloped Parcels**
Main Project (East of Highway 113)																	
R-3	Single Family Residential	382	1.00	382.00	1.00	382.00	1.00	382.00	$17,969	$2,293	$6,571	$26,834	$0	$689	$7,350	$8,039	$34,873
R-4	Single Family Residential	292	1.00	292.00	1.00	292.00	1.00	292.00	13,736	1,753	5,023	20,512	0	1,255	13,383	14,639	35,150
R-5	Single Family Residential	1,335	1.00	1,335.00	1.00	1,335.00	1.00	1,335.00	62,799	8,013	22,965	93,777	0	6,338	67,575	73,914	167,691
R-8	Single Family Residential	534	1.00	534.00	1.00	534.00	1.00	534.00	25,120	3,205	9,186	37,511	0	2,099	22,379	24,478	61,989
R-15	Multi-Family Residential	423	0.70	296.10	0.39	164.97	0.83	351.09	13,929	990	5,094	20,012	0	381	8,650	9,031	29,044
R-20	Multi-Family Residential	314	0.70	219.80	0.39	122.46	0.83	260.62	10,339	735	3,781	14,856	0	0	0	0	14,856
R-25	Multi-Family Residential	370	0.70	259.00	0.39	144.30	0.83	307.10	12,183	866	4,455	17,505	0	626	14,204	14,830	32,335
NC	Neighborhood Commercial	11.00	32.71	359.78	18.97	208.67	3.05	33.58	16,924	1,253	6,189	24,365	0	0	0	0	24,365
	Sub Total			**3,677.68**		**3,183.40**		**3,495.39**	**$172,999**	**$19,108**	**$63,265**	**$255,371**	**$0**	**$11,389**	**$133,541**	**$144,930**	**$400,302**
Project West of Highway 113																	
R-5A	Single Family Residential	162	1.00	162.00	1.00	162.00	1.00	162.00	$0	$972	$2,787	$3,759	$0	$1,667	$17,771	$19,438	$23,197
R-8A	Single Family Residential	34	1.00	34.00	1.00	34.00	1.00	34.00	0	204	585	$789	0	0	0	0	789
R-15A	Multi-Family Residential	43	0.70	30.10	0.39	16.77	0.83	35.69	0	101	518	$618	0	0	0	0	618
	Sub Total	**239**		**226.10**		**212.77**		**231.69**	**$0**	**$1,277**	**$3,889**	**$5,167**	**$0**	**$1,667**	**$17,771**	**$19,438**	**$24,605**
School & County Sites (Front Footage)																	
FF	High School	50.00	n/a	3,015.00	n/a	0	n/a	0	$0	$0	$0	$0	$0	$0	$0	0	$0
FF	Woodland Community College	120.50	n/a	2,646.00	n/a	0	n/a	0	0	0	0	0	0	0	0	0	0
FF	Yolo County	31.00	n/a	2,530.00	n/a	0	n/a	0	0	0	0	0	0	0	0	0	0
	Sub Total	**201.50**		**8,191.00**		**0**		**0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**
	Total								**$172,999**	**$20,385**	**$67,154**	**$260,538**	**$0**	**$13,056**	**$151,313**	**$164,369**	**$424,907**

TABLE 4
SUMMARY OF EBUS AND ALLOCATION OF COSTS
PART 2 OF 2

	Allocation Method	(X)	* * * ZONING TYPE * * * *		Zone Type (A)	Front Footage (B)	(A)+ (B) = (C)		(8)	(C) + (8) = (D)	(9)	(C) + (9) = (D)	(D) / (X) = (10)	(D) / (X) = (11)	(10)+(11)=(12)
Zoning	**Land Use**	**Number of Projected Units/Acres**	**EBU Per Zone Type**	**Total EBUs or Front Footage (Zone Type)**	**Developed Parcels Only (Farmers Central, Rd 24C, Rd 101, Matmor, Collector and Local Streets, Ag channels)**	**Developed Parcels Only School and Public Owned Sites**	**Zoning & Front Footage Total Costs (Developed Property)**		**(From Above Table) Product Type Total Developed Parcels Only**	**Total for All Developed Property**	**(From Above Table) Product Type Total Developed & Undeveloped Parcels**	**Total Cost for All Properties**	**Base Rate Per Unit/Acre for Either Developed or Undeveloped**	**Addt'l Rate per Unit/Acre for Developed Property Only**	**Total Rate per Unit/Acre for Developed Property**
Main Project (East of Highway 113)															
R-3	Single Family Residential	67	1.67	111.67	$19,330	$0	$19,330	289	$8,039	$27,369	$34,873	$54,203	$70.24	$408.49	$478.74
R-4	Single Family Residential	122	1.25	152.50	26,398	0	26,398		14,639	41,037	35,150	61,548	70.24	336.37	406.61
R-5	Single Family Residential	616	1.00	616.00	106,631	0	106,631	173	73,914	180,544	167,691	274,321	70.24	293.09	363.34
R-8	Single Family Residential	204	0.63	127.50	22,070	0	22,070	108	24,478	46,548	61,989	84,059	70.24	228.18	298.42
R-15	Multi-Family Residential	95	0.33	31.67	5,482	0	5,482	58	9,031	14,513	29,044	34,525	47.31	152.76	200.08
R-20	Multi-Family Residential	0	0.25	-	0	0	0		0	0	14,856	14,856	47.31	0.00	47.31
R-25	Multi-Family Residential	156	0.20	31.20	5,401	0	5,401		14,830	20,231	32,335	37,736	47.31	129.68	177.00
NC	Neighborhood Commercial	0.00	5.00	-	0	0	0		0	0	24,365	24,365	2,215.04	0.00	2,215.04
	Sub Total	**1,260**		**1,070.53**	**$185,311**	**$0**	**$185,311**		**$144,930**	**$330,241**	**$400,302**	**$585,613**			
Project West of Highway 113															
R-5A	Single Family Residential	162	1.00	162.00	$28,042	$0	$28,042		$19,438	$47,481	$23,197	$51,240	$23.20	$293.09	$316.30
R-8A	Single Family Residential	0	0.63	0.00	0	0	0		0	0	789	789	23.20	0.00	23.20
R-15A	Multi-Family Residential	0	0.33	0.00	0	0	0		0	0	618	618	14.38	0.00	14.38
	Sub Total	**162**		**162.00**	**$28,042**	**$0**	**$28,042**		**$19,438**	**$47,481**	**$24,605**	**$52,647**			
School & County Sites (Front Footage)															
FF	High School	50.00	n/a	3,015.00	$0	$8,248	$8,248		$0	$8,248	$0	$8,248	$0.00	$164.96	$164.96
FF	Woodland Community College	120.50	n/a	2,646.00	0	8,602	8,602		0	8,602	0	8,602	0.00	71.38	71.38
FF	Yolo County	31.00	n/a	2,530.00	0	8,395	8,395		0	8,395	0	8,395	0.00	270.82	270.82
	Sub Total	**201.50**		**8,191.00**	**$0**	**$25,245**	**$25,245**		**$0**	**$25,245**	**$0**	**$25,245**			
	Total				**$213,353**	**$25,245**	**$238,599**		**$164,369**	**$402,967**	**$424,907**	**$663,505**			

D. Assessment Range Formula

The purpose of establishing an Assessment Range Formula is to provide for reasonable increases and inflationary adjustment to annual assessments without requiring the District to go through the requirements of Proposition 218 in order to get a small increase. This District provides for an annual adjustment to the Maximum Assessment Rate per EBU based on the Engineering News Record Common Labor Cost Index.

The Assessment Range Formula shall be applied to all future assessments within the District beginning in fiscal year 2006/2007. Generally, if the proposed annual assessment (levy per EBU) for the current fiscal year is less than or equal to the calculated Maximum Assessment, then the proposed annual assessment is not considered an increased assessment. The Maximum Assessment is equal to the initial Assessment (approved by property owners within the District) adjusted annually by the percentage increase in the Engineering News Record Common Labor Cost Index rate. Beginning in the second fiscal year (Fiscal Year 2006/2007) and each fiscal year thereafter, the Maximum Assessment would be recalculated and a new Maximum Assessment established within the District.

The Maximum Assessment is adjusted annually and is calculated independent of the District's annual budget and proposed annual assessment. Any proposed annual assessment (rate per EBU less than or equal to this Maximum Assessment) is not considered an increased assessment, even if the proposed assessment is greater than the assessment applied in the prior fiscal year.

Although the Maximum Assessment will increase each year, the actual assessment may go up and down as compared to the previous year(s). The Maximum Assessment adjustment is designed to allow for the adjustment of the annual assessment for inflation in order to maintain the original purchasing power of the district budget. The Maximum Assessment calculated each year does not require or facilitate an increase to the annual assessment and neither does it restrict assessments to the adjustment maximum amount. If the budget and assessment for the fiscal year do not require an increase, or the increase is less than the adjusted Maximum Assessment, then the required budget and assessment may be applied without additional property owner balloting. If the budget and assessments calculated requires an increase greater than the adjusted Maximum Assessment, then the assessment is considered an increased assessment and would be subject to Proposition 218 balloting.

The increase in the Engineering News Record Common Labor Cost Index from January 2011 to January 2012 is 1.02%.

SECTION V. ASSESSMENT ROLL

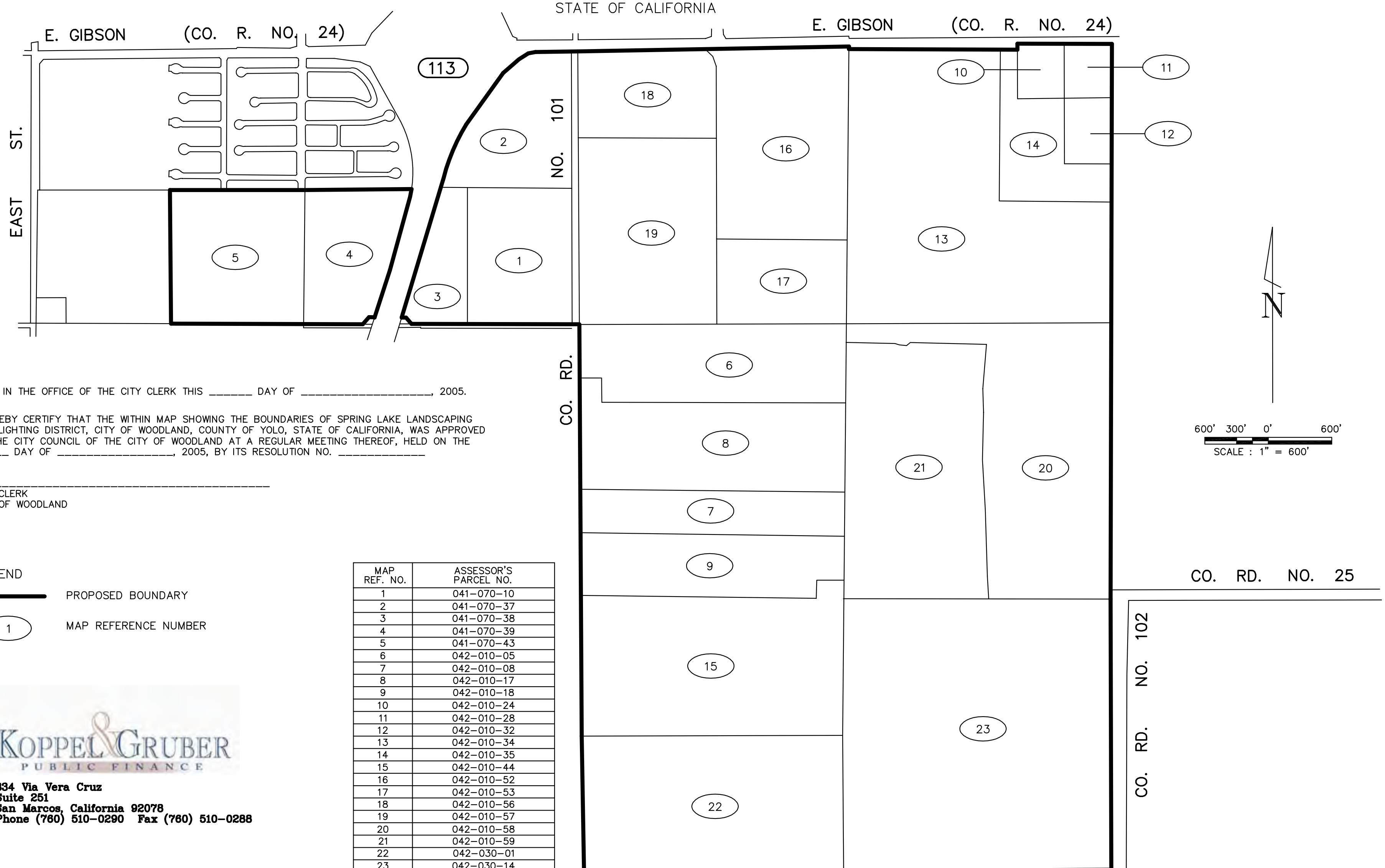
The assessment roll is a listing of the proposed Assessment for Fiscal Year 2012/2013 apportioned to each lot or parcel, as shown on the Yolo County last equalized roll of the assessor and reflective of the Assessor's Parcel Map(s) associated with the equalized roll. A listing of parcels proposed to be assessed within this District, along with the Maximum Assessment amounts, is on file with the City Clerk and incorporated into this report by reference.

SECTION VI. DISTRICT DIAGRAM

The parcels within the Spring Lake Landscaping and Lighting District consist of all lots, parcels and subdivisions of land located in Spring Lake Specific Plan Area. This includes assessor parcels shown on the current Yolo County Assessor's Parcel Map Book 041 page 07, 23, 24 and Book 042 pages 01, 03 and 35-57. A boundary map of the area is attached.

PROPOSED BOUNDARY OF SPRING LAKE LANDSCAPING AND LIGHTING DISTRICT

CITY OF WOODLAND
COUNTY OF YOLO
STATE OF CALIFORNIA



FILED IN THE OFFICE OF THE CITY CLERK THIS ______ DAY OF __________________, 2005.

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE BOUNDARIES OF SPRING LAKE LANDSCAPING AND LIGHTING DISTRICT, CITY OF WOODLAND, COUNTY OF YOLO, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF WOODLAND AT A REGULAR MEETING THEREOF, HELD ON THE _____ DAY OF ________________, 2005, BY ITS RESOLUTION NO. ____________

____

CITY CLERK
CITY OF WOODLAND

LEGEND

PROPOSED BOUNDARY

1 MAP REFERENCE NUMBER

MAP REF. NO.	ASSESSOR'S PARCEL NO.
1	041-070-10
2	041-070-37
3	041-070-38
4	041-070-39
5	041-070-43
6	042-010-05
7	042-010-08
8	042-010-17
9	042-010-18
10	042-010-24
11	042-010-28
12	042-010-32
13	042-010-34
14	042-010-35
15	042-010-44
16	042-010-52
17	042-010-53
18	042-010-56
19	042-010-57
20	042-010-58
21	042-010-59
22	042-030-01
23	042-030-14

KOPPEL & GRUBER
PUBLIC FINANCE

334 Via Vera Cruz
Suite 251
San Marcos, California 92078
Phone (760) 510-0290 Fax (760) 510-0288

(04-110) NOVEMBER 2004

CITY OF WOODLAND

Spring Lake Landscaping and Lighting District

Engineer's Report
Fiscal Year 2012/2013

Report Submitted by:

____

Scott Koppel
Koppel & Gruber Public Finance

____

Registered Engineer

APPENDIX

Table 5
Detail Fiscal Year 2010/2011 Maintenance Costs

SEGMNT	AREA	ALLOCATION METHOD	APPR. LENGTH (lf)	APPR. WIDTH (sf)	PARKS (costs in 2006 dollars) — LANDSCAPING ($0.18/sq.ft.) Level of effort (%)	LANDSCAPING Cost	GREENBELTS & PARKS ($15,000/ac.) Level of effort (%)	GREENBELTS & PARKS Cost	WALLS & FENCING ($1.10/ln. ft.) Level of effort (%)	WALLS & FENCING Cost	CAPITAL Lump Sum	PUBLIC WORKS (costs is 2006 dollars) — LANDSCAPING Level of effort (%)	LANDSCAPING Lump Sum	TREES ($60/ea @ maturity) Level of effort (%)	TREES Cost	LIGHTING ($153/each) Level of effort (%)	LIGHTING Cost	SIGNALIZED INTERSECTIONS ($11,498/each) Level of effort (%)	SIGNALIZED INTERSECTIONS Cost	LINE ITEM TOTAL	PUBLIC AGENCY COST[1] Landscaping, Trees & Lights Area Cost	DEVELOPERS' COST[2] Landscaping, Trees & Lights Area Cost	NET DEVELOPER COST
A1	Pioneer Avenue	PRODUCT TYPE - Dev/Undev (Base)	7825	Varies (41-53)		$13,455			0%	$0					$585		$5,729		$4,492	$24,261		$24,261	$24,261
A2	Pioneer Avenue *(Fronting High School Property)*	PRODUCT TYPE - Dev/Undev (Base) & Front Footag	1815	16		$4,356									$558		$1,289		$449	$6,652	$4,190.60	$2,012.60	$2,462
B	Parkway Drive	PRODUCT TYPE - Dev/Undev (Base)	5181	53		$27,824			0%	$0					$17,195		$6,589		$4,492	$56,100			$56,100
C1	Road 102	PRODUCT TYPE - Dev/Undev (Base)	5300	37		$19,382			0%	$0					$7,202		$6,016		$8,984	$41,585			$41,585
C2	Road 102 *(Fronting College Property)*	PRODUCT TYPE - Dev/Undev (Base) & Front Footag	1186	37		$4,687									$3,110		$2,005		$0	$9,802	$4,692.18	$5,109.52	$5,110
C3	Road 102 *(Fronting Yolo County Property)*	PRODUCT TYPE - Dev/Undev (Base) & Front Footag	1433	37		$5,663									$2,658		$2,005		$4,492	$14,818	$4,910.88	$5,415.13	$9,907
D1	East Gibson Road (Includes total 1/2 median sf = 25656	PRODUCT TYPE - Dev/Undev (Base)	1400	24.5											$744		$2,005		$0	$2,749			$2,749
D2	East Gibson Road *(Fronting High School)*	PRODUCT TYPE - Dev/Undev (Base) & Front Footag	1200	24.5		$4,410									$930		$2,865		$4,492	$12,697	$4,057.42	$4,147.42	$8,640
D3	East Gibson Road *(Fronting College)*	PRODUCT TYPE - Dev/Undev (Base) & Front Footag	1460	24.5		$5,366									$558		$2,005		$4,492	$12,421	$3,909.69	$4,019.19	$8,511
D4	East Gibson Road *(Fronting Yolo County Property)*	PRODUCT TYPE - Dev/Undev (Base) & Front Footag	1097	24.5		$4,031									$585		$2,435		$4,492	$11,543	$3,484.42	$3,566.70	$8,059
E	Road 25A	PRODUCT TYPE - Dev/Undev (Base)	5250	33					0%	$0					$0		$0		$0	$0			$0
F1	Farmer's Central Road	ZONING - Dev Only	6604	varies (13-37)		$11,777									$5,741		$6,445		$5,615	$29,578			$29,578
F2	Farmer's Central Road *(Fronting School "A")*	ZONING - Dev Only	696	8											$0		$0			$0			$0
G	Mixed Use Channel*	PRODUCT TYPE - Dev/Undev (Drainage)	3560									20%	$9,754		$10,631		$0			$20,385			$20,385
H	Road 24C	ZONING - Dev Only	2000			$3,261									$0		$0		$4,492	$7,753			$7,753
I1	Road 101	ZONING - Dev Only	5817	Varies (5-16)											$0		$0			$0			$0
I2	Road 101 *(Fronting School "A")*	ZONING - Dev Only	647	8											$0		$0			$0			$0
J1	Matmor Road (West Side Only)	ZONING - Dev Only	1280												$0		$0			$0			$0
J2	Matmor Road *(Fronting Private School - East Side Only)*	ZONING - Dev Only	1280	8		$996									$0		$0			$996			$996
K1	Collector One	ZONING - Dev Only	5200	varies		$1,796									$4,545		$4,870			$11,211			$11,211
K2	Collector One *(Fronting School "B")* (680lf of Local)	ZONING - Dev Only	625	8		$216									$106		$1,289			$1,611			$1,611
K3	Collector One *(Fronting School "C")* (630lf of Local)	ZONING - Dev Only	490	8											$797		$1,146			$1,943			$1,943
L	Collector Two (Greenbelt Corrid	ZONING - Dev Only	3200												$744		$1,146			$1,890			$1,890
M	Collector Four	ZONING - Dev Only	1300												$0		$0			$0			$0
N	Collector "A" Street	ZONING - Dev Only	5200	varies		$9,678									$4,119		$5,586			$19,384			$19,384
	Subdivision Trail Corridor	PRODUCT TYPE - Dev only (Parks)				$1,860														$1,860			$1,860
	Greenbelts	PRODUCT TYPE - Dev only (Parks)						$29,453												$29,453			$29,453
	Highway 113 Buffer	PRODUCT TYPE - Dev only (Base)							0%	$0		20%	$0							$0			$0
	Central Park	PRODUCT TYPE - Dev only (Parks)																		$0			$0
	Park "A" (Landscaping Strips Included in Road 101 & Loca	PRODUCT TYPE - Dev only (Parks)						$120,000												$120,000			$120,000
	Park "B" (Landscaping Strips Included in Coll. 1 & Loc	PRODUCT TYPE - Dev only (Parks)																		$0			$0
	Park "C" (Landscaping Strips Included in Coll. 1 & Loc	PRODUCT TYPE - Dev only (Parks)																		$0			$0
	Mini-Park	PRODUCT TYPE - Dev only (Parks)																		$0			$0
	Gateway Entries ($0.70/sq. ft.)	PRODUCT TYPE - Dev only (Base)																		$0			$0
	Local Streets	ZONING - Dev Only													$57,486		$73,478			$130,964			$130,964
O	Local Streets *(Fronting School "B")*	ZONING - Dev Only	680	6											$0		$0			$0			$0
	Local Streets *(Fronting School "C")*	ZONING - Dev Only	630	6											$0		$0			$0			$0
	Off-Site Inlet Channel (South Area)*	PRODUCT TYPE - Dev Only (Drainage)										20%	$3,958							$3,958			$3,958
	Off-Site Inlet Channel (North Area)*	PRODUCT TYPE - Dev Only (Drainage)							0%	$0		20%	$2,908							$2,908			$2,908
	Off-Site Interceptor/Conveyance Facility (East Area Agricultural Interceptor)*	ZONING - Dev Only							0%	$0		20%	$7,002							$7,002			$7,002
	Off-Site Interceptor/Conveyance Facility (West Area Agricultural Interceptor)*	ZONING - Dev Only										20%	$3,795							$3,795			$3,795
	Off-Site Outlet Channel*	PRODUCT TYPE - Dev Only (Drainage)							0%	$0		20%	$2,318							$2,318			$2,318
	Off-Site East Regional Pond (East Area)*	PRODUCT TYPE - Dev Only (Drainage)							0%	$0		20%	$1,806							$1,806			$1,806
	Off-Site East Regional Pond (West Area)*	PRODUCT TYPE - Dev Only (Drainage)							0%	$0		20%	$1,493							$1,493			$1,493
	Off-Site Regional Pond Park	PRODUCT TYPE - Dev Only (Drainage)							0%	$0					$0		$573			$573			$573
	On-Site Temporary Agricultural Interceptor*	ZONING - Dev Only										20%	$2,840							$2,840			$2,840
	Administration Costs	PRODUCT TYPE - Dev/Undev (Base)									$67,154									$67,154			$67,154
	TOTALS					$118,758	0%	$149,453	0%	$0	$67,154		$35,875		$118,294		$127,477		$46,494	$596,351	$25,245	$48,532	$638,260

TOTAL ADMIN COST =	$67,154		
TOTAL PARKS =	$268,211		
**TOTAL PUBLIC WORKS =	$328,140	$55,154	$383,294
SUBTOTAL -	$663,505	644,873.00	$18,632.41
TOTAL PUBLIC AGENCY =	-$25,245		
OVERALL TOTAL DEVELOPERS' COST	$596,351		

Segments refer to map (SLSP On-site Exibit)

*Cost estimated as a lump sum basis.

**Public Works phasing capital costs are shown in attached memo.

[1]Public Agency Formula = (12' of Landscaping*$.15)+(Tree Total/2)+(Lighting Total/2)

[2]Developers' Cost = Total Area Cost - Public Agency Cost

RESOLUTION NO: ________________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND INITIATING PROCEEDINGS FOR THE CITY OF WOODLAND GATEWAY LANDSCAPING AND LIGHTING DISTRICT, AND THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2012/2013 PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972

WHEREAS, the City Council by previous Resolutions formed and approved the maximum annual assessment rates for the City of Woodland Gateway Landscaping and Lighting District ("District"), pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with section 22500)* ("Act"); and,

WHEREAS, the Act provides the City Council the authority to annually levy and collect assessments for the District on the Yolo County tax roll on behalf of the District to pay the maintenance, services, and operation of facilities and improvements related thereto; and,

WHEREAS, the City Council desires to initiate proceedings for the levy and collection of annual assessments against lots and parcels of land within the District for Fiscal Year 2012/2013 pursuant to provisions of the Act; and,

WHEREAS, the City Council has retained Koppel & Gruber Public Finance for the purpose of preparing and filing an Engineer's Report (the "Report") with the City Clerk; and,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND, FOR THE CITY OF WOODLAND GATEWAY LANDSCAPING AND LIGHTING DISTRICT, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1 The City Council hereby appoints Koppel & Gruber Public Finance as the District Assessment Engineer, and orders Koppel & Gruber Public Finance to prepare the Report concerning the District and the levy of assessments for Fiscal Year 2012/2013, in accordance with *Chapter 1, Article 4, beginning with Section 22565* of the Act.

The Engineer's Report shall contain the following:

a) A Description of Improvements;

b) The Annual Budget (Costs and Expenses of Services, Operations and Maintenance);

c) The Method of Apportionment and the proposed amount to be levied and collected against each Assessor Parcel within District for Fiscal Year 2012/2013; and

d) An exhibit showing the boundaries of the District

Upon completion of the Report, said Report shall be filed with the City Clerk, who shall submit the same to the City Council for its consideration pursuant to *Section 22586* of the Act.

Section 2 The proposed improvements for the District include but are not limited to: the maintenance and operation of public landscaping services and appurtenant facilities, maintenance and operation of street lighting and appurtenant facilities, and maintenance and operation of storm drainage and other appurtenant facilities related thereto. The Report describes in more detail the items to be maintained and serviced.

Section 3 The City Council hereby determines that to provide the improvements described in Section 2 of this resolution, it is necessary to levy and collect assessments against lots and parcels within the District.

Section 4 The Finance Officer of the City of Woodland is hereby authorized and directed to take any and all action necessary and appropriate in connection with the annual levy and collection of assessments for the District.

RESOLUTION NO: ________________

PASSED, APPROVED, AND ADOPTED THIS ______ DAY OF _______________, 2012.

STATE OF CALIFORNIA
COUNTY OF YOLO ss.
CITY OF WOODLAND

I, ________________________________, City Clerk of the City of Woodland, County of Yolo, State of California do hereby certify that the foregoing Resolution No. ___________ was regularly adopted by the City Council of said City of Woodland at a regular meeting of said council held on the __________ day of ______________, 2012, by the following vote:

AYES:	Council members:	______________________________
NOES:	Council members:	______________________________
ABSENT:	Council members:	______________________________
ABSTAIN:	Council members:	______________________________

____
Mayor, Artemio Pimentel

Attest:

_____________________________________,
City Clerk, Ana B. Gonzalez

RESOLUTION NO: ________________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND PRELIMINARY APPROVING THE CITY OF WOODLAND GATEWAY LANDSCAPING AND LIGHTING DISTRICT ENGINEER'S REPORT, AND THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2012/2013

WHEREAS, the City Council has by previous Resolution ordered the preparation of the Fiscal Year 2012/2013 Annual Engineer's Report in connection with the City of Woodland Gateway Landscaping and Lighting District ("District"), and levy and collection of assessments against lots and parcels of land within the territory for the Fiscal Year commencing July 1, 2012, and ending June 30, 2013, to pay the maintenance, servicing, and operation of the improvements, pursuant to provisions of the *Landscape and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* ("Act"); and,

WHEREAS, the District Assessment Engineer has prepared and filed with the City Clerk and the City Clerk has now presented to the City Council the Engineer's report entitled "City of Woodland Gateway Landscaping and Lighting District Engineer's Report Fiscal Year 2012/2013" (the "Report"); and,

WHEREAS, the City Council has carefully examined and reviewed the Report as presented, and is preliminarily satisfied with the District, each and all of the budget items and documents as set forth therein, and is satisfied that the assessments, on a preliminary basis, have been spread in accordance with the special benefits received from the improvements, operation, maintenance, and services to be performed, as set forth in said Report.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND, FOR THE CITY OF WOODLAND GATEWAY LANDSCAPING AND LIGHTING DISTRICT, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1 The above recitals are all true and correct.

Section 2 The Report, as presented, consists of the following:

a) A Description of Improvements;

b) The Annual Budget (Costs and Expenses of Services, Operations and Maintenance);

c) The Method of Apportionment and the proposed amount to be levied and collected against each Assessor Parcel within District for Fiscal Year 2012/2013; and

d) An exhibit showing the boundaries of the District

Section 3 The Report is hereby preliminary approved, and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

The City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation of the Report.

PASSED, APPROVED, AND ADOPTED THIS ______ DAY OF _______________, 2012.

STATE OF CALIFORNIA
COUNTY OF YOLO ss.
CITY OF WOODLAND

I, ________________________________, City Clerk of the City of Woodland, County of Yolo, State of California do hereby certify that the foregoing Resolution No. ___________ was regularly adopted by the City Council of said City of Woodland at a regular meeting of said council held on the __________ day of _______________, 2012, by the following vote:

AYES:	Council members:	________________________________
NOES:	Council members:	________________________________
ABSENT:	Council members:	________________________________
ABSTAIN:	Council members:	________________________________

____
Mayor, Artemio Pimentel

Attest:

______________________________________,
City Clerk, Ana B. Gonzalez

RESOLUTION NO: ________________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND, DECLARING ITS INTENTION TO CONDUCT A PUBLIC HEARING ON THE MATTER OF ASSESSMENTS AND ORDER THE LEVY OF ASSESSMENTS FOR THE CITY OF WOODLAND GATEWAY LANDSCAPING AND LIGHTING DISTRICT, FISCAL YEAR 2012/2013 PURSUANT TO THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972

WHEREAS, the City Council has by previous Resolution, initiated proceedings for the levy and collection of assessments against lots and parcels of land within the City of Woodland Gateway Landscaping and Lighting District ("District") for Fiscal Year 2012/2013 pursuant to the provisions of the *Landscape and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* ("Act").

WHEREAS, the Act provides the City Council the authority to annually levy and collect assessments for the District on the Yolo County tax roll on behalf of the District to pay the maintenance, services, and operation of facilities and improvements related thereto; and,

.

WHEREAS, the City Council has retained Koppel & Gruber Public Finance as the District Assessment Engineer for the Annual Levy of the District, and to prepare and file an Engineer's Report ("Report") with the City Clerk in accordance with the Act, and that said Report has been prepared and filed with the City Clerk and presented to the City Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND, FOR THE CITY OF WOODLAND GATEWAY LANDSCAPING AND LIGHTING DISTRICT, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1 The above recitals are all true and correct.

Section 2 The City Council hereby declares its intention to levy and collect assessments against lots and parcels of land within the District for the Fiscal Year commencing July 1, 2012, and ending June 30, 2013, to pay the costs and expenses of the improvements which are described in the Report. The City Council finds that the public's best interest requires such levy and collection.

Section 3 The territory of the District is within the boundaries and jurisdiction of the District, and the City of Woodland within the County of Yolo, State of California. The boundary map describing the District is on file with the City Clerk and is hereby incorporated by reference into this Resolution. The District is designated as the "City of Woodland Gateway Landscaping and Lighting District."

Section 3 The proposed improvements for the District are briefly described as the maintenance and operation of and the furnishing of services and materials for the improvements within the District including, but not limited to, the maintenance and operation of public landscaping services and appurtenant facilities, maintenance and operation of street lighting and appurtenant facilities, and maintenance and operation of storm drainage and other appurtenant facilities related thereto. The Engineer's Report describes in more detail the items to be maintained and serviced.

Section 4 The District Assessment Engineer has prepared and filed with the City Clerk, and the City Clerk has presented to the City Council a Report, in connection with the proposed improvements, a description of an annual inflationary adjustment that will be applied to the assessments in subsequent fiscal years and levy and collection of assessments against lots and parcels of land within the District for Fiscal Year 2012/2013 in accordance with *Chapter 1, Article 4* of the Act, and the City Council did by Resolution approve such Report. Reference is hereby made to said Report for a detailed description of improvements, the boundaries of the District, and the proposed assessments upon assessable lots and parcels of land within the District.

Section 5 The City Council hereby declares its intention to conduct a Public Hearing concerning the improvements and the levy of assessments for the District in accordance with *Chapter 2, Article 1, Section 22590* of the Act. Notice is hereby given that on **Tuesday, July 3rd, 2012**, at 6:00 PM; the City Council will hold a Public Hearing for the District for Fiscal Year 2012/2013, or as soon thereafter as feasible. The Public Hearing will be held in the City Council's regular meeting chambers located at 300 First Street, Woodland, California, at the time so fixed. At the hearing, all interested persons shall be afforded the opportunity to hear and be heard.

Section 6 Pursuant to sections 22626, 22552 and 22553 of the 1972 Act and 6061 of the Government Code, the City Clerk shall give notice of the time and place of the Public Hearing by causing publishing of this Resolution of Intention one time at least 10 days prior to the Public Hearing in the local newspaper, and by posting a copy of this Resolution on the official bulletin City Council customarily used by the City Council for the posting of notices.

Section 7 The Mayor, City Clerk, the City Manager, the City Council and such officers and employees of the City as are appropriate, are authorized and directed to execute such other documents and take such further action as shall be consistent with the intent and purpose of this Resolution.

RESOLUTION NO: _______________

PASSED, APPROVED, AND ADOPTED THIS ______ DAY OF _______________, 2012.

STATE OF CALIFORNIA
COUNTY OF YOLO ss.
CITY OF WOODLAND

I, ________________________________, City Clerk of the City of Woodland, County of Yolo, State of California do hereby certify that the foregoing Resolution No. ___________ was regularly adopted by the City Council of said City of Woodland at a regular meeting of said council held on the __________ day of _______________, 2012, by the following vote:

AYES:	Council members:	________________________________
NOES:	Council members:	________________________________
ABSENT:	Council members:	________________________________
ABSTAIN:	Council members:	________________________________

____
Mayor, Artemio Pimentel

Attest:

______________________________________,
City Clerk, Ana B.Gonzalez

MUNICIPALITIES | SCHOOL DISTRICTS | CITIES | COUNTIES | PARK & RECREATION | WATER DISTRICTS | MUNICIPALITIES | SCHOOL DISTRICTS | COMMUNITIES

CITY OF WOODLAND GATEWAY LANDSCAPING AND LIGHTING DISTRICT ENGINEER'S REPORT FISCAL YEAR 2012/2013

JUNE 12, 2012

KOPPEL & GRUBER
PUBLIC FINANCE

334 VIA VERA CRUZ, SUITE 256
SAN MARCOS
CALIFORNIA 92078

T. 760.510.0290
F. 760.510.0288

TABLE OF CONTENTS

SECTION I. OVERVIEW

A. Introduction

This report constitutes the Engineer's Report for the City of Woodland ("City") Gateway Landscaping and Lighting District ("District") for fiscal year 2012/2013. The District was formed in July 2008 to provide funding for the maintenance of certain public improvements including but not limited to landscaping, street trees, street lighting, traffic signals, drainage, and other improvements or appurtenant facilities within the District's boundaries.

The City Council pursuant to the provisions of the Landscaping and Lighting Act of 1972, Being Division 15, Part 2 of the Streets and Highways Code of the State of California, beginning with Section 22500 (the "1972 Act"), Article XIIID of the Constitution of the State of California ("Article XIIID"), and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following) (the "Implementation Act") (the 1972 Act, Article XIIID and the Implementation Act are referred to collectively as the "Assessment Law") desires to levy and collect annual assessments against lots and parcels within the District in the fiscal year commencing July 1, 2012 and ending June 30, 2013 to pay for the operation, maintenance and servicing of landscaping, lighting, drainage and all appurtenant facilities. The assessment rates set for the 2012/2013 as set forth in this Engineer's Report do not exceed the maximum rates established at the time the District was formed, therefore, the City and the District are not required to go through a property owner ballot procedure in order to establish the 2012/2013 assessment rates.

B. Contents of Engineer's Report

This Engineer's Report ("Report") describes the District boundaries and the proposed improvements to be assessed to the property owners located within the district. The Report is made up of the following sections.

Section I. Overview – Provides background information on the proposed District and an introduction to the Report.

Section II. Plans and Specifications – Contains a general description of the improvements that are to be maintained and serviced by the District.

Section III. Estimate of Costs – Identifies the cost of the maintenance and services to be provided by the District including incidental costs and expenses. This includes both the maximum assessment rates and the proposed Fiscal Year 2012/2013 assessment rates.

Section IV. Method of Apportionment – Describes the basis in which costs have been apportioned to lots and parcels within the District, in proportion to the special benefit received by each lot and parcel.

Section V. Assessment Roll – The assessment roll identifies the 2012/2013 assessment to be levied to each lot or parcel within the District.

Section VI. Assessment Diagram – Displays a diagram of the District showing the exterior boundaries of the District at the time the District was formed.

Each lot or parcel within the District is assessed proportionately for only the improvements and services that are determined to be special benefit. For this report, each lot or parcel to be assessed, refers to an individual property assigned its own Assessment Parcel Number by the Yolo County ("County") Assessor's Office as shown on the last equalized roll of the assessor.

Following the conclusion of the Public Hearing, the City Council will confirm the Engineer's Report as submitted or amended and may order the collection of assessments for Fiscal Year 2012/2013.

SECTION II. PLANS AND SPECIFICATION

A. General Description of the District

The territory within the District consists of all lots, parcels and subdivisions of land as shown on the Boundary Map titled "Map of Proposed Boundaries of the City of Woodland Gateway Landscaping and Lighting District" contained within this report in Section VI. At the time of formation the District contained three (3) original large parcels that have subdivided into twelve (12) commercial sites.

The District is generally bounded to the north by Interstate 5, to the east by County Road 102, to the south by Bronze Star Drive, and generally to the west by the City boundaries.

B. Description of Improvements to be Maintained and Services

The District, through the levy of special assessments, provides funding for ongoing maintenance, operation and servicing of landscaping, lighting, drainage and other improvements or appurtenant facilities located within the public rights-of-ways and dedicated easements located within the District. These improvements may include, but are not limited to, all materials, equipment, utilities, labor, and appurtenant facilities related to the ongoing maintenance of the improvements.

Maintenance services will be provided by City personnel and/or private contractors. The improvements maintained and services provided by the District are generally described in Sections II C, II D and II E below.

C. Landscaping and Appurtenant Improvements

Landscaping improvements (the "Landscaping Improvements") include but are not limited to landscaping, planting, ground cover, shrubbery, turf, trees, irrigation and drainage systems, ornamental lighting structures, masonry block walls and other fencing, entryway monuments, bus shelters and other appurtenant items located in right of ways, parkways, greenbelts, and other easements dedicated to the City and located within the boundaries the District or adjacent to the District and that were required to be installed as a condition of the development.

Landscaping Improvements include but are not limited to the following:

- Landscape parkways on the major arterial roadways and collector roads of the project including Maxwell Avenue, American Drive, Veterans Drive, County Road 102 and the future I-5 freeway off ramp;
- Landscaping and plant/debris removal of the offsite detention pond;
- Graffiti removal, paint, wall and fence repairs for the project entry monuments and fencing on the offsite detention pond; and
- Transit facilities including bus shelters.

For the landscaping improvements specifically, the City's costs were estimated assuming the City will provide a Mode II level of service. Mode II is a mid level of service and represents a level of maintenance where some tolerance is allowed to maintenance problems such as litter, weeds, pruning and irrigation repairs.

D. Street Lighting/Traffic Signals and Appurtenant Improvements

Street lighting improvements ("Lighting Improvements") include but are not limited to poles, signs, fixtures, bulbs, conduit, conductors, equipment including posts and pedestals, metering devices, energy costs and appurtenant facilities as required to provide lighting and traffic signals in public streets, sidewalk easements and other easements dedicated to the City and located within the boundaries of the District or adjacent to the District and that were required to be installed as a condition of the development.

Lighting Improvements include but are not limited to the following;

- Street lighting throughout the arterial, collector, and local roadways totaling approximately 32 lights;
- Traffic signals and appurtenant facilities at two (2) signalized intersections located at County Road 102 and Maxwell Avenue and at Bronze Star Drive and American Drive; and
- Lighting facilities located at and for the project entry monuments.

Detailed maps and descriptions of the location and extent of the specific improvements to be maintained by the District are on file in the Office of Public Works and by reference are made part of this Report.

E. Description of Maintenance and Services

Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of Landscaping Improvements and Lighting Improvements ("Improvements") and appurtenant facilities, including repair, removal or replacement of all or part of any of the Improvements or appurtenant facilities; providing for the life, growth, health and beauty of the Landscaping Improvements including cultivation, drainage, irrigation, trimming, mowing, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris and other solid waste; and the cleaning, sandblasting, repair of fencing and painting of walls and fencing and other improvements to remove or cover graffiti.

Servicing means the furnishing of water and electricity for the irrigation of the Landscaping Improvements or appurtenant facilities including any decorative lighting and the furnishing of electric current or energy, gas or other illuminating agent for the Lighting Improvements. The Lighting Improvements shall be serviced to provide adequate illumination. Servicing also allows for the replacement of the facilities in order to maintain them in proper working order and to provide specific benefit to the District.

SECTION III. ESTIMATE OF COSTS

A. Estimate of Costs Table

Below are the estimated costs of maintenance and services for the District including incidental costs and expenses. This includes both the Maximum Budget expected based on full maturity of the landscaping (subject to an annual inflator – see Section IV D) and the Proposed Fiscal Year 2012/2013 budget.

DIRECT COST ITEMS	MAXIMUM BUDGET	PROPOSED FY 2012/2013 BUDGET
Landscaping Maintenance	$84,975.54	$24,863.00
Tree Maintenance	30,406.07	11,410.00
Street Lighting	6,793.44	7,072.00
Traffic Signals	27,288.89	9,723.00
Fence Repairs and Maintenance	1,709.87	2,500.00
Graffiti and Entry Way Maintenance	3,973.30	2,850.00
Bus Shelter Repair and Maintenance	1,886.04	1,650.00
Appurtenant Facility Maintenance	5,043.26	2,500.00
DIRECT COST SUBTOTAL	**$162,076.41**	**$62,568.00**
INCIDENTAL COSTS/EXPENSES		
City Administration	$3,923.55	$3,923.54
Consultant/County Administration	3,923.55	3,500.00
Reserve Fund Contingency	6,217.72	0.00
INCIDENTAL COSTS SUBTOTAL	**$14,064.83**	**$7,423.54**
TOTAL ASSESSMENT	**$176,141.24**	**$69,991.54**
Total Assessors Parcels	12	12
Total Levied Acreage	51.52	51.52
Assessment Per Acre	$3,418.89	$1,358.53

B. Description of Cost Items

The following is a brief description of the cost items for the district included in the table above.

Direct Cost Items – This includes the costs of maintaining and servicing the Improvements. This may include, but is not limited to, the costs for labor, utilities, equipment, supplies, repairs, replacements and upgrades that are required to properly maintain the Improvements that provide a special benefit to property within the District.

Incidental Costs and Expenses – This includes the indirect costs not included above that are necessary to properly maintain the district on an annual basis.

- City Administration – Estimated costs incurred by the City for management and administration of the District, including actions associated with the levy and collection of assessments, education, response to inquires or concerns of the public and the cost to publish public notices required for City Council action relating to the District.

- Consultant/County Administration – This is the estimated annual cost to the District for calculating the annual assessments, monitoring parcel changes and final map approvals, preparing the Engineer's Report for City Council approval, placing the assessments on the County tax roll, and the fees the County charges to collect the assessments on the tax bill.

- Reserve Fund/Contingency – The reserve fund provides a funding source to pay for unanticipated infrequent maintenance requirements that may be required for the District. It also provides a source of funds to operate the District from July through December while waiting for the County property tax distributions that typically occur in January and May for the fiscal year beginning in July. It is intended that the reserve fund will be funded by assessments during the initial year of assessment prior to the installation of all of the improvements.

SECTION IV. METHOD OF APPORTIONMENT

A. General

The Implementation Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements, which include the construction, maintenance, and servicing of street lights, traffic signals, landscaping and drainage facilities.

Streets and Highways Code Section 22573 requires that maintenance assessments be levied according to benefit rather than the assessed value.

> *"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."*

In addition, Article XIIID and the Implementation Act require that a parcel's assessment may not exceed the reasonable cost for the proportional special benefit conferred to that parcel. Article XIIID and the Implementation Act further provides that only special benefits are assessable and the City must separate the general benefits from the special benefits. They also require that publicly owned properties which specifically benefit from the improvements be assessed.

B. Special Benefit Analysis

Each of the proposed improvements and the associated costs and assessments within the District has been reviewed, identified and allocated based on special benefit pursuant to the provisions of Article XIIID, the Implementation Act, and the Streets and Highways Code Section 22573.

Proper maintenance and operation of landscaping, street trees and streetlights provides special benefit to adjacent properties by providing community character, security, safety and vitality. In addition, the Improvements will enhance the ability of property owners to attract and maintain customers as well as increase the viability of commercial development. Lastly, the maintenance of each of the Improvements listed above were required by the Final Conditions of Approval, Item 87 which was recorded as part of the Memorandum of Agreement between the City and the developer on August 10, 2006, Document number 2006-0031291-00 which is on file with the City Clerk.

Landscaping Special Benefit

Trees, landscaping and appurtenant facilities, if well maintained, provide beautification, shade and enhancement of the desirability of the surroundings, and therefore increase property value. The entry way monuments to the project provide enhanced visibility and a draw for customers thus increasing the benefit to property owners with the District.

Specifically the Landscaping Improvements provide a sense of ownership and a common theme in the community providing aesthetic appeal and increased desirability of properties.

- Landscaping and street trees within the parkways and the entry way monuments provide special benefit to those developments that are located with the District.

Landscaping General Benefit
The Improvements will be installed to directly benefit the property owners in the District and to enhance business and development opportunities. As part of the project approval process, the project was conditioned to maintain the landscaping, lighting and appurtenant facilities. Therefore, it has been determined that there are no general benefits associated with the Landscaping Improvements.

All of the preceding special benefits contribute to a specific enhancement and desirability of each of the assessed parcels within the District. Although the improvements may include landscaping and lighting improvements and other amenities available or visible to the public at large, the construction and installation of these Improvements are only necessary for the development of properties within the District and are not required nor necessarily desired by any properties or developments outside the District boundary. Therefore, any public access or use of the improvements by others is incidental and there is no measurable general benefit to properties outside the District or to the public at large.

Public Lighting Special Benefit
The operation, maintenance and servicing of lighting and traffic signals along local streets, collector and arterial streets of a development provides the following special benefits:

- Improved security of lots and parcels within the development;
- Improved ingress and egress to properties;
- Improved nighttime visibility for the local access of emergency vehicles;
- Improved safety and traffic circulation to and from parcels; and
- Increased deterrence of crime and aid to police and emergency vehicles.

Street lights and signals located at arterials and local streets are considered 100% special benefit to the developments taking direct access at those intersections.

Street lights General Benefit
Similar to the Landscaping Improvements described above, the Lighting Improvements are required to be installed and maintained as part of project approval process and confer a special benefit to the property in the District by creating enhanced business and development opportunities. Therefore, it has been determined that there are no general benefits associated with Lighting Improvements.

C. Assessment Methodology

To establish the special benefit to the individual lots and parcels within the District a formula that spreads the costs of the maintenance based on the special benefit must be established. The Improvements have been reviewed and a formula has been established to apportion the maintenance costs based on benefit.

The method of assessment is based on the acreage of each parcel located within the District. The parcel's acreage was determined based on Assessor Parcel maps or other sources.

Based on the above formula the Table below provides the proposed rates for Fiscal Year 2012/2013.

No. of Parcels	Total Acreage	Maximum Acreage Rate	Proposed Fiscal Year 2012/2013 Acreage Rate
12	51.52	$3,418.89 per acre or portion thereof	$1,358.53 per acre or portion thereof

The following formula is used to calculate each parcel's maximum assessment (proportional benefit):

Total Assessment (Proposed Maximum Budget) ÷ Total Acreage =
Maximum Acreage Rate

Parcel Acreage x Maximum Acreage Rate =
Maximum Levy Rate

The following formula is used to calculate each parcel's Fiscal Year ("FY") assessment (proportional benefit):

Total Assessment (Proposed FY Budget) ÷ Total Acreage =
FY Acreage Rate

Parcel Acreage x FY Acreage Rate =
FY Levy Rate

D. Assessment Range Formula

The purpose of establishing an Assessment Range Formula is to provide for reasonable increases and inflationary adjustment to annual assessments without requiring the District to go through the requirements of Proposition 218 in order to get a small increase. This District provides for an annual adjustment to the Maximum Assessment Rate per EBU based on the Engineering News Record Common Labor Cost Index.

The Assessment Range Formula shall be applied to all future assessments within the District beginning in fiscal year 2012/2013. Generally, if the proposed annual assessment for the current fiscal year is less than or equal to the calculated Maximum Assessment, then the proposed annual assessment is not considered an increased assessment. The Maximum Assessment is equal to the initial Assessment (approved by property owners within the District) adjusted annually by the percentage increase in the Engineering News Record Common Labor Cost Index rate.

Beginning in the second fiscal year (Fiscal Year 2009/2010) and each fiscal year thereafter, the Maximum Assessment would be recalculated and a new Maximum Assessment established within the District.

The Maximum Assessment is adjusted annually and is calculated independent of the District's annual budget and proposed annual assessment. Any proposed annual assessment is not considered an increased assessment, even if the proposed assessment is greater than the assessment applied in the prior fiscal year.

Although the Maximum Assessment will increase each year, the actual assessment may remain unchanged. The Maximum Assessment adjustment is designed to establish a reasonable limit on assessments. The Maximum Assessment calculated each year does not require or facilitate an increase to the annual assessment and neither does it restrict assessments to the adjustment maximum amount. If the budget and assessment for the fiscal year do not require an increase, or the increase is less than the adjusted Maximum Assessment, then the required budget and assessment may be applied without additional property owner balloting. If the budget and assessments calculated requires an increase greater than the adjusted Maximum Assessment, then the assessment is considered an increased assessment and would be subject to Proposition 218 balloting.

The increase in the Engineering News Record Common Labor Index from April 2011 to April 2012 is 2.71%.

SECTION V. ASSESSMENT ROLL

The assessment roll is a listing of the both Maximum Assessment and the Fiscal Year 2012/2013 Assessment apportioned to each lot or parcel, as shown on the Yolo County last equalized roll of the assessor and reflective of the Assessor's Parcel Map(s) associated with the equalized roll. Though the maximum amount is shown below, it is not anticipated that the maximum assessment will be assessed for many years. A listing of parcels proposed to be assessed within this District is shown on the following table.

Assessor Parcel Number	Owner Name	Approximate Acreage	Maximum Levy Amount	Fiscal Year 2012/13 Levy Amount
027-852-003-000	Target Corporation	10.060	$34,394.04	$13,666.82
027-852-004-000	Costco Wholesale Corporation	15.170	51,864.57	$20,608.92
027-852-010-000	Woodland Development Co. LLC	4.680	16,000.41	$6,357.92
027-852-011-000	Woodland Development Co. LLC	1.300	4,444.56	$1,766.08
027-852-020-000	Woodland Development Co. LLC	7.460	25,504.92	$10,134.64
027-852-013-000	In-N-Out Burgers	1.490	5,094.15	$2,024.20
027-852-014-000	Woodland Development Co. LLC	3.480	11,897.74	$4,727.68
027-852-015-000	Woodland Development Co. LLC	0.500	1,709.45	$679.28
027-852-016-000	Woodland Development Co. LLC	0.770	2,632.55	$1,046.06
027-852-017-000	Woodland Development Co. LLC	4.210	14,393.53	$5,719.40
027-852-018-000	Woodland Development Co. LLC	1.590	5,436.04	$2,160.06
027-852-019-000	Woodland Development Co. LLC	0.810	2,769.30	$1,100.40
	Total	**51.520**	**$176,141.24**	**$69,991.46**

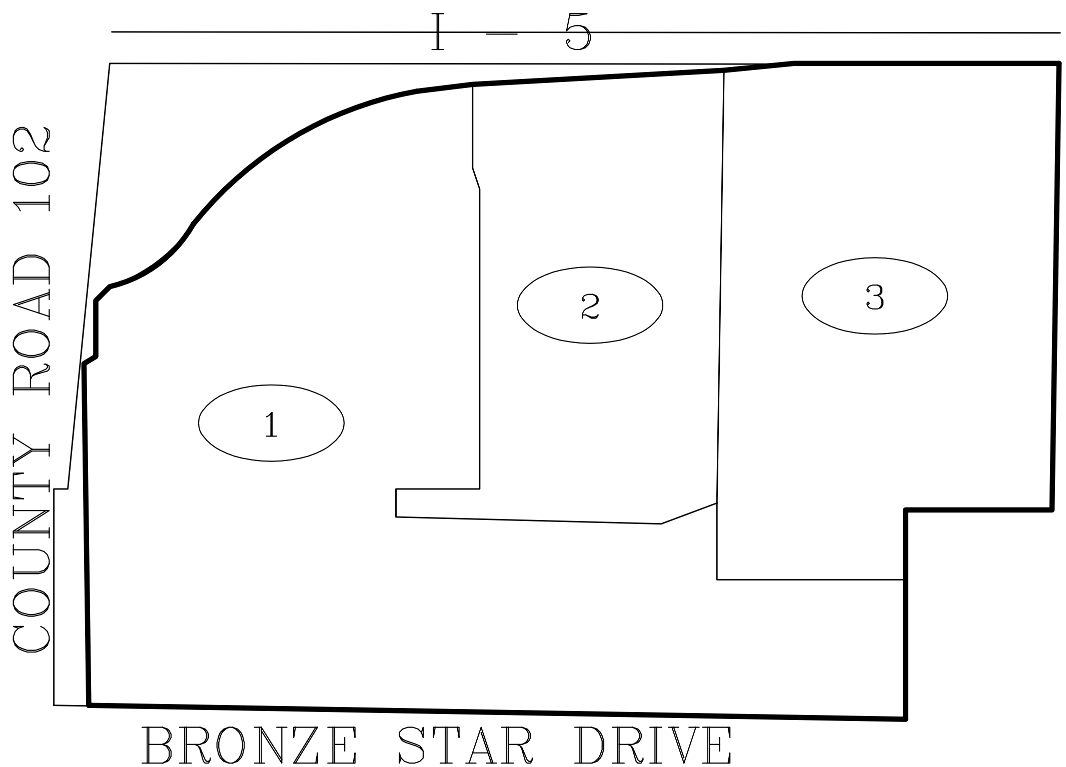
SECTION VI. DISTRICT DIAGRAM

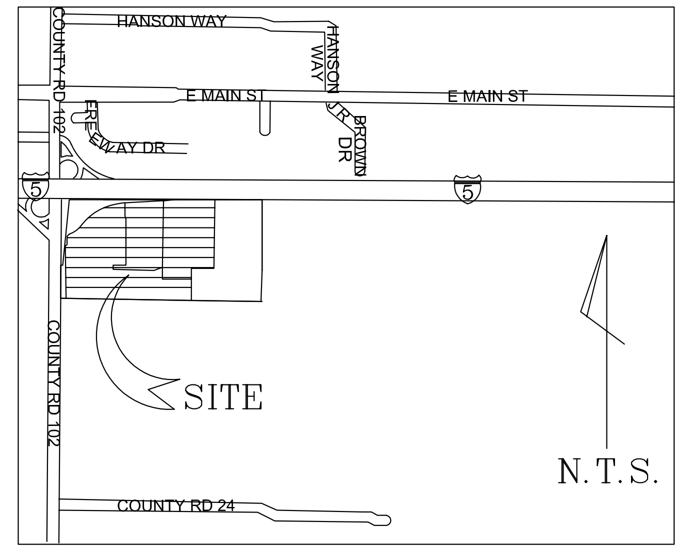
The parcels within the Gateway Landscaping and Lighting District consist of all lots, parcels depicted within the boundaries of the District. The District diagram reflecting the exterior boundaries of the District is on file with the City Clerk.

SHEET 1 OF 1

MAP OF PROPOSED BOUNDARIES OF THE CITY OF WOODLAND GATEWAY LANDSCAPING AND LIGHTING DISTRICT

COUNTY OF YOLO
STATE OF CALIFORNIA





VICINITY MAP

LEGEND

PROPOSED BOUNDARY

1 MAP REFERENCE NUMBER

MAP REF. NO.	ASSESSOR'S PARCEL NO.
1	027-300-86-1
2	027-300-87-1
3	027-300-88-1

KOPPEL & GRUBER
PUBLIC FINANCE
334 Via Vera Cruz
Suite 256
San Marcos, California 92078
Phone (760) 510-0290 Fax (760) 510-0288

NOVEMBER 2007

CITY OF WOODLAND

Gateway Landscaping and Lighting District

Engineer's Report
Fiscal Year 2012-2013

Report Submitted by:

____

Scott Koppel
Koppel & Gruber Public Finance

____

Registered Engineer

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM 17.

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Appeal of the Planning Commission Approval of the Panattoni Tentative Parcel Map No. 5009 and Mixed Use Project

Report in Brief

Two separate appeals have been filed regarding the adequacy of the environmental document, a Mitigated Negative Declaration, adopted by the Planning Commission on May 17, 2012, for the Panattoni Tentative Parcel Map No. 5009 and Mixed Use Project, and the consistency of the Project with the zoning for the Project site. The CEQA issues raised in the appeals include cumulative impacts related to greenhouse gas emissions, emissions of NOx gasses, truck/vehicle conflicts, and urban decay. In this report, staff provides an evaluation of the issues and provides options for Council action.

Staff recommends that the City Council consider the appeals on the basis of the entire record before it, and take the following action:

> Adopt the attached Resolution No _____ Affirming the Planning Commission's May 17, 2012 Findings and Conditions of Approval, which are contained in the Planning Commission Staff Report dated May 17, 2012 and in the minutes of its May 17, 2012 hearing on the Project, and thus affirm the Commission's adoption of the Mitigated Negative Declaration, approval of the Mitigation Monitoring and Reporting Program, and approval of the Tentative Parcel Map No. 5009, the Site Plan, Landscape Plan and Comprehensive Sign Plan for Parcels 1 and 2 for the Project.

Background

An application for a Tentative Parcel Map and Mixed Use Development was filed by Panattoni Development Company on December 20, 2011. The site is located south of East Main Street and a multi-tenant industrial development, north of the I-5 Freeway, west of the existing Health Club and John Deere dealership, and east of warehouse and commercial trucking operations between Freeway Drive and Quality Circle. The site is adjacent to the I-5 freeway and directly across from the Costco and Woodland Gateway I development. The proposed application provides for two auto dealerships to be located at the south end of the site adjacent to the freeway frontage, with office and retail mixed uses to the north end of the site. The Parcel 1 dealership would take access from Freeway Drive and the Parcel 2 dealership would take access off Quality Circle to East Main Street.

At the Planning Commission Hearing on May 17, 2012, the Commission, in a 5 - 0 vote, adopted the Mitigated Negative Declaration, approved the Mitigation Monitoring and Reporting Program for the Project, and approved Tentative Map #5009, Conceptual Master Site Plan, Site Plan for Phase I, Comprehensive Sign Program, and landscape design exception. The Commission did not approve the Architectural Design Review for the Project, and requested that the applicant work with staff and return to the Commission with a modified building design.

On May 24, 2012, an appeal of the Planning Commission decision was filed by Scott Littlehale representing the Carpenter's Local Union No. 46. On May 25, 2012, a second appeal was filed via email to the City Clerk by Steven A. Herum, Attorney at law, representing Citizens for Urban Renewal. A copy of the appeal Notices are included in this Report **(Attachments "2" and "3").** On May 24, 2012 a comment letter was received from Shirley and William Schroeder **(Attachment "4").**

Section 21-6-2 (d) of the Subdivision Ordinance requires that an appeal of the action of the Planning Commission must be received within 10-days after the date of the action. Upon filing of an appeal, the City Clerk shall set the matter for hearing. Such hearing shall be held within 30-days after the date of filing the appeal.

<u>Previous Actions related to the Project site:</u>

- On August 2, 2001 the Planning Commission approved a site plan and building design for a warehouse on this site for the Panattoni Development Company. That project was not built.

- On December 17, 2002 the City Council adopted the General Plan Policy Document, including Policy I.H.7, which states: "The City shall allow mixed use projects (e.g. retail/office/food service/industrial) in industrial designations as appropriate, particularly along East Main Street. A maximum of 80 percent commercial uses will be allowed in mixed use projects along heavily traveled arterials, and a maximum of 50 percent commercial within interior industrial areas."

- On July 23, 2002 the City Council adopted Ordinance 1347, rezoning the I-5 CR 102 interchange area with an Entryway Overlay Zone (I/EOZ) designation that includes the Project parcels. The location of the I/EOZ designation is provided in this Report, **(Attachment "6")**. The amended I/EOZ use table removed heavy industrial uses from the interchange area and instead provided for business offices and personal service functions. Specific design criteria for the I/EOZ area were approved in the Community Design Standards.

- On October 18, 2011, the City Council adopted Resolution No. 6037, amending the Public Facilities Fee Program Administrative Guidelines designating auto sales under the "industrial use" category. Council determined that new auto sales land use category should be changed to more accurately reflect auto dealership land use impacts **(Attachment "11").**

Discussion

Standard of Review under the California Environmental Quality Act (CEQA) For Considering the Appeals

In accordance with CEQA (Section 15070), a public agency may prepare a proposed negative declaration or mitigated negative declaration for a project when:

a) The Initial Study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment; or
b) The Initial Study identified potentially significant effects, but:
    1) Revisions in the project plans or proposals made by or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and
    2) There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

Here, an initial study was prepared which identified a potentially significant effect, but revisions to the Project, as well as the addition of mitigation measures, resulted in the conclusion that there is no substantial evidence, in light of the whole record, that the Project as revised and proposed to be mitigated may have a significant effect on the environment. Accordingly, the Planning Commission adopted a Mitigated Negative Declaration for the Project.

When determining whether to deny the appeals and affirm the Planning Commission's adoption of the Mitigated Negative Declaration, or whether to grant the appeals and require either revision of the Mitigated Negative Declaration or preparation of an environmental impact report (EIR), the City Council must consider whether substantial evidence in light of the entire record supports a "fair argument" that the Project **may** have a significant effect on the environment. If the City Council finds no such substantial evidence in the Mitigated Negative Declaration prepared for the Project, or elsewhere in the record, that the Project may significantly affect the environment, it must affirm the Planning Commission's adoption of the Mitigation Negative Declaration. (Pub. Res. Code § 21080(c)(1); CEQA Guidelines §§15063(b)(2), 15064(f)(3).)

Though the "fair argument" standard precludes the City Council from weighing competing evidence to determine who has a better argument concerning whether the Project may have a significant environmental impact, it does not mean that the Council has no discretion concerning the evidence or the determination of significance. The Council must consider the entire record and decide whether the information relating to potential Project impacts is "substantial evidence" sufficient to support a "fair argument" that the impacts may occur, and whether the identified impacts should be considered "significant."

The CEQA Guidelines section15384 (a) define "substantial evidence" as "enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached."

Substantial evidence includes facts; reasonable assumptions predicated on facts; and expert opinions supported by facts. However, substantial evidence ***does not*** include: argument; speculation; unsubstantiated opinion or narrative; clearly inaccurate or erroneous evidence; evidence that is not credible; and evidence of social and economic impacts that do not contribute to, and are not caused by, physical impacts on the environment.

Use:

The appeal notice filed by Steven A. Herum, on behalf of Citizens for Urban Renewal, questions whether auto sales uses are allowed in the Industrial Entryway Overlay Zone in accordance with Chapter 25, The Zoning Ordinance.

The General Plan sets the overall land use policy guidance for the City, which is then translated into specific standards and criteria in the Zoning Ordinance. With regard to mixed uses in the industrial zone, Policy 1.H.7 of the General Plan states:

"The City shall allow mixed use projects (e.g. retail/office/food service/industrial) in industrial designations as appropriate, particularly along East Main Street. A maximum of 80 percent of commercial uses will be allowed in mixed use projects along heavily traveled arterials, and a maximum of 50 percent commercial within internal industrial areas."

Mixed uses are permitted in the Industrial Entry Overlay Zone (I/EOZ). (Zoning Ordinance Section 25-18-10, Table 3, Industrial Land Use Table.) Agricultural equipment and machinery sales and services are permitted, if not abutting a residential zone. (*Id.*) Cafes and coffee shops are permitted, as are office uses. (*Id.*) Further, Section 25-18-10 (5) of the Zoning Ordinance, allows the Planning Commission and/or City Council to interpret the appropriate zone for any land use that is not specifically listed in the table, based on a finding of consistency with the purpose of the zone and that the use is of the same general character as that of the uses permitted in the zone. Here, the purpose of the I/EOZ, as reflected by the Zoning Code, the General Plan, and Resolution No. 6037, amending the Public Facilities Fee Program Administrative Guidelines, reflects that the mix of auto-sales, other retail and offices uses proposed for the Project are in keeping with intended character of the I/EOZ and therefore consistent.

The Planning Commission therefore appropriately found that the Mixed Use Development's proposed combination of auto dealerships with office and retail uses is a permitted mixed use in the Industrial/Entryway Overlay Zone and consistent with the City's General Plan and thus the Project is consistent with the Zoning Ordinance.

Given the intent of the General Plan policy 1.H.7, the purpose and characteristics of the Industrial/Entryway Overlay Zone, and the existing uses in the area, it is Staff's recommendation that the Council find that the Planning Commission acted correctly in determining that the Mixed Use Development is consistent with the zoning for the Project site.

Urban Decay:

"Urban decay" was referenced in the appeal filed by Citizens for Urban Renewal, and a speaker at the Planning Commission hearing suggested that the Project should be further analyzed to determine whether it would result in significant urban decay impacts. Under CEQA, the economic or social effects of a project are not treated as significant effects on the environment. (CEQA Guidelines Section 15131(a)). However, where a physical change is caused by economic or social effects of a project, the physical change may be regarded as a significant effect (CEQA Guidelines Section 15064(e)).). In *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal. App. 4th 1184,1207, the Court of Appeal considered whether a proposed shopping center would result in such secondary physical impacts, which it referred to as "urban decay." It held "[P]roposed new shopping centers do not trigger a conclusive presumption of urban decay. However, when there is evidence suggesting that the economic and social effects caused by the proposed shopping center ultimately could result in urban decay or deterioration, then the lead agency is obligated to assess this indirect impact."

Since the *Bakersfield* case, CEQA documents considering large scale retail projects such as shopping centers have routinely included a three step discussion and analysis.

- *First*, is there substantial evidence that the proposed project is of such scale or unique characteristics that its operation would cause competing businesses to close?
- *Second*, is there substantial evidence that the now-vacant land use would not be re-used ("re-tenanted") in the near future?
- *Third*, would a prolonged vacancy result in the neglect and subsequent decay of the land use to such an extent that the physical deterioration would interfere with the use of nearby properties?

The first item, size and nature of the development, is typically associated with "big box" or "category killer" retail uses. Retail uses such as large-scale bookstores, home improvement stores, grocery stores, and so-called "supercenters" are considered to have the type of characteristics that might cause the type of economic impacts that would result in the closure of competing businesses. The Project includes two phases.

<u>Phase I</u>

Phase I proposes 53,500 SF of auto sales uses with one parcel containing a 24,813 SF auto dealership and another containing a 33,167 SF dealership. Based on the nature of the automotive industry, the scale or characteristics of the proposed auto dealerships' operation would not be expected to cause competing businesses to close. This is because auto-dealerships, regardless of size, operate in a different manner than other retail uses that are typically the subject to urban decay studies.

For instance, the operations of a large-scale home improvement store might impact the profits of nearby smaller hardware stores because both retailers sell the same exact goods (light bulbs, wrenches, drills etc.) but the size of the home improvement store allows for a high-volume/low-price sales model that a smaller hardware store would not be able to compete with and thus might lose business to. Auto-dealerships operate under a radically different business model. Auto-dealerships are franchise-based businesses, licensed to sell the cars of only a single automotive company (i.e. Ford, General Motors, or Chrysler). Given this, even if two dealerships were directly adjacent and of wildly different sizes, the profitability of each dealership would not be a reflection of the profitability of the dealership next door, or of the size of its operations, but rather a reflection of the popularity, pricing, quality etc. of the car company whose cars the dealership is licensed to sell. In other words, the competition is not between dealerships, it is between car companies. Given this, there is no evidence to suggest that the proposed auto-dealerships would result in economic impacts that could cause competing businesses to close.

Members of the public have suggested that existing auto-dealers in Woodland might wish to relocate their existing businesses to the new Project. While this could occur, it would not trigger the need for an "urban decay" analysis, which concerns the impacts of a proposed new retail land use resulting in the closure of competing businesses. No business would close if a dealership relocated to the Project. Further, Woodland maintains a low vacancy rate and an active code enforcement process, so there is no basis to expect that the buildings or structures that might be vacated by a relocating dealership would either remain vacant in the long term, nor present significant signs of deterioration. For example, just last year, Hoblit Motors re-tenanted the former Century Buick site.

Phase II

The Phase II retail component would total 20,000 SF. The type of retail use or uses for Phase II has not yet been determined. The proposed retail uses would be located on two separate parcels, with each parcel containing no more than 10,000 square feet of retail, and no restriction on that 10,000 square feet of retail being further divided in to multiple, still smaller, individual retail uses on each parcel. Given this, there is no evidence to suggest that such a small amount retail use could have the economic force to result in the closure of a competing business.

Given this information, the answer to the first question is "no"— *is there substantial evidence that the proposed project is of such scale or unique characteristics that it would cause competing businesses to close?* Absent such evidence, there was no basis for the City to require the preparation of an "urban decay" study with regard to the Project..

Another question raised at the Planning Commission meeting was why the recent Woodland Gateway II EIR included an Urban Decay analysis while this Project's Mitigated Negative Declaration did not. (See **Attachments "7 and 8"** for a site location view of the two Projects). The Woodland Gateway II Project, as originally proposed was a regional commercial center with a maximum of 808,000 square feet of retail space, 30,500 square feet of restaurant uses, three hotels, an auto mall, and 100,000 square feet of office. Regional commercial centers are precisely the type of use that can result in the type of economic impact on existing retail businesses that may result in urban decay impacts. It was on this basis that an urban decay analysis was required for the Woodland Gateway II Project. Other than the fact that both projects include proposed auto-dealership uses, they have little else in common. The City must conduct CEQA review on each project on a case by case basis. What might be an appropriate level of environmental review for one project has no bearing on what is appropriate for another.

Therefore, it is staff's recommendation that the City Council affirm the Planning Commission's adoption of the Mitigated Negative Declaration, and affirm that there is no substantial evidence of a fair argument that the Panattoni project would result in significant urban decay impacts.

Auto/Truck Traffic:

The appeal notice filed by Steven A. Herum, Citizens for Urban Renewal – states "truck /vehicle conflicts." However, the specific concern or issue is not described. It is presumed that Mr. Herum is expressing a concern with regard to traffic conflicts between automobiles and trucks within an industrial area of the City.

A focused traffic analysis was prepared by KD Anderson for the Mitigated Negative Declaration. A multi-way stop analysis and traffic signal warrant analysis were completed to determine whether any change in operation or construction of a new signal was necessary as a result of the Project. The study evaluated Phase I (two auto dealerships) and the full proposed conceptual build out including Phase II. The analysis included consideration of the vehicles (such as trucks) associated with existing industrial uses near the Project.

The project traffic study did not include preparation of a new analysis of the I-5/102 interchange because the interchange was recently analyzed in the Gateway I, Gateway II, and I-5/102 project traffic studies associated with those project's respective EIRs. All of these studies assumed full build out of the Project parcel within the parameters of the current zoning; and as the Panattoni project did include a change in zoning, there would not be a significant change in traffic at the interchange relative to the previous studies.

Based on the results of this analysis, the Mitigated Negative Declaration concluded that, with the implementation of two Mitigation Measures (see below) the Project would not result in a significant impact as to any of the thresholds of significance employed by the City for analyzing potential transportation and traffic impacts.

Mitigation Measure TRAF-1: The applicant shall install a multi-way stop at Freeway Drive and East Main Street prior to completion of Phase 1 of the project. This control should also include advance signing for westbound traffic indicating the stop ahead (and if determined necessary by the City Engineer, a flashing beacon should be installed with the warning sign).

Mitigation Measure TRAF-2: Freeway Drive and East Main Street is identified as a future signalized intersection in the City's Major Projects Financing Plan. The applicant shall contribute to this signal through the payment of development fees. If the planned signal is constructed prior to completion of Phase 1, Mitigation Measure TRAF-1 would not be necessary.

Air Quality/Green House Gas (GHG)

Prior to the Planning Commission meeting of May 17, 2012, comments were received from the Carpenters Local Union 46 concerning the air quality and greenhouse gas analysis. These comments were repeated, in summary form, in the appeal filed on May 24, 2012 by Scott Littlehale on behalf of the Carpenter's Local Union No. 46. The City's Environmental consultants, Environmental Science Associates (ESA), prepared a response memo, dated May 9, 2012, to address those comments. The ESA Memo is included with this Report (**Attachment " 5")**. A summary statement from the Memo is included below:

Local 46 states that, based on their comments, the Project would have potentially significant environmental impacts and an EIR should be prepared. Local 46 assumes, without discussion, that the EIR will identify significant and unavoidable impacts (impacts which cannot be mitigated to a less-than-significant level), and that a statement of overriding consideration will be required. The City of Woodland (lead agency) has determined that there is no evidence in the record, including the Local 46 comment letter, which supports a "fair argument" that the Project, with implementation of the proposed mitigation measures, may result in significant adverse impacts. Thus, the Mitigated Negative Declaration is the appropriate CEQA documentation.

Therefore, it is staff's recommendation that the City Council affirm the Planning Commission's adoption of the Mitigated Negative Declaration, and affirm that there is no substantial evidence of a fair argument that the Panattoni project would result in significant cumulative impacts on global warming as a result of greenhouse gas emissions, or have cumulative regional air quality impacts as a result of unmitigated NOx gases.

Comment Letter

On May 24, 2012 the City received a comment letter from residents Shirley and William Schroeder. (**Attachment "4")**. In the letter the Schroeder's state that after reading the Daily Democrat article on May 19, 2012 that "*It would appear that Panattoni has not had the scrutiny that was given to the Gateway Center*".

As discussed above, the City must conduct CEQA review on each project on a case by case basis. What might be an appropriate level of environmental review for one project has no bearing on what is appropriate for another. The Panattoni project is located within city boundaries and was included in previous General Plan analysis for industrial development. The Woodland Gateway II project site is **not** located within city boundaries and was not included in any prior General Plan analysis as a potentially developable parcel, further it is located adjacent to a sensitive land use (the Waste Water Treatment Facility). As provided in the attached Planning Commission staff report from December 7, 2006, (**Attachment "9")**, the extensive level of CEQA review that would be required in order for the Woodland Gateway II project to move forward was identified in the petition report for the General Plan Amendment. General Plan Policy 1.J.2 requires extensive studies in order to determine "*appropriateness of development of Urban Reserve lands.*" Further, the Woodland Gateway II Project, as originally proposed, was a regional commercial center with 808,000 square feet of retail space. Other than the fact that both projects include proposed auto-dealership uses, they have little else in common, as they are of dramatically different scale and purpose.

Fiscal Impact

Upon development, the projects would pay development impact fees. Further, the business owners believe that locating to the more visible freeway frontage may have a positive impact on their sales. At their meeting of October 18, 2011 the City Council authorized a new land use category be established for auto dealerships in the next Nexus study/fee update for development impact fees. The council also authorized that the auto dealer land use be put in the Industrial land fee category until that update was completed. A discussion of this is provided in the attached City Council report from October 18, 2011, (**Attachment "11"**)

Public Contact

Public notice for the advertizing for the appeal hearing on this Project was prepared in accordance with the following:

- Legal notice of the item published in the Daily Democrat on June 9, 2012
- Notices mailed to all property owners within 300-feet of the project site on June 8, 2012
- Posting of the City Council agenda.

Commission Recommendation

The Project was reviewed before the Planning Commission on May 17, 2012. A copy of the Planning Commission Staff Report is attached, (**Attachment "10")**. Prior to the meeting, comments were received on the Mitigated Negative Declaration and a response memo prepared, a copy of which is attached, (**Attachment "5")**. Several individuals attended the meeting and offered comments regarding the project. After review of the materials, hearing all comments and deliberating on the issues, the Commission voted 5-0 to approve the project.

Alternative Courses of Action

Alternative #1 (Approve)

Staff recommends that the City Council review the information provided and take the following actions:

Adopt the attached Resolution No _____ affirming the Planning Commission's May 17, 2012 Findings and Conditions of Approval, which are contained in the Planning Commission Staff Report dated May 17, 2012 and in the minutes of its May 17, 2012 hearing on the Project, and thus affirms the Commission's adoption of the Mitigated Negative Declaration, approval of the Mitigation Monitoring and Reporting Program, and approval of the Tentative Parcel Map No. 5009, the Site Plan, Landscape Plan and Comprehensive Sign Plan for Parcels 1 and 2 for the Project.

Alternative #2: (Approve with Modifications)

Adopt the attached Resolution No _____ Affirms the Planning Commission's May 17, 2012 Findings and Conditions of Approval contained in the Planning Commission Staff Report dated May 17, 2012 and in the minutes of its May 17, 2012 hearing on the Project, and thus affirms the Commission's adoption of the Mitigated Negative Declaration, approval of the Mitigation Monitoring and Reporting Program, and approval of the Tentative Parcel Map No. 5009, the Site Plan, Landscape Plan and Comprehensive Sign Plan for Parcels 1 and 2 for the Project **subject to the following further conditions and revisions:**

Alternative #3 (Deny – Uphold the Appeal, Require Additional Environmental Review)

Adopt the attached Resolution No. ______ **Grants the appeals and rescinds** the Planning Commission's May 17, 2012 Findings and Conditions of Approval, which are contained in the Planning Commission Staff Report dated May 17, 2012 and in the minutes of its May 17, 2012 hearing on the Project, and thus rescinds the Commission's adoption of the Mitigated Negative Declaration, approval of the Mitigation Monitoring and Reporting Program, and approval of the Tentative Parcel Map No. 5009, the Site Plan, Landscape Plan and Comprehensive Sign Plan for Parcels 1 and 2 for the Project.

The Council further directs that the following additional environmental analysis be conducted and included in a re-circulated Mitigated Negative Declaration: XXXX;

OR

The Council further directs that an environmental impact report be prepared to analyze the potential environmental impact of the Project.

Recommendation for Action

Staff recommends that the City Council approve Alternative No. 1.

Prepared by: Cindy A. Norris
Principal Planner

Reviewed by: Andrew Morris
City Attorney

Paul Navazio
City Manager

Attachment(s):

Attachment 1 – Resolution No. ____ City Council Action on the Panattoni Appeal
Attachment 2 - Appeal Notice – Scott Littlehale, Carpenters Local Union No. 46
Attachment 3 – Appeal Notice – Steven A. Herum, Attorney, Citizen for Urban Renewal
Attachment 4 – Comment Letter from Shirley and William Schroeder
Attachment 5 – May 9, 2012 Response Memo from ESA
Attachment 6 – Entryway Overlay Zoning Map
Attachment 7 – Existing, Approved and Proposed Projects
Attachment 8 – Overall Vicinity Map
Attachment 9 – Planning Commission General Plan Petition Staff Report from December 7, 2006
Attachment 10 – Planning Commission Staff Report from May 17, 2012 (cover only)
Attachment 11 – City Council Staff Report from October 18, 2011 (cover and Resolution 6037)

RESOLUTION NO. ______
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND [AFFIRMING/RESCINDING] THE PLANNING COMMISSION'S ADOPTION OF A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PLAN PURSUANT TO CEQA FOR THE PANATTONI TENTATIVE PARCEL MAP AND MIXED USE PROJECT AND [APPROVING/RESCINDING APPROVAL OF] THE PROJECT

WHEREAS, An application for a Tentative Parcel Map and Mixed Use Development was filed by Panattoni Development Company on December 20, 2011 for the site located south of East Main Street and the multi-tenant industrial development, north of the I-5 Freeway, west of the existing Health club and John Deere dealership, and east of warehouse and commercial trucking operations between Freeway Drive and Quality Circle. The site fronts on the I-5 freeway directly across from the Costco and Woodland Gateway I development. The application proposed two auto dealerships to be located at the south end of the site, adjacent to the freeway frontage, with office and retail mixed uses to be located on the north end of the site (the "Panattoni Mixed Use Project" or "Project.")

WHEREAS, on May 17, 2012 the Planning Commission of the City of Woodland held a noticed public hearing to consider the Mitigated Negative Declaration and the Tentative Parcel Map and Mixed Use Development application for the Panattoni Mixed Use Project; and

WHEREAS, at that meeting the Planning Commission of the City of Woodland considered all comments received on the Mitigated Negative Declaration during the public comment period, as well as comment received prior to and during the meeting; and

WHEREAS, on May 17, 2012 the Planning Commission of the City of Woodland adopted the Mitigated Negative Declaration after finding, that the Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis, and that, on the basis of the whole record before it, that there was no substantial evidence that the Project, with the implementation of the recommended mitigation measures, would have a significant effect on the environment; and

WHEREAS, on May 17, 2012 the Planning Commission of the City of Woodland approved the Mitigation Monitoring and Reporting Program for the Project, which includes all mitigation measures recommended in the adopted Mitigated Negative Declaration; and

WHEREAS, on May 17, 2012 the Planning Commission of the City of Woodland approved the Tentative Parcel Map No. 5009, the Site Plan, Landscape Plan and Comprehensive Sign Plan for Parcels 1 and 2, but did not approve the building elevation designs for Parcels 1 and 2, and which it order to undergo further Planning Commission review and approval; and

WHEREAS, on May 24, 2012 an appeal of the Planning Commission's decision was filed by Scott Littlehale representing the Carpenter's Local Union No. 46; and

WHEREAS, on May 25, 2012 an appeal was emailed by Steven A. Herum, Attorney at law, representing Citizens for Urban Renewal; and

WHEREAS, on June 19, 2012, pursuant to Subdivision Code section 21-6-2(d), the City Council held a duly noticed public hearing to consider the two appeals at which it considered all materials concerning the Project that were before the Planning Commission on May 17, 2012, the minutes of the Planning Commission's May 17, 2012 hearing on the Project, all written and oral comments from the public and appellants, as well as all written and oral presentations of City staff; and

NOW, THEREFORE, IT IS HEREBY RESOLVED, that, on the basis of the entire record before it, the City Council of the City of Woodland hereby:

[The Council has three options]

Affirms the Planning Commission's May 17, 2012 Findings and Conditions of Approval, which are contained in the Planning Commission Staff Report dated May 17, 2012 and in the minutes of its May 17, 2012 hearing on the Project, and thus affirms the Commission's adoption of the Mitigated Negative Declaration, approval of the Mitigation Monitoring and Reporting Program, and approval of the Tentative Parcel Map No. 5009, the Site Plan, Landscape Plan and Comprehensive Sign Plan for Parcels 1 and 2 for the Project.

OR

Affirms the Planning Commission's May 17, 2012 Findings and Conditions of Approval contained in the Planning Commission Staff Report dated May 17, 2012 and in the minutes of its May 17, 2012 hearing on the Project, and thus affirms the Commission's adoption of the Mitigated Negative Declaration, approval of the Mitigation Monitoring and Reporting Program, and approval of the Tentative Parcel Map No. 5009, the Site Plan, Landscape Plan and Comprehensive Sign Plan for Parcels 1 and 2 for the Project **subject to the following further conditions and revisions**: XXXXX

OR

Grant the appeals and rescinds the Planning Commission's May 17, 2012 Findings and Conditions of Approval, which are contained in the Planning Commission Staff Report dated May 17, 2012 and in the minutes of its May 17, 2012 hearing on the Project, and thus rescind the Commission's adoption of the Mitigated Negative Declaration, approval of the Mitigation Monitoring and Reporting Program, and approval of the Tentative Parcel Map No. 5009, the Site Plan, Landscape Plan and Comprehensive Sign Plan for Parcels 1 and 2 for the Project.

The Council further directs that the following additional environmental analysis be conducted and included in a re-circulated Mitigated Negative Declaration: XXXX;

OR

The Council further directs that an environmental impact report be prepared to analyze the potential environmental impact of the Project.

.

PASSED AND ADOPTED by the City Council on _______, 2012, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

____
Artemio Pimental, Mayor

ATTEST:

____
Ana Gonzalez, City Clerk

Dated:________________________

APPROVED AS TO FORM:

____
Andrew Morris, City Attorney

ATTACHMENT 2

NOTICE OF APPEAL

To the Secretary of the Planning Commission of the City of Woodland:

I (we) wish to appeal the Planning Commission decision made Thursday May 17, 2012 **regarding the (approval) (denial) of the** Tent. Map No. 5009; Mixed-use site plan; 1st ph site plan; MND **for the** Panattoni Mixed-Use **project located at** APN 027-851-024-000 **in the** EOZ-I/PD **Zone, for the following reasons:** Adoption of the Initial Study/Mitigated Negative Declaration was not supported by the record. Carpenters Local Union No. 46 raised fair arguments, backed by substantial evidence, that the project will have cumulative impacts on global warming via unmitigated, project-related greenhouse gas emissions; the project also will have cumulative regional air quality impacts via unmitigated emissions of NOx gases from the project and other nearby projects - emissions for which regional air quality plans are not designed to adequately address. An EIR therefore is necessary.

Appeal is made in accordance with Section 21-6-2(d) **of the Zoning Ordinance of the City of Woodland is accompanied by the filing fee of $**238.

Scott Littlehale

Carpenters Local Union No. 46

Name(s)

4421 Pell Dr.

Address

Sacramento, CA

City

(510) 376-9506

Phone

Date Received and Filing Fee Paid: ______________

By: ______________________________

RECEIVED

MAY 24 2012

CITY CLERK'S OFFICE

PLNG-12-00022

$238.00

N/comshare/departments/cddplaningforms/instructions for filing appeals

ATTACHMENT 3

HERUM\CRABTREE
ATTORNEYS

Steven A. Herum
sherum@herumcrabtree.com

May 25, 2012

VIA OVERNIGHT MAIL
Ms. Ana Gonzalez
City Clerk
City of Woodland
520 Court Street
Woodland, California 95695

Re: Appeal of Planning Commission Approval of Panattoni Tentative Parcel Map and Mixed-Use Project - Request to approve: (1) Tentative Parcel Map No. 5009 to subdivide 24.363 acres into 8 parcels along East Main Street in the EOZ I/PD zone, (2) Mixed-use project conceptual site plan, and (3) Site plans, landscape plans, Comprehensive Sign Plan, and building elevation designs for first phase of the project. The site (APN 027-851-024) is located South of East Main Street, North of Interstate 5, West of Quality Circle, and East of Freeway Drive. The requested entitlements include a Tentative Parcel Map, review of the proposed Initial Study and Mitigated Negative Declaration and the proposed adoption of the Mitigation Monitoring and Reporting Plan, and a review of the Site Plan, Design Review, and a Comprehensive Sign Plan for the proposed Phase 1 of the development.

Dear Ms. Gonzalez:

This office represents Citizens for Urban Renewal, an unincorporated association of property owners, residents and voters of the City of Woodland. The association now files this appeal of the Planning Commission decision to the Woodland City Council.

Attached to this letter are the NOTICE OF APPEAL and a check in the amount of $238.00 for the filing fee. Please provide me with actual written notice of all notices, documents, reports and other written material concerning the Panattoni land use application.

My client respectfully requests a city council hearing *de novo*.

Very truly yours,

STEVEN A. HERUM
Attorney-at-Law

Encls.

cc: Client

NOTICE OF APPEAL

To the Secretary of the Planning Commission of the City of Woodland:

I (we) wish to appeal the Planning Commission decision made May 17, 2012 regarding the (approval) (denial) of the MND & Tentative Map for the Panattoni M-U project located at Freeway Dr. in the Industrial/EOZ Zone, for the following reasons: The MND does not address significant environmental impact of the project including truck/vehicle conflicts & urban decay; the intended auto sales use is not allowed in the Industrial Zone per the use tables in the City Zoning Ord.

Appeal is made in accordance with Section 2-6-26) of the Zoning Ordinance of the City of Woodland is accompanied by the filing fee of $ 238.00.

Citizens For Urban Renewal

by: Steven A. Herum
Name(s) Attorney

5757 Pacific Ave. #222
Address

Stockton CA 95207
City

Phone: 209. 472.7700

Date Received and Filing Fee Paid: ________________

By: ______________________________

N:\ComShare\DEPARTMENTS\PLANNING FORMS\cover may 09.doc

ATTACHMENT 4

1804 Campos Avenue
Woodland, CA 95776
5/22/2012

RECEIVED
MAY 24 2012
BY:______

City of Woodland
Planning Commission
300 First Street
Woodland, CA 95695

RE: Approval of Woodland Auto Center

TO ALL CONCERNED:

If the action of the City Planning Commission is accurately reported by The Daily Democrat in Sunday's edition [5/19/12] we can only ask, "What were you thinking?" We fail to see the justice of your decision. We also fail to see the wisdom of it.

It would appear that Panattoni has not had the scrutiny that was given to the Gateway Center. You had the ability to approve the Gateway projects, but seemed to be much more critical in the progress, asking for more and more reports. Why not work on really completing a project before starting others of competing nature? Will Panattoni be asked to make a 3 million dollar sales tax generating investment on Main Street? What will happen to the empty buildings? Will there still be any assistance for the theater complex that was suggested at Main and Third?

Isn't the issue really about not having to split the sales tax monies with the county?

Mr. Petrovich has jumped all of the hoops requested. He has invested in our city. Yet it appears that you have 'double crossed' him and the Gateway Project. You have the power of approval. The Gateway Center has generated millions of dollars from sales. We should be grateful. Yet, it is like 'stabbing Mr. Petrovich in the back". . The larger number of people attracted to spend money in our community has been tremendously enhanced by the Gateway Center. It certainly makes it seem like the city is ungrateful for any progress made in assisting our city

If the article is correct, it does not sound like a level playing field was activated. We would hope that you reconsider. Has the city attorney been involved in this action? If not, I believe the commission has opened the door for litigation.

We are appalled by your action. We do hope that you will reconsider.

Sincerely,

Shirley & William Schroeder

Shirley and William Schroeder

cc: City Council

ATTACHMENT 5

ESA Community Development

2600 Capitol Avenue
Suite 200
Sacramento, CA 95816
916.564.4500 phone
916.564.4501 fax

www.esassoc.com

memorandum

date May 9, 2012

to Paul Hanson

from Brian Grattidge

subject Panattoni Mixed Use Development - Comments on the Mitigated Negative Declaration

In compliance with the California Environmental Quality Act (CEQA), the City of Woodland circulated a proposed Mitigated Negative Declaration (MND) on April 4, 2012, for a period of 30 days. Four written comment letters were received during that time. Two additional comment letters were received after the 30-day period but are nevertheless addressed in this memorandum.

- Yolo County (email)
- California Department of Transportation, District 3
- Regional Water Quality Control Board, Central Valley
- Yolo County Environmental Health Department (late)
- Carpenters Local 46
- Woodland Motors (late)

Consideration of Comments

CEQA requires that the decision-making body of the lead agency "consider" any comments received during the public review process (CEQA Guidelines Section 15074). Unlike an environmental impact report, formal written responses to the comments are not required. Nevertheless, in order for the decision-making body (in this case, the Planning Commission) to make an informed decision in considering the proposed project, a summary of the comments received and a response to each comment are provided below. The comment letters, in their entirety, are attached to this memorandum. In addition, clarifications and minor revisions made to the proposed negative declaration as a result of the comments are attached.

Yolo County. Email dated April 19, 2012.

County staff, on behalf of the Joint Powers Authority, provides comments on the Habitat Conservation Plan and the project's potential impact on Swainson's hawk and its habitat. In addition to some technical clarifications, the JPA states:

> I agree that a specific biological assessment is not warranted if the site is identified as foraging habitat, as long as your biological consultant has ruled out burrowing owl. Lastly, the Habitat JPA cannot require mitigation nor does it approve it. The HCP/NCCP Planning Agreement and JPA formation documents, executed by the cities, UC Davis, and the county, stipulate as to how mitigation for Swainson's hawk will be carried out. Perhaps a better way to frame that statement would be to say that impacts to Swainson's hawk will be mitigated in accordance with DFG polices and the Habitat JPA's Swainson's Hawk In Lieu Mitigation Fee Program.

ESA, as the City's environmental consultant, has determined it is reasonable to identify the project site as foraging habitat for the Swainson's hawk. We have also determined a low probability that the site is suitable for burrowing owl habitat (see Appendix B of the MND). As the lead agency, and a participant in the JPA, the City will require mitigation in accordance with DFG policies and the Swainson's Hawk In Lieu Mitigation Fee Program.

No changes to the MND are required. Mitigation Measure BIO-2 would mitigate potential impacts to Swainson's hawk, as discussed by the commenter.

California Department of Transportation, District 3. Letter dated May 3, 2012.

The Department notes that the projected project trip generation exceeds 100 trips during the peak hour and requests that a traffic impact study for the I-5 interchange be prepared. The Department then identifies the parameters of a typical interchange study, and the need for an Encroachment Permit from the Department if highway improvements are proposed by the City.

The City has studied the I-5 / CR 102 interchange extensively. Traffic impact studies were prepared for the Gateway I project, the Gateway II project, and the I-5 / CR 102 Interchange Study. These studies are available for review at Woodland Planning Department. Each of these studies considered the cumulative impacts of development affecting the I-5 interchange. The proposed project (Panattoni) is consistent with the general plan designations and zoning that were used in the cumulative analysis for these studies. Based on this, the City concluded that the trips generated by the Project would not generate the need for highway improvements on I-5, and thus would not require an Encroachment Permit from the Department. The City has determined that the impacts to I-5 have been previously addressed, and in prior environmental impact studies, and where necessary, appropriate mitigation measures adopted. Given this, the focus of the Panattoni traffic analysis was properly focused on local circulation (East Main Street at Freeway Drive and at Quality Circle). (See MND at pp. 54-57 and Appendix E.)

Regional Water Quality Control Board, Central Valley Region. Letter dated May 3, 2012.

The Board identifies several permits that may be required for the proposed project, including:

- Construction Stormwater Permit
- MS4 Permits
- Industrial Storm Sewer Permit
- Clean Water Act Section 404 Permit
- Clean Water Act Section 401 Permit
- Waste Discharge Requirements

The MND identifies the Regional Water Quality Control Board as a potential responsible agency (due to its permitting authority). The applicant will be required to obtain and comply with all Board permits. The biological analysis considers the presence of waters of the U.S. and concluded there were no jurisdictional waters within the project site. Therefore, Section 404 and 401 Permits are not required. As the commenter does not raise any issues with the impact evaluation or proposed mitigation measures, no further response from the lead agency is required.

Yolo County Health Department – Environmental Health. Land Use Review Form dated May 2, 2012.

The Yolo County Health Department, Environmental Health division, submitted a completed Land Use Review Form for the Project. The Form notes that, prior to handling hazardous materials in quantities greater than 55-gallong, 500-pounds, or 200-cubic feet, or generating hazardous waster at the Project site, a Hazardous Materials/Waste Application Package must be completed and submitted.

As discussed on pages 36-38 of the MND, no such uses are currently proposed as part of the Project but the comment is noted.

The Form also requests that certain conditions be imposed on the Project:

- Project will connect with both City of Woodland wastewater and potable water systems
- Any unused well or septic systems discovered during the development project must be abandoned under permit with Yolo County Department of Health
- Persons conducting retail distribution of food, beverage, or ice must have a current valid permit with Yolo County Environmental Health.

The Project will Project will connect with both City of Woodland wastewater and potable water systems (see MND p. 5 -59). The Project will be required to obtain all applicable permits for abandonment of wells or septic systems from the Yolo County Department of Health. Finally, it is noted that valid permits from the County are required for the retail distribution of food, beverage or ice.

Carpenters Local 46. Letter dated May 4, 2012.

The comment letter from Carpenters Local 46 ("Local 46") raises several issues with regards to Greenhouse Gas (GHG) emissions and air quality impacts. Each section of the comment letter is summarized below, and, where appropriate, a response is provided.

I. Introduction.

The introduction summarizes the proposed project, states that the project would have significant impacts related to GHG and cumulative air quality effects, and urges the City to prepare an EIR. The issues raised regarding GHG and air quality are further discussed below.

II. Standing

Local 46 offers an explanation of what they believe to be their interest in the environmental review process.

III. Legal Standard

Local 46 describes the "fair argument" standard which, under CEQA, requires the preparation of an EIR when there is a "fair argument" that the project would have a significant impact upon the environment. As discussed below, the City of Woodland (lead agency) has determined that there is no evidence in the record, including the Local 46 comment letter, which supports a "fair argument" that the Project, with implementation of the proposed mitigation measures, may result in significant adverse impacts. Thus, the MND is the appropriate CEQA documentation.

IV. A. GHG Impacts

Local 46 identifies four issues they believe indicate that the Project will have a significant impact related to GHG emissions. Each of these issues is discussed below.

1. Local 46 states that the Project would generate high GHGs in absolute terms, even after mitigation. Local 46 references the MND, which calculates GHG emissions of 4,436.20 MT/yr with the implementation of mitigation measures. The MND also discusses a potential screening criterion of 900 MT/yr, a level below which further analysis would not be necessary. The basis for this, described in the MND, is the California Air Pollution Control Officers Association (CAPCOA) 2008 publication "CEQA and Climate Change." Local 46 does not argue for or against the use of this number as a "de minimus" threshold, but merely argues that 4,436.20 MT/yr is too high in absolute terms because it exceeds the de minimus threshold adopted by the City. The commenter appears to misunderstand the purpose of the "de minimus" threshold. Had the Project been determined to be below that threshold, the City would have concluded its analysis of the Project's GHG emissions there. Because the Project was found to exceed that threshold, the City continued its analysis of the Project's GHG emissions to determine if, with or without mitigation, the Project GHG emissions impacts would be less than significant. The significance threshold is different than a "de minimus" threshold. A Project can have some impact, and thus exceed the "de minimus" threshold but also have a "less than significant" impact if its GHG emissions are, or can be brought to, below the significance threshold established by the City. The use of thresholds based to the extent possible on scientific and factual data, such as the de minimus threshold taken from CAPCOA's publication, are a necessary and established part of CEQA analysis. (CEQA Guidelines §§ 15064(b); 15064.7; *Citizens for Responsible Equitable Environmental Development* v. City of Chula Vista (2011) 197 Cal.App.4th 327). No further response to this issue is needed, as Local 46 provides more specific comments on the threshold below.

2. Local 46 states the threshold used in the MND is inadequate. Specifically, Local 46 states [correctly] that the Yolo-Solano Air Quality Management District (YSAQMD) has not adopted a threshold with regard to GHG emissions. They go on to note that other air district have adopted such standards and that the MND cites the San Joaquin Valley Air Pollution Control District (SJVAPCD) in using a threshold based on achieving a 29% reduction (compared to "Business as Usual" which is discussed further, below). The notes that the SJVAPCD threshold was informational but does not select, or state, that the MND is implementing analysis under the SJVAPCD threshold. Instead it selects a threshold of 29% reduction that it notes reflects the policy direction of AB 32. (MND at p. 32-33.) Absent a locally or regionally adopted climate action plan or greenhouse gas reduction plan, an evaluation of a project's consistency with the goals expressed in AB 32 is a reasonable approach. (*See Citizens for Responsible Equitable Environmental Development* v. City of Chula Vista (2011) 197 Cal.App.4th 327, 337 [city properly exercised its discretion to utilize compliance with [AB] 32 as the threshold].) AB 32 does not provide

local mandates, but provides an overall goal for the State. Actual land use targets for GHG reduction, as shown in the AB 32 Scoping and in adopted SB 375 targets (both documents are available from the California Air Resources Board website, www.arb.ca.gov).

Local 46 then states the MND "omits discussion of the SJVAPCD Guidance Document for Establishing Business-as-Usual and Baseline scenarios" and "must detail its methodology for measuring 'business as usual' emission." Local 46 states that neither YSAQMD nor SJVAPCD have developed emission factors to create a business as usual scenario. This is correct, but as further discussed below, is not relevant, because the lead agency has discretion to determine the appropriate business as usual scenario against which to evaluate the Project.

Local 46 also states that they received information that the CalEEMod emissions modeling program does not create a "business as usual" scenario by default. That is also not in dispute. The "business as usual" scenario is based on the original project application, as described below.

Finally, Local 46 claims that the "unmitigated" Project, which is used to represent the business as usual scenario is hypothetical and that this creates a fundamental flaw in the analysis. The City disagrees with this based on the following factors:

- The "unmitigated" scenario evaluated in the EIR to determine the Project's operational GHG emissions accurately reflects the land use proposal submitted by the applicant to the City. The applicant submitted an application for development that was within the level of development permitted under existing zoning and the general plan, and reflects the characteristics of the site, and the development market. The applicant was not privy to any discussions by the City concerning the threshold that would be used in analyzing the GHG emissions and therefore had no incentive to propose a project that was anything other than what they hoped would ultimately be approved.

- The originally proposed floor area ratios (and the subsequent square footage of the buildings) are well within the existing zoning and general plan standards. Given this, Local 46, has no basis to claim that the applicant did not intend to receive entitlements for two large (5500 SF) drive-through restaurants. Indeed, the proposed mitigation measure that would restrict restaurant development to one 2500 SF drive-through is an effective, and unprecedented (within Woodland), measure to reduce unnecessary vehicle travel. The statement by the preparer of the GHG analysis, as quoted by Local 46, that a 2500 to 3000 SF drive-through is more common, is a reflection that the Project, as mitigated, is still feasible; it is not a statement that the originally proposed project is somehow unrealistic or was an attempt to "game" (using the words of Local 46) the system.

3. Local 46 states that the other four GHG mitigation measures (GHG 2 through 5) contain errors that overestimate the reductions in GHG. According to Local 46, the solar mitigation measure, GHG-2, has the largest degree of error. Unrelated to Local 46's comments, the City has now opted to replace this mitigation measure due to questions regarding its feasibility, and has recalculated the other proposed GHG reduction measures. The solid waste measure, also questioned by Local 46, has been replaced, as it is no longer necessary to meet the reduction target. The modified mitigation measures, and the associated calculations, are attached to this memorandum.

4. Local 46 states that the GHG emissions in the MND would exceed the significance thresholds adopted by other air pollution control districts. The commenter particularly discusses the Bay Area Air Quality Management District and San Luis Obispo Air Pollution Control District thresholds and states that they should be considered. The commenter does not state why such thresholds are more applicable or relevant to the Project, except that they are lower thresholds than the 29% reduction threshold employed by the City. The commenter does not explain why, in terms of land use patterns and meteorology, thresholds developed in the Bay Area and Central Coast would be more appropriate to a project in the City of Woodland than a threshold developed by an air district in the San Joaquin Valley.

   Further, CEQA Guidelines Section 15064.7(c) discusses the use of thresholds adopted by other agencies for use in a CEQA document. The decision to use such a threshold must be supported by substantial evidence. In this instance, the City considered whether the Project would be consistent with the goals of AB 32 based on whether, with mitigation, it could achieve a reduction of 29% in GHG emissions from the level of development permitted by the City's zoning laws and reflected in the originally proposed project. Under CEQA Guidelines 15064.4(b), lead agencies are allowed to decide what threshold of significance to apply to a project's GHG emissions. (*See Citizens for Responsible Equitable Environmental Development v. City of Chula Vista* (2011) 197 Cal.App.4th 327, 337.) Further, in *Citizens for Responsible Equitable Environmental Development v. City of Chula Vista* (2011) 197 Cal.App.4th 327, 337, the Court of Appeal expressly found that the use of compliance with AB 32 as a threshold of significance was appropriate. That decision also supports the City's choice of a 29% reduction standard. Absent a local or regionally adopted plan, the implementation of AB 32, a statewide goal, is the most relevant consideration for the lead agency and the City properly used its discretion under CEQA Guidelines 15064.79c) in adopted compliance with AB 32 as its threshold.

IV. B. The Project will have significant unmitigated cumulative impacts on regional air quality.

Local 46 states the project relied upon an incorrect threshold for ROG and NO_x when analyzing the Project's potential regional air quality impacts. The City has corrected this in the MND (attached) by recalculating ROG and NO_x in tons per year (rather than pounds per day), consistent with the latest recommendation by YSAQMD. The commenter concedes that, even after converting to tons per year, the project does NOT exceed the thresholds recommended by YSAQMD, and used in the MND. However, Local 46 asserts that because the Project is "close" to exceeding the threshold, the Project must be *cumulatively* significant. Local 46offers no evidence to support this assertion. Instead, Local 46 quotes from the YSQMD guidance in an effort to argue that there is a cumulative impact, but Local 46 omits the following, dispositive, language from YSQMD's guidance document:

> In short, project emissions that are not consistent with the AQAP, SIP, or exceed District thresholds will have a significant cumulative impact unless offset." (YSAQMD CEQA Handbook, page 29)

As documented in the MND, the Project is consistent with the land use and zoning assumptions, and transportation improvements that go into the AQAP and SIP. Further, the Project does not exceed the YSQMD's threshold. Therefore, Local 46 does not offer any evidence that the Project would have a cumulative impact on the environment. The YSQMD's threshold recognizes the fact, that to a large extent, all ozone impacts are cumulative: the NOx emitted by one project cannot be traced to a specific adverse change in the environment, but the cumulative emissions of NOx and ROG in the air basin will result in the potentially significant ozone impacts. The Project's NOx and ROG emissions are not significant on a project or cumulative level.

D. The project requires the preparation of an EIR.

Local 46 states that, based on their comments, the Project would have potentially significant environmental impacts and an EIR should be prepared. Local 46 assumes, without discussion, that the EIR will identify significant and unavoidable impacts (impacts which cannot be mitigated to a less-than-significant level), and that a statement of overriding consideration will be required. As the City has determined the points raised by the commenter do not contain evidence of a "fair argument" that the project, as proposed for mitigation, will have a significant impact on the environment. Accordingly, the discussion of preparation of an EIR and a statement of overriding considerations is unnecessary.

The commenter then concludes by asking the City not to approve the MND or the project, and requests notice of any future actions related to the project. The City has already placed Local 46 on the notification list and will continue to do so.

Woodland Motors. Memo received May 10, 2012.

The commenter identifies suggested revisions to the MND. As these revisions do not reflect the adequacy of the MND, the comments are noted.

Revisions to the Mitigated Negative Declaration

As a result of comments, as well as review by City staff, some minor modifications to the MND are necessary. These revisions include a correction to the air quality section (criteria air pollutants) to be consistent with the latest guidance from YSAQMD, and revisions to the GHG Mitigation Measures. CEQA Guidelines Section 15074.1 describes the process for replacing mitigation measures in a proposed MND. In short, a lead agency may replace proposed mitigation measures with measures that are equivalent or more effective if the lead agency does the following:

1. Holds a public hearing.

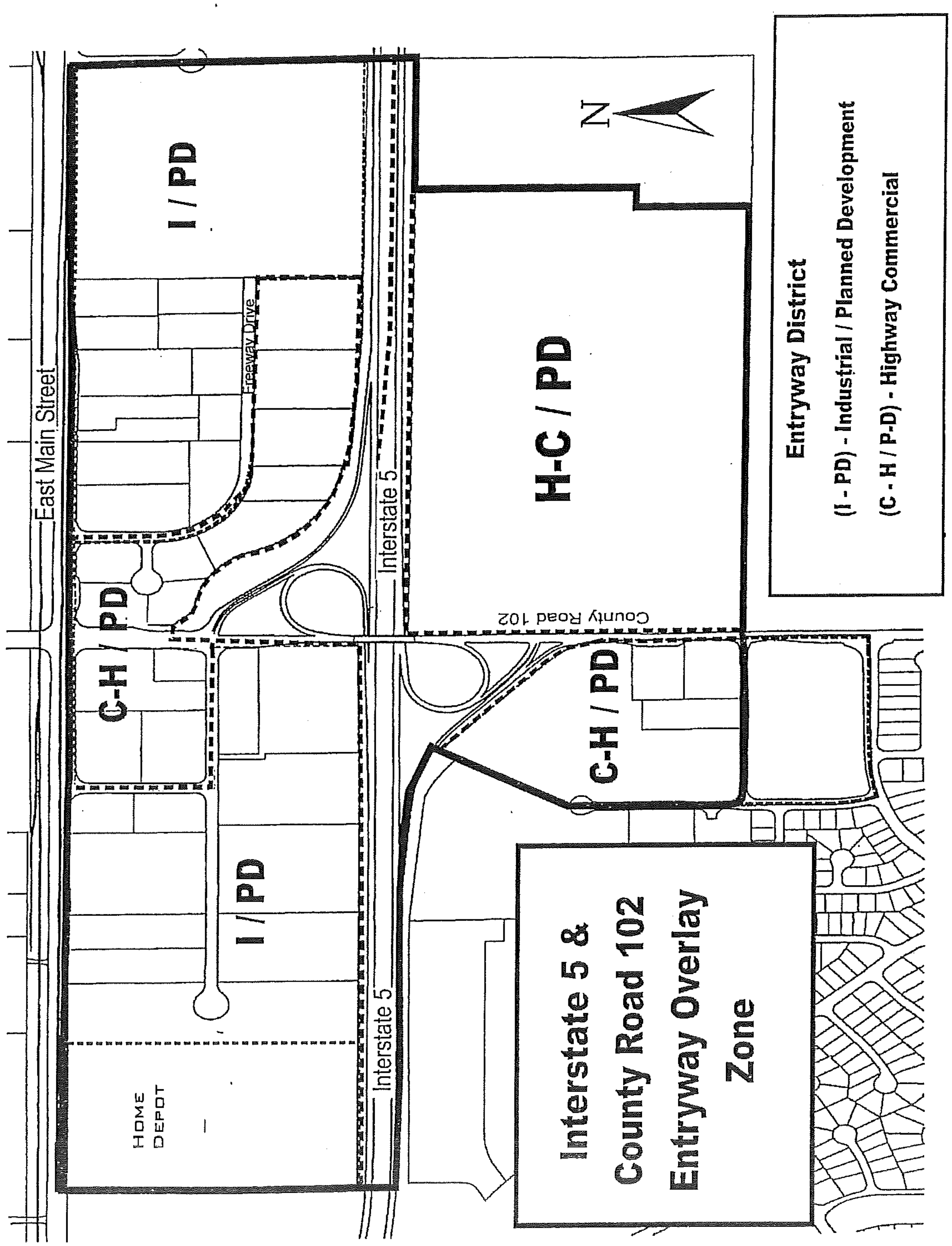
2. Makes written findings that the new measures are equivalent or more effective and would not result itself in a significant impact.

In such instances, recirculation of the MND is not necessary. The City will follow this procedure at the hearing for the proposed project when the MND. At that hearing, if the project is approved, the City will also adopt a Mitigation Monitoring and Reporting Program (MMRP), attached to this memorandum, for all mitigation measures required as part of the MND.

Attachments:

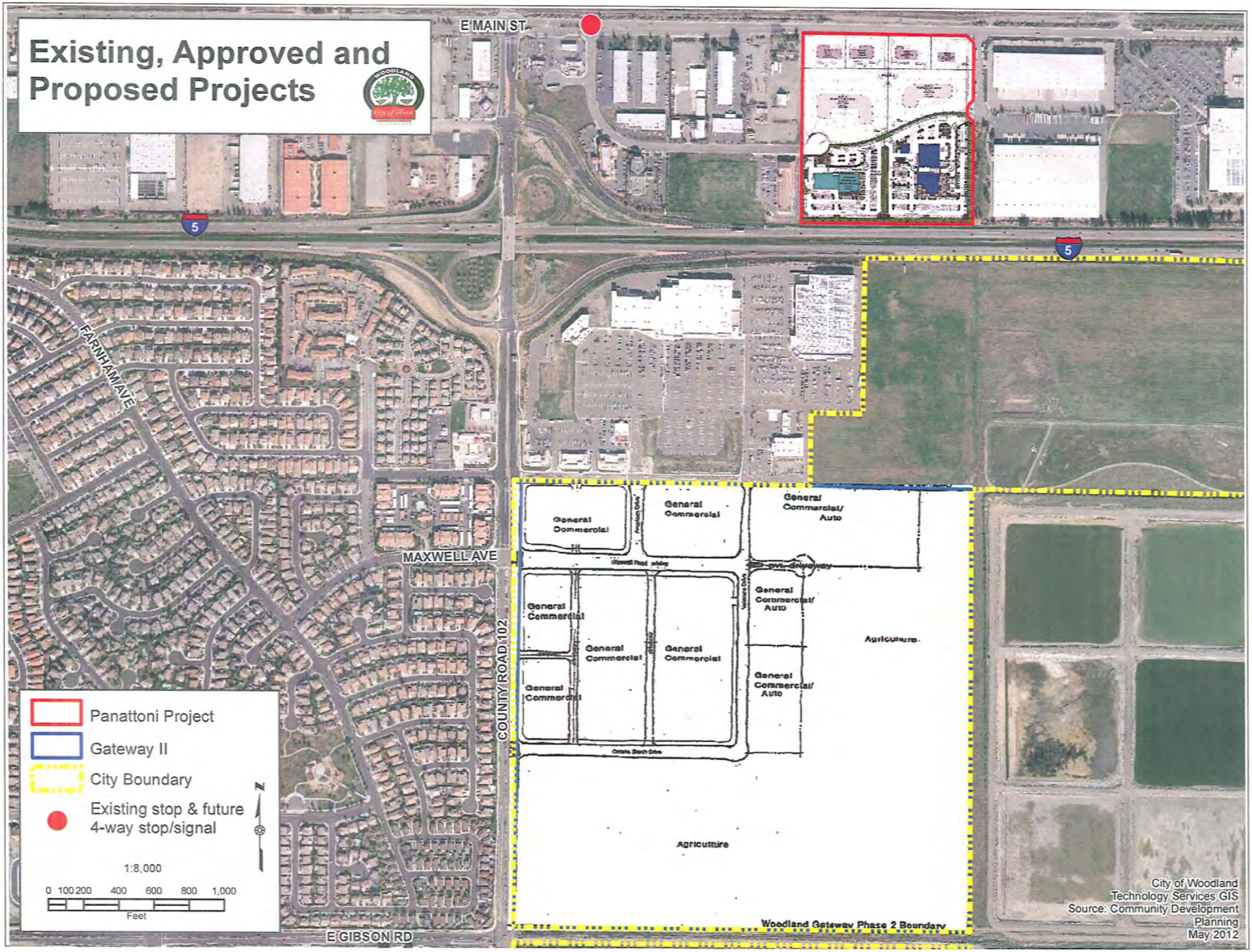
1. Comment Letters
2. Revisions to the MND
3. GHG Calculations (Revised)
4. MMRP

ATTACHMENT 6


Entryway District
(I - PD) - Industrial / Planned Development
(C - H / P-D) - Highway Commercial
N
I / PD
H-C / PD
C-H / PD
C-H / PD
I / PD
East Main Street
Freeway Drive
Interstate 5
Interstate 5
Interstate 5
County Road 102
HOME DEPOT
Interstate 5 & County Road 102 Entryway Overlay Zone

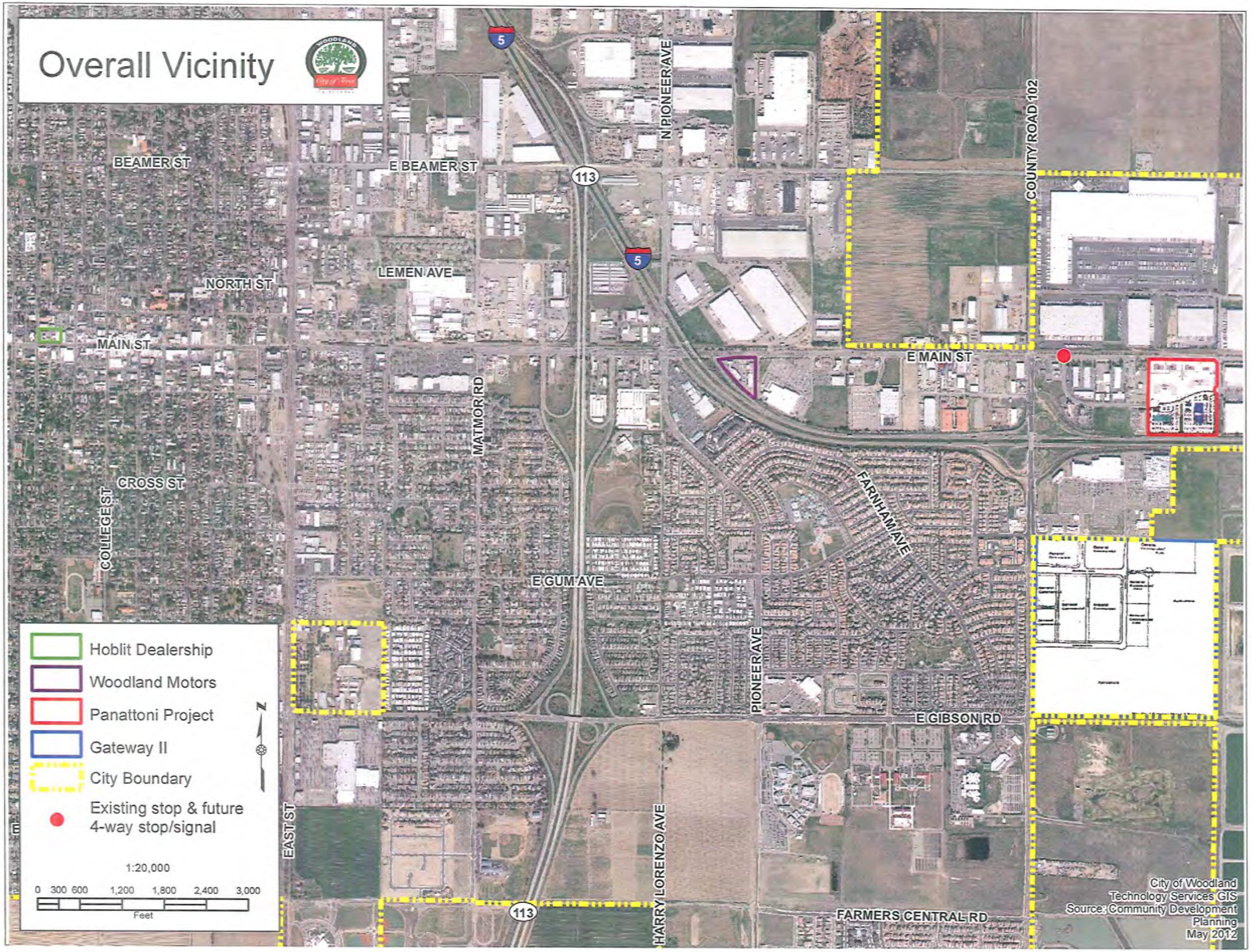
ATTACHMENT 7

Existing, Approved and Proposed Projects



ATTACHMENT 8

Overall Vicinity



ATTACHMENT 9

MEMORANDUM

TO: **Planning Commission Members**

FROM: **Cindy Norris, Senior Planner**

SUBJECT: **General Plan Petition for a Proposed 153.4 Acre General Plan Amendment – Petrovich/Woodland Auto Development – located east of County Road 102, north of Gibson Road and South of the approved Woodland Gateway Retail Center; APN 027-390-281.**

DATE: **December 7, 2006**

RECOMMENDATION:

That the Planning Commission consider the petition for a General Plan Amendment and **accept** the proposal for further application processing.

BACKGROUND:

On February 17, 2004 the City Council adopted Resolution No 4516-B outlining a process to submit a Petition for Consideration to Amend the General Plan. The process allows evaluation for consistency with General Plan goals and policies and for identification of possible future development issues. The Planning Commission shall consider the merits of the proposed amendment and make a "threshold decision" on whether the proposal should be considered for further application and processing. If accepted, then a formal application would be filed and necessary CEQA analysis would be conducted. Any action by the Planning Commission to accept a petition proposal does not imply that the project will be ultimately approved by the Planning Commission or City Council.

On October 17, the City Council approved Resolution 4775, in support of participation in the Superior Court of California replacement and expansion plans for Downtown Woodland, to be located at the northeast corner of 3rd and Court Streets. The project includes new courtroom facilities and a parking structure. To move forward with the court project, relocation of the Hoblit Haynes dealership along the Main Street Corridor is required. As part of the economic incentive package for the court project, a public-private partnership between the City, Redevelopment Agency and Petrovich Development Company is envisioned to assist in the relocation of incompatible uses from the downtown and to facilitate the development of a joint use parking structure to serve the new court facility and retail/entertainment uses. Details of this agreement are provided in the attached City Council staff report from October 17, 2006, (Attachments 2 & 3).

Attachment 3, includes an excerpt from the approved Development Agreement, Section 4.5, with Woodland Development Company which requires improvements to the Downtown within 78 months after the date of the first occupancy of the first major tenant in the Woodland Gateway Retail Development.

An initial cornerstone action of the court project involves the relocation of the auto dealership to a suitable location elsewhere in the City. The location of auto dealership uses and general commercial along the CR 102 corridor, within close proximity to the I-5 freeway, is a preferred site, rather than the Downtown. Development in this area would complement the synergy of the approved Woodland Gateway Retail Center in the development of community and regional serving uses. However, there are potential significant environmental and site analysis issues that will need to be addressed before this site can be considered for development.

The three questions for this General Plan petition request are as follows:

- Is there merit is considering a change from Urban Reserve to General Commercial?
- Can the project proceed, given the significant number of environmental and development issues that will need to be evaluated and which may have larger citywide implications?
- Can the project proposal be evaluated on a separate track or should it be tied in with the anticipated General Plan update in 07-08?

Project Description:
The proposed project site is a 153.42 acre parcel located east of CR 102, west of the City's wastewater treatment plant and ponds, south of the approved Woodland Gateway Retail Center and north of Gibson Road and vacant land. The site is outside the current City limits and is designated as Urban Reserve in the General Plan. Of the 153 acres, the applicant is proposing approximately 65 acres of Auto/Commercial uses and 73 acres of General Commercial uses. Remaining acreage is proposed for infrastructure and storm water related uses. The applicant has submitted a Justification Statement and a preliminary land use map. (Attachment 1 and 4).

Land Use Compatibility with Surrounding Projects:

Location	Land Use/ Zoning/ Use
North	Highway Commercial/ EOZ – CH/PD/ Approved Gateway project with commercial/retail uses.
South	Not in City limits/ Urban Reserve;
East	Public Service/ Open Space / Wastewater treatment ponds
West	Southeast Area Specific Plan LDR 7 & 5 and MDR-20 at the NE corner/ R-1/P-D and RM/PD/ Existing single family with multi family at the far north corner.

The most significant land use compatibility issue that will need further analysis and study, will be evaluation of the wastewater treatment plant and potential safety and nuisance impacts due to noise/odors and future expansion needs. See discussion in the General Plan Consistency Table (Attachment 6). General Plan Policy 1.J.2 includes a listing of various factors that require analysis prior to consideration of a General Plan Amendment for the Urban Reserve designation. It is clear that an Environmental Impact Report will be required to evaluate significant potential impacts.

GENERAL PLAN ISSUE EVALUATION

Is there merit is considering a change from Urban Reserve to General Commercial?

The definition of Urban Reserve within the General Plan, is a designation that is applied to land outside the Urban Limit Line within the City's Planning Area, which may be considered for future development with urban uses. Prior to the voter initiative approved in June 2006 the area under consideration was not within the City's Urban Limit Line (ULL). However, it now falls within the revised ULL boundaries. (Attachment 7). As the project site was originally not included within the ULL boundaries, it was not included in master plan analysis for future development. Multiple infrastructure and public facility studies will be required to determine the appropriateness of development in this area, as discussed in the Project Consistency with General Plan Policies Table, (Attachment 6).

The Relocation of auto related uses from Main Street will likely have significant benefit to the community by facilitating a larger office/entertainment/retail development complex that will contribute to the future development of the Downtown as the active and vital core of the City. An analysis of the appropriate mix of uses for the general commercial site will be recommended to minimize competition with appropriate Downtown retail uses.

It is recommended that the request for a commercial designation be ***considered*** *for this site subject to a commercial use evaluation study to minimize impact to the Downtown. .*

Can the project proceed, given the significant number of environmental and development issues that will need to be evaluated which may have larger citywide implications?

General Plan Policy 1.J.2 includes a listing of various factors that require analysis prior to consideration of a General Plan Amendment for the Urban Reserve designation. Some of the areas that will require evaluation in an Environmental Impact Report include (Attachment 6):

- Traffic – Area was not included in the City's Traffic Model or Streets Master Plan.
- Water – Growth in this area was not included in the City's Water Master Plan.
- Wastewater Treatment – Growth in this area was not included in either the Wastewater Treatment Master Plan or the current plant expansion. Odor contours will be required.
- Storm water – Growth in this area was not included in the City Storm Water Model or Storm Drain Master Plan.
- Flood – Portions are in the deep flood zone. Urbanization in this area was not included in the MBK flood depth model.

It is recommended that allowance for the project to proceed be ***considered****, but that the applicant shall be fully aware that significant environmental and development studies analysis will be required, at the applicant's cost, to determine feasibility of possible future development.*

Can the project proposal be evaluated on a separate track or should it be tied in with the anticipated General Plan update in 07-08?

Many of the studies required to determine feasibility of the project development could be included in the analysis conducted by the City in evaluating future development in the 10-year General Plan update. However, the time frame for the General plan update may be longer than can be accommodated by the Court project. Additionally, the studies are triggered as a result of the development request. While some studies may be required as the result of the new Urban Limit Line boundary change, they may not have been included within the current General Plan horizon of 2020.

It is likely that analysis of the Urban Reserve area will extend beyond the project boundaries. Larger master planning of the area east of CR 102 may be necessary. A specific plan may be the appropriate vehicle.

*It is recommended that due to time considerations for the court project, that the project analysis be **allowed** to proceed ahead of the General Plan update. Master planning beyond the project site may be necessary in a specific plan format.*

RECOMMENDED ACTION

Staff is recommending that the Planning Commission review the proposal, take public comments, and make appropriate motions and findings to accept or not accept the petition for a General Plan Amendment. *The Commission is being asked to make a threshold decision to accept the petition by determining whether there is merit in the request to change the existing Urban Reserve Designation to General Commercial and related processing determinations.* . Acceptance of the petition does not imply that the Planning Commission will ultimately approve the project. Necessary environmental and technical studies will have to be addressed and resolved for the project to move forward.

Motion

Staff recommends that the Planning Commission consider acceptance of the petition by making an affirmative motion as follows:
I MOVE TO ACCEPT THE PETROVICH DEVELOPMENT COMPANY GENERAL PLAN AMENDMENT PETITION FOR FURTHER PROCESSING SUBJECT TO THE FOLLOWING FINDINGS AND CONDITIONS.

Findings

- Acceptance of the petition does not imply that the Planning Commission will ultimately approve the project.
- The necessary environmental and technical studies, project review and land use issues will have to be addressed and resolved as the project moves forward.

Attachments:

Attachment 1 – Project Site Location
Attachment 2 – October 17, 2006 City Council Staff Report
Attachment 3 – Excerpt; Section 4.5 from the Development Agreement with Woodland Investment Company.
Attachment 4 – Applicant Justification Statement
Attachment 5 - Project Data Table
Attachment 6 – Project Consistency with Specific Plan and General Plan Policies Table
Attachment 7 – Revised Voter Initiative Approved Urban Limit Line Boundaries.

Project Consistency with General Plan Policies

Relevant Plan Goals and Policies	Explanation and Discussion
Consistent	
General Plan Planning Area (definition) – *The Planning Area includes all land designated for or to be considered for future development as part of Woodland, including land within the Urban Limit Line*	The site falls within the City's Planning Area Boundary. It has been designated as ***Urban Reserve***, indicating that the City will study this area and consider it for future development. The Urban Reserve area surrounds the City's domestic wastewater treatment plant site and includes the City's industrial wastewater treatment facilities. The General Plan states that, "*Future development of most of the Urban Reserve" area may depend on the City relocating its industrial wastewater treatment facilities and converting the land to urban development.*"
General Plan Urban Limit Line (definition) – *Within the Planning Area, the General Plan defines an Urban Limit Line encompassing all land to be considered for urban development within the time frame of the General Plan (2020).*	Prior to approval of the Voter Initiative in June of 2006, the City's Urban Limit Line excluded this parcel. However, the Urban Limit Line has been extended significantly to the East of the proposed project site
Potentially Consistent	
General Plan Policy 1.E.2 – *The types and locations of future outlying commercial uses should be examined to minimize any adverse effects on the vitality of Downtown and the East Street Corridor. New commercial development along East Main Street near the entrances to the City via I-5 and SR 113 should be designed to avoid detracting from the Central Commercial core.*	As part of any future application, analysis of impact to the downtown and appropriate community and regional serving uses will be evaluated in order to capture retail leakage that is under served within the City. Additionally, relocation of the auto dealer from downtown and development of a cinema complex and parking structure will enhance the Downtown and the office, entertainment and specialty retail core of the City.
General Plan Policy 1.E.10 - *The commercial area designated east of County Road 102 and south of I-5 is designated Highway Commercial with the express intention of permitting and encouraging an auto mall,; development of other Highway Commercial Uses shall also be allowed to achieve a mixed retail project. The development of the 55 acres shall be subject to a development agreement.*	The initial intent of the Gateway Retail Center was the development of auto related uses. However, that was changed and only retail related uses were approved. It is clear that consideration on auto related uses in the general area east of CR 102 was considered an acceptable land use.
General Plan Policy1.J.1 – *No urban development of Urban Reserve areas will*	The applicant is requesting a General Plan amendment to change the land use from Urban

Relevant Plan Goals and Policies	Explanation and Discussion
be permitted without a General Plan amendment. Prior to any General Plan Amendment, the City shall only allow wastewater treatment and other uses consistent with the Open Space and Agricultural designations. No General Plan amendment will be considered without an analysis that includes the factors listed in Policy 1.J.2.	Reserve to General Commercial/Highway Commercial. The City may need to evaluate other lands within the Urban Reserve areas form master planning purposes.
***General Plan Policy 1.J.2.** – The City shall, when deemed necessary, consider the appropriateness of development of Urban Reserve lands based upon the following factors:* *a. Availability of land for development within the Urban Limit Line.* *b. Possible location and mix of land uses.* *c. Implications for overall community form and relationship to the existing community and Downtown Woodland.* *d. Flooding and Drainage implications.* *e. Depth of water table and implications for the development of buildings and infrastructure.* *f. Market feasibility of development in this area, including the expected rate of absorption.* *g. Economic feasibility of relocating industrial wastewater facilities, including consideration of the Williamson Act status of the land, repayment of federal grants, costs of acquiring an alternative location for this facility, and fair market value of the property before and after urban development.* *h. Availability of water supply.* *i. Consideration of circulation patterns and improvements.* *j. Effect on and compatibility with existing City infrastructure (e.g. wastewater treatment plant).*	There are multiple implications and studies that will need to be developed and prepared before any determination can be provided on the acceptability of use of this land as other than Urban Reserve. The issues are fairly extensive and broad and may need analysis as part of the City's General Plan update in which a broader view of future development within the city can be evaluated from a holistic perspective. At a minimum, an Environmental Impact Report will be required as well as master planning of Urban Reserve areas and wastewater treatment options. Other studies at a minimum that will be required include: • Traffic – Growth in this areas was not included in the City's traffic Model or Streets Master Plan. • Water – Growth in this area was not included in the City's Water Master Plan. Coordination and potential impact on the Davis-Woodland Surface Water Supply study would need to be evaluated. • Sewer – A sewer study will be required. • Wastewater Treatment Capacity/Noise/Odors – Urban growth in this area is not included in either the Wastewater Treatment Plant Master Plan or in the current plant expansion. Analysis will need to include possible Urban Reserve development as well as other future land use entitlements or growth areas (e.g. Spring Lake Remainder Area). Odor contours will be required as well as analysis of engineering means or land use changes to potentially add plant capacity to

Relevant Plan Goals and Policies	Explanation and Discussion
k. *Buffering requirements around the wastewater treatment plant to ensure protection from noise and potential hazardous releases.* l. *Implications of providing law enforcement and fire protection services.* m. *Potential impacts on sensitive biological resources.* n. *Soil classification as compared to other potential development sites.* o. *Air quality implications.*	allow the removal of existing ponds as well as possible plant modifications. This evaluation could also impact a related odor producer, Pacific Coast Producers (PCP) land treatment units. • Storm water – Growth in this area was not included in the City Storm water model or Storm Drain Master Plan. It is a concern that development in this area could not occur without improvement of the outfall channel and connection to the bypass. • Flood – Portions of the area are in the deep flood zone. Urbanization in this area is not included in the MBK flood depth model. Urbanization may cause the flood plain to increase to more than one foot. Future modeling will be required.
General Plan Policy 3.A.3 *– The City shall strive to meet the level of service standards through a balanced transportation system that provides alternatives to the automobile and by promoting pedestrian, bicycle, and transit connections between industrial areas and major residential and commercial areas.*	As part of any future development proposal, evaluation of local and regional alternative transportation modes shall be provided. Steps to promote bike/ped uses and minimize air quality and traffic impacts shall be incorporated.
General Plan Policy 4.B.1. *– The City shall require that new development pay its fair share of the cost of providing new public services and /or the costs of upgrading of all existing facilities attributable to the new development;*	Studies and analysis will be provided to evaluate new service needs.
General Plan Policy 4.D.5 *– The City shall review development proposals in the vicinity of the wastewater treatment plant site to ensure their safety and compatibility.*	See discussion above. Evaluation of noise, odors and service capacity.
General Plan Policy 8.B.3. *– The City shall not allow development in areas subject to deep flooding (i.e. over four feet deep) unless adequate mitigation is provided, to include project levees designed for a standard project flood or a minimum of 400-year protection, whichever is less.*	The City is in the process of updating the flood model and will have more information on the location and nature of deep flooding areas. Flood modeling will be required with this project.
General Plan Policy 9.A.1 *– The City shall*	In this case, the City would seek the relocation and

Relevant Plan Goals and Policies	Explanation and Discussion
promote local economic strength by assisting and retaining investment by responsible business interests and providing a predicable business environment through consistent application of policy and regulatory process.	expansion of auto related uses to a site that is more commercially regionally suited. Relocation of these uses from the downtown would free up additional space to be devoted to services and entertainment.
***General Plan Policy 9.B.3.** – The City shall seek the development of new businesses, especially those that provide primary wage-earner jobs, by designating adequate land and providing infrastructure in areas where resources and public facilities and services can accommodate employment generators.*	This area has potential for new development that may provide higher wage-earning jobs and employment generators. It may also serve to facilitate economic development goals.
***General Plan Policy 9.C.1** – The City shall intensify Downtown Woodland as the principal retail, cultural, restaurant, and commercial district of the City and region.*	The City shall continue to encourage development within the downtown and to determine those specialty markets that will continue to encourage healthy and vibrant growth and activity within the downtown. Evaluation of the impact on the downtown by the relocation of auto uses and additional commercial uses will be evaluated as part of the project analysis.

VICH
LOPMENT
MPANY

October 17, 2006

City of Woodland
300 First Street
Woodland, California 95695

Petition for Consideration to Amend the General Plan regarding Assessor' Parcel No. 027-390-281 (the "Annexation Parcel")

Delivered to you herewith is a check for $550, representing the filing fee for the above petition. Petrovich Development Company LLC hereby petitions for consideration of a General Plan Amendment, as follows:

Substance of Proposed Petition

The proposed general plan amendment would change the designation of the Annexation Parcel, consisting of 153.4 acres, more or less, from Urban Reserve to General Commercial.

The application would be filed as a preliminary step in the annexation of the Annexation Parcel to the City of Woodland.

Accompanying the application would be an application to pre-zone the Annexation Parcel as General Commercial property and for any conditional use permit necessary for the proposed development. The proposed uses on the Annexation Parcel would be an auto-mall and other uses permitted in the C-1 zone.

Applicant Narrative/Justification

The annexation will be part of a larger, inter-related development program involving the following elements:

1. Construction of a court house facility and related parking structure in the downtown area of Woodland as proposed by the State of California's Administrative Office of the Courts and as contemplated by the City's fundamental planning policies;

2. Annexation of the Annexation Parcel and relocation of the Hoblit Haynes auto dealership from its present site on Main Street to the Annexation Parcel; and

3. Development by Petrovich Development Company of a cinema complex with related commercial uses on the former Hoblit Haynes site.

5046 Sunrise Blvd., Suite One • Fair Oaks, CA 95628-4945 • (916) 966-4600

Redevelopment of the Hoblit Haynes site as a cinema complex is a key element of the City's redevelopment plans for Downtown Woodland, not only as a conjunctive user of the parking structure by night, but also as a destination site anchoring the transformation of the downtown area from its current emphasis on retail sales activity to a new emphasis on uses compatible with the theater, such as restaurants and other entertainment venues.

The Hoblit Haynes site is immediately adjacent to, and south of, the proposed location for the contemplated parking structure and is owned by applicant or by persons or entities of which applicant is an affiliate. Applicant also contemplates that development of an auto dealership site for Hoblit Haynes on the Annexation Parcel will serve as an impetus for relocation of other downtown auto dealers to the Annexation Parcel.

The proposed application is a necessary step in furtherance of established General Plan policies of the City of Woodland in its Downtown Specific Plan because, without it, Hoblit Haynes cannot be relocated and, without the relocation, the downtown site cannot be redeveloped per the City's plans.

Even if they did not further any existing redevelopment plans in the Downtown area, the General Plan amendment and the annexation would still be in the best interests of the City. Applicant proposes development of an auto mall and related commercial uses on the Annexation Parcel. These will be adjacent to Applicant's own Gateway Shopping Center where a Costco, Target and other related commercial uses are being developed. Those uses will help to generate commercial activity and tax revenues at the neighboring Annexation Parcel—commercial activity and revenues that would not have otherwise occurred in the City of Woodland or perhaps even in the County of Yolo. The proposal will also provide shopping opportunities and other amenities that are not currently available in Woodland.

Attached to this petition are the following:

1. Contextual map
2. Existing and proposed General Plan/ Rezone map
3. Yolo County Assessor's plat map

Sincerely,

Petrovich Development Company, LLC

By: ____________________
Paul S. Petrovich

ATTACHMENT 10

PROJECT TITLE:	**Panattoni Tentative Parcel Map and Mixed-Use Project.** A request to approve: **(1)** Tentative Parcel Map No. 5009 to subdivide 24.363 acres into 8 parcels along East Main Street in the EOZ I/PD zone, **(2)** Mixed-use project conceptual site plan, and **(3)** Site plans, landscape plans, Comprehensive Sign Plan, and building elevation designs for first phase of the project.
LOCATION:	Project site is located South of East Main Street, North of Interstate 5, West of Quality Circle, and East of Freeway Drive.
APPLICANT/OWNER:	Panattoni Investments, LLC
ENVIRONMENTAL REPORT:	Mitigated Negative Declaration
A.P.N.	027-851-024-000
PROJECT PLANNER:	Paul L. Hanson, AICP, Senior Planner
STAFF RECOMMENDATION:	Conditional Approval
REPORT FOR:	Planning Commission Public Hearing – 5/17/12
GENERAL PLAN DESIGNATION:	Industrial (I)
CURRENT ZONING:	Entry Overlay Zone - Industrial Planned Development (EOZ-I/PD)
EXISTING LAND USES:	Vacant
FLOOD ZONE:	AE Zone - Area of 100-Year Flooding, Special Flood Hazard Areas Subject to Inundation by the 1% Annual Chance Flood Event (Base Flood Elevation Determined), FIRM Community Panel Number – 060426-0465H Revised May 16, 2012.
STREET ACCESS:	Freeway Drive, Quality Circle, and East Main Street

ADJACENT LAND USES & ZONING:

DIRECTION	LAND USE	ZONING
North	Warehouse	I
South	Interstate 5 & Costco	EOZ.C-H/PD
East	Warehouses	EOZ I/PD
West	Health Club & John Deere	EOZ I/PD

PENDING / POTENTIAL ACTION

Staff recommends that the Planning Commission take action on the following:

1. Adopt the Mitigated Negative Declaration in accordance with the California Environmental Quality Act (CEQA) section 15074, the Planning Commission finds on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project, with the implementation of the recommended mitigation measures, will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis;

2. Approve the Tentative Parcel Map No. 5009 dated 2/16/12, Mixed-Use project's conceptual master site plan dated 2/23/12 and the Project's Phase 1 building elevation designs dated 2/22/12, Landscape Plans dated 4/25/12, and Comprehensive Sign Plan dated 2/22/12 as based on the Findings of Fact and subject to the Conditions of Approval as provided in the Staff Report presented on May 17, 2012 **(See Attachment A - Application & Tentative Map No. 5009, Site Plan, and Elevations).**

PROJECT SITE DESCRIPTION

The site is 24.363 acres of vacant land (APN 027-851-024) located South of East Main Street, North of Interstate 5, West of Quality Circle, and East of Freeway Drive in the City of Woodland, Yolo County, California, 95776. The project site is located in a largely developed industrial and commercial area. Land uses surrounding the project site consist of various commercial and industrial land uses. Commercial trucking operations are located to the north (across East Main Street) and east. Various businesses are located west of the project site including a John Deer dealership, an automobile storage facility, a gas station, and a gym. Interstate 5 is located immediately to the south. A Costco Wholesale warehouse is located on the south side of Interstate 5 south of the project site. The project site has a City of Woodland General Plan Designation of Industrial (I) and is zoned Industrial Planned Development (I/PD) with an Entry Overlay Zone (EOZ). The EOZ- I/PD allows mixed-use developments with approval of a site plan and design review.

BACKGROUND

On August 2, 2001, the Planning Commission approved a site plan and building design for a proposed warehouse at this site for the Panattoni Development Company. The warehouse was never constructed.

In 2001, the Planning Commission recommended to the City Council that the gateway to the City of Woodland, the I-5/ CR 102 interchange, be rezoned with an Entryway Overlay Zone designation. The adoption of the EOZ amended the industrial land use table, removing heavy industrial uses from the gateway and instead providing a list of professional business offices and personal service functions that would be allowed in the EOZ - I/PD. The City Council adopted those recommendations, amending the list of allowed uses in the City's gateway and set design standards for gateway development. This proposal is within this Entryway Overlay designation.

On October 18, 2011, the City Council adopted Resolution No. 6037, amending the Public Facilities Fee Program Administration Guidelines designating auto sales under the "industrial" land use category. The change in designation was approved by City Council after reviewing land use impact factors that are used in calculating the development impact fee for the Fee Program land use categories, Council determined that new auto sales land use category should be changed to more accurately reflect auto dealership land use impacts.

PROJECT PROPOSAL

The owner / applicant, Panattoni Development Company (Panattoni), has submitted Tentative Parcel Map No. 5009 to subdivide the property (APN# 027-851-024) into eight (8) parcels, varying sizes from 7.525 acres to 1.101 acres. The applicant is proposing to develop a 24.363-acre mixed-use project with retail, office, food service, and auto dealerships on a currently undeveloped site in the City of Woodland.

The project proposal is to develop the site in phases, with the first phase to include two auto dealerships on two parcels adjacent to Interstate 5. The applicant has submitted site plans, landscape plans, building elevations, and a comprehensive sign plan for the development of these two dealerships. The site labeled Phase 1A (Parcel 1 - 5.01 ac.) includes a 23,821 square foot automobile dealership, a 992 square foot car wash, and 285 parking stalls. The site labeled Phase 1B (Parcel 2 - 7.525 ac.), includes a 29,675 square foot automobile dealership, a 2,500 square foot detail center, a 992 square foot car wash, and 429 parking stalls.

The second phase consists of the 6 northernmost parcels (Parcels 3, 4, 5, 6, 7, & 8) on the project site (approximately 11.5 acres). As originally, proposed, the second phase included 11,000 square feet of Fast Food Restaurant with Drive Through Window and 101,000 square feet of professional office space land uses. Based on the mitigation measure GHG-1, the project proposal has been revised to replace 8,500 square feet of Fast Food Restaurant with Drive Through Window land use with High-Turnover (Site-Down) Restaurant land use. The project proposal was also revised by reducing the Professional Office building on Parcel "C" from 2-stories (37,000 sq. ft.) to 1-story (18,500 sq. ft).

Accordingly, the proposed land uses are now approximately 82,500 square feet of professional office space, 20,000 square feet of retail space, 2,500 square feet of drive-through restaurant, and 8,200 square feet of retail or sit-down restaurant. The applicant has submitted a conceptual master site plan for this next phase of the project. The table below provides details on parcel size, parking counts, and potential building square footages for each parcel.

Development Information

PHASE 1

USE	PARCEL	ACRES	PARKING	BUILDING SQ. FT.
Auto Dealership	Parcel A	4.84	288	24,813
Auto Dealership	Parcel B	7.525	434	33,167
Total		**12.365**	**722**	**57,980**

PHASE 2

Professional Office	Parcel C	2.624	188	18,500 (1-story)
Professional Office	Parcel D	4.411	337	64,000 (2-story)
Food Service	Parcel E	1.101	51	2,500
Retail / Food Service	Parcel F	1.12	58	8,200
Retail	Parcel G	1.119	51	10,000

Retail	Parcel H	1.119	67	10,000
	Phase 2	**11.998**	**744**	**113,200**
Grand Total	**Phases 1 & 2**	**24.363**	**1466**	**171,180**

Access to auto dealerships would be from Freeway Drive and Quality Circle. Access to the remainder of the site is proposed from East Main Street as well as Freeway Drive and Quality Circle. The auto dealerships are proposed to be single-story buildings consisting of masonry or steel walls and a combination wood and steel frame roof with concrete slab-on-grade floors. Each dealership proposes a separate building for the show room / sales offices and a building for the service and repair facilities. Each dealership proposes a carwash with the larger dealership at (1B) proposing a vehicle detail center. Six (6) enhanced auto display areas are proposed for the dealerships. Four (4) of the display areas are proposed along a portion of the bermed area adjacent to Interstate 5 and two (2) are proposed at each of the entrance to the dealerships. The enhanced auto display areas are raised level concrete pads upon which vehicles are displayed.

The Landscape Plan provides the proposed planting plan for the first phase of the development. Phase 1 landscaping associated with each auto dealerships would be planted in conjunction with their construction. The remaining future development areas are proposed to be "graded and managed for erosion control," but not landscaped until developed. The landscape plan includes a 40-foot wide landscaped swale separating the two auto dealerships and a 40-foot wide landscaped strip along the eastern edge of the project.

The landscape plan also proposes a 35-foot landscaped berm along Interstate 5, which includes the four enhanced auto display areas. The applicant is requesting a Design Exception from the Community Design Standards' requirement of planting trees the in berm for screening along Interstate 5. They are requesting that the planting concept provide for views opening onto the four (4) auto display areas. Planting will be more densely grouped elsewhere along the berm.

A Comprehensive Sign plan has been submitted for the auto dealerships. The sign plan includes three monument signs: 1) along the freeway, one monument sign measuring 41.5-feet (height) by 10-feet (length) for development identification. This freeway monument sign would have external "ground up" lighting as well as internal light for individual signs. This sign is proposed to be constructed out of wood or metal framing with aluminum tex-coating (stucco-like) background, brick base, and pre-cast trim; 2) two entrance monument signs measuring 8-feet (height) by 6'5" each. These signs will have internal illumination. The signs are proposed to be constructed out of wood or metal framing with pre-cast trim. The sign plan also includes wall signage for both dealerships.

Pursuant to the requirements of the General Plan and Zoning, the applicant has submitted a conceptual master plan that would guide proposed and future development on the site as follows:

- Future development would be required to be in substantial conformance with the conceptual master site plan and consistent with the Entryway Overlay Zone - Industrial / Planned Development (EOZ - I/PD).
- Maximum square footage of development could not exceed the totals on the conceptual master site plan.

- Development would be held to the parking standards, setbacks, height, loading requirements, and other "physical" regulations of the Zoning Ordinance and Community Design Standards.
- Future development is be subject to design review approval by the City, and would be required to be in substantial conformance with the Community Design Standards.
- Landscaping would be required to be in accordance with the landscaping plan and Zoning Ordinance and Community Design Standards.
- Future development would be subject to approval by the City of a Comprehensive Signage Plan for Phase 2 of the development. Signage would be required to be in accordance with the Comprehensive Sign Plan and Zoning Ordinances and Community Design Standards.
- Any substantial modifications or changes to the approved master site plan and /or uses may result in further CEQA review, traffic analysis, and further public hearings.

CITY SERVICES

The project site is currently served by City water services. Any additional services shall be shown on the improvements plans to be reviewed and approved by the Development Services Engineering prior to building permit issuance.

PUBLIC NOTIFICATION

Public notice advertising for the public hearing on this project was prepared by the Community Development Department in accordance with notification procedures set forth in the City of Woodland's Municipal Code and State Planning Law. Two methods of public notice were used:

- Legal notice was published in the Woodland Daily Democrat on Monday May 6, 2012.
- Notices were mailed to all property owners within 300 feet of the project site on May 4, 2012.

Copies of the factual staff report for the proposed project have been on file at City Hall Annex since Friday, May 11, 2012.

Public comment was received from the following: **(See Attachment B – Comments from the Public and other Agencies).**

- Yolo County Habitat/Natural Community Conservation Plan JPA (email)
- California Department of Transportation, District 3
- Regional Water Quality Control Board, Central Valley
- Yolo County Environmental Health Department
- Woodland Motors
- Carpenters Union Local 46

Responses to those comments can be found as part of **Attachment D**, the cover memo to the Mitigated Negative Declaration.

APPLICABLE LAWS, CODES, AND ORDINANCES

The project is subject to several laws, codes, and ordinances **(See Attachment C – Applicable Codes).**

- The California Environmental Quality Act (CEQA)
- The City of Woodland General Plan
- The City of Woodland Zoning and Subdivision Ordinances
- The City of Woodland Municipal Code
- Community Design Standards
- National Flood Insurance Program (NFIP) Regulations

ENVIRONMENTAL ASSESSMENT STATUS

A draft Negative Declaration for the subject project was circulated on April 4, 2012 for a 30-day comment period extending from April 4, 2012 to May 4, 2012 **(See Attachment D – Mitigated Negative Declaration)**. A letter from Governor's Office of Planning and Research confirms the close of the comment period and compliance with the State requirements **(See Attachment E - Letter from the Governor's Office of Planning and Research dated May 4, 2012).**

Staff recommends that the Planning Commission determine that the subject project, as revised, as further defined and discussed in the attached Environmental Checklist / Initial Study, and with the implementation of the recommended mitigation measures, will not have any significant effects on the environment. As a result, the preparation of an environmental impact report pursuant to the California Environmental Quality Act (Division 13 of the Public Resources Code of the State of California) is not required.

Prior to taking an action to approve the project as recommended, the Planning Commission is required to adopt the Mitigated Negative Declaration as a final document and make specified findings required under CEQA. Pursuant to Public Resources Code Section 21081.6 and Section 15097 of the CEQA Guidelines, a Mitigation Monitoring and Reporting Program (MMRP) has been prepared **(See Attachment D - Mitigation Monitoring and Reporting Program)** to ensure that during all phases of the project, the City and any other responsible parties implement the adopted mitigation measures. In addition to adopting the Mitigated Negative Declaration, the Planning Commission must all review and adopt the MMP.

If this project is approved staff will file a Notice of Determination with the Yolo County Clerk's Office in conformance with Article 5 §15075(a) of the CEQA guidelines.

REVIEWING AGENCY COMMENTS

All reviewing agency comments have also been integrated into the recommended conditions of approval. Yolo-Solano Air Quality Management District, AT&T, Wave Broadband, and Waste Management did not respond to the City referral.

Those other agencies that responded were Central Valley Regional Water Quality Control Board, State Department of Transportation (Caltrans) the Yolo County Habitat/Natural Community Conservation Plan JPA and the Yolo County Environmental Health Department **(See Attachment B – Comments from the Public and other Agencies)**. Responses to all comments can be found in **Attachment D**, the cover letter to the Mitigated Negative Declaration.

DISCUSSION

The project proposal before the Planning Commission is provided for in the City's adopted General Plan and Zoning Ordinance. In the EOZ I/PD zone, the proposed use of Mixed-Use Development is allowed by right. The tentative parcel map, environmental review, site plan and design review requires a public hearing before the Planning Commission.

The amount of potential retail space (28,200 sq. ft.) being proposed is relatively small when compared to other existing retail space in Woodland. Retail space can be used for a restaurant or café uses as well. The proposed project is also limited to only one (1) drive-thru food service. The list below provides a comparison:

Name	Anchor	Size in Sq. Ft.
Apple Village	Applebee's Restaurant	11,165
South Land Shops	College Cleaners & Hollywood Market	25,000
Shade Tree Plaza	Formerly Rite Aid	30,000
Gibson Plaza	Bel-Air Super market	122,774
Gateway	Costco and Target	550,096

This project proposes two office buildings, one at 18,500 sq. ft and the other at 64,000 sq. ft. For comparison, the Wiseman Building (1100 Main St.) at the corner of Main and East Street is 36,000 sq. ft.

STAFF ANALYSIS

Staff **supports** the project subject to the attached recommended conditions of approval for the tentative map and city code requirements for the project and provides the following analysis:

General Plan Consistency

The General Plan (GP) designation for the site is **Industrial (I)**. This designation provides for industrial parks, warehouses, manufacturing, research and development, commercial uses compatible with the industrial uses, public and quasi-public uses, and similar and comparable uses. Per the General Plan, the FAR cannot exceed 0.60. The project has been determined by staff to be consistent with the General Plan, including both the land use designation and relevant goals and policies. The Planning Commission must ratify this finding. Key General Plan consistency issues are discussed below.

The General Plan designates land for and seeks to encourage infill, reuse and intensification within developed areas, as long as it reflects the character of the surrounding neighborhood and does not result in significant negative effects. The General Plan also seeks to minimize the visual impacts of commercial development and to enhance the City's major corridors, landscapes and streetscapes. To this purpose, the General Plan has an adopted policy to allow mixed-use projects (e.g. retail/office/food service/industrial) in industrial designations as appropriate, along East Main Street. The proposed uses are consistent with this approach.

> *1.A.10. The City shall promote mixed-use developments and creative developments where appropriate and compatible with surrounding land uses. The Planned Development (PD) zoning overlay will be used to allow for mixed-use and creative forms of development. This will provide for greater flexibility in the design of integrated developments than would otherwise be possible through strict application of zoning regulations.*

Industrial Development Policy 1.H.7 of the General Plan Land Use Element specifically mentions property along East Main Street as follows:

> *1.H.7 The City shall allow mixed-use projects (e.g., retail/office/food service/industrial) in industrial designations as appropriate, particularly along East Main Street. A maximum of 80 percent commercial uses will be allowed in mixed-use projects along heavily traveled arterials, and a maximum of 50 percent commercial within interior industrial areas. Commercial uses must comply with commercial development policies of the General Plan. A mixed-use industrial designation shall be applied to the property on the south side of East Main Street immediately east of the General Commercial-designated area.*

The Industrial (I) land use designation in the General Plan specifically allows for "... commercial uses compatible with the industrial uses ..." which would allow for the type of mixed-use described in General Plan Policy 1.H.7. The Woodland Harvest Square anchored by Home Depot was approved under this policy.

In addition to these specific policies mentioned above, there are a number of relevant General Plan policies that address landscaping and aesthetic issues. The project proposal is consistent with these policies.

<u>Lot Coverage</u>

Standards of building intensity for non-residential uses in the General Plan are stated as maximum *floor-area ratios* (FAR's). A floor-area ratio is the ratio of the gross building square footage on a lot to the net square footage of the lot. The General Plan limit for Industrial Use is a FAR is 0.6. The Floor Area Ratios (FARs) table below indicates an average FAR of 0.14 overall. **The project does not exceed the General Plan FAR limits.**

The resulting Floor Area Ratios (FARs) would be as follows for each proposed parcel:

<u>PHASE 1</u>	**Auto Dealerships**
Parcel 1:	Gross floor area of Auto Dealership = 24,813□ Gross parcel area = 4.84 acres (210,830 square feet) **FAR = 0.12**
Parcel 2:	Gross floor area of Auto Dealership = 33,167□ Gross parcel area = 7.525 acres (327,789 square feet) **FAR = 0.10**

PHASE 2 **Offices, Retail, and food Service**

Parcel 3:
Gross floor area of Professional Office = 18,500□ (1-story)
Gross parcel area = 2.624 acres (114,301 square feet)
FAR = 0.16

Parcel 4:
Gross floor area of Professional Office = 64,000□ (2-story)
Gross parcel area = 4.411 acres (192,143 square feet)
FAR = 0.12

Parcel 5:
Gross floor area of Food Service = 2,500□
Gross parcel area = 1.101 acres (47,960 square feet)
FAR = 0.05

Parcel 6:
Gross floor area of Retail / Food Service = 8,200□
Gross parcel area = 1.12 acres (48,787 square feet)
FAR = 0.17

Parcel 7:
Gross floor area of Retail = 10,000□
Gross parcel area = 1.119 acres (48,744 square feet)
FAR = 0.21

Parcel 8:
Gross floor area of Retail = 10,000□.
Gross parcel area = 1.119 acres (48,744 square feet)
FAR = 0.21

Therefore, the tentative parcel map and project proposal are considered consistent with the City's General Plan.

Consistency With Other Plans: The project site does not fall within the planning area of any other relevant specific plans, area plans, redevelopment plans, airport land use plans, or other such adopted land use plans of the City.

ZONING CONSISTENCY

Land Use

The zoning designation for the proposed project site is Entryway Overlay Zone - Industrial / Planned Development (EOZ - I/PD). Mixed-Use Developments are permitted in this zone. The adoption of the EOZ modified the list of uses allowed in the Industrial zone and provided Table 3A, a list of professional business offices and personal service functions are allowed in this Industrial zone **(See Attachment F - Table 3 - Industrial Land Uses & Table 3A - Professional and Personal Service functions).**

Tentative Map

The Industrial zone does not specify a minimum lot size. Performance criteria that dictate the amount of parking, shade, lot coverage, setbacks, and other performance variables. The proposed project will comply those performance criteria. **Therefore, the Tentative Parcel Map is considered consistent with the City of Woodland's Zoning and Subdivision Ordinances.**

Setbacks

The project proposal meets al setbacks for the zone. The plans show the auto dealership buildings setback an average of 171 feet from Interstate 5 with the retail and food service buildings setback approximately 65 feet from East Main Street. There are no proposed buildings adjacent to the side yard property lines, the closest building is a dealership carwash 15 feet away from the west side property line. **The proposal complies with Zoning Ordinance setback requirements.**

Standard	Required	Proposed	
		Parcel 1	Parcel 2
Front Yard Setback	20 feet	178	165
Rear Yard Setback	None	163	166
Side Yard Setback			
Interior	None	15 & 115	64 & 182
Street side of corner lot	20 feet plus visibility triangle	n/a	n/a

Height

Pursuant to Section SEC. 25-18-30 of the Zoning Ordinance, there are no height limitations in an Industrial (I) zone, except that within two hundred (200) feet of any residential or agricultural zone designated for future residential development in the General Plan, no principal building shall exceed 40 feet in height except as provided in Article 25. The proposed height for the dealership building is 28 feet in height. **The proposal complies with Zoning Ordinance height requirements.**

Off-Street Parking

Article 23 of the Zoning Regulations, commencing with Section 25-23-10, addresses off-street parking and loading requirements. Section 25-23-10W of the Zoning Ordinance does not provide specifics, rather it states the following:

> *W. Off-street parking and loading requirements for* ***mixed-uses*** *and uses not listed above shall be determined by the Zoning Administrator.*

Rational used in accessing parking needs is as follows: Auto dealerships need parking spaces for the purpose of displaying and storage of new and used vehicle inventory. The dealership also requires parking for employees and customers. The customer parking includes both those shopping for a new vehicle and those having their vehicles serviced or repaired. The amount parking needed for vehicle inventory is solely up to the auto dealer's discretion. The amount of parking required for employees and customers can be derived by reviewing the similar parking standards from the City's Zoning Ordinance.

Uses such as service stations, personal service businesses and other non-retail commercial are required to provide - *One (1) parking space for each two hundred (200) square feet of gross floor area.* While retail stores, banks, and shopping centers are required to provide - *Not less than one (1) parking space for each three hundred (300) square feet of gross floor area or more than one (1) parking space for each two hundred (200) square feet of gross floor area.*

Between these two parking standards, the parking requirement for employee and customers parking must fall between 1 parking space for every 200 to 300 square feet of gross floor space. The table below indicates that both dealerships will be providing adequate parking spaces. **The proposal complies with Zoning Ordinance parking requirements.**

A	B	C	D	E	F
	Total Parking	Display & Storage Parking	Employee & Customer Parking	Total Building Square Footage	Parking Ratio
Dealership 1A	288	178	110	24,813□	**1 space / 225□**
Dealership 1B	434	297	137	33,167□	**1 space / 242□**

Parking for the remainder of the project will also comply with Article 23, Section 25-23-10 in meeting the off-street parking requirements. The following are the pertinent parking standards:

J. Offices (except medical offices and clinics): Not less than one (1) parking space for each four hundred (400) square feet of gross floor and or more than one (1) parking space for each three hundred (300) square feet of gross floor area, but not less than five (5) spaces.

O. Restaurants drive-ins, fast foods and self-service and take out: One (1) parking space for each fifty (50) square feet of gross floor area, but not less than five (5) spaces. This requirement can be reduced when the Public Works Director finds the use shares parking and does provide delivery service.

P. Restaurants, cafes, and coffee shops bars and other on sale liquor establishments: One (1) parking space for each four (4) seats, but not less than five (5) spaces.

R. Retail stores, banks, and shopping centers: Not less than one (1) parking space for each three hundred (300) square feet of gross floor area or more than one (1) parking space for each two hundred (200) square feet of gross floor area, except storage and loading areas, but not less than five (5) spaces.

Fencing

Section 25-21-40 of the Zoning Regulations address fences. This section states that fences or walls at or under 8 feet in height may be placed along property lines on interior lots. Fences over 6 feet in height require a building permit. The Community Design Standards requires that the fence design shall be of a black wrought iron fence-like design for commercial development.

Landscaping

Article 22 of the Zoning Ordinance commencing with Section 25-22-10 addresses landscaping requirements. The Zoning Ordinance requires that not less than six percent (6%) of the interior area of all auto parking lots shall be devoted to permanent landscaping. The Zoning Ordinance also requires that shade trees shall be planted and evenly distributed within the uncovered portions of the auto parking area so that at the tree maturity forty percent (40%) of the parking stalls and back up area will be in shade at high noon at such times as the trees have full foliage.

It is staff's interpretation that parking spaces dedicated to vehicle display and inventory are not subject to the City's shade requirement. The applicant will, however, be landscaping and planting trees at that the ends of the parking aisles.

The applicant is requesting a design exception from the Community Design Standards' requirement of planting trees in the berm along Interstate 5, similar to other developments along Interstate 5. The applicant is requesting that the landscaping along Interstate 5, adjacent to the dealerships, be modified to allow "view corridors" into the dealerships so that the auto displays are visible to the traveling public. The proposed landscape design is five (5) clusters of trees along the freeway and each cluster would contain five (5) trees, alternating between Ginko Biloba and African Sumac, both trees listed in the Community Design Standards plant palette.

The intent of the Community Design Standards' I-5 landscaping concept was to screen the rear of properties along the I-5 freeway. The auto dealership will be facing the freeway for freeway visibility.

The City's Community Design Standards provides for exceptions to the design requirements.

> **Exceptions**
> *It is envisioned that the great majority of projects will comply in their entirety with these Design Standards. However, it is possible that there may be unusual circumstances where a project may not be able to meet one or more of the standards due to the peculiarities of the project. In such instances, the Community Development Director or the Planning Commission may approve an exception provided that the overall intent of the Design Standards is still being met.*

It is staff's recommendations that the Planning Commission approved the landscape design exception. Unlike other commercial developments, auto dealerships are typically oriented towards the freeway. The clusters of trees in landscaped berm will provide visual interest without completely screening the auto dealerships.

The applicant is required to comply with the State of California's new Water Efficient Landscape Ordinance AB 1881. The landscape architect shall document and attest to the compliance with the new State ordinance on the final landscape plans. Applicant shall submit and obtain from the Community Development Department approval for final landscape and irrigation plans.

Signage

The applicant has submitted for review and is requesting approval a Comprehensive Sign Plan for the first phase of the project, the auto dealerships **(Attachment G – Comprehensive Sign Plans).** A Comprehensive Sign Plan allows the Planning Commission to consider the signs for a development and to approve sign plans that conform to the intent of the Sign Ordinance.

The City has two (2) City Council adopted documents for the regulation of signs and the preparation of a Comprehensive Sign Plan:

Zoning Ordinance: Article 22 of the Zoning Regulations, commencing with Section 25-23-01, addresses signs.

Community Design Standards: Chapter 2 of the Community Design Standards commencing with page 49 addresses sign design.

Comprehensive Sign Plans

1. The Sign Ordinance, Section 25-24-40 - Special Regulations, provides for the development of a Comprehensive Sign Plan.

   At the option of the owner and/or developer, a comprehensive sign plan may be provided for groups of businesses or for the whole of a shopping center development. Such a plan may regulate the location, size, height, color, lighting, orientation, and types of signs in the included area. The plans shall contain the signature of the owner and/or developer and that written and graphic information required to fully describe what shall and shall not be permitted in the development. Those plans that comply with this article's regulations may be approved by the Zoning Administrator. ***<u>Those plans that do not comply with this article's regulations in any manner may be approved by the Planning Commission if the plans conform with the intent of the article and result in an improved relationship between the various parts of the development.</u>***

2. The Community Design Standards requires that a Comprehensive Sign Plan be prepared.

   For commercial development with multiple tenants, a comprehensive sign program for the entire center is required. Such development can utilize a single monument sign on each street frontage that identifies the overall name of the center. Signs for individual tenants to be incorporated into the design of the project consistent with the other guidelines and standards for signage contained in these Design Standards and the City Sign Ordinance.

Comprehensive Sign Plans are intended to address the sign needs of larger developments such as shopping centers and mixed-use developments where due to their design, size, location, building scale, setbacks, mix of tenants and other characteristics, more flexibility with sign regulation is appropriate. The City typically requires comprehensive sign plans for commercial development in order to assure a coordinated approach to signs such that sign areas, design, locations, and types of signs are all pre planned to blend with the architecture of the center and result in superior design for the overall center. Typically, there are some trade offs involved whereby more sign area and more sign height are allowed in exchange for improved sign design and controls and overall sign quality. Often times the scale and location of the commercial center buildings result in situations where larger signs and taller signs are not unattractive and are an appropriate fit for the center. Due to the nature and location of this development, two auto dealerships setback back an average 171 feet from the adjacent freeway, there is an argument in favor of an allowing an increase in both sign area and height, to provide normal visibility.

In the Industrial zones, the Sign Ordinance provides for the following signage per parcel:

Zone	Maximum Sign Height		Minimum Setback from Property Line	Total Sign Area Per Business
	Wall Mounted Signs	Ground Mounted Signs		All Permanent Signs
Industrial	**40 ft.**	**20 ft.**	**10 ft.**	**300□**

The Panattoni Development Company on behalf of the auto dealers has submitted a Comprehensive Sign Plan **(Attachment G – Comprehensive Sign Plans)** for the project. The Comprehensive Sign Plan requests the following:

(1) A development monument sign is proposed along Interstate 5, approximately 35 feet back of the property line. The sign would be placed upon the 7.5-foot tall multi-tier masonry base and planter. The sign cabinet would 10 feet wide by 34 feet tall with an overall sign area of 340 sq. ft and overall height of 41.5 feet. The sign is for development identification, with two panels, measuring 4'6 x 10' for the auto dealerships and 8 additional panels measuring 1'6" x 10' for future tenants. The materials and colors for the sign match the materials and colors on the proposed commercial development. This sign is proposed to be constructed out of wood or metal framing with aluminum tex-coating (stucco-like) background, brick base, and pre-cast trim. This freeway monument sign would have external "ground up" lighting as well as internal light for individual signs. **The proposed freeway monument sign exceeds the Sign Ordinance's height limitation of 20 feet for ground signs in Industrial (I) zone by 21.5 feet.**

(2) One auto dealer identification monument sign to be placed at the entrance of the each auto dealership at Freeway Drive and Quality Circle. The monument sign will be an internally illuminated aluminum cabinet mounted on an integral concrete base with an overall dimension of 8.1 feet by 6.5 feet. **The Sign Ordinance allows only 1 monument sign per development and only a second ground sign on a parallel street.**

(3) Hoblit Motors Wall Signs. The Hoblit Auto Dealership is proposing the following signage:

Hoblit Motors

Type of Sign	Square feet
Business Identification	98.8
Informational Signs	199.2
Brand Logos	152.2
Monument Signs	73
TOTAL	523

(4) Woodland Motors Wall Signs. The Woodland Motors auto dealership is proposing the following signage:

Woodland Motors

Type of Sign	Square feet
Business Identification	82.5
Informational Signs	187.4
Brand Logos	271.5
Monument Signs	73
TOTAL	614

The additional signage is needed in order to provide the auto dealerships with adequate sign area to promote national brand recognition and to provide customers with business information and services. The business identification and information signs will be internal illuminated individual pan channel letters mounted on the wall. The brand logos will be internal illuminated cabinet signs. **The proposed walls signs exceed the Sign Ordinance's total square footage allowance of 300 square feet in the Industrial (I) zone.**

SIGN SUMMARY	Requested Sign Allowance		Sign Ordinance	
	Wall Sign	**Monument Sign**	**Wall Signs**	**Monument Sign**
Panattoni Development	n/a	41'6" - overall height *21'6" additional height*	n/a	exceeds 20-foot maximum
Hoblit Motors	523□ *223 additional sq. ft.*	1 additional monument sign	Exceeds 300 Sq. Ft. Maximum	1 monument Sign per Development
Woodland Motors	614□ *314 additional sq. ft.*	1 additional monument sign	Exceeds 300 Sq. Ft. Maximum	1 monument sign per development

Staff recommends a condition (#15) that the freeway monument sign be further enhanced with additional brick treatments to include the following: a larger masonry base and masonry columns on either side of the sign cabinet to the top of the tallest auto dealership panel.

COMMUNITY DESIGN STANDARDS

The project site is subject to the Community Design Standards.

Public Art

Per the Community Design Standards, the project is required to incorporate public art into the development. The final art proposal is to review by the Planning Commission. The applicant has proposed that the public art will be reviewed at a later date.

Design Standards for Development

Design elements and qualities that are to be incorporated into new industrial construction include:

- Variety of surface texture for all building elevations.
- Wall articulation and relief (off sets in wall surface planes, awnings, trellises, etc.).
- Significant landscaping that complements the buildings, both along the building and property lines.
- Projection that helps identify the entrance

The proposed project is subject to the design requirements of the Community Design Standards' in the Entryway Overlay Zone. The architectural design requirements are that the exterior design of the building to fit the image of "Historic Woodland" and be less contemporary in appearance. Building elevations shall have traditional materials, forms, colors, and massing.

Staff's review of the building elevations finds the design incorporates the elements and qualities required by the Community Design Standards, such as a variety of surface textures, wall articulation, and relief. The numerous columns and arches help to breaks up the building appearance and the building façade uses various colors and materials to provide visual interest. The design combines both a modern dealership showroom façade, a requirement of the auto manufacturers, with a traditional masonry design, reminiscent of historic Woodland.

ARCHITECT'S DESIGN CONCEPT:

Hoblit Motors Design Concept:

"This building is located in Woodland's EOZ zone, requiring design elements reminiscent of historical Woodland. The design concept was to be sensitive the historic design criteria of the area while providing branding elements satisfying the manufacturer's design elements. The building is primarily concrete masonry units in different colors and textures. Pilasters and arches as well as frieze and cornice elements are incorporated to break up the façade and to provide historical context to the project. Wall mounted light sconces are included to further break up the façade and add interest in the evening hours. Branding elements have been used in primarily the showroom portion of the building as well as large elements of glazing for product visibility. Transom type windows and provided at the glass areas to further incorporate historical elements. Parking lot paving as well as flatwork areas incorporate different textures and colors to add interest and enhance the historical quality of the project"- Forrar Williams Architects.

MATERIALS for Hoblit Motors	COLORS
Aluminum Composite Material	Silver Metallic
Aluminum Composite Material	HPA High Polished Aluminum
Split-Face Block, Basalite, CMU 1	Beige
Split-Face Block, Basalite, CMU 2	Beige & Rust
Shot-Blast Block, Basalite, CMU 3	Beige
Windows Systems	Clear Glass & Anodized Aluminum Frame
Seam Metal Mechanical Screen	Painted Silver Metallic

Woodland Motors Design Concept

"This building is located in Woodland's EOZ zone, requiring design elements reminiscent of historical Woodland. The design concept was to be sensitive the historic design criteria of the area while providing branding elements satisfying the manufacturer's design elements. The building is primarily concrete masonry units of varying colors and textures. Pilasters, frieze and cornice elements are incorporated to break the façade planes and provide historical context to the project's exterior. Wall mounted light sconces further ad interest and illuminate the facade during the evening hours creating a warm and welcoming appearance. Branding elements have been used in primarily the showroom portion of the building complemented by large elements of glazing for product visibility and building transparency. Transom windows and provided at the glass areas to further incorporate historical elements. Parking paving and the flatwork

incorporate different textures and colors to further add interest and enhance the historical quality of the project"- Forrar Williams Architects.

The materials and colors being proposed include:

MATERIALS for Woodland Motors	COLORS
Aluminum Composite Material	Bright Aluminum Metallic
Aluminum Composite Material	Chevrolet Blue
Aluminum Composite Material	Brushed Hairline Aluminum
Split-Face Block, Basalite, CMU 1	Gray
Split-Face Block, Basalite, CMU 2	Gray & Dark Gray mixed
Shot-Blast Block, Basalite, CMU 3	Gray
Windows Systems	Clear Glass & Anodized Aluminum Frame
Seam Metal Mechanical Screen	Painted Silver Metallic

The building design as conditioned is consistent with the Community Design Standards.

<u>*Performance Standards*</u>
In addition, any proposed project will be required to meet all City Performance Standards for the Industrial zone:

A. *Front landscaping area shall extend to the valley gutter.*

The project proposes 15 feet of landscaping immediately behind the sidewalk along the south side of East Main Street. This is in excess of the minimum code requirement of 8 feet.

B. *A conditional use permit shall be required for assembly, fabricating, manufacturing, processing or storage of goods, materials or products in buildings or enclosed yards which may create dust, fumes, noise, odors, smoke or vibration in volumes to be offensive or objectionable beyond the premises or for any use which put a significant demand on city services (e.g., water, sewer, etc.)*

It is not anticipated that the project will generate sufficient dust, fumes, noise, odors, smoke, or vibration in volumes to be offensive or objectionable.

C. *Fencing and landscaping adequate to screen development from adjacent residential zones along rear and side property lines.*

There is no residential zoning adjacent to this property.

D. *Outside storage of solid wastes and containers for solid waste, containers, merchandise, or other items or goods awaiting pickup, sale, or other disposition shall be prohibited except when screened to the satisfaction of the Planning Commission or the Zoning Administrator.*

Outside storage is not contemplated other than motor vehicles.

E. *Additional landscaping may be required in order to provide an aesthetically pleasing entrance to the City, if appropriate.*

As previously mentioned, the project proposes 15 feet of landscaping immediately behind the sidewalk along the south side of East Main Street. This is in excess of the minimum code requirement of 8 feet. A 30-foot wide enhanced landscaped berm has been provided along Interstate 5 in accordance with the Community Design Standards similar to other development along Interstate 5.

F. *Light sources shall be directed and shielded so as to not illuminate neighboring residential areas.*

There are no residential areas adjoining this property. Lighting will be reviewed at building permit to ensure appropriate shielding is provided similar to Costco.

SUBSTANTIAL CHANGES

At the discretion of the Community Development Department, any substantial modifications or changes to the approved master site plan and /or uses may result in further CEQA and traffic analysis and further public hearings.

APPEAL

The subdivider, or any party adversely affected by the decision, the city council, an individual city council member, or the city manager, may appeal any action of the planning commission with respect to a tentative map to the city council **within ten days** after the action of the planning commission. No conflict of interest shall exist solely by reason of the filing of an appeal by the city council, an individual city council member, or the city manager. Any such appeal shall be filed with the city clerk and, except an appeal by the city council, a city council member, or the city manager, shall be accompanied by a filing fee as prescribed by city council resolution. Upon the filing of an appeal, the city clerk shall set the matter for hearing. Such hearing shall be held within thirty days after the date of filing the appeal. Within ten days, or at its next regular meeting following the conclusion of the hearing, the city council shall render its decision on the appeal.

SUMMARY

The applicant is requesting approval of (1) Tentative Parcel Map No. 5009, (2) conceptual master site plan for the 24.363-acre mixed-use development project with retail, office, food service, and auto dealerships, and (3) Site Plan and Design Review for Phase 1 of the proposed development, the two auto dealerships. The City prepared and circulated a draft Mitigated Negative Declaration for a 30-day comment period and concluded that the project with mitigations will not have any significant effects on the environment.

Staff recommends approval of the proposed project subject to the recommended conditions of approval for the tentative parcel map and city code requirements attached to this report.

RECOMMENDATION

Staff recommends approval of the project by making an affirmative motion as follows:

Motion #1 **Move That The Planning Commission Approve The Tentative Parcel Map No. 5009, Conceptual Master Site Plan, and Site Plan and Design Review,**

Comprehensive Sign Plan For Phase 1 Of The Panattoni Development Company Project Based On The Identified Findings Of Fact And Subject To The Identified Conditions Of Approval, By Taking The Following Actions:

1 Determine that the project, as conditioned, is consistent with the General Plan.

2 Determine that the project, as conditioned, is consistent with the Zoning Ordinance.

3 Determine that the project, as conditioned, is consistent with the Subdivision Ordinance.

4 Determine that the project is consistent with the Community Design Standards Plan.

5 Approve the Tentative Parcel Map #5009, located South of East Main Street, North of Interstate 5, West of Quality Circle, and East of Freeway Drive in the City of Woodland, Yolo County, California, 95776 (APN 027-851-024) into eight (8) parcel as identified by the attached tentative parcel map;

6 Approved the Conceptual Master Site Plan, and Site Plan and Design Review, Comprehensive Sign Plan, Design Exception For Phase 1 Of The Panattoni Development Company located South of East Main Street, North of Interstate 5, West of Quality Circle, and East of Freeway Drive in the City of Woodland, Yolo County, California, 95776 (APN 027-851-024).

-OR-

Should the Commission decide to deny either one of the project, the motion should be made as follows:

Motion #2 **Move That The Planning Commission Deny The Tentative Parcel Map No. 5009, Conceptual Site Plan, and Site Plan and Design Review For Phase 1 Of the Panattoni Development Company Project Based On The Identified Findings Of Fact (Specify Findings)**

<u>ATTACHMENTS:</u>

A. Application & Plans
B. Comments from Public and other Agencies
C. Applicable City Codes & Regulations
D. Mitigated Negative Declaration
E. Letter from OPR dated May 4, 2012
F. Industrial Land Uses in the EOZ
G. Comprehensive Sign Plans

Findings For The Proposed Panattoni Mixed-Use Development Project and Tentative Parcel Map No. 5009. Prepared for approval by the Woodland Planning Commission on May 17, 2012

CEQA Findings:

1. The Planning Commission has considered the proposed Mitigated Negative Declaration before making a decision on the project.
2. The Planning Commission has considered comments received on the Mitigated Negative Declaration during the public review process.
3. The Planning Commission finds that the Environmental Checklist/Initial study identified no potentially significant effects on the environment.
4. The Mitigated Negative Declaration has been prepared in compliance with CEQA and the State CEQA Guidelines, and is determined to be complete and final.
5. The Mitigated Negative Declaration reflects the independent judgment and analysis of the City of Woodland.
6. The Planning Commission hereby adopts the Panattoni Mixed-Use Development Project and Tentative Parcel Map No. 5009 Mitigated Negative Declaration.
7. The custodian of the documents, and other materials, which constitute the record of proceedings is the Community Development Director. The location of these items is the office of the Community Development Department at City Hall Annex, 520 Court Street, Woodland, California 95695.

General Plan Consistency Findings

1. The proposed project, as conditioned, is consistent with the provisions outlined by the General Plan.

Zoning Consistency Findings

1. The proposed project, as conditioned, meets all regulatory requirements of the Zoning Ordinance.
2. Mixed-Use Development is permitted in the Entryway Overlay Zone - Industrial / Planned Development (EOZ - I/PD).

Tentative Parcel Map Findings:

1. The proposed project, as conditioned meets all regulatory requirements of the Subdivision Map Act and the City of Woodland Subdivision Ordinance.
2. The conditions of approval are reasonably related to the use of the property.

Community Design Standards Findings

1. The project substantially satisfies the design requirements of the Community Design Standards for development within the City of Woodland.

3. The public art will be reviewed by the Woodland Planning Commission.

CITY OF WOODLAND CONDITIONS OF APPROVAL – May 17, 2012

PLANNING

1. The project is as described in the staff report prepared for the May 17, 2012, Planning Commission meeting.

2. The project shall be carried out in substantial compliance as depicted on the Tentative Parcel Map #5009, dated 2/16/12. The project shall be constructed as depicted on the Conceptual Exterior Elevations dated 2/22/12, and Conceptual Site Plan dated 2/23/12 and Landscape Plans dated 4/25/12, Comprehensive Sign Plan dated 2/22/12 included in the staff report, except as modified in these conditions of approval and with any changes necessary to meet City codes and specifications.

3. The applicant shall defend, indemnify, and hold harmless the City of Woodland, its agents, officers or employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the subject application by the City, its legislative body, advisory agencies or administrative officers. The City will promptly notify the applicant of any such claim, action or proceeding against the City and the applicant will either, at the City's discretion, undertake defense of the matter and pay the City's associated legal costs, or will advance funds to pay for defense of the matter by the City Attorney.

4. Secure approval and satisfy requirements of all agencies that have jurisdiction.

5. The applicant will be required to file a copy of the recorded instruments with the City of Woodland Community Development Department and the Public Works Department upon recordation of the revised parcels.

6. Prior to final map shall applicant demonstrate that access and/or parking easements shall serve all Parcels 1, 2, 3, 4, 5, 6, 7, & 8.

Site Plan Review

6. Applicant shall comply with the State of California's new Water Efficient Landscape Ordinance AB 1881. The landscape architect shall document and attest to the compliance with the new State ordinance on the final landscape plans.

7. Enter into a landscape Maintenance Agreement. A Landscape Maintenance Agreement with the City shall be recorded prior to issuance of a building permit to assure continuing maintenance.

8. The public art for the project shall be reviewed and approved by the Planning Commission and installed prior to issuing the Certificate of Occupancy.

9. The freeway monument sign shall be further enhanced with additional brick treatments to include the following: a larger masonry base and masonry columns on either side of the sign cabinet to the top of the tallest auto dealership panel to the satisfactory to the Community Development Department.

DEVELOPMENT ENGINEERING - Tentative Map Conditions

Fees:

10. The Owner shall pay all required fees for processing final maps (technical check) with final map submittal.

11. Applicant shall pay development impact and surface water fees prior to issuance of building permit, and shall pay fees in effect at the time of building permit.

12. The conditions of approval set forth herein include certain fees, dedication requirements, reservation requirements and/or other exactions. Pursuant to Government Code, Section 66020(d), these conditions constitute written notice of the amount of such fees, and a description of the dedications, reservations and other exactions.

13. The applicant is hereby notified that the 90-day protest period, commencing from the date of project approval, has begun. If the applicant fails to file a timely protest regarding any of the fees, dedication requirements, reservation requirements and/or other exactions contained in this notice, complying with all the requirements of Government Code, Section 66020, the applicant will be legally barred from later challenging such fees, dedications requirements, reservation requirements and/or other such exactions. Notwithstanding the foregoing, the City does not waive any rights it may have to enforce any settlement agreement, memorandum of understanding, or other agreement with the applicant which authorizes the City to impose certain fees, and which may waive the applicant's right to challenge the imposition of some or all of the fees, dedication requirements, reservation requirements, and/or other exactions set forth in these conditions of approval.

Prior to approval of final map complete/construct

14. A 10" public water main connecting the mains in Freeway drive and Quality Circle. The alignment shall be subject to approval of the City.

15. Extend Freeway drive and construct a City standard 65 foot radius industrial cul de sac with street lights, sidewalks, water, sewer, storm drain, fire hydrants, and appurtenances.

16. Developer shall install a multi way stop at the intersection of Freeway Drive and East Main Street. Construction shall include advance warning signs and flashing beacons (with the warning signs) as determined by the City. Advanced flashing beacons may be solar powered subject to submittal review by the City.

Construct with building permit

22. Prior to issuance of a building permit the applicant shall obtain an encroachment permit for the construction of public improvements and post any security determined necessary by the City Engineer. Public improvements shall including utility connections, sidewalks, curb, gutter, driveway as prescribed below for all parcels in conditions 2 & 3 and individual parcels as described in conditions 4-7:

23. Each parcel shall install a stop sign to control egress from its site at its driveway.

24. Each parcel shall construct separate services for water, storm water and sewer connections. Landscaping and potable water shall be separate metered connections. Fire, Landscaping, and potable water services shall all have back flow devices.

25. For Parcels 1 & 2 the applicant shall either Prior to or at the time of building permit:
    a) Obtain an encroachment permit and Construct the following public improvements: Driveways for each parcel.
    b) The site plan shall mark the fire access lane with signs and red curbs to the satisfaction of the Fire Marshal. A gate shall not be allowed between parcel 1 and parcel 2.
    c) On site improvements shall be coordinated with 24" waterline to be constructed in the easement in item 2 under "Easement Dedications, Right of Way, and Map Restrictions".

26. For Parcel No. 3 the applicant shall either Prior to or at the time of building permit obtain an encroachment permit and Construct the following public improvements:
    a) Unless determined otherwise by the City Engineer project shall install a City standard Street light along the Quality Circle Street Frontage.
    b) Driveway for the parcel.

27. For Parcels No.s 5, 6, 7, 8 the applicant shall either Prior to or at the time of building permit obtain an encroachment permit and Construct the following public improvements:
    a) Installation of a Street Light in accordance with City standards. This will require 4 street lights, one for each parcel as shown on the tentative map, should parcels be adjusted 4 street lights shall be required along the frontage with each developing parcel taking care of its proportional share.
    b) Construction of the main driveway on East Main Street shall include 40:1, 6 foot tapers on each side of the driveway, or an alternative design for a high speed driveway as approved by the City Engineer.
    c) Unless otherwise approved by the City engineer driveways shall have throat depths in accordance with City standards.

28. Prior to building permit applicant shall model fire flow demand for the water system and shall construct additional water infrastructure necessary to support development at the time of building permit.

Site Design and Frontage Improvements

29. Project shall underground existing overhead utilities within the site.

30. Project shall abandon any on site wells with construction of site improvements.

Easement Dedications, Right of Way, and map restrictions

31. Final map shall dedicate a PUE to the City of 15' in width to along the alignment of the public 10" water main connection between Freeway drive and Quality Circle. The easement shall be free of structures.

32. Final map shall dedicate a water main construction and maintenance easement along the east side of parcel 2 adjacent to the existing AT&T easement, 70' in width. The easement shall be free of structures. Should the property owner, negotiate with the Woodland-Davis Clean Water Agency and sell a similar easement, have a right of way contract for a similar easement, or be in escrow for such an easement prior to final map; the final map shall reflect said easement on the property to the satisfaction of the City Engineer, and additional dedication will not be needed.

33. The final map shall dedicate a fire and emergency vehicle access and evacuation easement to the City of Woodland between Freeway Drive and Quality Circle. The width of the easement shall be 20'. The site plan shall mark the fire access lane with signs and red curbs. A gate shall not be allowed between parcel 1 and parcel 2

34. Final map shall dedicate Right of way for 40:1 6 foot tapers centered on the forty foot easement (one taper each side of the easement) to accommodate proposed main drive way entrance, and modify the existing PUE accordingly.

35. Final map shall dedicate a chord as shown on the northeast corner of parcel 5

36. The final map shall dedicate the extension of freeway drive and a 65 foot radius cul de sac on parcel 1

37. Final map shall dedicate adequate easements necessary for the access to all parcels until superseded by direct access to a public road. Furthermore, the final map shall dedicate easements to allow connection of sewer and storm drain facilities across parcels, so that each parcel may attach to the public system. Easements may be dedicated through one of the following mechanisms:

    a. A legally binding CC&R document, reviewed and approved by the City and recorded on the title of the land;

    b. Entering into an Agreement for Conveyance of Easements and record it against the property prior to final map and having map reference the agreement; or

    c. Including a statement on the final map as follows: We hereby reserve easements for reciprocal private access, drainage, utilities, and maintenance, on, over, and across Parcels 1,2,3 and 4 these easements shall bind and insure to the benefit of the heirs, administrators, executors, and successors of the grantors and are for the benefit of each of Parcels so described.

<u>**General Conditions**</u>

38. If the final map is requested prior to the construction of required improvements, applicant shall prepare improvement plans for all work within the public right-of-way or public easements and submit them to the Development Services division and enter into an improvement agreement and post security in the amount of 100% performance bond, 50% payment bond and 10% warranty bond.

39. For improvements required at building permit, the applicant shall prepare improvement plans for all work within the public right-of-way or public easements and submit them to the Public Works department with encroachment permit application for review and approval. Prior to building permit issuance, applicant shall obtain encroachment permit, post security for the full cost of the public improvements, and enter an Improvement Agreement if the estimated cost of the public improvements is greater than $50,000. This submittal is separate from the building permit submittal. All public improvements shall conform to the current City of Woodland Standard Specifications.

40. Applicant shall submit an application for reapportionment of assessments with the parcel map.

41. Backflow protection devices are required on all commercial, domestic, fire, and landscape irrigation water services for the project. Backflow devices shall be tested by a City-approved tester and results provided to the Public Works Department prior to occupancy.

42. The site is currently within the 100 year flood plain, and building pad elevation shall meet City Code and FEMA requirements.

43. Design of the sites shall not impede the flood way and shall be modeled, project shall not create a significant (1 foot) increase in flood depth. This requirement may dictate site design and orientation of buildings.

44. Each parcel shall enter into a Storm Water Treatment Device Access and Maintenance Agreement prior to the issuance of a building permit or encroachment permit that connects the onsite storm drain system to the public system.

Yolo County Environment Health

45. Prior to handling hazardous materials in quantities than 55-gallons, 500-pounds, or 200-cubic feet, or generating hazardous waste at the facility, a Hazardous Material/Waste Application Package (Business Plan) shall be completed and submitted to Yolo County Environmental Health (YCEH). For information call YCEH ay (530)666-8646. This applies to automobile dealership, repair shops, etc. that are planned for the development.

46. Proposed project will connect to both City of Woodland wastewater an potable water systems.

47. Any unused well or septic systems discovered during the development project must be abandoned under permit with Yolo Environmental Health.

48. Persons conducting retail distribution of food, beverage or ice must have a current valid permit with Yolo County Environmental Health. Prior to distribution, an application and appropriate fee must be submitted to our office and a valid permit must be display ed at tha business.

ATTACHMENT 11

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: October 18, 2011

SUBJECT: Adopt Resolution No.___Amending the Public Facilities Fees Fee Program Administrative Guidelines for Auto Sales

Report in Brief

On October 4th, the City Manager asked that this item be continued to the Council meeting of October 18th. Attached to this staff report are a memo from the City Manager, a list of Council questions and staff responses as well as a spreadsheet comparing the Woodland proposal to other area cities.

Public facilities fees, also known as Development Impact fees, are collected at the time of building permit issuance for new development projects. The guidance for application of these fees is provided in the Public Facilities Fees Fee Program Administrative Guidelines. Substantive changes, such as land use designations are required to be approved by the City Council by Resolution. Staff has prepared a revision to the administrative guidelines to change the land use designation for auto sales from retail to industrial.

Staff recommends that the City Council approve Resolution No. _____ adopting the October 18, 2011 revised Public Facilities Fee Program Administrative Guidelines designating auto sales under the "Industrial" land use category; and further direct staff to develop a separate Automotive Sales land use category in the 2012 Major Project Finance Plan (MPFP) Fee Nexus study update.

Background

On September 3, 1991, the City Council adopted Resolution No. 3629 establishing capital improvement facilities fees (development fees) as a means of providing funding for the public facilities needed to serve new development in the City. The City Council also adopted Ordinance No. 1193, which enacted section 6-1-1 (now section 6-1-2) of the Woodland Municipal Code to condition the issuance of building permits upon payment of development impact fees established by Resolution No. 3629. On November 5, 1991, the City Council adopted administrative guidelines (Resolution 3639) for implementation of the development fees in specified circumstances.

Revisions to Resolution 3639 are needed from time to time to reflect changes in the City processes and clarify instances where specified circumstances are not properly addressed by Resolution No. 3639. There have been two previous resolutions amending the administrative guidelines adopted in 2006 and 2007.

The proposed Guidelines are presented herein for approval by the City Council.

Discussion

The Public Facilities Fee Program Administrative Guidelines serve as a desk manual for interpretation of how to calculate development impact fees for new development. Included in this interpretation is a table defining the type of uses and in what land use category a new use should be assessed (Service, Office, Retail, or Industrial).

Currently new auto sales are listed within the "Retail" land use category. In reviewing land use impact factors that are used in calculating the development impact fee for the Fee Program land use categories, staff has determined that a new auto sales land use category should be evaluated and considered, to more accurately reflect auto dealership land use impacts. In order to calculate a development impact fee, a project must fit into a land use category that has been defined in an approved nexus study. For the City of Woodland, that nexus study is our approved Major Projects Financing Plan.

Presently staff has been working with two local auto dealers who desire to relocate to undeveloped property and construct new auto dealership facilities. In working with the business owners, the staff has concluded that a separate land use category for auto sales be evaluated and considered for inclusion in the City's MPFP Fee Nexus Study Update planned for next year.

Auto dealerships are an important component in the local economy both providing jobs and significant contributions to sales tax revenue. The two auto dealers have stated that a move (to an improved location with modern facilities) in the near term is necessary for them to maintain viable businesses in the City of Woodland, but it will be difficult to finance in the current economy. With a move to improved facilities, the auto dealers state that they expect a 25 to 40% increase in sales. Furthermore the relocation of any auto dealer from the downtown is a key to the implementation of the downtown specific plan and the eventual revitalization of the Woodland downtown.

Staff has reviewed land use categories of cities with specific auto sales land use categories. Preliminary review of those cities auto sales impact use factors and fees indicate that those auto sales impact use factors, align more closely to the City of Woodland's "Industrial" land use category than the "Retail" category. The cities of Davis and Elk Grove have specific categories for new auto dealerships and the cities of Roseville, Rocklin and Lincoln have a different traffic impact fee for new auto dealerships that is less than the commercial-retail fee.

Therefore, staff believes it is in the City's long term economic interests to reclassify auto dealerships from the "Retail" land use category to an appropriate independent category. The City will not be able to complete a separate Nexus study in a time frame to meet the local auto dealers needs; and therefore is proposing to initially move the auto sales land use into the "Industrial" land use category in the fee tables until such time as the City completes an update of its MPFP Fee Nexus Study.

Staff has consulted with the City attorney and determined that although this change is not a strictly nexus based changed, it is legal provided that other fee categories are not increased to offset any lost revenue.

By adoption of this Resolution, auto sales will be moved from "Retail" (highest fee category) to "Industrial" (lowest fee category) in the land use tables. This is a temporary classification until the City completes its next MPFP Fee Nexus Study Update, scheduled for FY2012.

Fiscal Impact

This adjustment will have no general fund impact or impact on the 10 year Capital Improvement Plan. The initial change will not affect the MPFP as the land the auto dealers are currently planning on moving to is zoned as industrial and modeled in the fee program as an industrial use. Upon updating the MPFP fee with a comprehensive Nexus study in 2012, the entire fee program will be adjusted to account for the new fee category.

Public Contact

Posting of the City Council agenda.

Recommendation for Action

Staff recommends that The City Council approve Resolution No. _ adopting the October 18, 2011 revised Public Facilities Fees Fee Program Administrative Guidelines designating auto sales under the "Industrial" use category; and further direct staff to develop a separate Automotive Sales land use category in the 2012 MPFP Nexus study update.

Prepared by: Bruce Pollard
Senior Civil Engineer

Jamie McLeod
RDA Housing Analyst II

Reviewed by: Lynn Johnson
Sr. Management Analyst

RESOLUTION NO. 6037

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND ADOPTING REVISED ADMINISTRATIVE GUIDELINES FOR IMPLEMENTATION OF THE MAJOR PROJECTS FINANCING PLAN PUBLIC FACILITIES FEE PROGRAM FOR AUTO SALES

WHEREAS, on September 3, 1991, the City Council of the City of Woodland adopted Resolution No. 3629 establishing capital improvement facilities fees (hereinafter "development fees") as a means of providing funding for the public facilities needed to serve new development in the City, which facilities are identified in the City of Woodland Major Projects Financing Plan (MPFP) dated August 15, 1991, and

WHEREAS, on September 3, 1991, the City Council of the City of Woodland adopted Ordinance No. 1193, which enacted section 6-1-2 of the Woodland Municipal Code to condition the issuance of building permits upon payment of the development fees, established by Resolution No. 3629, and

WHEREAS, on November 5, 1991, the City Council of the City of Woodland adopted Resolution No. 3639, which implemented the administrative guidelines for the development fees established by Ordinance No. 1193 and Resolution No. 3629, to address the applicability of the development fees in specified circumstances, and

WHEREAS, the City Council of the City of Woodland has considered and now wishes to adopt a revised set of administrative guidelines to enable the proper categorization and collection of development fees for Auto Sales and directs staff to develop a separate Automotive Sales land use category in the 2012 MPFP Nexus study update.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodland that the "Public Facilities Fee Program Administrative Guidelines," be adopted, a copy of which is attached hereto.

PASSED AND ADOPTED by the City Council this 18th day of October, 2011, by the following vote:

AYES:	Council Members Davies, Dote, Marble, Stallard and Pimentel
NOES:	None
ABSENT:	None
ABSTAIN:	None

Artemio Pimentel, Mayor

ATTEST:

Ana B. Gonzalez, City Clerk

APPROVED AS TO FORM:

Andrew J. Morris, City Attorney

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM 18.

TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Public Hearing to Receive Comments Concerning the Renewal of Assessment for Woodland Visitor Attraction District; Adoption of Resolution Confirming the Assessment Report

Report in Brief

On May 22, 2012 Council unanimously approved the 2012-2013 Annual Assessment Report, adopted the Resolution of Intention to renew the Woodland Visitor Attraction District; and set a public hearing to review comments concerning the renewal of the 2012-2013 Annual Assessment.

Tonight's action is the second step in the annual renewal of the Woodland Visitor Attraction District ("BID"). Staff is recommending that Council take the following actions:

1. Hold a public hearing to receive public comments on the renewal of the BID;
2. Adopt a resolution confirming the 2012-2013 Annual Assessment Report presented on May 22, 2012 and June 19, 2012.

Background

On July 6, 2004, the City Council unanimously supported the adoption of a Resolution of Intention to establish the BID pursuant to the Parking and Business Improvement Area Law of 1989. On July 27, 2004, Council held a public hearing to approve Ordinance No. 1404 establishing the BID. Ordinance No. 1404 authorized the levying of a 1% assessment on hotel room occupancy, in addition to the Transient Occupancy Tax (TOT), upon all hotel/motels establishments in the City of Woodland. Council has annually adopted the renewal of the BID since that time.

A requirement of the Parking and Business Improvement Area Law of 1989 is that the assessment levy be renewed every fiscal year. On May 22, 2012, as required by statute, the City Council approved the BID Assessment Report for Fiscal Year 2012-2013 and adopted Resolution No. 6061, a Resolution of Intention of the City Council of the City of Woodland to levy an assessment for improvements and activities for FY13 within the BID.

In order to renew the assessment, the City Council is required to conduct a public hearing to consider any written or oral protests and adopt a resolution confirming the BID Assessment Report for FY13. Once adopted, the confirming resolution will constitute the levy of the assessment for the BID for

FY13. Notice of the public hearing has been published and copies of the Notice have been sent to the Woodland hoteliers per the Parking and Business Improvement Area Law of 1989. The hotel owners/operators may submit written protests at or before the public hearing.

If written protests are received from businesses which pay 50% or more of the assessments to be levied, no further proceedings to levy the assessment may be taken for a period of one year from the date of the finding of the majority protest by the City Council. If the majority protest concerns only the furnishing of specified types of activities within the BID, only those types of activities must be eliminated.

The assessment is to be forwarded to the Visitor's Bureau, which promotes tourism and visitor attraction. The Visitor's Bureau, which is governed by a Board of Directors, is a non-profit entity. The Visitor's Bureau is also financially supported by its partners—City of Davis Hotel BID, City of Winters, and Woodland Hotel BID, as well as the University of California at Davis (Hotel BID through Hyatt Place).

Staff recommends that the City Council hold a public hearing to receive comments concerning the renewal of the 2012-2013 BID; and the adoption of a resolution confirming the 2012-2013 Annual Assessment Report.

Discussion

The hoteliers have voted to assess themselves in order to provide an entity, in this case, the Visitor's Bureau, with funds to assist in increasing travel, tourism and overnight stays in Woodland. The work that the Visitor's Bureau has done continues to be productive and it is highlighted in the attached 2012-2013 Annual Assessment Report.

Over this past year, the total 1% assessment collected dropped slightly from the FY 2011 assessment of $83,500. It is anticipated that FY13 contributions will reach approximately $87,000. With the addition of the regularly scheduled youth and adult sports events primarily held at the Community Center, staff believes that the increase in the TOT also reflects the City staff's and Visitor's Bureau efforts to actively market Woodland to business and leisure travelers. This includes negotiating host hotel opportunities that offer discounts to visitors attending specific events and the greater collaboration of all Woodland hotels to market their facilities in order to attract visitors. The Visitor's Bureau recently signed a contract to partner with "Bookdirect" offering Yolo County hotel visitors an opportunity to reserve their rooms via "Jack Rabbit" direct reservation online service vs going to a "housing" reservation group who would collect a commission on the reservations. The intent is that direct sales will increase overnight stays and ease the process to book a room in Woodland or other Yolo County hotels.

The Visitor's Bureau continues to implement a more flexible, collaborative approach with its partners and potential traveling groups and individuals. In 2011, the Visitor's Bureau Board had increased from 9 to 12 members with a greater representation of hotel establishments. And recently, Wayne Ginsburg became President of the Visitor's Bureau, encouraging more activity to be focused on Woodland attractions and events. The mission of the Visitor's Bureau is to enhance the visitors' experience by facilitating the integration of the community and regional resources and assets. Board meetings now rotate among the partner communities and regular updates are provided by city partners in a constant effort to work together and market Yolo County. The Visitor's Bureau has redirected its focus to local and regional marking now that the website upgrades have taken place. In FY12 the Board hired Dawn Adams as Sales Director focusing on increasing the number of groups that visit community events and attractions in Yolo County.

In addition to the past year's activities, the Visitor's Bureau has proposed the following additional activities to market Yolo County regionally.

Increase Collaborative Efforts with Particular Emphasis on:

-local hoteliers, focusing on promotions, culinary tours and multi-night stays
-area museums and museum-related events
-New UC Davis conference facilities
-Woodland Community Center and other area venues

Take an Active Role in Planning and Events:

-Stroll through History
-LiveSTRONG Challenge (June), including Woodland rest stop (2012) and Woodland route pass-through (2013)
-Yolo County Booth at the California State Fair (July)

Promote the Redesigned website and mobile phone application; continue to produce and integrate QR codes targeted to specific activities, interests and audiences
Provide Services to partner Visitor's Bureaus
Increase Use of Social Media
Pursue initiatives discussed: "Destination Woodland"
Develop and maintain best practices for the organization

Fiscal Impact

The renewal of the one percent (1%) assessment has minimal direct fiscal impact on the City. Hoteliers submit their 1% assessment to the City along with their ten percent (10%) Transient Occupancy Tax (TOT). City staff processes the 1% assessment and passes it through to the Visitor's Bureau on a quarterly basis. Annual staff costs for the pass-through of funds are estimated to be approximately $1,500 and are contributed in-kind.

Public Contact

In April 2012, staff met with Visitor's Bureau Executive Director to discuss progress made over the past year and plans for FY13. Staff has provided the Visitor's Bureau Board with a copy of this report.

On May 22, 2012, Council adopted a resolution of intention (No. 6061) in support of renewing the BID and levying an annual assessment in FY13; approved the FY13 Annual Assessment Report; and set tonight's public hearing. A copy of the June 19, 2012 public hearing notice to confirm the levy of an Annual Assessment was sent to all Woodland hoteliers via U. S. Postal Service.

Tonight's item has been included in the City Council Agenda and the Public Hearing has been noticed in the Daily Democrat as required.

Alternative Courses of Action

1. Hold a Public Hearing to receive comments concerning the renewal of the 2012-2013 Annual Assessment for the Woodland Visitor Attraction District (BID); and the Adoption of a Resolution Confirming the 2012-2013 Annual Assessment Report
2. Cease further consideration for the renewal of the Visitor Attraction District

Recommendation for Action

Staff recommends that the City Council approve Alternative No. 1.

Prepared by: Wendy Ross
Economic Dvlpt. Mgr.

Nicholas J. Ponticello
CDD Director

Paul Navazio
City Manager

Attachments:
1. Resolution Confirming Assessment and Renewal of Levy
2. 2012/2013 Annual Assessment Report including budget
3. Letters of support

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND CONFIRMING THE ASSESSMENT REPORT AND APPROVING THE LEVY OF AN ASSESSMENT FOR THE VISITOR ATTRACTION DISTRICT FOR FISCAL YEAR 2011-2012 PURSUANT TO THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989

WHEREAS, the Parking and Business Improvement Area Law of 1989, California Streets & Highways Code section 36500 et seq., authorizes cities to levy assessments through a business improvement district;

WHEREAS, on September 7, 2004, the City Council of the City of Woodland adopted Ordinance No. 1404 establishing a Woodland Visitor Attraction District ("District") and levying assessments;

WHEREAS, the Parking and Business Improvement Area Law of 1989 requires the City to renew the levy of the assessment for each fiscal year;

WHEREAS, the City Council approved the Visitor Attraction District (BID) Assessment Report for Fiscal Year 2012-2013 and a resolution of intention to levy the assessment by Resolution No. 6061 on May 22, 2012;

WHEREAS, the City provided notice of a public hearing to be held by causing the resolution of intention to levy the assessment to be published in the *Daily Democrat* not less than seven (7) days prior to the public hearing;

WHEREAS, the City Council conducted a public hearing on the Visitor Attraction District (BID) Assessment Report for Fiscal Year 2012-2013 pursuant to the Parking and Business Improvement Area Law of 1989, on June 19, 2012; and

WHEREAS, the City Council has found no majority protest as defined by Section 36525 of the California Streets & Highways Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Assessment Report

The City Council confirms its adoption of the Visitor Attraction District (BID) Assessment Report for Fiscal Year 2012-2013, which identifies the assessment to be levied and collected to pay the costs of improvements and activities described in the report, in the same form as adopted on May 22, 2012.

Section 2. Levy of Assessment

Pursuant to the Parking and Business Improvement Area Law of 1989, the adoption of this resolution shall constitute the levy of the assessment for the Visitor Attraction District for fiscal year 2012-2013.

PASSED AND ADOPTED this____day of June, 2012 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

____
Artemio Pimentel, Mayor

ATTEST:

____
Ana Gonzalez, City Clerk

APPROVED AS TO FORM:

____
Andrew Morris, City Attorney

2012 – 2013 Annual Assessment Report

Prepared for

The City of Woodland

May 14, 2012

Yolo County Visitors Bureau
604 Second Street • Davis, CA 95616 • (530) 297-1900 • www.yolocvb.org

Scan our QR Code with your smart-phone to go directly to our website

Yolo County Visitors Bureau
2012 – 2013 Annual Assessment Report

Our Mission: *To enrich the lives of our citizens by stimulating the economic activity of Woodland, Davis, Winters and unincorporated Yolo County businesses and organizations; to promote cultural, athletic, and educational events and programs that build upon the strengths of our region and the quality of our community life; and to enhance the visitors experience by facilitating the integration of the community and regional resources and assets.*

In order to accomplish our mission, the Yolo County Visitors Bureau is committed to the following core objectives:

- To market the region in a way that maximizes the visitors experience while respecting the exceptional quality of life and environment we enjoy
- To compete aggressively with destinations throughout the region in attracting visitors
- To offer outstanding customer service in all aspects of the organization
- To be a regional destination marketing organization that emphasizes partnerships, productivity, and maximum return on investment
- To share expertise on industry issues, trends, and product development with customers and stakeholders
- To measure and report the effectiveness of the organization in generating economic benefits for the community

Our Vision: The Yolo County Visitors Bureau (YCVB) is the recognized leader of an integrated and influential tourism destination team representing three primary cities of Woodland, Davis, and Winters, plus the adjacent areas of Yolo County. We are striving to be ever more proactive, modern, and creative in our approach.

The YCVB markets the cities of Woodland, Davis, and Winters, and the surrounding unincorporated areas of Yolo County, as prime tourist destinations for events and activities, dining and food-related pursuits, entertainment, meetings, recreation, and overnight stays. The YCVB is the county's official destination management organization and works in close collaboration with other agencies to achieve its goals. The YCVB provides a full range of information services to tourists and event planners through its website (www.yolocvb.org) and a series of informative brochures and publications.

Tourism Impacts in the USA, California, and Yolo County

The travel industry's role in the American economy is profound. In 2010, domestic and international travelers logged 2 billion trips to destinations in all 50 states and Washington D.C., spending $759 billion on goods and services at local businesses. Nationally, travel supports nearly

7.5 million jobs, generating nearly $190 billion in wages and nearly $120 billion in government tax revenues. Importantly, travelers from foreign countries accounted for nearly 20% of the total.

In California in 2011, travel-related spending was $102.6 billion—an increase of 7.6% over 2010. The industry generated 893,000 jobs and brought in $2.3 billion in local tax revenue—an increase of 10.1%.

In Yolo County in 2011, we saw $269 million in total travel spending, which supported 3,200 jobs and brought in $3.9 million in local tax receipts.

In Woodland, tourism helps drive nearly $10 million in revenues to local hotels, generating nearly $1 million in TOT income to the city coffers.

There are other reasons why travel in Yolo County and its cities—Woodland especially—is vital. "Travel is especially important in the non-metropolitan areas of the state, where manufacturing and traded services are less prevalent" (Visit California, *California Travel Impacts by County*, 2012). That means travel is important for economic vitality and diversity; there is also the implication that travelers, including foreign travelers, are looking for attractive destinations beyond the gateway cities. From San Francisco, Yolo County is a short drive away.

A relatively large share of the goods and services provided by travel businesses are taxable, e.g., rooms, car rentals, food services, and the like. Woodland has hotels, restaurants, museums, a vibrant downtown and burgeoning arts scene, festivals and events, theater productions, meeting venues—all of the assets to offer visitors from near and far. The Yolo County Visitors Bureau plays an indispensable role in promoting all of these assets.

Summary of 2011/ 2012 Operations: The YCVB enjoyed a successful year, marked by staffing changes, major events, the completion of major projects, and research into significant new initiatives. The Board of Directors got new leadership and conducted a highly productive Strategic Planning meeting. And the YCVB hired a Sales Director, filling a position that had stood vacant for more than three years. The organization's proactive leadership remains firmly committed to engaging the community it serves, to keeping up the momentum and spirit of cooperation that has marked the YCVB's progress over the past few years, and to bringing more visitors to our doors.

Organizational Goals:

- Collaborate with local groups, businesses, and venues to provide attractions for visitors
- Explore partnerships with mutual interest in developing tourism for our region
- Pursue a thoughtful, efficient sales and marketing effort targeting leisure and business clientele
- Aggressively promote our attractions and events to visitors
- Provide services that support local organizations in their tourism efforts
- Serve as the leading resource for travel industry perspective and knowledge
- Maintain a professional organization
- Strive to be positive and respectful in all aspects of our work

Strategies:

- Maintain a Board of Directors that represents different areas and types of attractions but operates for the good of the whole region

- Build and enhance cooperation with local entities
- Develop a sales plan that includes marketing hotels to visitors as well as event and meeting planners, in particular to increase multi-night stays
- Take an active role in planning events that draw visitors
- Market our attractions and events to visitors
    - Provide a Visitors Center with abundant resources
    - Produce and distribute visitor publications
    - Maintain a website that is attractive to visitors and residents and promotes all regional attractions and events without bias
    - Participate in events and utilize the booth and publications
- Pursue a vigorous program of outreach to generate press coverage
- Maintain association and seek active cooperation with local and regional tourism organizations

2011 / 2012 Accomplishments

Major achievements for the year included redoing the website, integrating QR codes in publications, hiring a sales director and crafting a sales plan to increase hotel room nights by visitors and business guests, and gaining significant press coverage, including pages in large-circulation publications like *Sunset* and *Westways*. We also began an ongoing dialogue under the rubric "Destination Woodland" to develop strategies for increase visitation to the city.

Active Event Planning and Participation

- Woodland Free Museum Day
- Gibson Museum Octoberfest
- Yolo County Fair
- Woodland Christmas Parade
- Festival of Trees
- Annual Woodland Tomato Festival
- Woodland Dynamite Chili Cook-Off
- 134th Annual Woodland Scottish Festival and Games
- Senior Softball 2011
- YoloArts workshop and First Friday Art Walks
- Yolo County Booth at the California State Fair
- LiveStrong Challenge
- U.S. Bicycling Hall of Fame Induction Ceremony and Iaugural "Legends Gran Fondo"
- UC Davis Decision Day
- Celebrate Davis
- Winters Annual Youth Day
- Plein Air Festival / Inaugural Roots to Wine tasting event
- Winters Outdoor Quilt Fest
- Winters Summer Concert Series
- Winters Earthquake Festival
- Winters first-ever Ag Tours
- Festival de la Comunidad and Carnitas Cook-Off
- Fall for Winters Festival and Family Holiday Festival
- Annual Mill-In (Yolo Wool Mill)

Professional Organization Development

- Board of Directors approved final YCVB Employee Handbook
- Reaffirmed Board Responsibilities Policy, Document Retention, Whistleblower, and Expense Reimbursement Policies
- Conducted Strategic Planning meeting that included defining new activities for Board members

Distribution of Publications

While online and mobile technologies continue to rapidly expand their presence and influence in the travel industry, printed resources are still heavily relied upon and must be produced to satisfy demand. In fact, leisure travelers using print resources actually rose to 46% (from 40%) in the past year (source: Destination Analysts Research).

The YCVB produces and distributes comprehensive visitor guide/maps for Woodland, Yolo County, Davis/UC Davis, and Winters. We also produce a guide to county wineries, "Exceptional Wines, Surprisingly Close." The Visitor Center makes numerous other publications, directories, and promotional materials available to visitors.

The YCVB updated and revised all of the guides except Woodland (which will be done in the coming year), with design elements to be consistent with the look and feel of the new website. Points of distribution include:

- *YCVB Visitor Center*
- *Woodland City Offices*
- *Woodland Chamber of Commerce*
- *Heidrick Ag History Center*
- *Yolo County Offices*
- *Davis City Offices*
- *Davis Amtrak Station*
- *Davis Chamber of Commerce*
- *Davis Downtown Business Association*
- *Winters City Offices*
- *Winters Visitor Center & Chamber of Commerce*
- *UC Davis Visitor Center, Conference Center, and other locations on campus*
- *Various local places: restaurants, hotels, shops, attractions, galleries*
- *Various tradeshows*

The YCVB has never published a comprehensive Visitor Guide that includes all the information visitors need in one cohesive package. We would like to pursue this as a priority project in the coming year.

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Travelers use online tools for virtually everything; of people making decisions based on information found online, 45.5% selected a place to stay; 35% selected things to see or do; 31% read about local culture, arts, heritage, and events; 28% selected a restaurant. One out of three travelers used a destination marketing organization website as part of their research (source: Destination Analysts Research).

The YCVB website was completely overhauled and redesigned in 2011, and launched with heavy promotion in September 2011. It has proven to be a solid success with visitors and stakeholders alike. In June 2012 we plan to launch our latest enhancement: the JackRabbit hotel booking engine, which will allow visitors to make hotel reservations directly from the YCVB website; three Woodland hotels are included and we are actively recruiting others. Our website features:

- Woodland-specific content on home page and landing pages with original content
- Significantly more robust sections for Meeting Planners and Travel Professionals
- More deployment of special landing pages to promote specific events or activities, and to highlight understood visitor preferences
- JackRabbit hotel search/booking function on the website with direct links to hotels
- Increased cache of tightly focused video segments
- More robust interactive maps
- Events calendar
- Listings, photographs, and links for all hotels
- Listings for all restaurants – expanded and fully searchable by destination and cuisine
- Activities pages, including new pages for bicycle rides to and from Woodland
- Details for every attraction
- Travel information
- Search function that covers the entire site
- RFP, Request for Information, and Contact Us pages
- Press Room pages with extensive information for inquiring media

Website Usage
Since the re-launch of the website in mid-September 2011, we have seen nearly 22,000 visits (80% new, 20% returning) and 75,000 page views. People view 3.44 pages per visit and spend just over 3 minutes—all close to standard averages for a typical CVB or DMO website. Top content includes "Hotels & Inns", "Activities", "Restaurants", "Maps & Transportation", "Calendar", "Family Fun", "Festivals & Events".

From recent analysis, we know we can be doing more to boost our Search Engine Optimization (SEO) and drive more traffic to our website through Search Engine Marketing (SEM) campaigns. We are vetting qualified, affordable vendors for efforts in this arena, and will look to find funding partners to help us engage future projects.

Social Media
In terms of travel, 24.5% of people used social media for travel planning; 47% of people considered user-generated reviews of hotels, destinations, and restaurants (source: Destination Analysts Research, *The Way Travelers Use the Web*).

Facebook and Twitter accounts are now being actively used to post news, events, and information, and to help support the businesses of our many "friends" and fans. Based on new data about Facebook and Twitter users, we have tailored our postings to be more effective. For example, users of both media crave restaurant information, events and festivals, food and wine events, and discount offers. Facebook users tend to want more hotel information, Twitter users more arts and cultural information.

We also want to emphasize that 14% of Facebook users were inspired to visit a destination by content posted on Facebook, and in those cases, 89% were inspired by content posted by a friend or relative. So we looking at new strategies to generate more traffic and more buzz for our destinations.

We also were one of the first visitor bureaus in California to create and market a Pinterest page. Pinterest helped boost our website traffic, as noted previously, and is now the third-most-used social media outlet (behind Facebook and Twitter). Some of our “boards” feature Woodland-specific content, including attractions, hotels, shopping, events, things to do, and other features.

As with website SEO and SEM, we know we can be doing more to increase our fan base and drive more potential visitors into becoming actual visiting parties, but again we need to draw in other resources—vendor and financial—to help us in this regard.

Mobile Phone Application

The YCVB participated in the marketing of the mobile phone application with the Central Valley Tourism Association. This “app” provides many of the same features as a website, in a compact, downloadable, interactive, user-friendly way. Features include searchable hotels, events, restaurants, shopping, special offers, wineries, and more. It is easily updated by YCVB staff on a 24/7 basis. Since its launch in the fall of 2011, it has been downloaded by more than 10,000 users at the iPhone App Store. The Android version of the app is nearly completed and ready for launch, which will prompt a new marketing effort.

Today, 35 percent of internet traffic comes from mobile devices. Also, 86 percent of people with mobile devices use them while watching TV—in other words, there is no downtime. Some 55 percent of people engage in social media on mobile devices. In the last two years, mobile-device traffic on Google has increased a whopping 3000 percent. In 2010, there were 10.3 million mobile devices in use; by 2015, that figure will increase to 82.1 million (source: Madden Media).

In terms of travel, increasing numbers of people are using mobile devices to investigate destinations, check maps, watch videos, and make reservations; 63% using mobile devices before leaving home. However, 89% are using mobile devices *during* their trip, to find restaurants, hotels (for short-notice bookings), shopping information, things to do, and “deals right now” (including through group discount sites like Groupon and LivingSocial).

Having a well-developed mobile strategy in a rapidly developing market is clearly an important consideration. We believe there is opportunity and need for Yolo-travel-specific mobile apps: a mobile version of the YCVB website, possibly “Visit Woodland” and visit-other-cities. There are numerous developers in the travel space with whom we could partner. We will continue to evaluate our options and opportunities and aggressively enter this market as timing and economies allow.

YCVB Board Committees

The YCVB continued regular meetings of two standing committees to focus on certain aspects of its operation. They are:

Executive Committee: This consists of the Executive Director, the Board President, Vice-President, and Secretary, the Past President, and one other member of the Board. High-level, financial, personnel, and policy matters are the main topics of discussion. Recommendations by this committee are generally given to the full Board at regular meetings for consideration and approval or modification.

Sales Committee: This group consists of roughly 20 regular members, mostly drawn from hotelier staffs including General Managers and Sales Directors from Woodland and Davis, plus the YCVB Executive Director and Sales Director. This group is tasked with identifying potential new business opportunities for events, group functions, and meetings that would increase visitation and exposure; in particular we are looking into the so-called SMERF markets (Social, Military, Educational, Religious, and Fraternal), along with sports events and government agencies. There are several aspects to our sales effort, including:

Leisure Marketing

- Continue outreach campaign using traditional and new media.
- Continue integration of all marketing elements with common look and feel of brand. Key market: San Francisco Bay Area. Maintain emphasis on regional business development but explore logical targeted foreign connections.
- Grow reach of social audience through connecting and leveraging influencers participating in online conversations about Woodland and Yolo County travel activities.
- Continue development of the yolocvb.org website, presenting the lively, appealing aspects of the county and its communities to promote leisure travel; continually generate new content; develop video content with consistent look and thematic elements.
- Develop a new plan for ongoing search engine optimization (SEO) and search engine marketing (SEM) of the website to drive traffic.
- Cultivate travel bloggers to acquaint them with key attractions and activities, to shape content of future blogs and spread our messaging to their online audience.
- Continue the aggressive use of social media.
- Consider developing new materials for new distribution channels (CA Visitor Centers).
- Develop Yolo-focused Restaurant Month promotion in concert with Visit California.
- Explore possibilities of YCVB blog and blogger contributors.

Convention Sales and Tour Marketing

- Host trade journalists on site visits of destination (ex: Meetings Focus, Smart Meetings).
- Develop digital marketing strategy to increase awareness, reinforce assets and build lead database; investigate possible online campaign with B2B marketer TOURinfo.com.
- Finish development of website RFP form and Hotel Inventory/Assets form; aggressively promote both upon launch.
- Develop and promote YCVB Meetings Incentive Program.
- Develop proposals for targeted online advertising campaigns (search, social media) that communicate the Come to Yolo County message.
- Explore developing special Yolo County marketing sections in leading trade publication(s).
- Approach leading meetings and conventions publications for editorial coverage, other points of leverage. Publications include: *Association News, Convene, MPI, Meetings & Conventions, Successful Meetings, Meetings Focus, California Meetings and Events*.
- Continue leveraging new memberships in CalSAE and MPI; consider ASAE.
- Strengthen collaboration with UC Davis Conference and Events Services.
- Develop and refine fam(familiarization) tours and email marketing strategies.
- Develop new collateral materials suitable to target markets.

Public Relations

We are continuing to use our social media platforms on Facebook and Twitter to promote events and activities as well as acknowledge events and activities announced by our partners and likeminded organizations within the region. We are also expanding our list of press contacts further into the surrounding region.

We joined the Bay Area Travel Writers, an association of roughly 200 journalists and photographers, and brought a group of them for a food-and-wine tour we billed the "Bounty of Yolo County." We have also scheduled one of their regular monthly membership meetings (September 2012) at the Heidrick Ag History Center.

We began to use QR codes—a symbol that can be scanned with a smart phone—to take people directly to our website. We integrated the QR code into our guide maps and will continue to use QR codes for other collateral materials, especially as part of the sales initiative.

The YCVB has become a sponsorship partner with *Yolotales*, a locally owned and operated children's media show based in of Woodland. The children's show features a unique cast of puppets, people, and animated characters exploring all of life's various lessons. This show is broadcast locally, regionally, and nationally. The YCVB's sponsorship package includes a 30-second spot that exposes the YCVB website and brand to 17,000 households locally in Yolo County, 400,000 households regionally and more than three million households in the northwest and southwest United States. The YCVB is the only sponsor that has a commercial released nationally. This partnership will expose Woodland, Davis, Winters, and Yolo County to a very large audience of potential visitors.

We have also invested in a new public relations/marketing service, MyMediaInfo, which gives us tremendous reach and efficiency into all forms of media and contacts, increasing our ability to target our message, plan promotional campaigns, and monitor results.

Our efforts on behalf of local events produced results. Noted below is the coverage generated through our program:

- TV segments – 15. Outlets include: *News 10, NBC Sacramento, Good Day Sacramento, KCRA, Fox 40,* and *Sac & Co*
- Website Articles or Event Listings – 40. Sites include: *Cycling Examiner, LA Times Travel Calendar, California Outdoors,* and *Weekend Adventures*
- Website Third Party Listings: approximately 500
- Regional Magazine Articles or Event Listings – 13. Publications include: *Sunset, SacTown, Destination, RV Journal, Via,* and *Association News*
- Newspaper Articles or Event Listings – 75. Newspapers include: *LA Times, Daily Democrat, Sacramento Bee, Modesto Bee, Vacaville Reporter,* and *Contra Costa News*

Continuing outreach efforts for the coming year include:

- Continue to execute ongoing press release and news of events to keep media up to date.
- Investigate key consumer and trade publications for feature articles about Yolo County and its communities; also investigate ad buys.
- Attend Pow Wow Media Marketplace to reach international trade media with Yolo County information (via CVTA participation).
- Attend and exhibit at travel media group conferences (Society of American Travel Writers, United States Travel Association, Travel & Adventure, International Pow Wow).
- Host individual media and media groups (ex: BATW) with customized "fam tour" itineraries throughout the year.

- Look to collaborate with neighboring bureaus (such as Visit California and SCVB) for opportunities to gain exposure via various platforms and events (example, Restaurant Month in January, ag tours, wine-tasting events).
- Look to make public and group presentations (Rotary, etc.) about YCVB activities and initiatives.

Continuing and Potential New Collaboration
We enjoy excellent working relationships, and serve in various capacities, with: the cities of Woodland, Davis, and Winters; the Chambers of Commerce for Woodland, Davis, and Winters; the Davis Downtown Business Association; the Yolo County Historical Society; UC Davis departments, chiefly UC Davis Conference and Events Services; DESIDE ("Designing a Sustainable, Innovative Davis Economy"); the Central Valley Tourism Association (CVTA); the Gateway Art Project Committee; and the California State Fair Committee for Yolo County.

We made outreach efforts to West Sacramento, with an eye to bringing that community into our operation, knowing, for example, certain hotels in West Sacramento are marketing in the same arenas as the YCVB, as well as building a relationship with UC Davis. Our overtures were well received, but the death of redevelopment funding, and the general sentiments of the YCVB Board, has closed the initiative for now.

2012 / 2013 Goals

- **Increase collaborative efforts with particular emphasis on:**
    - Local hoteliers, collaborating on promotions, culinary tours, and multi-night stays
    - Area museums and museum-related events
    - New UC Davis Conference facilities
    - Multi-purpose venues (such as Woodland Community and Senior Center)
    - Winery associations: Roots to Wine (including Woodland-based Simas Family Winery and Route 3 Wines) and Clarksburg Wine Growers Association

- **Take an active role in planning events and initiatives:**
    - Stroll Through History
    - LiveSTRONG Challenge (June), including Woodland rest stop (2012) and Woodland route pass-through (2013)
    - US Bicycling Hall of Fame Induction Weekend (November) and Legends Gran Fondo (May)
    - Yolo County Booth at the California State Fair (July)

- **Execute our sales plan leveraging the skills of the new Sales Director**

- **Promote the redesigned website and mobile phone application; continue to produce and integrate QR Codes targeted to specific activities, interests, and audiences**

- **Continue to enhance Visitors Center**

- **Provide service to partner Visitor Centers**

- **Increase public relation efforts: leverage MyMediaInfo to increase efficiency**

- **Increase use of social media: develop contests to increase “fan base” and reposting; continue to develop Pinterest; investigate other potential outlets (Google +, LinkedIn)**

- **Achieve strides in mobile site development**

- **Develop and promote a “Restaurant Month” campaign (January), supported by marketing efforts of Visit California**

- **Pursue initiatives discussed in “Destination Woodland” meeting**

- **Develop and maintain best practices for the organization**

YCVB Board of Directors

Wayne Ginsburg, President
Woodland Chamber of Commerce,
Woodland CA

Rob Petersen, Vice-President
Hyatt Place, Davis CA

Randii MacNear, Secretary
Davis Farmers Market, Davis CA

Maria Lara, Treasurer
Royal Guest Hotels, Davis CA

Wes Ervin, past President
Manager, Economic Development
Yolo County, Woodland CA

Reed Youmans
Hallmark Inn, Davis CA

Lina Layiktez
Director, UC Davis CEVS, Davis CA

Charles Roe
Pyramid Construction, Davis CA

Howard Hupe
Winters Chamber of Commerce,
Winters CA

Ashok Patel
Royal Guest Hotels, Davis CA

Vinod Patel
Holiday Inn Express, Woodland CA

Meg Stallard
At Large, Woodland CA

Arvind Patel
Valley Oaks Inn, Woodland CA

Guneet Bajwa
Presidio Companies
Hyatt Place, Davis CA

YCVB Staff

Alan Humason
Executive Director
alan@yolocvb.org

Tiffany Dozier
Communications and Public Relations Manager
tiffany@yolocvb.org

Dawn Adams
Sales Director
dawn@yolocvb.org

604 Second Street
Davis, CA 95616
(530) 297-1900
www.yolocvb.org

YCVB 2012-2013 Forecast andBudget	Forecast	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
REVENUE													
Woodland BID	$ 90,500	$ -	$ 24,500	$ -	$ -	$ 24,000	$ -	$ -	$ 19,500	$ -	$ -	$ 22,500	$ -
Davis BID	$ 125,000	$ -	$ 35,000	$ -	$ -	$ 44,000	$ -	$ -	$ 24,000	$ -	$ -	$ 22,000	$ -
City of Davis (mobile site; maps)	$ 6,500	$ -	$ -	$ 3,500	$ -	$ -	$ -	$ -	$ -	$ -	$ 3,000	$ -	$ -
City of Winters	$ 7,000	$ -	$ 7,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Winters Chamber of Commerce	$ 1,000	$ -	$ 1,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Advertising	$ -	$ -		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Other (from hotels: JackRabbit)	$ 5,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 5,000	$ -
Other (video production)	$ 2,500	$ -	$ 2,500	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
TOTAL REVENUE	$ 237,500	$ -	$ 70,000	$ 3,500	$ -	$ 68,000	$ -	$ -	$ 43,500	$ -	$ 3,000	$ 49,500	$ -
Liquidity (Cash on Hand)	$ 190,000												
Total Operating Funds	**$ 427,500**												
MARKETING													
Publications & Outreach													
Davis Map & Guide	$ 3,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 3,000	$ -
Winters Map & Guide	$ 2,500	$ 2,500	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Woodland Map & Guide	$ 2,500	$ -	$ -	$ -	$ -	$ -	$ -	$ 2,500	$ -	$ -	$ -	$ -	$ -
Yolo County Map & Guide	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
UC Davis Map	$ 2,000	$ 2,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Restaurant Guide (Woodland & Davis)	$ 500	$ -	$ -	$ 500	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Winery Guide	$ 2,000	$ 2,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Trip Advisor	$ 3,000	$ -	$ 3,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Photo Fees & Reproduction	$ 2,500	$ 200	$ 200	$ 210	$ 210	$ 210	$ 210	$ 210	$ 210	$ 210	$ 210	$ 210	$ 210
Video Production	$ 2,500	$ -	$ -	$ 2,500	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
JackRabbit Systems	$ 5,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 5,000	$ -
MyMediaInfo	$ 7,500	$ -	$ 2,500	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 5,000	$ -
Gift Baskets	$ 900	$ 150	$ -	$ 150	$ -	$ 150	$ -	$ 150	$ -	$ 150	$ -	$ 150	$ -
Sales Efforts													
Hospitaltiy	$ 2,700	$ 225	$ 225	$ 225	$ 225	$ 225	$ 225	$ 225	$ 225	$ 225	$ 225	$ 225	$ 225
Mileage	$ 2,500	$ 210	$ 210	$ 210	$ 210	$ 210	$ 200	$ 200	$ 210	$ 210	$ 210	$ 210	$ 210
FAM Tour	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Web Site Design	$ 900	$ 75	$ 75	$ 75	$ 75	$ 75	$ 75	$ 75	$ 75	$ 75	$ 75	$ 75	$ 75
Mobile Site Development (Davis)	$ 3,000	$ -	$ -	$ -	$ 3,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Web Site Hosting	$ 1,500	$ 125	$ 125	$ 125	$ 125	$ 125	$ 125	$ 125	$ 125	$ 125	$ 125	$ 125	$ 125
Domain Names	$ 500	$ 500	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Marketing Expense	$ 45,000	$ 7,985	$ 6,335	$ 3,995	$ 3,845	$ 995	$ 835	$ 3,485	$ 845	$ 995	$ 845	$ 13,995	$ 845
Trade Shows													
Fall Welcome	$ 250	$ -	$ -	$ 250	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Spring Welcome	$ 250	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 250	$ -	$ -
Total Trade Shows (reg, trav, exp)	$ 500	$ -	$ -	$ 250	$ -	$ -	$ -	$ -	$ -	$ -	$ 250	$ -	$ -
Membership Organizations													
CVTA	$ 500	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 500	$ -
Cal Travel Assoc.	$ 650	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 650	$ -
WACVB	$ 650	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 650	$ -
CalSAE	$ 350	$ -	$ -	$ -	$ -	$ -	$ -	$ 350	$ -	$ -	$ -	$ -	$ -
MPI	$ 500	$ -	$ -	$ -	$ -	$ -	$ -	$ 500	$ -	$ -	$ -	$ -	$ -
SGMP	$ 350	$ 350	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Membership Organizations	$ 3,000	$ -	$ -	$ -	$ -	$ -	$ -	$ 700	$ -	$ -	$ -	$ 1,800	$ -

Professional Staff													
Employee Expense													
Payroll (Staff)	$ 135,744	$ 11,312	$ 11,312	$ 11,312	$ 11,312	$ 11,312	$ 11,312	$ 11,312	$ 11,312	$ 11,312	$ 11,312	$ 11,312	$ 11,312
Payroll Taxes (employer, Federal)	$ 11,244	$ 937	$ 937	$ 937	$ 937	$ 937	$ 937	$ 937	$ 937	$ 937	$ 937	$ 937	$ 937
Payroll Taxes (employer, State)	$ 2,220	$ 185	$ 185	$ 185	$ 185	$ 185	$ 185	$ 185	$ 185	$ 185	$ 185	$ 185	$ 185
Insurance (Work Comp)	$ 1,200	$ 100	$ 100	$ 100	$ 100	$ 100	$ 100	$ 100	$ 100	$ 100	$ 100	$ 100	$ 100
Parking Permits	$ 400	$ -	$ 400	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Employee Coverage													
Medical Insurance	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Dental Insurance	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Employee Expense	$ 150,808	$ 12,534	$ 12,934	$ 12,534	$ 12,534	$ 12,534	$ 12,534	$ 12,534	$ 12,534	$ 12,534	$ 12,534	$ 12,534	$ 12,534
Administration													
Bank Fees	$ 360	$ 30	$ 30	$ 30	$ 30	$ 30	$ 30	$ 30	$ 30	$ 30	$ 30	$ 30	$ 30
Bookeeper	$ 1,800	$ 150	$ 150	$ 150	$ 150	$ 150	$ 150	$ 150	$ 150	$ 150	$ 150	$ 150	$ 150
Computer (Maintenance)	$ 1,500	$ 125	$ 125	$ 125	$ 125	$ 125	$ 125	$ 125	$ 125	$ 125	$ 125	$ 125	$ 125
Computer Equipment	$ 2,000	$ 165	$ 165	$ 167	$ 167	$ 167	$ 167	$ 167	$ 167	$ 167	$ 167	$ 167	$ 167
Copies	$ 4,320	$ 360	$ 360	$ 360	$ 360	$ 360	$ 360	$ 360	$ 360	$ 360	$ 360	$ 360	$ 360
Tax Preparation	$ 750	$ -	$ -	$ -	$ -	$ 750	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Property Tax	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Taxes/Tax Filing Fees	$ 150	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 150	$ -	$ -
Insurance (D&O)	$ 1,100	$ 90	$ 90	$ 92	$ 92	$ 92	$ 92	$ 92	$ 92	$ 92	$ 92	$ 92	$ 92
Insurance (Liability)	$ 2,400	$ 200	$ 200	$ 200	$ 200	$ 200	$ 200	$ 200	$ 200	$ 200	$ 200	$ 200	$ 200
Legal Council	$ 500	$ -	$ -	$ -	$ -	$ -	$ 250	$ -	$ -	$ -	$ -	$ -	$ 250
Printing	$ 500	$ -	$ -	$ -	$ -	$ 450	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Office Cleaning	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Office Supplies	$ 1,500	$ 125	$ 125	$ 125	$ 125	$ 125	$ 125	$ 125	$ 125	$ 125	$ 125	$ 125	$ 125
Payroll Services	$ 840	$ 70	$ 70	$ 70	$ 70	$ 70	$ 70	$ 70	$ 70	$ 70	$ 70	$ 70	$ 70
Postage & Delivery (postage)	$ 1,200	$ 100	$ 100	$ 100	$ 100	$ 100	$ 100	$ 100	$ 100	$ 100	$ 100	$ 100	$ 100
Postage & Delivery (equipment)	$ 360	$ 30	$ 30	$ 30	$ 30	$ 30	$ 30	$ 30	$ 30	$ 30	$ 30	$ 30	$ 30
Professional Consultation	$ 5,000	$ -	$ -	$ 1,250	$ -	$ -	$ 1,250	$ -	$ -	$ 1,250	$ -	$ -	$ 1,250
Rent	$ 9,600	$ 800	$ 800	$ 800	$ 800	$ 800	$ 800	$ 800	$ 800	$ 800	$ 800	$ 800	$ 800
Storage	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Telephone & DSL	$ 3,600	$ 300	$ 300	$ 300	$ 300	$ 300	$ 300	$ 300	$ 300	$ 300	$ 300	$ 300	$ 300
Utilities	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Total Administration Expense	$ 37,480	$ 3,000	$ 3,000	$ 3,009	$ 3,009	$ 3,514	$ 3,264	$ 3,014	$ 3,014	$ 3,024	$ 3,174	$ 3,024	$ 3,374
Professional Conferences													
CVTA/Travel & Adventure Santa Clara	$ 500	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 500	$ -	$ -	$ -	$ -
California Travel Conference on Tourism	$ 1,200	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,200
WACVB CEO Forum	$ 1,800	$ -	$ 1,800	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
WACVB Tech Summit	$ 1,500	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,500	$ -	$ -	$ -
International Pow Wow	$ 2,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 2,000	$ -	$ -
CalSAE Spectacular	$ 500	$ -	$ -	$ -	$ -	$ 500	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Connect Marketplace	$ 3,000	$ -	$ -	$ -	$ 3,000	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
U.S. Sports Congress	$ 3,000	$ -	$ -	$ -	$ -	$ -	$ 3,000	$ -	$ -	$ -	$ -	$ -	$ -
Total Conferences (reg, trav,exp)	$ 13,500	$ -	$ 1,800	$ -	$ 3,000	$ 500	$ 3,000	$ -	$ 500	$ 1,500	$ 2,000	$ -	$ 1,200
Total Revenue	$ 237,500												
Total Expense	$ 250,288												
Operating P/L	$ (12,788)												
Liquidity at Year End	$ 177,212												

May 14, 2012

City OF Woodland
City Council Members
300 First Street
Woodland, CA 95695

RE: Support for the Yolo County Visitors Bureau

Hello Distinguished Mayor, City of Woodland Council and staff:

As a Yolo County Visitors Bureau Board member and Woodland business owner, I whole heartedly support the renewal of the 1% BID for the Yolo County Visitors Bureau. Some of you may remember the creation of the BID under Yvette Mulholland, at which time I was one of a few hotel owners to support the initiative. At *this* time, to the best of my knowledge, all hotel owners are proponents of the BID. The collaborative efforts set forth by the YCVB Board and its current Executive Director, Alan Humason, have been met with much enthusiasm throughout the region and beyond.

With little and diminishing funds at hand, Mr. Humason and his staff have done wonders to promote Yolo County as a whole to many meeting planners and folks that are interested in holding their events in smaller communities that have similar amenities to offer as do the big cities, but without the big city hassles.

There is no one single attribute that has made the YCVB successful in bringing tourism to Yolo County and Woodland, but a combination of many ideas and large amounts of hard work that have culminated to bring our community into the minds of persons, companies, sports groups, and meeting planners that are looking for a great venue to hold their vacations and events.

Thanks for your continued support.

Sincerely.

Vinod Patel
Partner/C.O.O.
Holiday Inn Express Hotel & Suites

WOODLAND
CHAMBER OF COMMERCE

May 10, 2012

Woodland City Council
Mayor Art Pimentel
300 First Street
Woodland, CA 95695

Dear Mayor Pimentel and Councilmembers,

In keeping with the mission of the Woodland Chamber of Commerce to "promote economic progress," and recognizing the need to improve the business climate of the region, the Chamber Board of Directors continues to enthusiastically support the Yolo County Visitors Bureau and the regional tourism projects attracting visitors to our area!

Alan Humuson, Executive Director of the Yolo County Visitors Bureau made a presentation to our Economic Development Committee last month and the annual report reflects that the financial benefits of this expanded destination marketing organization (DMO) has proven successful. Approximately $830,000 in Transient Occupancy Tax (TOT) dollars has been reported for Woodland according to past annual reports. This past weekend, several Woodland representatives and I had the opportunity to entertain writers from the Bay Area. They have indicated they intend to return when they can come and spend more time. They also will be marketing our city through their articles.

The role of a "Yolo County" Visitors Bureau is to take all our regional assets and sculpt them into a consumer product that generates revenue through tourism; and will create interest to all market segments, such as group sales, conferences, and individual consumers which directly results in increased visitation. The Bureau's advertising pieces, their new website, and exhibit booth are outstanding, and are accomplishing the intent of "branding" our county.

To our knowledge, the Chamber members in the hospitality industry are supportive of the Visitors Bureau. It is important that the Bureau be able to adequately market our Community/Senior Center. With the amenities we presently have, the developments currently underway, and the proposed projects for our city, we feel continuing to be proactive with marketing efforts for our city should be a **top priority**.

The Woodland Chamber of Commerce respectfully urges the City Council to support the Yolo County Visitors Bureau to continue "growing" Woodlands economy by "harvesting" monetary benefits through investing in tourism for the future!

Thank you for your consideration of this request.

Sincerely,

Kristy Wright
Chief Executive Officer

cc: YCVB

307 First Street • Woodland, CA 95695
(530) 662-7327 • www.woodlandchamber.org • Fax (530) 662-4086

Woodland City Council
300 First Street
Woodland, CA 95695

Dear Mayor and Council Members:

I strongly support the continued and improving efforts of the Yolo County Visitors Bureau (YCVB) to promote the attractions and visitor opportunities of our community and Yolo County, and urge you to continue the Business Improvement District that supports it.

I have served on the board of the Yolo County Visitors Bureau for about seven years and about two months ago became board president. As president I am connected to the activities of the Bureau in much greater detail than previously. This new level of connection has highly reinforced my belief that the Bureau is doing an outstanding job in promoting Woodland and Yolo County.

With the loss of government support in the last four years, the board and staff have learned to work smarter and to maximize partnerships both within Yolo County and within the travel promotion industry. Our message is carried to travelers and meeting/tour/activity organizers via a greatly improved and effective website, the expanded use of social media (Facebook, Twitter, Pinterest, and YouTube), widespread media releases and contacts, and by sharing costs with neighboring visitors bureaus so we can be represented at key trade shows within California.

Following a recent conversation between Mayor Pimentel and YCVB Executive Director Alan Humason, an expanded effort to market Woodland has begun. Two YCVB board members, two council members and our Executive Director met to analyze what is working and how cooperatively YCVB, the City and various businesses and organizations can identify additional activities that can be marketed to attract visitors.

Recently the Bureau has hired a new sales director, someone with solid experience working with hoteliers and meeting planners. Her focus will be on attracting meetings, conferences, tours, youth and sporting events, and more to Woodland and Yolo County, which in turn will increase the sales of lodgings, meals, admissions, activity facilities and other retail goods that provide jobs for local residents and tax revenue for local government.

Thank you for your continued support of the Yolo County Visitors Bureau.

Wayne Ginsburg

Wayne Ginsburg
1750 Woodside Drive
Woodland, CA 95695
(530) 666-0678 (530) 304-8336 (mobile)
waynemg6@mac.com

May 14, 2012

TO: Members of the Woodland City Council

FROM: Meg Stallard

RE: Hotel BID renewal to support YCVB

Friends,

I'm writing in support of the additional hotel funding requested by the Woodland hoteliers to help fund the Yolo County Visitors' Bureau. I have been a board member since YCVB's inception and have come to see the value of having dedicated individuals working to bring visitors – and their dollars – to Yolo County and Woodland.

It has been an active year for YCVB. Here's a partial list of activities:

- An updated website
- A new sales director to help increase room stays at local hotels
- Expanded press coverage (which will soon increase with a new software purchase)
- Beginnings of 'Destination Woodland' discussions with the Mayor, Woodland YCVB board members and YCVB Executive Director Alan Humason
- A new booking function on the YCVB website that allows for direct booking at local hotels
- Inclusion in a mobile phone app for the Central Valley

A number of writers from the Bay Area Travel Writers association spent this last weekend in Yolo County, seeing the sights, tasting the food and wine – and I think being impressed by what they saw. Mayor Pimentel was able to welcome them at a lunch here in Woodland.

I also think it is to Woodland's advantage that long-time community member Wayne Ginsburg is now the board president of YCVB. He brings a strong voice for Woodland to the board, I can assure you!

We hope you will continue to support the BID and the efforts of YCVB to increase tourism to Woodland and all of Yolo County.

COUNTY OF YOLO

Office of the County Administrator

Patrick S. Blacklock
County Administrator

625 Court Street, Room 202 Woodland, CA 95695
(530) 666-8150 FAX (530) 668-4029
www.yolocounty.org

May 23, 2011

Honorable Mayor City Council Members
City of Woodland
300 First Street
Woodland, CA 95695

Dear Mayor and Council members:

This letter constitutes my support for continuing the city's current pledge of Business Improvement District (BID) funds to the Yolo County Visitors Bureau (YCVB). The YCVB adds tremendous value to Woodland's economic development efforts. Please, therefore, continue your support indefinitely.

As you know, over the past several years all jurisdictions in Yolo county, including Woodland, have eliminated their general fund support for the YCVB. Instead, pledges from Business Improvement Districts now constitute the majority of funding for the YCVB.

The efforts of YCVB have helped increase the nearly $10 million in revenues to local Woodland hotels, which in turn generates nearly $1 million in TOT income to the city coffers. The YCVB relies on its share of Woodland BID funds to promote Woodland, its hotels, and other communities so that visitor spending can continue to increase and achieve all the positive impacts noted in the annual assessment report.

Most recently, the YCVB has launched a significant Web and Social Media presence. It has created a new vibrant Web site, has links on all social media, is focusing anew on selling more hotel room nights, is directly promoting the Heidrick Ag History Center and other Woodland venues, and is helping the city attract sports and other events that use city facilities and bring tax revenue.

As a long-time YCVB Board member and former YCVB President, I thank you for your continued support. Please contact me at (530) 666-8066 or via email at wes.ervin@yolocounty.org if you have any questions.

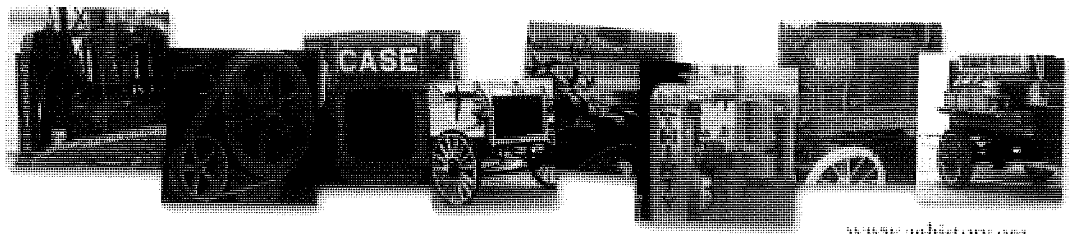
Sincerely,

Wes Ervin

Wes Ervin
Manager of Economic Development

Cc: Alan Humason, YCVB
Wendy Ross, Woodland
Wayne Ginsburg, YCVB

Heidrick Ag History Center
Tractor&Truck Museum
Events Center
Protect Preserve Educate



www.aghistory.org

May 11, 2012

City of Woodland
City Council
300 First Street
Woodland, CA 95695

Dear Council Members:

I want you to know that Allan Humason, at the Yolo County Visitor's Bureau (YCVB), supports the Heidrick Ag History Center and agriculture tourism. He has arranged several tours through the Heidrick Ag History Center and other Yolo County destinations. On Saturday, he is brining a group of journalists on tour to see the antique tractor collection. They will be treated to meeting a guest story teller and learning about the collection and its importance to Woodland and California agriculture. They will also learn about new bilingual technology that presents new historical scholarship.

Humason began promoting the Ag History Center early in his career at YCVB. It is a cooperative partnership that supports the culture of Woodland, and Yolo County.

I look forward to more projects with the YCVB.

Sincerely,

Lorili Ostman

Lorili Ostman
Executive Director

1962 Hays Lane, Woodland, CA 95776 | *ph:* 530.666.9700 | *fax:* 530.666.9712 | *e:* aghistory@aghistory.org | www.aghistory.org
501 c 3 Nonprofit EIN 95.4504986 Established in 1995

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM 19.

TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Public Hearing: North Park Lighting & Landscaping District

Report in Brief

The North Park Lighting and Landscaping District ("L&L" or "District") was formed to provide a funding source for maintenance and servicing of costs of certain improvements located within or adjacent to the District. State regulations require City Council action on an annual basis to allow assessment of the annual levy for each District.

Staff recommends that the City Council conduct a public hearing and adopt Resolution No. ____ to approve the fiscal year 2012/2013 annual levy report and order the levy and collection of the assessment within the North Park Lighting and Landscaping District.

Background

The Landscaping and Lighting Act of 1972 ("the Act") authorizes cities to impose assessments on benefitted properties to finance construction of street landscaping, street lighting, traffic signals, parks, street trees, sidewalk repair, recreational improvements; as well as maintenance and servicing of any of these improvements. In accordance with Act, the City formed the North Park L&L District.

The North Park L&L is located in the northeast portion of the City, generally north of Kentucky Avenue, west of North West Street and east of County Road 98. The District was formed in 1993 and reached the maximum allowable assessment of $215.40 per single family home in 1997; there are no provisions for future CPI adjustments and any rate increases would require a property owner ballot proceeding.

On May 22, 2012, Council approved resolutions to preliminarily approve the Engineer's Report and to initiate proceedings for the annual levy, which included setting the public hearing date for June 19, 2012. The Engineer's Report was attached to the May 22 staff report and is available for review in the Finance Department.

Discussion

Each year, the City prepares an Annual Report for each District, along with the District estimates for an operating budget, to calculate the assessment annually levied for each parcel. This budget determines what maintenance operations are performed for the fiscal year and directs the County Assessor what to levy each parcel. The complete reports are available for review in the Finance Department.

State regulations require a two part process to complete the annual levy. The first part of the process requires Council to take action to initiate proceedings for the levy, preliminarily approve the Engineer's Reports and call for a public hearing; this occurred at the May 22, 2012 Council meeting. Tonight's public hearing is required to complete the levy process. Following the public hearing, Council may direct changes to the Engineer's Report or to the levy, but may not increase the levy beyond the maximum approved amount.

Fiscal Impact

If approved, the proposed assessment for the District would generate $26,710 in revenues.

Public Contact

Posting of the City Council agenda and required noticing in the Daily Democrat.

Recommendation for Action

Staff recommends that the City Council conduct a public hearing and adopt Resolution No. ____ to approve the fiscal year 2012/2013 annual levy report and order the levy and collection of the assessment within the North Park Lighting and Landscaping District.

Prepared by: Kim McKinney
Finance Officer

Paul Navazio
City Manager

Attachment

RESOLUTION NO. __________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND, CALIFORNIA, AMENDING AND/OR APPROVING THE ANNUAL LEVY REPORT AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE NORTH PARK LIGHTING AND LANDSCAPING DISTRICT, FISCAL YEAR 2012/2013.

The City Council of the City of Woodland, California (hereafter referred to as the "City Council") does resolve as follows:

WHEREAS, The City Council has, by previous Resolutions, ordered the preparation of the Engineer's Annual Levy Report (hereafter referred to as the "Report") for said district known and designated as: North Park Lighting and Landscaping District (hereafter referred to as the "District"), pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereafter referred to as the "Act"); and,

WHEREAS, there has been presented to this City Council the "Final Engineer's Annual Levy Report" as required by *Chapter 3, Section 22623* of said Act, and as previously directed by Resolution; and,

WHEREAS, this City Council has carefully examined and reviewed the Report as presented, and is satisfied with each and all of the items and documents as set forth therein, and is satisfied that the levy has been spread in accordance with the special benefits received from the improvements, operation, maintenance and services to be performed, as set forth in said Report; and,

WHEREAS, this City and its legal counsel have reviewed Proposition 218 and found that these assessments comply with applicable provisions of Section XIII D of the California State Constitution; and,

WHEREAS, upon reasonable written notice by Yolo County of any claim or challenge, the City of Woodland agrees to defend with counsel of its choice, indemnify and hold harmless Yolo County, its Board of Supervisors, officers, officials, agents and employees (collectively "the County"), against the payment of any liabilities, losses, costs and expenses, including attorney fees and court costs, not due to the County's own active negligence or willful misconduct, which the County may incur in the exercise and performance of its powers and duties in placing these assessments onto the County roll and tax bills for the City of Woodland; and,

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE DISTRICT, AS FOLLOWS:

Section 1 Following notice duly given, the City Council has held a full and fair public hearing regarding the District, the levy and collection of assessments, the Report prepared in connection therewith, and considered all oral and written statements, protests and communications made or filed by interested persons regarding these matters.

Section 2 Based upon its review (and amendments, as applicable) of the Report, a copy of which has been presented to the City Council, is hereby approved (as amended), and is ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection, the City Council hereby finds and determines that:

- **i)** The land within the District will be benefited by the operation, maintenance and servicing of improvements, located within the boundaries of the District.
- **ii)** District includes all of the lands so benefited; and
- **iii)** The net amount to be assessed upon the lands within the District in accordance with the fee for the Fiscal Year commencing July 1, 2012, and ending June 30, 2013, is apportioned by a formula and method which fairly distributes the net amount among all eligible parcels in proportion to the estimated special benefits to be received by each parcel from the improvements and services.

Section 3 The maintenance, operation and servicing of the improvements and appurtenant facilities shall be performed pursuant to the Act. The City Council hereby orders the proposed improvements to be made, which improvements are briefly described as follows: the maintenance and operation of and the furnishing of services and materials for the landscaping improvements, street lighting and park lights, park area and park equipment, park perimeter fencing, noise walls, irrigation and drainage systems, and all associated appurtenances.

Section 4 The County Auditor of the County of Yolo shall enter on the County Assessment Roll opposite each eligible parcel of land the amount of levy so apportioned by the formula and method outlined in the Report, and such levies shall be collected at the same time and in the same manner as the County taxes are collected, pursuant to *Chapter 4, Article 2, Section 22646* of the Act. After collection by the County, the net amount of the levy shall be paid to the City Treasurer.

Section 5 The City Treasurer shall deposit all money representing assessments collected by the County for the District to the credit of a fund for the City of Woodland North Park Lighting and Landscaping District and such money shall be expended only for the maintenance, operation and servicing of the improvements as described in Section 3.

<u>Section 6</u> The adoption of this Resolution constitutes the District levy for the Fiscal Year commencing July 1, 2012, and ending June 30, 2013.

<u>Section 7</u> The City Clerk, or their designate, is hereby authorized and directed to file the levy with the County Auditor upon adoption of this Resolution, pursuant to *Chapter 4, Article 1, Section 22641* of the Act.

<u>Section 8</u> That the above recitals are all true and correct. That the City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation of and final approval of the Report.

PASSED, APPROVED, AND ADOPTED THIS _________ day of ___________, 2012.

____
Artemio Pimentel, Mayor
City of Woodland

____
Ana B. Gonzalez, City Clerk
City of Woodland

STATE OF CALIFORNIA)

COUNTY OF YOLO) ss.

CITY OF WOODLAND)

I, ____________________________, City Clerk of the City of Woodland, County of Yolo, State of California do hereby certify that the foregoing Resolution No. ____________ was regularly adopted by the City Council of said City of Woodland at a regular meeting of said council held on the _________ day of ___________, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

____
Ana B. Gonzalez, City Clerk
City of Woodland

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM 20.

TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Public Hearing: Streng Pond Landscape Maintenance District

Report in Brief

The Streng Pond Landscape Maintenance District ("District") was formed to provide a funding source for maintenance and servicing of costs of certain improvements located within or adjacent to the District. State regulations require City Council action on an annual basis to allow assessment of the annual levy for each District.

Staff recommends that the City Council conduct a public hearing and adopt Resolution No. ____ to approve the fiscal year 2012/2013 annual levy report and order the levy and collection of the assessment within the Streng Pond Landscape Maintenance District.

Background

The Landscaping and Lighting Act of 1972 ("the Act") authorizes cities to impose assessments on benefitted properties to finance construction of street landscaping, street lighting, traffic signals, parks, street trees, sidewalk repair, recreational improvements; as well as maintenance and servicing of any of these improvements. In accordance with Act, the City formed the Streng Pond Landscape Maintenance District.

The Streng Pond District is located in the southwest portion of the City, generally north of Gibson Road, west of Cottonwood Street and east of County Road 98. The District was formed in 1985 and reached the maximum allowable assessment of $79.10 per single family home in 1995; there are no provisions for future CPI increases. The City attempted a property owner ballot proceeding in 1998 to increase the assessment to cover rising costs within the District, however the effort was unsuccessful.

On May 22, 2012, Council approved resolutions to preliminarily approve the Engineer's Report and to initiate proceedings for the annual levy, which included setting the public hearing date for June 19, 2012. The Engineer's Report was attached to the May 22 staff report and is available for review in the Finance Department.

Discussion

Each year, the City prepares an Annual Report for each District, along with the District estimates for an operating budget, to calculate the assessment annually levied for each parcel. This budget determines what maintenance operations are performed for the fiscal year and directs the County Assessor what to levy each parcel. The complete reports are available for review in the Finance Department.

State regulations require a two part process to complete the annual levy. The first part of the process requires Council to take action to initiate proceedings for the levy, preliminarily approve the Engineer's Reports and call for a public hearing; this occurred at the June 7, 2011 Council meeting. Tonight's public hearing is required to complete the levy process. Following the public hearing, Council may direct changes to the Engineer's Report or to the levy, but may not increase the levy beyond the maximum approved amount.

Fiscal Impact

If approved, the proposed assessment for the District would generate $14,436 in revenues.

Public Contact

Posting of the City Council agenda and required noticing in the Daily Democrat.

Recommendation for Action

Staff recommends that the City Council conduct a public hearing and adopt Resolution No. ____ to approve the fiscal year 2012/2013 annual levy report and order the levy and collection of the assessment within the Streng Pond Landscape Maintenance District.

Prepared by: Kim McKinney
Finance Officer

Paul Navazio
City Manager

Attachments

RESOLUTION NO. __________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND, CALIFORNIA, AMENDING AND/OR APPROVING THE ANNUAL LEVY REPORT AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE STRENG POND LANDSCAPING MAINTENANCE DISTRICT, FISCAL YEAR 2012/2013.

The City Council of the City of Woodland, California (hereafter referred to as the "City Council") does resolve as follows:

WHEREAS, The City Council has, by previous Resolutions, ordered the preparation of the Engineer's Annual Levy Report (hereafter referred to as the "Report") for said district known and designated as: Streng Pond Landscaping Maintenance District (hereafter referred to as the "District"), pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereafter referred to as the "Act"); and,

WHEREAS, there has been presented to this City Council the "Final Engineer's Annual Levy Report" as required by *Chapter 3, Section 22623* of said Act, and as previously directed by Resolution; and,

WHEREAS, this City Council has carefully examined and reviewed the Report as presented, and is satisfied with each and all of the items and documents as set forth therein, and is satisfied that the levy has been spread in accordance with the benefits received from the improvements, operation, maintenance and services to be performed, as set forth in said Report; and,

WHEREAS, this City and its legal counsel have reviewed Proposition 218 and found that these assessments comply with applicable provisions of Section XIII D of the California State Constitution; and,

WHEREAS, upon reasonable written notice by Yolo County of any claim or challenge, the City of Woodland agrees to defend with counsel of its choice, indemnify and hold harmless Yolo County, its Board of Supervisors, officers, officials, agents and employees (collectively "the County"), against the payment of any liabilities, losses, costs and expenses, including attorney fees and court costs, not due to the County's own active negligence or willful misconduct, which the County may incur in the exercise and performance of its powers and duties in placing these assessments onto the County roll and tax bills for the City of Woodland; and,

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE DISTRICT, AS FOLLOWS:

<u>Section 1</u> Following notice duly given, the City Council has held a full and fair public hearing regarding the District, the levy and collection of assessments, the Report prepared in connection therewith, and considered all oral and written statements, protests and communications made or filed by interested persons regarding these matters.

<u>Section 2</u> Based upon its review (and amendments, as applicable) of the Report, a copy of which has been presented to the City Council, is hereby approved (as amended), and is ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection, the City Council hereby finds and determines that:

- **i)** The land within the District will receive special benefit by the operation, maintenance and servicing of improvements, located within the boundaries of the District; and,
- **ii)** The District includes all of the lands so benefited; and,
- **iii)** the net amount to be assessed upon the lands within the District in accordance with the fee for the Fiscal Year commencing July 1, 2012, and ending June 30, 2013, is apportioned by a formula and method which fairly distributes the net amount among all eligible parcels in proportion to the estimated special benefits to be received by each parcel from the improvements and services.

<u>Section 3</u> The maintenance, operation and servicing of the improvements and appurtenant facilities shall be performed pursuant to the Act. The City Council hereby orders the proposed improvements to be made, which improvements are briefly described as follows: the maintenance and operation of and the furnishing of services and materials for ground cover, turf, shrubs, and trees; irrigation and drainage systems and all necessary appurtenances.

<u>Section 4</u> The County Auditor of the County of Yolo shall enter on the County Assessment Roll opposite each eligible parcel of land the amount of levy so apportioned by the formula and method outlined in the Report, and such levies shall be collected at the same time and in the same manner as the County taxes are collected, pursuant to *Chapter 4, Article 2, Section 22646* of the Act. After collection by the County, the net amount of the levy shall be paid to the City Treasurer.

<u>Section 5</u> The City Treasurer shall deposit all money representing assessments collected by the County for the District to the credit of a fund for the City of Woodland Streng Pond Landscaping Maintenance District and such money shall be expended only for the maintenance, operation and servicing of the improvements as described in Section 3.

Section 6 The adoption of this Resolution constitutes the District levy for the Fiscal Year commencing July 1, 2012, and ending June 30, 2013.

Section 7 The City Clerk, or their designate, is hereby authorized and directed to file the levy with the County Auditor upon adoption of this Resolution, pursuant to *Chapter 4, Article 1, Section 22641* of the Act.

Section 8 That the above recitals are all true and correct. That the City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the final approval of the Report.

PASSED, APPROVED, AND ADOPTED THIS ________ day of ___________, 2012.

____
Artemio Pimentel, Mayor
City of Woodland

____
Ana B. Gonzalez, City Clerk
City of Woodland

STATE OF CALIFORNIA)

COUNTY OF YOLO) ss.

CITY OF WOODLAND)

I, __________________________, City Clerk of the City of Woodland, County of Yolo, State of California do hereby certify that the foregoing Resolution No. ___________ was regularly adopted by the City Council of said City of Woodland at a regular meeting of said council held on the _______ day of ___________, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

____
Ana B. Gonzalez, City Clerk
City of Woodland

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM
21.

TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Public Hearing: West Wood Lighting & Landscaping District

Report in Brief

The West Wood Lighting and Landscaping District ("L&L" or "District") was formed to provide a funding source for maintenance and servicing of costs of certain improvements located within or adjacent to the District. State regulations require City Council action on an annual basis to allow assessment of the annual levy for each District.

Staff recommends that the City Council conduct a public hearing and adopt Resolution No. ____ to approve the fiscal year 2012/2013 annual levy report and order the levy and collection of the assessment within the West Wood Lighting and Landscaping District.

Background

The Landscaping and Lighting Act of 1972 ("the Act") authorizes cities to impose assessments on benefitted properties to finance construction of street landscaping, street lighting, traffic signals, parks, street trees, sidewalk repair, recreational improvements; as well as maintenance and servicing of any of these improvements. In accordance with Act, the City formed the West Wood L&L District.

The West Wood L&L is located in the northeast portion of the City, generally to the north of Kentucky Avenue, south of Quail Drive, east of Dove Drive and west of Mallard Drive. The District was formed in 2004 and is currently being assessed at the maximum allowable rate; however, the District formation report included an annual CPI escalator, which can continue indefinitely.

On May 22, 2012, Council approved resolutions to preliminarily approve the Engineer's Report and to initiate proceedings for the annual levy, which included setting the public hearing date for June 19, 2012. The Engineer's Report was attached to the May 22 staff report and is available for review in the Finance Department.

Discussion

Each year, the City prepares an Annual Report for each District, along with the District estimates for an operating budget, to calculate the assessment annually levied for each parcel. This budget determines what maintenance operations are performed for the fiscal year and directs the County Assessor what to levy each parcel. The complete reports are available for review in the Finance Department.

State regulations require a two part process to complete the annual levy. The first part of the process requires Council to take action to initiate proceedings for the levy, preliminarily approve the Engineer's Reports and call for a public hearing; this occurred at the May 22, 2012 Council meeting. Tonight's public hearing is required to complete the levy process. Following the public hearing, Council may direct changes to the Engineer's Report or to the levy, but may not increase the levy beyond the maximum approved amount.

Fiscal Impact

The FY12 Engineer's Report includes an inflation adjustment, based on the Consumer Price Index, of 3%, which increases the assessment on a single family home from $526.14 in FY11/12 to $541.92 in FY12/13. If approved, the proposed assessment for the District would generate $18,377 in revenues.

Public Contact

Posting of the City Council agenda and required noticing in the Daily Democrat.

Recommendation for Action

Staff recommends that the City Council conduct a public hearing and adopt Resolution No. ____ to approve the fiscal year 2012/2013 annual levy report and order the levy and collection of the assessment within the West Wood Lighting and Landscaping District.

Prepared by: Kim McKinney
Finance Officer

Paul Navazio
City Manager

Attachment

RESOLUTION NO. ________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND, CALIFORNIA, AMENDING AND/OR APPROVING THE ANNUAL LEVY REPORT AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE WEST WOOD UNIT NO. 1 LANDSCAPING AND LIGHTING DISTRICT, FISCAL YEAR 2012/2013.

The City Council of the City of Woodland, California (hereafter referred to as the "City Council") does resolve as follows:

WHEREAS, The City Council has, by previous Resolutions, ordered the preparation of the Engineer's Annual Levy Report (hereafter referred to as the "Report") for said district known and designated as: West Wood Unit No. 1 Landscaping and Lighting District (hereafter referred to as the "District"), pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereafter referred to as the "Act"); and,

WHEREAS, there has now been presented to this City Council the "Final Engineer's Annual Report" as required by *Chapter 3, Section 22623* of said Act, and as previously directed by Resolution; and,

WHEREAS, this City Council has carefully examined and reviewed the Report as presented, and is satisfied with each and all of the items and documents as set forth therein, and is satisfied that the levy has been spread in accordance with the benefits received from the improvements, operation, maintenance and services to be performed, as set forth in said Report; and,

WHEREAS, this City and its legal counsel have reviewed Proposition 218 and found that these assessments comply with applicable provisions of Section XIII D of the California State Constitution; and,

WHEREAS, upon reasonable written notice by Yolo County of any claim or challenge, the City of Woodland agrees to defend with counsel of its choice, indemnify and hold harmless Yolo County, its Board of Supervisors, officers, officials, agents and employees (collectively "the County"), against the payment of any liabilities, losses, costs and expenses, including attorney fees and court costs, not due to the County's own active negligence or willful misconduct, which the County may incur in the exercise and performance of its powers and duties in placing these assessments onto the County roll and taxbills for the City of Woodland; and

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE DISTRICT, AS FOLLOWS:

<u>Section 1</u> Following notice duly given, the City Council has held a full and fair public hearing regarding the District, the levy and collection of assessments, the Report prepared in connection therewith, and considered all oral and written statements, protests and communications made or filed by interested persons regarding these matters.

<u>Section 2</u> Based upon its review (and amendments, as applicable) of the Report, a copy of which has been presented to the City Council, is hereby approved (as amended), and is ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection, the City Council hereby finds and determines that:

- **i)** The land within the District will be benefited by the operation, maintenance and servicing of improvements, located within the boundaries of the District, and

- **ii)** District includes all of the lands so benefited, and

- **iii)** The net amount to be assessed upon the lands within the District in accordance with the fee for the Fiscal Year commencing July 1, 2012, and ending June 30, 2013, is apportioned by a formula and method which fairly distributes the net amount among all eligible parcels in proportion to the estimated special benefits to be received by each parcel from the improvements and services.

<u>Section 3</u> The maintenance, operation and servicing of the improvements and appurtenant facilities shall be performed pursuant to the Act. The City Council hereby orders the proposed improvements to be made, which improvements are briefly described as follows: the maintenance and operation of and the furnishing of services and materials for the landscaping improvements, Local Street lighting facilities, parks and related equipment replacement, fencing and block walls, storm drainage detention basin, and all associated appurtenances.

<u>Section 4</u> The County Auditor of the County of Yolo shall enter on the County Assessment Roll opposite each eligible parcel of land the amount of levy so apportioned by the formula and method outlined in the Report, and such levies shall be collected at the same time and in the same manner as the County taxes are collected, pursuant to *Chapter 4, Article 2, Section 22646* of the Act. After collection by the County, the net amount of the levy shall be paid to the City Treasurer.

<u>Section 5</u> The City Treasurer shall deposit all money representing assessments collected by the County for the District to the credit of a fund for the City of Woodland West Wood Unit No. 1 Landscaping and Lighting District and such money shall be expended only for the maintenance, operation and servicing of the improvements as described in Section 3.

<u>Section 6</u> The adoption of this Resolution constitutes the District levy for the Fiscal Year commencing July 1, 2012, and ending June 30, 2013.

<u>Section 7</u> The City Clerk, or their designate, is hereby authorized and directed to file the levy with the County Auditor upon adoption of this Resolution, pursuant to *Chapter 4, Article 1, Section 22641* of the Act.

<u>Section 8</u> That the above recitals are all true and correct. That the City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation of and final approval of the Report.

RESOLUTION NO.________________

PASSED, APPROVED, AND ADOPTED THIS _________ day of ___________, 2012.

____
Artemio Pimentel, Mayor
City of Woodland

____
Ana B. Gonzalez, City Clerk
City of Woodland

STATE OF CALIFORNIA)

COUNTY OF YOLO) ss.

CITY OF WOODLAND)

I, __________________________, City Clerk of the City of Woodland, County of Yolo, State of California do hereby certify that the foregoing Resolution No. ___________ was regularly adopted by the City Council of said City of Woodland at a regular meeting of said council held on the _______ day of __________, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

____
Ana B. Gonzalez, City Clerk
City of Woodland

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM
22.

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Fiscal Year 2012/13 Budget

Report in Brief

This fiscal year 2012/13 Annual Budget represents the fifth consecutive year of major budgetary reductions in the General Fund. All departments have been impacted by these previous reductions, one-time options have been exhausted, and the ongoing fiscal health of the General Fund requires structural changes and reductions to be implemented beginning in July 2012. The goal of the budget process has been to maintain fiscal sustainability while continuing to provide services to the public. This is a challenging goal hampered by the sluggish economy and diminished staffing and resources. The budget presented to Council requests total City appropriations of $144,167,405, and requests Council to approve a budget balancing plan that includes a total of $2.4 million in General Fund expenditure reductions through FY2012/13 and 2013/14, avoids one-time cost saving measures and maintains adequate reserves required by the City Council's adopted reserve policy.

Staff recommends that the City Council (1) adopt Resolution No. _____ approving the Fiscal Year 2012-2013 Annual Budget of $144,167,405, which includes the budgets for the Capital Improvement Program, the Woodland Finance Authority and the Successor Agency to the former Woodland Redevelopment Agency, and (2) authorize related actions, including issuance of layoff notices to employees.

Background

On January 10, 2012, the City Council received a presentation providing ten year financial projections for all City funds. This presentation highlighted several areas that will require special attention and development of strategies to alleviate large and chronic deficits and provide operating reserves consistent with the City's Budget and Fiscal Policies. This was the first of several conversations leading up to preparation of the fiscal year 2012/13 budget and showed that significant reductions would be required in the General Fund over the next two years to fill a projected budgetary gap.

City Council received an informational item regarding the City's General Fund FY 2012/13 budget on February 20, 2012. This item presented preliminary information that the projected an increasing General Fund deficit in fiscal year 2013/14 based upon increases in personnel costs from MOU negotiated items and, most significantly, increased CalPERS retirement rates, reduction in revenues projected related to development activity, and impacts from reallocation of staff from the dissolved redevelopment agency.

On March 27, 2012 and May 22, 2012 Council held a special study sessions specific to the fiscal year 2012-13 budget. The information presented during the workshops focused on actions necessary to mitigate the structural deficit and present a balanced budget.

At the end of the meeting on May 22, Council expressed support for the balancing plan presented in the preliminary budget document, which includes elimination of 21 positions (18 General Fund and 3 Capital) over the next two years, which will achieve ongoing savings of $2.4 million in the General Fund and $2.8 million citywide. The proposed balancing plan is attached to this communication.

Discussion

The All Funds budget for FY2012/13 totals $144,167,405 million, and the General Fund budget (net of reductions proposed in the balancing plan) is $38,280,163. Included in the All Funds budget are the budgets for the Capital Improvement Program ($25,065,000), the Woodland Finance Authority ($13,521,425) and the Successor Agency to the former Woodland Redevelopment Agency ($2,226,781).

Budget Changes

Since the meeting on May 22, staff has made some corrections within the various expenditure budgets to account for (1) entry errors discovered after initial publication or correction of assumptions to match RDA Successor Agency approved obligation schedules, TDA claims, L&L District reports, etc. (2) update health care premiums based upon information received from CalPERS on June 12, (3) adjustments to allocations of proposed full time employee position changes in FY 2012-13, and (4) update and correction of the budgets related to the Capital Improvement Program.

The attachment to this staff report shows the total revenue projections and expenditure budgets, by fund, as presented on May 22 compared to the appropriations Council is asked to approve tonight. Further information on items, with the exception of corrections, is included below:

Health Premiums – in the FY2012-13 budget presented to Council on May 22, 2012, staff had assumed that premiums related to health care for active and retired employees would increase at a rate of 8% per year. Based on rates received by CalPERS on June 12 and adopted by their Board on June 13, actual increases in January 2013 will be 9.53%. This change in assumptions results in an increase to personnel costs in the General Fund of $39k and $57k in fiscal years 2012/13 and 2013/14, respectively, and $69k and $100k citywide for those same time periods.

Full Time Employee Positions – Included in the preliminary budget provided to Council on May 22, and separate from the balancing plan reductions outlined herein, some changes to full time employee positions were made between fiscal year 2011/12 and 2012/13. These changes include the following:

- Administrative Clerk position reclassified to Secretary to the City Manager.
- Human Resources Analyst moved to Recreation Superintendent, defund HR Technician.
- Administrative Clerk position resulting from downgrade of Management Analyst position.
- Associate Engineers: Due to the lack of available funding for future capital projects, the Community Development Department analyzed current staffing levels and determined that three engineering positions can no longer be funded in the Capital Program. The FY2012/13 budget eliminates three Associate Engineer positions.

Capital Improvement Program - Included in the FY 2012/13 Proposed Budget was a section on the Capital Improvement Program (CIP) including detail for FY2011/12 and FY2012/13. Since the Proposed Budget was discussed there have been changes and corrections to the CIP. The FY2011/12 total CIP increased by $1.7 million. The major changes to the FY2011/12 CIP were the addition of $1.15 million for the FloodSAFE Yolo Project and the purchase of the State Theater for $275,000. These expenses were approved by Council during the fiscal year, but had not been included in the document that was presented. Additionally, several Spring Lake Infrastructure projects that were already included in the previously adopted CIP had been inadvertently omitted. The FY2012/13 total CIP decreased by $4.2 million. The major decrease was due to the timing changes in the Surface Water Project; some of the expenses for FY13 have shifted to FY14. The multi-year CIP will be updated and presented to Council at a subsequent meeting.

Layoffs

The balancing plan for the 2012/13 budget includes elimination of 21 positions over a two year period; 16 positions are eliminated or defunded in FY2012/13 and another five are projected in FY2013/14. Of the 16 positions eliminated or defunded in FY2012/13, six are vacant, and the incumbent in the Deputy Fire Chief position has the rights to return to a previously held, and currently vacant, position. As a result, elimination of the 16 positions will lead to eight employees being involuntarily discharged from the City. Council is not being asked to approve the FY2013/14 operating budget, but if the planned reductions are implemented next year, an additional six employees would be laid off.

If the City Council approves the FY2012/13 budget as proposed, that action would authorize the layoff process; this process is defined in the City's Personnel Rules. This process requires the City to notify the employee organizations at the same time that the affected employees are notified. Affected employees must be provided with twenty (20) working days notice in advance of the layoff.

Layoffs are proposed in the following classifications during FY2012/13:
Associate Engineer (3 FTE)
Deputy Fire Chief (1 FTE)
Sworn Police Officer (5 FTE)
Community Services Officer (1 FTE)

Employee Associations

The FY2012/13 budget is based upon employee contracts as negotiated; no employee concessions have been assumed or included in the budget. The City Manager and staff have been in communication with the various employee bargaining units to determine if any cost saving measures can be achieved. To the extent that any such savings can be identified and implemented, some of the reduction measures, including layoffs, mentioned herein can be revisited and potentially eliminated by future Council action.

Fiscal Impact

The All Funds budget for FY2012/13 totals $144,167,405, and the General Fund budget, net of the reductions proposed in the balancing plan, is $38,280,163. Total revenues and transfers-in for FY2012/13 are projected at $142,346,780.

Public Contact

Posting of the City Council agenda.

Recommendation for Action

Staff recommends that the City Council (1) adopt Resolution No. _____ approving the Fiscal Year 2012-2013 Annual Budget of $139,556,095, which includes the budgets for the Capital Improvement Program, the Woodland Finance Authority and the Successor Agency to the former Woodland Redevelopment Agency, and (2) authorize related actions, including issuance of layoff notices to employees.

Prepared by: Kimberly McKinney
Finance Officer

Paul Navazio
City Manager

Attachments:
1) Budget Balancing Plan
2) Changes in Proposed Budget by Fund
3) Budget Resolution
Exhibit 1 – Appropriations by Fund

Attachment 1

Plan B - Jul / Jan / July

BUDGET REDUCTION OPTIONS (March - April Budget Study Sessions)

				Tier 1		Tier 2				Tier 3		Tier 4	
				7/1/2012		10/1/2012		1/1/2013		7/1/2013		NOT Recommended	
		FTE	Savings	FTE	Savings	FTE	Savings	FTE	Savings	FTE	Savings	FTE	Savings
Admin	Admin Secretary - Finance	1.00	76,000									1.00	76,000
Admin	Contract Services - SB90 Claims		15,000		15,000								
Admin	Reduce City Attorney Budget		100,000		50,000						50,000		
Admin	Reduce Contracts / PT Staffing (IT)		100,000		100,000								
Admin	Eliminate HR Temp Budget		7,700		7,700								
Admin	Eliminate Training Budget (Liebert)		5,000		5,000								
Admin	Eliminate Employee Service Awards Budget		2,200										2,200
Admin	Reduce Funding For Opera House		5,000										5,000
Admin	Eliminate City Membership League of Cities		16,000										16,000
Admin	Defund IT Mgmt Position *	1.00	90,000	1.00	90,000								
Admin	Delete GIS Tech position (IT)	1.00	56,000									1.00	56,000
CDD	Eliminate Engineering Intern(s) and Temp Sr. Bldg. Insp.		68,000		68,000								
CDD	Reduce supplies. Services and embership/training funds		36,000		36,000								
CDD	Reduce supplies. Services and embership/training funds	w/c	60,000								60,000		
Rec	Standby Pay		7,140		7,140								
Rec	Delete funding for Officials for Adult and Youth Sports		65,000										65,000
Rec	Increased Cost-Recovery Adult Recreation Programming		20,000								20,000		
Rec	Cancel Fall Softball		11,000										11,000
Rec	Delete Evening Water Aerobics & Weekend Lap Swim		4,200										4,200
Rec	Delete City Funding support for Fourth of July Celebration		5,000										5,000
Rec	Close Charles Brooks Aquatics Center - Rec Supervisor	1.00	101,000									1.00	101,000
Police	Delete 4.0 Sworn Police (3 Officers & 1 Sergeant)	4.00	403,350	4.00	403,350								
Police	Delete 1.0 Records Specialist	1.00	incl.	1.00	incl.								
Police	De-Fund 5.0 Sworn Police Officers*	5.00	449,500					5.00	224,750		224,750		
Police	Delete 1.0 Community Services Officer	1.00	incl.					1.00	incl.		incl.		
Police	Delete 7 Sworn Police Officers	7.00	876,000									7.00	876,000
Police	Delete 1.0 Records Manager	1.00	incl.									1.00	incl.
Fire	Eliminate Deputy Fire Chief Position	1.00	222,800			1.00	167,100				55,700		
Fire	Downgrade Management Analyst to Administrative Clerk	-	55,000		55,000								
Fire	Delete 3.0 Firefighter positions	3.00	352,000							3.00	352,000		
Fire	Reduce Fire Overtime		250,000						125,000		125,000		
Fire	Eliminate 5 Firefighter positions (SAFER Grant)	5.00	715,000									5.00	715,000
Lib	Reduce Part-time Library staffing		67,000										67,000
Lib	Eliminate Librarian 1 positions & PT staff hours	1.00	57,000									1.00	57,000
Lib	Eliminate delivery to/from Sacramento Library		5,000										5,000
PW	Reduce facility maintenance at City Hall and SC		26,000		26,000								
PW	Eliminate pump testing and Big Bertha Crane repairs		33,000										33,000
PW	Eliminate Parking Lot Maintenance		12,000										12,000
PW	Eliminate 1.0 Mechanic	1.00	66,000							1.00	66,000		
PW	Eliminate Storekeeper Positions	1.00	67,500							1.00	67,500		
PW	Closure of 4 Parks		116,000										116,000
PW	Close Charles Brooks Aquatics Center - Pool Technician	1.00	214,500									1.00	214,500
PW	Reduce Tree Pruning Contract		17,000								17,000		
PW	Close Cemetary		77,000										77,000
		36.00	$ 4,931,890	6.00	$ 863,190	1.00	$ 167,100	6.00	$ 349,750	5.00	1,037,950	18.00	2,513,900
					12 months		*9 months*		*6 months*				

Annualized Savings:		FTE	Savings
FY2012/13	$ 1,380,040	13.00	$ 1,785,490
FY2013/14		5.00	632,500
		18.00	$ 2,417,990
			2,409,000
			8,990

Attachment 2

CITY OF WOODLAND BUDGET COMPARISON BY FUND

($ in 000)

Fund		As of May 22, 2012		As of June 19, 2012				Difference	
		FY2012/13 Revenues/ Transfer In	FY2012/13 Expenditures/ Transfers Out	FY2012/13 Revenues/ Transfer In	FY2012/13 Expenditures/ Transfers Out	LESS: Balancing Plan	Net Appropriations	FY2012/13 Revenues/ Transfer In	FY2012/13 Expenditures/ Transfers Out
010	EQUIP SVCS & REPLACE	3,218	(3,878)	3,209	(3,519)	-	(3,519)	(9)	(359)
013	BENEFITS FUND	6,367	(6,360)	6,470	(6,464)	-	(6,464)	103	104
015	INFORMATION SYSTEMS FUND	1,481	(1,733)	1,481	(1,723)	-	(1,723)	(0)	(10)
091	SELF INSURANCE	1,772	(1,681)	1,781	(1,681)	-	(1,681)	9	0
099	DISBURSE FUND-PR	-	-	-	-	-	-	-	-
101	GENERAL FUND	38,057	(39,325)	38,256	(39,672)	(1,392)	(38,280)	199	(1,045)
102	TRANS DEBT SVC	-	-	-	-	-	-	-	-
103	SRTD AGENCY FUND	-	-	-	-	-	-	-	-
210	WATER ENTERPRISE FUND	32,483	(31,639)	32,588	(24,846)	(94)	(24,752)	105	(6,887)
220	SEWER ENTERPRISE FUND	16,207	(20,963)	16,229	(19,210)	(39)	(19,171)	22	(1,792)
221	STRM DR ENTERPRISE FUND	1,050	(1,682)	527	(1,187)	-	(1,187)	(523)	(495)
222	WASTEWATER PRE-TREATMENT	415	(473)	415	(474)	-	(474)	0	1
240	CEMETERY	296	(332)	296	(332)	-	(332)	0	0
241	DUBACH PARK ENTERPRISE	-	-	-	-	-	-	-	-
250	RECYCLING	336	(567)	350	(567)	-	(567)	14	(0)
252	CONST/DEMO DEBRIS RECYCLE	22	(34)	22	(33)	-	(33)	0	(1)
253	YOUTH CENTER ENTERPRISE	362	(362)	362	(362)	-	(362)	0	0
260	FIRE TRAINING CENTER	2	(297)	2	(245)	-	(245)	0	(52)
270	PARKING	-	-	-	-	-	-	-	-
280	TRANSIT SYSTEM	1,471	(1,473)	1,436	(1,436)	-	(1,436)	(35)	(37)
301	LITERACY GRANT	189	(148)	189	(172)	-	(172)	(0)	24
320	COMMUNITY DEV. BLOCK GRNT	587	(579)	587	(580)	-	(580)	(0)	1
321	OFF-SITE AFFORD HOUSING	16	-	16	-	-	-	(0)	-
322	SUPPORT HOUSING PROGR	173	(173)	173	(173)	-	(173)	0	0
323	HOME GRANT	-	-	-	-	-	-	-	-
324	HOUSING ASSISTANCE GRANTS	17	-	17	(0)	-	(0)	0	0
325	WORFORCE HOUSING GRANT	8	-	8	-	-	-	(0)	-
328	CDBG - ARRA FUNDS	-	-	-	-	-	-	-	-
329	ARRA GRANT PROJECTS	43	(117)	118	(118)	-	(118)	75	1
340	POLICE GRANTS	-	-	-	-	-	-	-	-
349	LOCAL LAW ENFORCE BL	-	-	0	-	-	-	0	-
350	COPS MORE TECH GRANT	-	-	0	-	-	-	0	-
351	TRANSPORTATION GRANT	1	-	1	-	-	-	(1)	-
352	SLESF	124	(126)	124	(120)	-	(120)	(0)	(6)
353	PROPISTION 172	411	(377)	411	(474)	-	(474)	(0)	97
354	TRANS DVLP (SB325)	1,561	(1,513)	1,811	(1,523)	-	(1,523)	250	10
355	GAS TAX-2106 (SELECT)	1,515	(1,335)	1,515	(1,339)	-	(1,339)	(0)	4
356	CEMETERY ENDOWMENT FUND	20	-	20	-	-	-	0	-
357	ASSET FORFEITURE FUND	3	-	3	(2)	-	(2)	0	2
358	HOUSING MONITORING FUND	20	(20)	20	(20)	-	(20)	0	0
359	FIRE SUPPRESSION DISTRICT	69	(6)	69	(6)	-	(6)	0	(0)
360	FIRE SAFER GRANT	700	(700)	729	(729)	-	(729)	29	29
379	HISTORIC WALKING TOUR	2	-	2	-	-	-	0	-
381	GIBSON RANCH L&L	650	(539)	650	(602)	-	(602)	0	63
382	N PARK #6 L&L DISTRICT	-	-	-	-	-	-	-	-
383	N PARK L&L DISTRICT	28	(30)	28	(24)	-	(24)	(0)	(6)

CITY OF WOODLAND BUDGET COMPARISON BY FUND

($ in 000)

Fund		As of May 22, 2012		As of June 19, 2012				Difference	
		FY2012/13 Revenues/ Transfer In	FY2012/13 Expenditures/ Transfers Out	FY2012/13 Revenues/ Transfer In	FY2012/13 Expenditures/ Transfers Out	LESS: Balancing Plan	Net Appropriations	FY2012/13 Revenues/ Transfer In	FY2012/13 Expenditures/ Transfers Out
384	SP ASSESS STRENG PD LAND	16	(19)	16	(18)	-	(18)	(0)	(1)
385	TRAFFIC CONGESTION RELIEF	-	-	0	-	-	-	0	-
386	USED OIL RECYCLING GRANT	14	(16)	14	(16)	-	(16)	0	0
387	WOODLAND WEST L&L	20	(20)	20	(20)	-	(20)	0	0
389	SPRINGLAKE L&L	664	(773)	664	(774)	-	(774)	0	1
391	SPORTS PARK O&M CFD	224	(224)	224	(224)	-	(224)	0	0
392	GATEWAY L&L	94	(62)	94	(62)	-	(62)	(0)	(0)
501	CAPITAL PROJECTS	237	(237)	234	(234)	-	(234)	(3)	(3)
502	STATE BOND ACT-PARKS PRJS	-	-	-	-	-	-	-	-
503	STATE BOND ACT-PARKS PRJS	-	-	-	-	-	-	-	-
505	SPECIAL SALES TAX DIST.	-	-	-	-	-	-	-	-
506	MEASURE "E"	4,099	(3,116)	4,102	(2,930)	-	(2,930)	3	(186)
508	CAPITAL PROJECT MGMT	332	(332)	232	(481)	(249)	(232)	(100)	(100)
510	GENERAL CITY DEVELOPMENT	73	(999)	68	(706)	-	(706)	(5)	(293)
520	REDEVELOPMENT AGENCY	1,260	(4,744)	-	-	-	-	(1,260)	(4,744)
521	RDA - LOW/MOD HOUSING	34	(165)	-	-	-	-	(34)	(165)
522	RECOGNIZED OBLIGATION RETIREMEN	-	(153)	1,100	(2,227)	-	(2,227)	1,100	2,074
540	PARK & RECREATION DVLP	1,890	(1,890)	1,890	(1,890)	-	(1,890)	0	0
541	PARK IN-LIEU FEES	108	(4)	104	(139)	-	(139)	(4)	135
550	POLICE DEVELOPMENT FUND	75	(75)	75	(75)	-	(75)	0	0
560	FIRE DEVELOPMENT	281	(281)	281	(281)	-	(281)	0	0
570	LIBRARY DEVELOPMENT FUND	27	(88)	27	(88)	-	(88)	(0)	(0)
580	SURFACE WATER DEVELOPMENT	138	(138)	138	(138)	-	(138)	(0)	(0)
581	STORM DRAIN DEVELOPMENT	193	(193)	204	(204)	-	(204)	11	11
582	ROAD DEVELOPMENT	589	(589)	978	(978)	-	(978)	389	389
583	TREE RESERVE	-	(1)	0	(1)	-	(1)	0	(0)
584	WATER DEVELOPMENT FUND	70	(70)	70	(70)	-	(70)	(0)	(0)
585	SEWER DEVELOPMENT FUND	1,776	(1,776)	1,776	(1,776)	-	(1,776)	(0)	(0)
590	SOUTHEAST AREA CONSTRUCT	-	-	0	-	-	-	0	-
591	S.E.A. PROJECT SPECIFIC	-	-	-	-	-	-	-	-
593	GIBSON RANCH INFRA-STRUC	120	(169)	106	(169)	-	(169)	(14)	0
594	SPRING LAKE CAPITAL	87	(155)	4,203	(4,203)	-	(4,203)	4,116	4,048
599	MASTER CAPITAL FUND	147	(147)	147	(147)	-	(147)	0	-
601	SPRINGLAKE ADMINISTRATION	9	(68)	(55)	(4,241)	-	(4,241)	(64)	4,173
640	SLIF PARKS & RECREATION	186	(345)	186	(345)	-	(345)	(0)	0
681	SLIF STORM DRAIN FUND	-	-	-	-	-	-	-	-
682	SLIF STREET IMPROVEMENT	4	(4)	3,440	(3,440)	-	(3,440)	3,436	3,436
684	SLIF WATER FUND	-	-	612	(612)	-	(612)	612	612
685	SLIF SEWER FUND	-	-	-	-	-	-	-	-
810	LIBRARY RENOVAT LEASE	-	-	-	-	-	-	-	-
815	2002 LEASE REVENUE BOND	1,620	(1,624)	1,620	(1,624)	-	(1,624)	(0)	(0)
820	RDA DEBT SERVICE	-	-	-	-	-	-	-	-
821	RDA 2007 TAB	832	(832)	753	(753)	-	(753)	(79)	(79)
830	SOUTHEAST AREA DEBT SERV	1,338	(1,337)	1,338	(1,337)	-	(1,337)	0	0
831	SOUTHEAST AREA-RES FUND	-	-	0	-	-	-	0	-
840	BEAMER/KENTUCKY ASSESSMT	51	(375)	51	(375)	-	(375)	0	(0)

CITY OF WOODLAND BUDGET COMPARISON BY FUND

($ in 000)

Fund		As of May 22, 2012		As of June 19, 2012				Difference	
		FY2012/13 Revenues/ Transfer In	FY2012/13 Expenditures/ Transfers Out	FY2012/13 Revenues/ Transfer In	FY2012/13 Expenditures/ Transfers Out	LESS: Balancing Plan	Net Appropriations	FY2012/13 Revenues/ Transfer In	FY2012/13 Expenditures/ Transfers Out
841	BEAMER/KENTUCKY ASSESS-R	-	-	-	-	-	-	-	-
850	EAST MAIN ASSESS DIST 90	1,307	(1,284)	1,307	(1,284)	-	(1,284)	0	(0)
851	EAST MAIN ASSESSES DIST-R	-	-	0	-	-	-	0	-
860	1978 SP ASSMST DEBT SVC	-	-	-	-	-	-	-	-
870	CFD#2 SPRINGLAKE DEBT SRV	2,403	(2,413)	2,403	(2,413)	-	(2,413)	0	0
880	2005 CAPITAL PROJECTS L/R	1,663	(1,640)	1,663	(1,640)	-	(1,640)	(0)	(0)
881	2007 CAPITAL PROJECTS LRB	1,142	(1,151)	1,142	(1,151)	-	(1,151)	0	0
885	WWTP REVENUE BONDS 2005	1,181	(1,185)	1,181	(1,185)	-	(1,185)	0	0
886	WATER REVENUE BONDS -2008	-	-	-	-	-	-	-	-
915	RECREATION CONTRACT TRUST	1	(7)	1	(7)	-	(7)	(0)	(0)
917	LIBRARY TRUST FUND	19	(56)	19	(50)	-	(50)	0	(6)
940	RECREATION FOUNDATION	-	-	-	-	-	-	-	-
	TOTALS	134,000	(145,219)	142,347	(145,941)	(1,774)	(144,167)	8,347	(1,052)

CORRECTED
Attachment 3

RESOLUTION NO: ______________

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND ADOPTING THE FISCAL YEAR 2012-2013 ANNUAL BUDGET

WHEREAS, a balanced annual budget for the City of Woodland has been prepared for fiscal year 2012-2013 and presented to the City Council and reviewed at a public meeting on May 22, 2012; and

WHEREAS, the proposed budget also includes the fiscal year 2012-2013 budgets for the Woodland Finance Authority and the Successor Agency to the former Woodland Redevelopment Agency; and

WHEREAS, the budget for Capital Improvement Plan for fiscal year 2012-2013 has been prepared; and

WHEREAS, all appropriations for the prior fiscal year shall lapse at the end of fiscal year 2012-2013 and any remaining amounts shall be credited against their respective fund balances, except for:

a. Any unexpended but encumbered amounts for specific orders outstanding at the end of the Fiscal Year, and
b. Any appropriations for incomplete capital projects at the end of fiscal year 2012-2013; and

WHEREAS, for these exceptions, such carry-overs may be made without further City Council action,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND HEREBY RESOLVES:

Section 1. The 2012-2013 Annual Budget is hereby adopted for the following funds (detail shown as Attachment 1):

General Fund	$38,280,163
Enterprise Funds	48,560,409
Special Revenue Funds	7,052,803
Internal Service Funds	13,386,641
Capital Funds	22,899,299
Debt Service Funds	11,761,310
Successor Agency	2,226,781
Total	144,167,405

Section 2. The "Tier 1" and "Tier 2" reductions outlined in the balancing plan presented in the preliminary budget document are hereby approved, including deletion of positions described therein.

RESOLUTION NO: ______________

Section 3. Appropriations are hereby made at the individual fund level. The City Manager and Finance Officer are authorized to make budgetary transfers within an individual fund, so long as total appropriations for such fund remain unchanged. Any changes to total fund level appropriations require further Council action.

Section 4. Interfund loans and/or transfers detailed in the preliminary budget document are hereby approved and authorized.

Section 5. The City Manager and Finance Officer are hereby authorized to implement this resolution, including issuing the 2012-2013 Budget, together with any non-substantive corrections to the preliminary budget adopted by this Council.

PASSED, APPROVED, AND ADOPTED THIS ______ DAY OF ______________, 2012.

STATE OF CALIFORNIA
COUNTY OF YOLO ss.
CITY OF WOODLAND

I, ________________________________, City Clerk of the City of Woodland, County of Yolo, State of California do hereby certify that the foregoing Resolution No. ___________ was regularly adopted by the City Council of said City of Woodland at a regular meeting of said council held on the __________ day of ______________, 2012, by the following vote:

AYES: Council members: ______________________________

NOES: Council members: ______________________________

ABSENT: Council members: ______________________________

ABSTAIN: Council members: ______________________________

____
Mayor, Artemio Pimentel

Attest:

______________________________,
City Clerk, Ana B. Gonzalez

EXHIBIT 1

CITY OF WOODLAND
FISCAL YEAR 2012/13
TOTAL APPROPRIATIONS BY FUND

Fund		FY2012/13 Expense/ Tfrs Out
010	EQUIP SVCS & REPLACE	3,519,351
013	BENEFITS FUND	6,463,514
015	INFORMATION SYSTEMS FUND	1,722,535
091	SELF INSURANCE	1,681,240
099	DISBURSE FUND-PR	-
101	GENERAL FUND	38,280,163
102	TRANS DEBT SVC	-
103	SRTD AGENCY FUND	-
210	WATER ENTERPRISE FUND	24,752,243
220	SEWER ENTERPRISE FUND	19,170,788
221	STRM DR ENTERPRISE FUND	1,187,201
222	WASTEWATER PRE-TREATMENT	473,843
240	CEMETERY	332,024
241	DUBACH PARK ENTERPRISE	-
250	RECYCLING	566,906
252	CONST/DEMO DEBRIS RECYCLE	33,378
253	YOUTH CENTER ENTERPRISE	362,181
260	FIRE TRAINING CENTER	245,413
270	PARKING	-
280	TRANSIT SYSTEM	1,436,433
301	LITERACY GRANT	172,164
320	COMMUNITY DEV. BLOCK GRNT	579,783
321	OFF-SITE AFFORD HOUSING	-
322	SUPPORT HOUSING PROGR	173,228
323	HOME GRANT	-
324	HOUSING ASSISTANCE GRANTS	255
325	WORFORCE HOUSING GRANT	-
328	CDBG - ARRA FUNDS	-
329	ARRA GRANT PROJECTS	117,640
340	POLICE GRANTS	-
349	LOCAL LAW ENFORCE BL	-
350	COPS MORE TECH GRANT	-
351	TRANSPORTATION GRANT	-
352	SLESF	120,310
353	PROPISTION 172	473,568
354	TRANS DVLP (SB325)	1,523,096
355	GAS TAX-2106 (SELECT)	1,339,277
356	CEMETERY ENDOWMENT FUND	-
357	ASSET FORFEITURE FUND	1,551
358	HOUSING MONITORING FUND	20,116
359	FIRE SUPPRESSION DISTRICT	5,637
360	FIRE SAFER GRANT	729,249
379	HISTORIC WALKING TOUR	-
381	GIBSON RANCH L&L	602,057
382	N PARK #6 L&L DISTRICT	-
383	N PARK L&L DISTRICT	23,886
384	SP ASSESS STRENG PD LAND	18,171
385	TRAFFIC CONGESTION RELIEF	-
386	USED OIL RECYCLING GRANT	16,275
387	WOODLAND WEST L&L	20,363
389	SPRINGLAKE L&L	774,039
391	SPORTS PARK O&M CFD	224,089
392	GATEWAY L&L	61,650
501	CAPITAL PROJECTS	234,386
502	STATE BOND ACT-PARKS PRJS	-
503	STATE BOND ACT-PARKS PRJS	-
505	SPECIAL SALES TAX DIST.	-
506	MEASURE "E"	2,929,858
508	CAPITAL PROJECT MGMT	231,653
510	GENERAL CITY DEVELOPMENT	705,884
520	REDEVELOPMENT AGENCY	-
521	RDA - LOW/MOD HOUSING	-
522	RECOGNIZED OBLIGATION RETIREMENT FUND	2,226,781
540	PARK & RECREATION DVLP	1,890,101
541	PARK IN-LIEU FEES	139,106
550	POLICE DEVELOPMENT FUND	75,359
560	FIRE DEVELOPMENT	281,313
570	LIBRARY DEVELOPMENT FUND	87,583

EXHIBIT 1

CITY OF WOODLAND
FISCAL YEAR 2012/13
TOTAL APPROPRIATIONS BY FUND

Fund		FY2012/13 Expense/ Tfrs Out
580	SURFACE WATER DEVELOPMENT	137,900
581	STORM DRAIN DEVELOPMENT	203,712
582	ROAD DEVELOPMENT	977,779
583	TREE RESERVE	842
584	WATER DEVELOPMENT FUND	69,702
585	SEWER DEVELOPMENT FUND	1,775,668
590	SOUTHEAST AREA CONSTRUCT	-
591	S.E.A. PROJECT SPECIFIC	-
593	GIBSON RANCH INFRA-STRUC	169,289
594	SPRING LAKE CAPITAL	4,203,477
599	MASTER CAPITAL FUND	147,000
601	SPRINGLAKE ADMINISTRATION	4,241,219
640	SLIF PARKS & RECREATION	345,465
681	SLIF STORM DRAIN FUND	-
682	SLIF STREET IMPROVEMENT	3,440,000
684	SLIF WATER FUND	612,000
685	SLIF SEWER FUND	-
810	LIBRARY RENOVAT LEASE	-
815	2002 LEASE REVENUE BOND	1,623,679
820	RDA DEBT SERVICE	-
821	RDA 2007 TAB	752,606
830	SOUTHEAST AREA DEBT SERV	1,337,187
831	SOUTHEAST AREA-RES FUND	-
840	BEAMER/KENTUCKY ASSESSMT	374,819
841	BEAMER/KENTUCKY ASSESS-R	-
850	EAST MAIN ASSESS DIST 90	1,283,969
851	EAST MAIN ASSESSES DIST-R	-
860	1978 SP ASSMST DEBT SVC	-
870	CFD#2 SPRINGLAKE DEBT SRV	2,413,018
880	2005 CAPITAL PROJECTS L/R	1,639,660
881	2007 CAPITAL PROJECTS LRB	1,151,073
885	WWTP REVENUE BONDS 2005	1,185,298
886	WATER REVENUE BONDS -2008	-
915	RECREATION CONTRACT TRUST	6,800
917	LIBRARY TRUST FUND	49,600
940	RECREATION FOUNDATION	-
	TOTALS	**144,167,405**

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM 23.

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Annual Appropriations Limit

Report in Brief:

As required by State law, the City Council must adopt an annual appropriation limit, otherwise known as the Gann Limit. This limit is calculated in accordance with Proposition 4 and the subsequent Proposition 111, and it limits the amount of tax revenue an entity may collect in any fiscal year.

Staff recommends that City Council adopts Resolution No. __________ approving the City of Woodland's fiscal year 2012/2013 Appropriations Limit.

Background:

In November 1979, California voters approved Proposition 4, commonly known as the Gann Initiative. The Proposition created Article XIIIB of the State Constitution, a state law that requires the state and local governments to adopt an annual appropriation limit. The appropriation limit, also referred to as the "Gann Limit", establishes a limit on the proceeds of taxes that may be appropriated for spending in a given fiscal year. The limit is based on actual appropriations during the 1978/79 fiscal year, as adjusted each year using specified population and inflation factors.

In June 1990, Proposition 111 was adopted, which imposed changes on the calculation of the limit by providing a choice of methodologies for determining the annual inflation factor and for population growth, providing exclusions of certain types of expenditures, and revision to the processes required for refunding taxes collected in excess of the limit.

Discussion:

Revenues restricted by the Limit are only those that are defined as "proceeds of taxes". Many of the major General Fund revenue sources (sales tax, property tax, motor vehicle in-lieu) are classified as proceeds of taxes and are, therefore, subject to the Limit. Additionally, certain types of expenditures (voter approved debt, interfund transfers, capital outlay, and costs of complying with court orders or federal mandates) are excludable categories that do not count against the Limit.

As a result of Proposition 111, the City must choose between two annual inflation factors and two population growth factors.

The choice offered for the annual inflation factor is the greater of (1) the change in California per capita income or (2) the growth in non-residential assessed valuation due to new construction within the City. The data necessary to calculate the increase in non-residential assessed valuation is not currently available from the County; therefore the City has elected to use the change in California per capita income.

The choice offered for the annual population growth factor is the greater of the growth in the City or County population. The California State Department of Finance provided the 2012 population growth rates for both the City of Woodland and Yolo County at 0.54% and 0.53%, respectively. Based on these growth rates, it is recommended that the City Council approve the appropriations limit using the County's population growth factor.

Using the prior year GANN limit of $51,499,262, the 2012/13 Limit is calculated by applying the 0.53% population change in Yolo County and the 3.77% increase in California per capita personal income. Please see calculation worksheet attached to the Resolution. The resulting appropriation limit of $53,713,730 is $17,632,730 higher than our expected tax revenue for fiscal 2012/2013. The City should remain substantially below the Appropriations Limit in the foreseeable future.

Fiscal Impact

Because the calculated appropriations limit for FY2013 is well below the expected tax revenues, no fiscal impact will result from this item.

Public Contact

Posting of the City Council agenda.

Recommendation for Action

Staff recommends that City Council adopts Resolution No. __________ approving the City of Woodland's fiscal year 2012/2013 Appropriations Limit.

Prepared By: Adam Devlin
Accountant

Reviewed By: Kim McKinney
Finance Officer

Paul Navazio
City Manager

Appropriation Limit Calculation for Fiscal Year ending 6/30/2013

Fiscal Year 11/12 Appropriation Limit $ 51,499,262

Factors:

	Per Capita Personal Income		
(a)	% change	3.770%	
(a)	Annual % Change In population	0.530%	(The higher % increase should be used - Woodland's population increase or Yolo County's population increase)

Factors converted to Ratios:

Per Capita Ratio	1.0377
Population Converted To Ratio	1.0053

Calculation of the City of Woodland's Factor

1.0377 X 1.0053 = 1.04

Fiscal Year 12/13 Appropriation Limit

$ 51,499,262 x 1.04 **$ 53,713,730**

(a) Information provided by the State Department of Finance. Annual price and population informtaion

RESOLUTION NO: ___________

RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF WOODLAND
TO SET THE APPROPRIATION LIMIT, IN ACCORDANCE WITH ARTICLE XIII-B OF THE STATE CONSTITUTION FOR FISCAL YEAR 2011/12

WHEREAS, the voters of the State of California added Article XIII-B to the Constitution limiting the state and local governments' ability to appropriate the proceeds of taxes; and,

WHEREAS, California legislation (SB 1352) has implemented the provisions of Article XIII-B, effective January 1, 1981; and modified these provisions with the passage of Proposition 111 in June 1990; and,

WHEREAS, the City of Woodland has calculated its appropriation limitation in accordance with Government Code Section 7910; and,

WHEREAS, the City Council of the City of Woodland selected the County of Yolo's population factor and State of California's inflation factor for calculating the appropriations limit.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Woodland, California, does hereby resolve to set the Appropriation Limit for the City of Woodland for fiscal year 2012/13 at $53,713,730.

PASSED, APPROVED, AND ADOPTED this 19th day of June 2012 by the following vote:

AYES:	Council members:	______________
NOES:	Council members:	______________
ABSENT:	Council members:	______________
ABSTAIN:	Council members:	______________

____
Artemio Pimentel, Mayor

Attest:

______________________,
Ana B. Gonzalez, City Clerk

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM 24.

TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Appeal of Decision on Short Sale for Property Assisted with City Housing Loan

Report in Brief

The appellants, Rogelio and Leticia Villagrana, purchased their residential property located at 1967 Hershey Drive in 2003 with loan assistance from the former Woodland Redevelopment Agency. The appellants this year submitted a request to the City to allow a short sale of the property. Former Interim City Manager Kevin O'Rourke reviewed and denied the request in March of this year. Subsequently, the Villagranas appealed the Interim City Manager's decision to the City Council.

Staff recommends that the City Council take the following actions.

1. Approve the submitted appeal to allow a short sale of the property located at 1967 Hershey Drive subject to the City receiving an approximate payment of $21,000 (net proceeds of property sale after payoff of principal mortgage and closing costs);

2. Authorize the City Manager to execute all agreements necessary for the short sale.

Background

The former Woodland Redevelopment Agency (RDA) provided first-time homebuyer loans to 15 low and moderate income households in 2003 to assist them with the purchase of residential properties in the Greenwood Subdivision which is located in the City's Southeast Area. Each loan consisted of two components: funds derived through RDA low-moderate tax increment and a below market price subsidy (which is the difference between the market price and the calculated affordable price of a home) provided by the subdivision's builder. The appellants received a total loan of $53,400: $15,000 in low-moderate tax increment funds and a below market subsidy of $38,400. They qualified as moderate income household when they purchased their property. Moderate income is defined as a household that earns more than 80 percent and no more than 120 percent of the countywide median income adjusted for household size.

In order to receive credit towards its housing program pursuant to the requirements of the California Community Redevelopment Law (CRL), RDA placed 45-year affordability covenants on the properties sold to the 15 low and moderate income buyers in the Greenwood Subdivision. However, payment of principal was deferred for up to 45 years and no interest was charged unless a property owner sold the home to a non-affordable buyer prior to the 45-year term. Furthermore, the principal of each loan is reduced by ten percent at the ten-year anniversary of the loan and an additional ten percent at each subsequent five-year period. As a result, RDA would forgive the entire loan if a property owner completed 45 years of residency.

Discussion

The appellants contacted RDA staff through a letter in October 2011 of their intention to sell their property and confirmed their understanding that they had to market their property for sale to another affordable buyer for a period of 90 days pursuant to the recorded affordable housing covenant. RDA then calculated the affordable purchase price of the appellants' property and communicated this information through a letter to the appellants. The appellants worked with their real estate broker and the City's first time homebuyer consultant, NeighborWorks, to locate another affordable buyer.

The appellants' real estate broker emailed RDA staff in December 2011 and informed staff that an affordable buyer was located through NeighborWorks; however, the buyer did not earn enough to purchase the appellants' property. The broker did plan to follow up with NeighborWorks in the event that there may be other affordable buyers. The broker requested a copy of the affordable purchase letter prepared by staff and stated that the property has a market value of $205,000, and indicated that there would be a short payoff on the RDA loan based on the value of the property. (The appellants paid $245,764 for the property in 2003). The broker stated also that she thought the appellants would receive credit for what they put into the property.

RDA staff called the broker in December 2011 and the broker referenced a 2010 short sale of an affordable property in the Greenwood Subdivision in which RDA staff had a permitted the sellers (who had originally purchased the property as a moderate income household in 2003) to receive credit for the principal reduction of their senior mortgage and improvements they made to the property. The sellers' home was the same model as the appellants (1455 square feet residence, three bedrooms/two bathrooms), but the lot was larger (5,227 square feet versus 4,356 square feet for the appellants). The property sold in 2010 generated a sales price of $235,000, while the 2003 purchase price was $256,024. It appears that former RDA staff in recognition of the downturn in the residential real estate market allowed the former property owners in 2010 to complete a short sale that resulted in RDA receiving a reduced payment of $30,666 on its original loan of $67,400. The loan consisted of two components: $15,000 in low-moderate tax increment funds and a below market subsidy of $52,400. According to the broker, the appellants' property had been priced initially at $215,000 and shown to 22 perspective buyers without a single offer. As a result, the asking price was lowered to $205,000.

The 90-day period for marketing the appellants' property to an affordable buyer ended this January. The former RDA did not exercise its option to purchase the property. As a result, the appellants were free to sell their property to anyone at whatever price the market would bear and they eventually entered a sales contract with a buyer for $205,000. The City received a letter from the appellants' broker in March of this year requesting that the appellants be allowed to sell their home and the City accept a -0- payoff of the former RDA housing loan. The -0- payoff is based on the sales price of $205,000 and subtracting items 2 – 5 detailed below. The broker's letter also noted that the appellants were in contract to purchase a new home in the Huntington Square project (Standard Pacific Homes) near the Community Center.

1) Proposed sale amount - $205,000
2) Approximate balance on principal mortgage - $168,000
3) Estimated closing costs including real estate commission - $16,800
4) Credit to seller for reduction in principal mortgage balance - $19,000
5) Credit to seller for home improvements - $21,770

The Interim City Manager reviewed the request for a -0- payoff and declined to approve the request based on the lack of hardship and the payoff amount not being in the best interest of the City. He did inform the appellants that they had the option of appealing his decision to the City Council.

RDA's housing assistance project for the Greenwood Subdivision helped facilitate home ownership for 15 low and moderate income households. Similar efforts to assist affordable buyers were completed for dozens of households in the Spring Lake Specific Plan Area and other areas of the City. However, one area that staff suggests for analysis is whether the loan agreements between the City and affordable buyers adequately address how a housing loan with a below market subsidy component is handled when an affordable buyer decides to sell in a down real estate market. Depending on the results of the analysis, the City Council may provide staff with further policy direction. In a real estate market with increasing values there is generally enough capacity for both the seller and City to receive adequate sales proceeds. However, a declining real estate market makes it difficult if not almost impossible for a seller to complete the sale when a large below market subsidy loan is due and payable. For the appellants, they would be required to pay the City an amount in excess of $78,000 which includes interest in order to retire the former RDA housing loan unless the City Council approves their appeal.

Fiscal Impact

The City would receive a payment of approximately $21,000 that would be deposited in its housing fund and these funds could be used to assist low income, first time homebuyers.

Public Contact

Posting of the City Council agenda.

Staff Recommendation

Staff recommends that the City Council take the following actions.

1. Approve the submitted appeal to allow a short sale of the property located at 1967 Hershey Drive subject to the City receiving an approximate payment of $21,000 (net proceeds of property sale after payoff of principal mortgage and closing costs);

2. Authorize the City Manager to execute all agreements necessary for the short sale.

Prepared by: Dan Sokolow
Senior Planner

Reviewed by: Nicholas J. Ponticello
CDD Director

Paul Navazio
City Manager

Attachment: Appeal Letter

Rogelio and Leticia Villagrana
1967 Hershey Drive
Woodland CA 95776

April 15, 2012

Mayor Artemio Pimentel,
Vice Mayor Marlin H. Davies,
Councilmember William L. Marble
Councilmember Martie L. Dote
Councilmember Tom Stallard

City of Woodland
300 First Street
Woodland, CA 95695

RE: Villagrana Appeal related to City of Woodland home purchase assistance program

Dear Mayor Pimentel and members of City Council,

Before going into our arguments for granting our appeal it is important that you know that we are extremely grateful for the opportunity to have benefited from the City of Woodland Redevelopment down payment assistance program. If it was not for this assistance we would not have been able to purchase our current home at that time. Our incomes were nowhere near to what they are today.

We tried to sell our home for as much as we could in order to pay the City as much as possible. We spent considerable time preparing the home to show. Over the years, we have invested approximately $21,000 in improvements to our home. We did not take out an equity loan to make these improvements either; as we saved the money we made improvements.

The initial asking price was $215,000; however after 22 showings we had no offers so it was necessary to lower the price to $205,000.

Our real estate agent Lupe Springer-Hodges informed us that we are in the worst real estate market since the 1920's; when the program was designed, there were no provisions for the possibility that the values of the homes would fall as dramatically as they have.

We are asking for the same consideration the Woltmon family was given when they sold their home in 2010. Lupe informed us that the value of their home at the time was $235,000 and a large portion of the silent 2nd was forgiven so they could sell their home. As a matter of fact, they were allowed to keep the portion of equity that they had paid into their home; this was equal to the amount they had paid down on their mortgage.

When we purchased our home in 2003 it was valued at $235,900. After closing costs, the total needed to purchase our home was $244,827. We contributed $8176, the City Redevelopment Agency contributed $15,000 and the developer reduced the price by $35,475. The combination of the $15,000 from the Redevelopment Agency and the reduction in price from the developer of $35,475 is the total ($50,475.00) of the silent second loan assistance per our contract. In 2005 we refinanced our home at a lower interest rate to be able to pay more towards the principal. Because of this we currently owe about $167,000 on our first mortgage.

Since the cost of our home was $244,827 and we are able to sell it for $205,000 (before closing costs of approximate $16,840) we are not making any profit. The initial first mortgage for our home was for $186,176. Considering our home sold for $205,000 because of the $21,000 we invested in improvements we clearly are not even breaking even. In essence the value of our home is upside down in relation to what we owe the bank and the City of Woodland.

My family would like the opportunity to sell our home. Keeping in mind all of the above we are proposing that the City Council accept as payment in full the net proceeds from the sale of our home, which includes the amount we have paid toward the mortgage. This is not enough to pay the full silent second, but would more than reimburse the City for the actual amount ($15,000) contributed towards the purchase of our home.

We have been informed that in today's market, in Springlake, other families have received reduced payoffs for the Affordable Program silent seconds on their homes; my family is requesting the same consideration. As a matter of fact, we are really offering to give more because we are contributing all of the net proceeds we will have available (about $21,000).

We elected to not include the entire background regarding our case to keep this appeal letter under two pages and under the assumption that City staff will provide you with our past communications with them (i.e. our initial request, the denial letter, information in our file). We also request that City staff provide to you a history of past decisions made by them in regards to requests made by other families from our same development under the identical program.

Please also keep in mind the multiple benefits to our community by allowing us to payback the suggested amount of $21,000):

- The way our loan assistance is structured ten percent will be forgiven by April of 2013 and ten percent every five years after that. Thus, in time the entire amount will be forgiven. If the City Council agrees to our offer, the City will be able to use the $21,000 to help another family move into a new home.
- It we are able to sell our home in time we plan to buy a home built by Standard Pacific. Thus, we will take a new home off the market.
- By taking a new home off the market we will help generate new tax revenue for the City, School District, Community College district, County and State.
- As part of our agreement to buy a home from Standard Pacific they have agree to pay off the Mello-Roos. They tell us it is close to $24,000.
- We also plan to add solar panels to the Standard Pacific home, thus this will increase the amount of solar energy being generated by families in Woodland. Recently the City of Woodland was recognized as a "solar energy forerunner." Our new solar panels will further add to the cities recent recognition "for producing the second most solar power per resident than any other city in the state"

If our request is not granted, we will have no other option but to remain in our home until we can save sufficient funds to pay off the amount as dictated by the contract.

Respectfully yours,

Rogelio Villagrana   Leticia Villagrana

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM 25.

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Amendment of Municipal Code Chapter 23C, Article XII, Recyclable Materials

Report in Brief

Modification of Chapter 23C, Article XII, of the Woodland Municipal Code, which addresses recyclable materials, is proposed to incorporate new state requirements for mandatory commercial recycling and to update general recycling provisions. Staff recommends that the City Council waive first reading and read by title only the draft ordinance attached to this report.

Background

The recycling of solid waste has been an important emphasis of the State of California for more than two decades because of the desire to reduce the landfilling of waste and the land use, groundwater quality, and air quality issues associated with landfills. In 1989, the landmark California Integrated Waste Management Act, commonly referred to as Assembly Bill (AB) 939, was passed. Among other provisions, AB 939 requires each California jurisdiction, beginning in 2000, to divert a minimum of 50% of its municipal solid waste from landfill disposal through source reduction, recycling, and composting programs.

Recycling has subsequently been identified as an important component of efforts to reduce greenhouse gas (GHG) emissions. Recycling is linked to reducing GHG emissions from multiple phases of product production, including extraction of raw materials, preprocessing, and manufacturing. A co-benefit of increased recycling is avoided methane emissions at landfills from the decomposition of organic materials. Consequently, the state recently committed to pursuing more ambitious recycling goals. In October 2011, Governor Brown signed into law AB 341, which set a policy goal for the state that no less than 75% of solid waste generated be source reduced, recycled, or composted by 2020.

A major provision of AB 341 is the requirement that any commercial or public entity that generates 4 cubic yards or more of commercial solid waste per week and any multifamily residential dwelling of 5 units or more must arrange for recycling services by July 1, 2012. About 470,000 businesses and multifamily residences, approximately 20 percent of the statewide total, will have to take specific actions to comply with the new regulations. According to CalRecycle, the regulated businesses are responsible for about 75 percent of the commercial waste generated in California and the regulated multifamily dwellings account for about 60 percent of the waste generated by multifamily housing.

To support commercial waste generators' compliance with AB 341, the legislation also requires each local jurisdiction to implement a mandatory commercial recycling program that applies to this group, and it authorizes the local agencies to collect a fee from these entities to recover the costs incurred in complying with the state requirements. The local programs must include education, outreach, monitoring of compliance with the state regulations, and a process for notifying businesses and multifamily residential complexes when they are not in compliance. CalRecycle strongly encourages cities to enact ordinances that establish procedures for local compliance. CalRecycle can place a local jurisdiction on a compliance order and subject it to fines if it determines that a good-faith effort at program implementation has not been made.

The new regulations apply to approximately 270 businesses and multifamily complexes in Woodland that were not subscribing to recycling services through Waste Management as of mid-May 2012. Public Works staff determined that the best way to ensure the City satisfies AB 341 requirements and to assist these entities in demonstrating compliance with state law will be to establish, by ordinance, a clear procedure for documenting commercial recycling efforts or reasons regulated entities are unable to recycle. To this end, staff drafted commercial recycling program requirements for addition to Chapter 23C, Article XII of the Municipal Code, using model ordinance language prepared by the Institute for Local Government and examples of programs and ordinances successfully implemented in other jurisdictions. While drafting the commercial recycling requirements, staff recognized that clarifying and updating the existing sections of Article XII would promote better communitywide understanding of overall recycling program guidelines. Consequently, the existing general provisions were modified as well. The resulting draft ordinance, which is attached to this report, provides a proposed replacement of existing Chapter 23C, Article XII, in its entirety.

Discussion

The City of Woodland is committed to complying with AB 939 through a wide range of waste reduction and recycling efforts. These include, for example, an array of cooperative regional and local education and outreach activities, rebates to encourage composting of yard and food waste, annual events for the collection of bulky waste and its separation into landfill waste and recyclables, and direct assistance to commercial entities for recycling program setup. The City also sponsors programs for the collection and appropriate disposal of certain types of hazardous waste, including unused pharmaceutical products, used batteries, motor oil, and oil filters. Nevertheless, the City only reached the AB 939 50% diversion requirement in 2009 and 2010 after several years of falling slightly short.

Statewide, commercial recycling typically lags far behind residential efforts. Woodland waste diversion data are consistent with the state trend. Waste Management data for Woodland show recycling rates of 8%-10% for mid-size and large commercial entities (those using waste bins rather than carts), while residential recycling rates are typically over 50%. Additional efforts, particularly in the recycling of paper, cardboard, and other recyclable materials discarded from commercial premises, including multifamily residential properties, are needed to ensure that the City can continue to meet and exceed the state waste diversion requirements.

The commercial recycling provisions of the proposed ordinance require that any business that generates 4 cubic yards or more of waste per week and any multifamily residential complex of 5 units or more either subscribe to recycling services through the City's exclusive waste hauler, Waste Management, or submit an exemption request to the Public Works Director or his designee. Exemptions may include internal company recycling processes, selling or donating recyclable materials, or self-hauling materials to recycling facilities. In these cases, the commercial entity would provide documentation of its recycling activities. The ordinance also allows for exemptions in cases where an entity has no practical means to recycle because there is no accessible market for the recyclable materials it generates, site conditions preclude the placement of a recyclables bin on a property, or another reason exists that is accepted by the Public Works Director. The ordinance also describes the procedures to be followed by both the City and the waste generator if an exemption request is denied and in case of appeal of such a denial.

Newly proposed general ordinance provisions clarify that all residents and the commercial waste generators covered by the commercial recycling provisions are expected to make reasonable efforts to separate recyclable materials from all other solid waste, define requirements for minimizing the contamination of recyclables with non-recyclable materials that are consistent with waste industry practices, and update information on ownership and appropriate placement of recycling containers. Provisions have been retained and reorganized that prohibit scavenging, reinforce the right of any waste generator to sell or donate recyclable materials, and specify that the City may designate an authorized contractor for recyclable collection service.

Through spring 2012, City and Waste Management staff members provided information about the state requirements to many of the affected entities and offered them assistance in determining best approaches to implementing recycling programs. Staff applied to CalRecycle for grant funding to provide direct assistance and conduct in-depth outreach to the residents of multifamily complexes. Unfortunately, we learned in April that the grant request would not be funded. In May, Environmental Services sent a letter to the 270 remaining businesses and multifamily complexes that are required to take action, informing them of AB 341 requirements and offering them program assistance. Information about the requirements and the availability of City and Waste Management staff assistance for setting up effective programs and assisting with employee and tenant education is also being provided to businesses through the Chamber of Commerce newsletter. An important consideration is that most businesses can realize cost savings by recycling, and many can realize substantial cost savings, because of the difference in Waste Management's service rates between recycling and trash collection.

Although the ordinance describes enforcement procedures for non-compliance, staff intends to continue working cooperatively with the affected entities to obtain compliance before taking any enforcement steps.

Fiscal Impact

The implementation of recycling programs by the regulated commercial entities will reduce the amount of waste disposal by these entities and, in most cases, should also reduce the fees they pay to Waste Management. For these waste accounts, the amount of the franchise fees that Waste Management pays the City will also drop. It is not possible at this time to estimate the amount of any franchise fee reduction. Staff is not proposing to collect a new fee from the affected commercial waste generators to recover costs of complying with AB 341 requirements. However, a fee for exemption requests is anticipated to cover the costs of processing applications and providing follow-up site visits.

Public Contact

Posting of the City Council agenda.

Council Committee Recommendation

The proposed ordinance was discussed in concept at the June 6, 2011 meeting of the City Council Solid Waste Committee. On May 9, 2012, the committee discussed the draft ordinance and commercial recycling program implementation and agreed that the ordinance should go forward for City Council approval.

Alternative Courses of Action

1. Waive first reading and read by title only the draft ordinance attached to this report.

2. Waive first reading and read by title only an amended version of the draft ordinance, or direct staff to present an amended version at a future City Council meeting.

3. Provide alternative direction to staff.

Recommendation for Action

Staff recommends that the City Council approve Alternative No. 1.

Prepared by: Roberta Childers
Environmental Resource Analyst

Reviewed by: Gregor G. Meyer
Public Works Director

Paul Navazio
City Manager

Attachment: Draft Ordinance Amending Section 23C, Article XII of the Woodland Municipal Code

ORDINANCE NO. ___________

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODLAND, CALIFORNIA AMENDING ARTICLE XII OF CHAPTER 23C OF THE WOODLAND MUNICIPAL CODE RELATED TO WASTE RECYCLING

WHEREAS, the California Integrated Waste Management Act of 1989, commonly referred to as Assembly Bill 939 (AB 939), codified in substantial part at Public Resources Code §40000 et seq., requires all jurisdictions within California to divert a minimum of 50% of municipal solid waste generated annually from landfill disposal through source reduction, recycling and composting programs; and

WHEREAS, the City of Woodland is committed to AB 939 compliance through a combination of efficient, progressive, and customer friendly-waste reduction and recycling programs; and

WHEREAS, the City of Woodland in 2009 and 2010 met the waste diversion requirements of AB 939 but recognizes that additional efforts, particularly in the recycling of paper, cardboard, and other recyclable materials discarded from commercial premises, including multi-family residential properties, will be necessary to ensure that the City can maintain and exceed the goal of diverting 50% of its waste from landfill disposal; and

WHEREAS, in October 2011, Governor Brown signed into law Assembly Bill 341 (AB 341), which set a policy goal for the state that not less than 75% of solid waste generated be source reduced, recycled, or composted by the year 2020; and

WHEREAS, AB 341 requires that all businesses in California that generate four (4) cubic yards or more of commercial waste and all multi-family residential properties of five (5) units or more arrange for recycling services on or before July 1, 2012; and

WHEREAS, AB 341 also requires a jurisdiction, on and after July 1, 2012, to implement a mandatory commercial solid waste recycling program for this class of waste generators and authorizes a local agency to charge and collect a fee from a commercial waste generator to recover the local agency's costs incurred in complying with the commercial solid waste recycling program requirements; and

WHEREAS, the City Council wishes to amend the Woodland Municipal Code to add commercial recycling requirements to facilitate compliance with AB 341 and increase the City's waste diversion rate above the 50% minimum requirement of AB 939; and

WHEREAS, it is the intent of City staff to work closely with, monitor, and educate the commercial waste sector in implementing these requirements.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND DOES ORDAIN AS FOLLOWS:

Section 1. Recitals. The recitals set forth above are true and correct and are incorporated as though fully set forth herein.

Section 2. Authority. The City Council enacts this ordinance under the authority granted to cities by Article XI, Section 7 of the California Constitution.

Section 3. Amendment. Chapter 23C, Article XII of the Woodland Municipal Code is hereby amended to read as shown in Exhibit "A," attached hereto and incorporated herein by reference.

Section 4. Severability. If any provision or clause of this ordinance or any application of it to any person, firm, organization, partnership or corporation is held invalid, such invalidity shall not affect other provisions of this ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are declared to be severable.

Section 5. Effective Date and Notice. This ordinance shall take effect thirty (30) days after its adoption and, within fifteen (15) days after its passage, shall be published at least once in a newspaper of general circulation published and circulated within the City of Woodland.

PASSED AND ADOPTED by the City Council of the City of Woodland this ____ day of __________________, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

____

Marlin "Skip" Davies, Mayor

ATTEST:

____

Ana Gonzalez, City Clerk

APPROVED AS TO FORM:

____

Andrew Morris, City Attorney

EXHIBIT A

CHAPTER 23C. UTILITY SERVICES

Article XII. Recyclable Materials

Section 23C-12-1. Purpose.

It is the intent and purpose of this Article to promote recycling to enable the City of Woodland to meet and maintain the State of California waste diversion requirements set forth in Public Resource Code Section 41780(a)(2) and to work toward future state policy goals for waste diversion rates. This Article meets this purpose by requiring all residents and covered generators as defined in Section 23C-12-2 in the City of Woodland to make reasonable efforts to separate recyclable materials from all other solid waste, unless exempted as described in Section 23C-12-5.

Section 23C-12-2. Definitions.

The following terms are defined for the purposes of this Article:

"**Alternative recycler**" means a firm, partnership, corporation or other entity, other than an authorized contractor, with which a customer contracts for the removal from the customer's premises of specified recyclable materials generated by the customer and which pays the customer for the recyclable materials, or which accepts donations of recyclable materials from customers; in no case shall an alternative recycler charge or collect any fee or charge from a customer for the collection or processing of recyclables..

"**Approved recycling container**" means a recycling cart or other wheeled container, front-load bin, or other container provided by an authorized contractor or an alternative recycler or approved by the city for the collection and removal of recyclable materials.

"**Authorized contractor**" means a firm, partnership, corporation or other entity authorized under and by virtue of a contract with the city to collect recyclable materials within the city limits.

"**Business**" means any commercial or public entity, including, but not limited to, a firm, partnership, proprietorship, joint-stock company, corporation, or association that is organized as a for-profit or nonprofit entity, property complex containing two or more commercial entities, industrial facility, special district or a federal, local, or regional agency or facility. In addition, to the extent that applicable law allows the City to regulate the disposal of waste by schools, school districts, and state agencies, such organizations shall be considered businesses for the purpose of this article.

"**Commercial solid waste**" means all types of solid waste, including recyclable materials, that are discarded from businesses (as defined) but does not include industrial waste.

“**Covered generator**” means an entity that is subject to the city’s commercial recycling program requirements and includes (a) any business as defined in this Article that generates four (4) cubic yards or more of commercial solid waste per week, and (b) any multi-family residential property as defined in this Article.

“**Customer**” means (a) a residential property owner or occupant, or (b) a business or multi-family residential property owner or generator that contracts for recyclable material removal services with an authorized contractor or alternative recycler. Where several businesses or multi-family residential properties share waste containers or service, “customer” refers only to the party that enters into a contract for removal services.

“**Generator**” means each residential property owner or occupant, business, or multi-family residential property that generates one or more recyclable materials as a result of its activities.

“**Industrial waste**” means the solid wastes and semi-solid wastes that result from industrial processes and manufacturing operations.

“**Multi-family residential property**” means five (5) or more residential dwelling units located on a single parcel of land, including any mobile home park, located within the city.

“**Recyclable material**” means material such as, but not limited to, newspapers, glass, metal and aluminum cans, plastic bottles, corrugated cardboard and used motor oil which is separated from other waste or refuse for the purpose of recycling.

“**Recycling**” means the process of collecting and turning used products into new products by reprocessing or remanufacturing them.

“**Recycling center**” means an operation, including a place, mobile unit, reverse vending machine, or other device, which is certified by the State of California and which accepts from consumers, and pays or provides the refund value for, empty beverage containers intended to be recycled.

“**Self-hauling**” means a covered generator transporting its own waste and/or recyclable materials rather than contracting with an authorized contractor or an alternative recycler for that service.

“**Self-hauling/exemption form**” means the form provided by the Public Works Director or his or her designee on which a covered generator certifies that it is exempt from the requirements of the commercial recycling program as set forth in Section 23C-12-4, it is using an alternative recycler, or it will be self-hauling and its activities will be completed in accordance with the provisions of this Article and any other applicable law or regulation.

"**Source separating**" or "**Source separation**" means the process of removing recyclable materials from solid waste at the place of generation, prior to collection, and placing them into separate containers that are separately designated for recyclable materials.

Section 23C-12-3. General provisions.

(a) Ownership of recyclable material. Recyclable material placed at the curbside or other location for collection by an authorized contractor is the property of the customer until such time as it is collected for disposal, at which time it becomes the property of the authorized contractor.

(b) Recyclable material collection and service.

  (1) No person other than an authorized contractor or an alternative recycler shall remove recyclable materials which have been placed in an approved recycling container at the curbside or on the customer's premises. Any and each violation thereof from one or more recycling collection locations shall constitute a separate and distinct offense punishable as provided in this Article.

  (2) Subject to the limitations contained in Sec. 23C-12-6, the city council may require all residents or any class of residents to obtain recyclable collection service from one or more authorized contractors. The city council may make such election by resolution or in any solid waste collection agreement entered into pursuant to Sec. 23C-4-5 and subject to such terms and conditions as the city council may prescribe.

(c) Destroying, scattering, scavenging, or collecting recyclable material without the consent of the owner is prohibited. It is unlawful for any person to burn, break, destroy, scatter, scavenge, collect, contaminate, or take any recyclable materials without the consent of the owner of the recyclable materials.

(d) Approved recycling containers—Ownership and unauthorized removal. It is unlawful for a person other than (1) the customer or his/her designee, or (2) the city, or (3) an authorized agent of the city, or (4) the authorized contractor or alternative recycler to remove any approved recycling container from the customer's premises or curbside.

(e) Right of individual to dispose of recyclable material. Nothing in this Article shall modify, limit, or abrogate in any manner the right of any individual person, organization, or any other entity to donate, sell, exchange at fair market value or otherwise dispose of recyclable material, provided that any such disposal is in accordance with the provisions of this chapter.

(f) Placement of recycling containers. No recycling containers or bins within the city shall be placed or located in such a manner that blocks or impedes vehicular or pedestrian traffic, falls within the designated visibility triangles, or obstructs egress from any building or property, whether or not such building or property may be abandoned or otherwise not in use.

(g) Source separation of recyclable material. All residents and covered generators in the city shall make reasonable efforts to remove from the general waste stream by source separation any material designated by the city and/or an authorized contractor as recyclable material.

(h) Contamination of recyclable material.

(1) Recycling containers provided by the authorized contractor may not contain 10% or more of non-recyclable materials (contaminants). Any customer which violates this requirement may be charged at the solid waste disposal rate for the disposal of that container. Any customer whose recyclable material was not collected because it contained contaminants is responsible for properly separating recyclable materials from the non-recyclable materials for collection and proper recycling.

(2) It shall be unlawful for an authorized contractor or alternative recycler to combine materials in solid waste bins or carts with materials in recycling bins or carts in one collection vehicle.

(i) Civil action by authorized contractor. Nothing in this Article shall be deemed to limit the right of the authorized contractor to bring a civil action against any person who violates the above described sections of the Article, nor shall a conviction for such violation exempt any person from a civil action brought by an authorized contractor.

Section 23C-12-4. Commercial recycling program--Requirements for covered generators.

(a) On and after July 1, 2012, each covered generator shall be responsible for ensuring and demonstrating compliance with the following requirements:

  (1) Source separation of recyclable materials from the solid waste they are discarding;

  (2) Providing for a basic level of recycling service that includes, at a minimum, the collection of recyclable materials; and

  (3) Entering into a service agreement with an authorized contractor for the collection of recyclable materials; or completing a self-hauling/exemption form. The requirements for self-hauling may include, but are not limited to, maintaining written records demonstrating that all self-hauling activities have been completed in accordance with the standards imposed by the city in this Article.

(b) Each covered generator shall provide containers for designated recyclable materials in common areas where recyclable materials may be collected.

(c) Each covered generator shall ensure that designated recyclable materials generated at its site will be taken only to a recycling center, and not to a landfill for disposal, by complying with all the requirements of this Article.

(d) Each covered generator shall prominently post and maintain one or more signs where designated recyclable materials are collected that set forth what materials are required to be source separated, in addition to collection procedures for such materials.

(e) No covered generator shall be liable for the failure of an authorized contractor or alternative recycler to deliver designated recyclable materials to a recycling center.

Section 23C-12-5. Exemptions to the commercial recycling program requirements for covered generators.

(a) Notwithstanding the requirements of this Article or any other provision herein, a business with less than four (4) cubic yards of waste per week or a residential property that is not a multi-family residential property as defined in this Article shall not be subject to the requirements of Section 23C-12-4.

(b) Any covered generator seeking to be exempted from the commercial recycling program requirements of Section 23C-12-4, intending to conduct self-hauling of recyclable materials, or intending to contract with an alternative recycler instead of an authorized contractor must complete a self-hauling/exemption form annually. See Section 23C-12-6 for self-hauling and self-hauling/exemption form requirements. The application for exemption shall be submitted to the Public Works Director, and/or his or her designee, who will either approve or disapprove the exemption request within 30 days of the application submittal.

(c) A covered generator may be exempted by the Public Works Director, and/or his or her designee, if it demonstrates to the Public Works Director and/or his or her designee that there is no collection service or other system available within a reasonable area for recycling the waste material generated. If the Public Works Director, and/or his or her designee, determines that such a collection service or other system is available within a reasonable area, the Public Works director and/or his or her designee may deny the exemption request, and the covered generator will be responsible for compliance with this Article.

(d) A covered generator may be exempted by the Public Works Director, and/or his or her designee, if it is determined through a site visit requested by the covered generator: (1) that there is not adequate storage space for approved recycling containers for recyclable materials on site and that it is infeasible for the covered generator to share approved recycling containers for designated recyclable materials with another covered generator on an adjoining property; or (2) that compliance with this Article results in a violation of the city's zoning code, including city zoning regulations for minimum parking spaces. If the Public Works Director, and/or his or her designee, determines that it is feasible for recycling containers to be placed on site or shared with an adjoining generator, the covered generator will be responsible for compliance with this Article.

(e) A covered generator may be exempted if utilizing other recycling efforts as approved by the Public Works director, and/or his or her designee.

Section 23C-12-6. Self-hauling requirements for covered generators.

(a) A covered generator may transport the recyclable materials generated and collected at its premises by self-hauling to a recycling center, rather than using an authorized contractor or alternative recycler only if an owner, generator or employee of the covered generator completes this activity by utilizing a vehicle owned by either an employee or the entity.

(b) A covered generator that transports recyclable materials generated and collected at its premises to a recycling center without the utilization of an authorized contractor or alternative recycler must complete a self-hauling/exemption form that certifies that all self-hauling activities will be completed in accordance with the provisions of all applicable laws and/or regulations. At a minimum, the covered generator shall provide the following information on the self-hauling/exemption form:

    (1) The name, address and telephone number of the covered generator that is signing the self-hauling/exemption form;
    (2) A list of the types of recyclable materials being self-hauled;

(3) For each type of recyclable material, the estimated amount that is being taken to a recycling center quarterly;
(4) The name and address of the recycling center(s).

(c) The self-hauling/exemption form shall contain a written statement signed by the covered generator's owner or manager certifying that the covered generator is in compliance with the requirements of this Article.

(d) Approval requirements for self-hauling may include, but are not limited to, requiring applicants to maintain written records demonstrating that all self-hauling activities have been completed in accordance with the standards imposed by the city's commercial recycling program, as described in this Article. These records shall be made available to the Public Works Director and/or his or her designee for review upon request.

(e) The Public Works Director, and/or his or her designee, may restrict or prohibit self-hauling by a covered generator if the Public Works Director, and /or his or her designee, determines that the person's self-hauling activities violate the provisions of this Article or any other applicable law or regulation.

Section 23C-12-7. Appeal upon denial of self-hauling/exemption application.

(a) Within thirty (30) days of written notification of denial of a self-hauling/exemption application, or within sixty (60) days of Public Works Director's and/or his or her designee's failure to act on the application, the applicant has the right to meet with the Public Works Director, and/or his or her designee, to review the items cited in the written notice and provide any additional evidence to support approval. Within fifteen (15) days of such meeting, the Public Works Director, and/or his or her designee, will make a final, written determination of the application based on the reviews of additional evidence, together with the original application. The Public Works Director, and/or his or her designee, will send a copy of all final, written determinations, including reasons for denial, if any, to both the applicant and the City Manager.

(b) Within ten (10) days after receiving the final denial from the Public Works Director and/or his or her designee, the applicant may request that the City Manager reconsider the determination by submitting a written appeal to the City Manager. If the applicant's appeal includes a request for a meeting, the applicant has the right to meet with the City Manager within thirty (30) days of the written request to review the materials related to the application and the denial. The applicant shall have the burden of proof to show facts demonstrating that the applicant does, in fact, meet the requirements of this Article. The City Manager will provide the applicant with a written explanation of his or her determination on the application within thirty (30) days of such meeting or, if no meeting is requested, within 30 days of receipt of the applicant's request for City Manager review. The City Manager's decision is final.

Section 23C-12-8. Enforcement.

(a) Authority. The Public Works Director, and/or his or her designee is authorized to administer and enforce the provisions of this Article. To the extent permitted by law, the Public Works Director and/or his or her designee may inspect any collection container, collection vehicle load, or receiving facility for collected trash or recyclable materials.

(b) Remedies. It is unlawful to violate any provision or requirement of this Article. The failure to comply with any requirement of this Article constitutes a violation of this Article. Each instance of a violation of this Article is a separate offense. Violations of the provisions or requirements of this Article may be prosecuted as an infraction or misdemeanor subject to the penalties provided in Section 1-3-7 of this Code or the Public Works Director may issue an administrative citation as provided in Section 14A-7 of this Code.

(c) Remedies cumulative. Remedies under this section are in addition to and do not supersede or limit any and all other remedies, civil or criminal. The remedies provided for herein shall be cumulative and not exclusive.

(d) Strict liability. Violations of this Article shall be treated as strict liability offenses regardless of intent.

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM
26.

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Amendment of Sections 1-3-7 and 5.1 of the Woodland Municipal Code Relating to Penalties for Violations of the Code

Report in Brief

The proposed amendment of Section 1-3-7 would revise the maximum fine for misdemeanor violations of the Woodland Municipal Code to reflect the maximum fine as established by applicable law. Additionally, the amendment would allow for prosecutorial flexibility in deciding whether to treat a given offense as an infraction or a misdemeanor. The proposed amendment to Section 5.1 reclassifies violations of this chapter as infractions rather than as misdemeanors.

Staff recommends that the City Council approve the amendments of Sections 1-3-7 and 5.1 of the City of Woodland Municipal Code.

Background

Section 1-3-7 of the Woodland Municipal Code provides the general penalty for violations of the code where no specific penalty is previously provided. Currently, the general penalty for violations of the Woodland Municipal Code reflects the former maximum misdemeanor fine established by the California Penal Code and is a fine not exceeding five hundred dollars or imprisonment for a term not exceeding six months, or by both such fine and imprisonment.

Chapter 5 of the Woodland Municipal Code regulates bicycle violations and section 5.1 sets forth the penalty for any person who does any act forbidden or fails to perform any act required in this chapter. Currently, all bicycle violations defined in Chapter 5 are considered misdemeanors.

Discussion

The California Penal Code, section 19, prescribes the punishment for every offense declared to be a misdemeanor. As previously mentioned, the general punishment set forth in the Woodland Municipal Code, section 1-3-7 reflects the former maximum misdemeanor fine. California Penal Code Section 19 now allows that every offense declared to be a misdemeanor is punishable by imprisonment in the county jail not exceeding six months, or by fine not exceeding one thousand dollars ($1,000), or by both such fine and imprisonment.

At this time, the Woodland Municipal Code does not contain a provision for violations of the Code where no specific penalty is previously provided thus resulting in confusion as to whether such violations will constitute misdemeanors or infractions. The proposed amendment to Section 1-3-7 provides any violation of the Municipal Code will be classified as a misdemeanor unless otherwise designated as an infraction. Additionally, the proposed amendment allows the prosecutor the flexibility to treat a given misdemeanor offense as an infraction if such action would be in the best interest of justice.

Chapter 5 of the Woodland Municipal Code regulates bicycle violations ranging from equipment violations to rules of the road for bicyclists. Many of these violations are also prohibited by the California Vehicle Code and are punishable as infractions rather than as misdemeanors as set forth in the Woodland Municipal Code. Amending Section 5.1 and reclassifying violations of this chapter as infractions will bring the Municipal Code into line with the punishment set by the California Vehicle Code.

Fiscal Impact

This ordinance would increase the maximum fine allowed for misdemeanor convictions of violations of the Municipal Code; however, due to the flexibility provided to the prosecutor to charge misdemeanor violations of the Code as infractions if such action would be in the best interest of justice, any potential increase in revenue would be negligible.

Public Contact

Posting of the City Council agenda

Alternative Courses of Action

Staff foresees the following alternative courses of action:

1. Approve the amendment of Sections 1-3-7 and 5.1 of the City of Woodland Municipal Code relating to penalties for violations of the Code.

2. Do not enact the ordinance and provide alternate direction to staff.

Recommendation for Action

Staff recommends that the City Council approve the amendment of Sections 1-3-7 and 5.1 of the City of Woodland Municipal Code relating to penalties for violations of the Code as stated in alternative 1.

Prepared by: Dan Bellini
Chief of Public Safety

Paul Navazio
City Manager

Attachment: Ordinance relating to penalties for violations of the Woodland Municipal Code

ORDINANCE NO. __________

AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF WOODLAND, CALIFORNIA
AMENDING SECTIONS 1-3-7 AND 5.1 OF THE WOODLAND MUNICIPAL CODE
RELATED TO PENALTIES FOR VIOLATIONS OF THE CODE

WHEREAS, Section 1-3-7 of the Woodland Municipal Code currently specifies that the maximum fine for any misdemeanor violation of the Municipal Code is $500; and

WHEREAS, this $500 maximum fine reflects the former maximum misdemeanor fine established by the California Penal Code, but Section 19 of the Penal Code now allows misdemeanor fines of up to $1,000 per violation; and

WHEREAS, the Municipal Code currently does not contain a general penalty provision establishing whether violations of the Code will constitute misdemeanors or infractions, and although some portions of the Code do specify how violations shall be classified, others do not; and

WHEREAS, in order to avoid ambiguity and allow for prosecutorial flexibility in deciding whether to treat a given offense as an infraction or a misdemeanor, the City Council wishes to adopt a general penalty provision specifying that offenses may be treated as either infractions or misdemeanors, and allowing fines and penalties as allowed by law; and

WHEREAS, the City Council also wishes to amend the treatment of certain offenses currently categorized as misdemeanors to reclassify them as infractions;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The recitals set forth above are true and correct and are incorporated as though fully set forth herein.

SECTION 2. Authority. The City Council enacts this ordinance under the authority granted to cities by Article XI, Section 7 of the California Constitution.

SECTION 3. **Amendment to Section 1-3-7.** Section 1-3-7 of the Woodland Municipal Code is hereby amended to read as follows:

Sec. 1-3-7. - General penalty; continuing violations; aiding or abetting.

(a) Whenever in this code or in any other ordinance of the city or in any rule or regulation promulgated pursuant thereto any act is prohibited or is made or declared to be unlawful, or the doing of any act is required or the failure to do any act is declared to be unlawful, any person violating such provisions or failing to comply with the requirements of this code shall be guilty of a misdemeanor, unless such violation is specifically designated in this code as constituting an infraction. Notwithstanding the foregoing, where the city attorney or other prosecutor determines that such action would be in the interests of justice, the city attorney or other prosecutor may prosecute and/or cite any such offense as an infraction. In the event a notice to appear is prepared as a misdemeanor, the city attorney or other prosecutor may nonetheless prosecute any such offense as an infraction. The fines and penalties for such offenses shall be as established by applicable law. Such violations also may be redressed by civil action.

(b) Every day a violation of this code or any other ordinance of the city or any such rule or regulation occurs shall constitute a separate offense.

(c) In addition to the penalties hereinabove provided, any condition caused or permitted to exist in violation of any of the provisions of this code shall be deemed a public nuisance and shall be deemed a new and separate offense for each day such condition continues.

(d) Whenever in this code any act or omission is made unlawful, it shall include causing, permitting, aiding, abetting, suffering or concealing the fact of such act or omission.

SECTION 4. **Amendment to Section 5.1.** Section 5.1 of the Woodland Municipal Code is hereby amended to read as follows:

Sec. 5.1. - Compliance with chapter required; applicability of chapter.

(a) Violations of this chapter shall constitute infractions.

(b) The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this chapter.

(c) These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles subject to those exceptions stated herein.

<u>SECTION 5</u>. This ordinance shall take effect thirty (30) days after its adoption and, within fifteen (15) days after its passage, shall be published at least once in a newspaper of general circulation published and circulated within the City of Woodland.

PASSED AND ADOPTED this ______ day of June, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

____

Artemio Pimentel
Mayor

ATTEST:

____

Ana Gonzalez
City Clerk

APPROVED AS TO FORM:

____

Andrew Morris
City Attorney

City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM
27.

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: June 19, 2012

SUBJECT: Appointment of Library Board Member

Report in Brief

On June 13, 2012, Council Members Dote and Marble conducted interviews to fill the vacant positions on the Library Board.

The Council is asked at this time to consider and appoint two members to the Library Board as recommended by Council Members Dote and Marble.

Prepared by: Ana Gonzalez
City Clerk

Paul Navazio
City Manager

Attachment: Applications (Council Only)