

**CITY OF WOODLAND
300 FIRST STREET
WOODLAND, CALIFORNIA**

**JOINT REGULAR CITY COUNCIL/
WOODLAND FINANCE AUTHORITY AGENDA**

NOVEMBER 20, 2012

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 July 3, 2012 and July 10, 2012

G. CONSENT CALENDAR

1. First Amendment to the 1995 Countywide Siting Element of the Yolo County Integrated Waste Management Plan
Recommendation: Staff recommends that the City Council adopt Resolution No. _____ to approve the Siting Element amendment
2. Waste Management 2013 Rate Adjustment
Recommendation: Staff recommends that the City Council receive the Waste Management 2013 rate adjustment information and accept it as complete and adequate
3. Final Acceptance and Notice of Completion for Series Street Light Replacement, Phase 3, CIP 09-21
Recommendation: Staff recommends that the City Council accept the Series Street Light replacement, Phase 3, construction contract as complete and authorize the City Clerk to file a Notice of Completion
4. Appointment of Community Service Award Nominating Committee
Recommendation: Staff recommends that the City Council approve the appointment of six community members to the Community Service Award Nominating Committee
5. Public Safety Department (Police and Fire) Quarterly Status Report for the Period of July 2012 through September 2012
Recommendation: Staff recommends that the City Council accept the Public Safety Department Quarterly Status Report for July 2012 through September 2012

H. PUBLIC HEARING

6. Floodplain Management Ordinance Variance for a New Agricultural Building Located at 1460 Churchill Downs Avenue
Recommendation: Staff recommends that the City Council hold a public hearing to adopt Resolution No. _____ granting a variance from the City of Woodland Floodplain Management Ordinance for an agricultural storage building located at 1460 Churchill Downs Avenue

7. Revise Business License Fee Schedule to Reflect a New State Mandated Surcharge
Recommendation: Staff recommends that the City Council hold a public hearing to adopt Resolution No. ____ to approve the state's mandated Disability and Education Revolving Fund surcharge be included within the City's Comprehensive Fee Schedule

I. REPORTS OF THE CITY MANAGER

8. First Ground Level Tank, Project No. 08-33 Adopt Findings for Designated Materials
Recommendation: Staff recommends that the City Council adopt Resolution No. _____, make findings relative to the sole source procurement of items specified in Table 1 for the First Ground Level Tank, CIP Project 08-33
9. Informational Update: City Storm Drain System Operations and Stormwater Regulatory Requirements
Recommendation: Staff recommends that the City Council receive an update on the potential for the new storm drain system permit requirements and provide staff direction regarding additional information or actions desired
10. Yolo County Habitat Conservation Plan Joint Powers Agency Update
Recommendation: Staff recommends that the City Council 1) receive the status update on the Yolo County Habitat Conservation Plan Joint Powers Agency; 2) authorize an appropriation not-to-exceed \$160,000 from the General City Development Impact fee fund for the city's share of member agency contributions requested to continue JPA activities through completion of the HCP/NCCP Administrative Draft Plan (June 30, 2012), and direct staff to ensure appropriate nexus to recover the value of the city's contribution through allowable fees from future development activities
11. Surface Water Project Update
Recommendation: Staff will provide the City Council with a verbal informational update on developments related to the Davis-Woodland Water Supply Project
12. Council Long Range Calendar
Recommendation: Informational Item

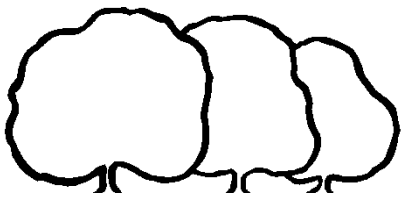
J. ADJOURN

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, November 20, 2012 was posted on November 16, 2012 in the outside display case at City Hall, 300 First Street, Woodland, CA, and was available to the public during normal business hours.

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

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: November 20, 2012

SUBJECT: Council Minutes

Recommendation for Action

Staff recommends that the City Council adopt the minutes of the Joint City Council/Woodland Finance Authority Regular Session of July 3, 2012 and the Woodland City Council Special Meeting/Reorganization Meeting of July 10, 2012.

Prepared by: Ana Gonzalez
City Clerk

Paul Navazio
City Manager

Attachments

DRAFT MINUTES

TUESDAY, JULY 3, 2012

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

OPEN SESSION

The Joint Regular City Council/Woodland Finance Authority meeting was called to order by Mayor Pimentel at 6:27 p.m. on Tuesday, July 3, 2012 at the Woodland City Hall Council Chambers.

Closed Session Report – Gave direction to staff

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

PLEDGE OF ALLEGIANCE

Led by Veronica Perez

COMMUNICATIONS-PUBLIC COMMENT

None

COMMUNICATIONS-COUNCIL/STAFF STATEMENTS AND REQUESTS

Vice Mayor Davies – Asked that Council meeting be adjourned in memory of Harry Walker who recently passed away.

On June 23rd participated in Clean-up of State Theater.

On June 27th met with Council Member Stallard and Al Andrade about possible future of a Yolo County Economic Development Corporation.

29th – Sponsored a Breakfast at Kitchen 428. Focused on Downtown and First Friday.

updated a/o 11/16/2012

Recognize Jill Camarena at the next Council meeting on July 10th. She is the leading female shot putter in the United States and will participating in the Summer Olympics. Recognize August 5, 2012 as Jill Camarena day.

Council Member Dote – June 21st attended a Surface Water Project JPA meeting. On June 28th attended her first Chamber of Commerce Board of Directors meeting as a new Board Member.

Council Member Marble – On June 21st attended WDCWA JPA meeting. Attended the last meeting of Yolo Leaders Quarterly Meeting and addressed Economic Development. On June 22nd attended Sacramento Division of the League of California Cities. Elected as the Sac Valley Division Representative to the League of California Cities Board of Directors.

June 24th – 26th traveled to Washington, DC progress on achieving important funding which will only benefit ratepayers.

Several meetings in Washington DC regarding Lower Cache Creek Feasibility Study

Chamber 2x2 – Attended with Mayor Davies

Council Member Stallard – On July 2nd had breakfast with Rebecca Sloan and Rochelle Tilton of SACOG and City Manager Paul Navazio.

Marya Welch, the first woman PE coach, passed away at the age of 95.

COMMUNICATIONS - COMMITTEE REPORTS

Received Minutes of the Water Resources Association Board of Directors Meeting of March 19, 2012 and Minutes of the Library Board of Trustees Meeting of May 3, 2012

Action: Received

Motion by: Council Member Davies, seconded by Council Member Dote

Motion carried by the following roll call vote:

Ayes: Davies, Dote, Marble, Stallard and Pimentel

PRESENTATIONS

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

Adopted Certificate of Achievement for Veronica Perez

CONSENT CALENDAR (Items 2-8)

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

A motion **passed** to adopt the Consent Calendar in one motion except as indicated at each item.

2. Authorized City Manager Execution of Agreements with Pacific Gas and Electric for Joint Use of Easement, the Transfer Possession of Rights and Right of Entry
3. Adopted **Ordinance No. 1541** Amending Article XII of Chapter 23C of the Woodland Municipal Code Related to Waste Recycling – Comment and question from Benjamin Garman; answered and clarified by Council Member Stallard.
4. Adopt **Ordinance No. 1542** Amending Sections 1-3-7 and 5.1 of the Woodland Municipal Code Related to Penalties for Violations of the Code – Benjamin Garman had a question regarding definition of a Class A bikeway and exclusive use of bikeway. Question answered by Traffic Engineer Brent Meyer. Council Member Marble had a comment related to the licensing of bicycles. Believes it's antiquated to have bicycles licensed whether a misdemeanor or an infraction. Licensing should be voluntary since people purchasing bikes are able to have a nationwide recovery system. Council Member Marble asked the Chief of Police to bring this item back to Council.
5. Accepted the 2012 Road Maintenance Project, CIP 12-07 as Complete; Authorized City Clerk to File Notice of Completion
6. Adopted **Resolution No. 6084** Approving Funding to Support Countywide Homeless Services Coordinator and Cold Weather Shelter Program
7. Approved Bid Documents and Authorized Bid Advertisement for the First Ground Level Tank, Project No. 08-33
8. Approved Contract Amendment to Renew Ferguson Group Agreement

PUBLIC HEARING

Action: Adopted

Moved/Seconded: Council Member Stallard, Council Member Dote

Motion carried by the following roll call vote:

Ayes: Davies, Dote, Marble, Stallard and Pimentel

Noes: None

9. Adopted **Resolution No. 6085** authorizing the use of Measure E Revenue to Cover On-going Annual Debt Service Requirements; Directed a Loan be Established from Measure E to the Necessary Development Fee Fund; Approved the Updated Measure E Spending Plan

REPORTS OF THE CITY MANAGER

10. Received Status Update of the Successor Agency of the Woodland Redevelopment Agency (Oversight Board) – No Action required on this item.

Action: Approved and Authorized

Moved/Seconded: Council Member Dote, Council Member Davies

Motion carried by the following roll call vote:

Ayes: Davies, Dote, Marble, Stallard and Pimentel

Noes: None

11. Approved the Use of the State Theater as a Children's Performing Arts Center; Authorized City Manager to Negotiate an Agreement with the State Theater of Woodland Management Group

Action: Approved and Authorized

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

Motion revised as follows:

12. (1) Approved Relocation of the Regional Water Treatment Facility Site to the City-owned North Ponds; (2) Approve Project Design and Bid Package and Authorize Bid Advertisement for construction; and (3) Authorize City Manager to Award and Execute a Contract in an amount not to exceed \$3.9 million for a regional treatment facility (in conjunction with City of Davis and UC Davis) or for a Woodland only treatment facility considering timely factors, such as the amount of additional cost to fill the site and to the extent of the City of Davis participation in this work. The City Manager is authorized to approve related

contracts for this work for construction management, inspection testing and geo-technical subsidence monitoring for a total with construction cost not to exceed \$4,200,000.

ADJOURNMENT

Mayor Pimentel declared the meeting adjourned in memory of former Woodland Mayor Harry Walker at 7:34 p.m.

Ana B. Gonzalez
City Clerk

DRAFT MINUTES

TUESDAY, JULY 10, 2012

WOODLAND COMMUNITY AND SENIOR CENTER - 2001 EAST STREET

SPECIAL MEETING / REORGANIZATION MEETING

POSTING OF COLORS BY WOODLAND PUBLIC SAFETY

PLEDGE OF ALLEGIANCE

INVOCATION BY WOODLAND POLICE CHAPLAIN

ROLL CALL

Council Members Present: Mayor Artemio Pimentel
Vice Mayor Skip Davies
Council Member Martie Dote
Council Member Bill Marble
Council Member Tom Stallard

PUBLIC COMMENT

Ron Caceres – Spoke regarding an event that took place on June 28, 2012 that was sponsored by Mojo's. He invited City of Woodland to attend the next event and consider sponsoring.

Joe Romero – Presented Resolutions on behalf of Senator Wolk to Council Member Martie Dote and Mayor Artemio Pimentel. On behalf of Senator Wolk congratulated the newly elected Council Members.

PRESENTATIONS

Action: Adopted

Moved/Seconded: Council Member Dote; Council Member Davies

Motion carried by the following roll call vote:

Ayes: Davies, Dote, Marble, Stallard and Pimentel

Noes: None

Proclaimed August 5, 2012 as Jill Camarena Day

PUBLIC HEARING

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

2. Held Public Hearing on Waste Management Liens and Adopted **Resolution No. 6086** to Lien Properties

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

3. Held Public Hearing; Adopted **Resolution No. 6087 and Resolution No. 6088** Approving the Fiscal Year 2012/13 Annual Engineer's Report and Ordering Levy and Collection of the Annual Assessment within the Gateway Landscaping and Lighting District

Action: Adopted

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

4. Held Public Hearing; Adopted **Resolution No. 6089 and Resolution No. 6090** Approving the Fiscal Year 2012/13 Annual Engineer's Report and Ordering Levy and Collection of the Annual Assessment within the Spring Lighting and Landscaping District

Action: Adopted

Moved/Seconded: Council Member Stallard; Council Member Dote

Motion carried by the following roll call vote:

Ayes: Davies, Dote, Marble, Stallard and Pimentel

Noes: None

5. Held Public Hearing; Adopted **Resolution No. 6091** Approving the Fiscal Year 2012/13 Annual Levy Report and Order the Levy and Collection of the Assessment within the Gibson Ranch Lighting and Landscaping District

Action: Adopted

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

6. Adopted **Resolution No. 6092, Resolution No. 6093, Resolution No. 6094, Resolution No. 6095 and Resolution No. 6096** Requesting Collection of Charges on Tax Roll for the Lighting and Landscaping Districts, Special Assessment Districts and the Community Facility Districts

CONSENT CALENDAR (Items 7-9)

Action: Adopted

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

A motion **passed** to adopt the Consent Calendar in one motion except as indicated at each item.

7. Received Certified Election Results
8. Certificate of Appreciation for Mayor Pimentel
9. Certificate of Appreciation for Council Member Dote

ADMINISTER OATH OF OFFICE

Oath of Office Administered to Newly Elected Council Members

- Jim Hilliard
- Sean Denny
- Tom Stallard

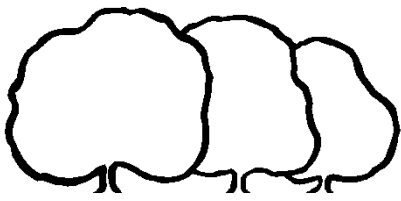
ORGANIZATIONAL MATTERS

10. Designation of Presiding Officers followed by Swearing-in
 - Mayor
 - Vice Mayor
11. Swearing-in of Mayor
 - Marlin H. Davies
12. Accepted Appointments to the various Boards, Commissions and Committees for the period 2012 through 2014
13. Adopted Council Meeting Schedule

MAYORAL ADDRESS

Mayor Skip Davies declared the meeting adjourned at 6:50 PM to Tuesday, August 20, 2012 at 6:00 PM

Ana B. Gonzalez
City Clerk



REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: November 20, 2012

SUBJECT: First Amendment to the 1995 Countywide Siting Element of the
Yolo County Integrated Waste Management Plan

Recommendation for Action

Staff recommends that the City Council adopt the resolution to approve the Siting Element amendment.

Fiscal Impact

There is no cost associated with the recommended action.

Background

The California Integrated Waste Management Act of 1989 (the Act) required each county to develop an Integrated Waste Management Plan that includes: (1) a Source Reduction and Recycling Element, (2) a Non-Disposal Facility Element, (3) a Household Hazardous Waste Element, and (4) a Siting Element. Yolo County adopted the original version of each of these elements in 1995 and 1996.

Yolo County's 1995 Siting Element identifies two disposal facilities in the county: Yolo County Central Landfill (YCCL) and the University of California, Davis Campus Landfill (UC Davis landfill). The UC Davis landfill ceased accepting solid waste in 2011 and is scheduled for final closure in summer 2013. Yolo County is required to amend the 1995 Siting Element to reflect this change in disposal facilities. In preparing the Siting Element amendment, County staff updated other information as well, to provide conformity with the 2030 Countywide General Plan and current geographic information system (GIS) data.

To comply with California Environmental Quality Act requirements for the adoption of the Siting Element amendment, the Yolo County Planning Division prepared *Addendum to the 2005 County Central Landfill Permit Revisions Subsequent EIR* (EIR Addendum). The Siting Element amendment and EIR Addendum have been reviewed by the Yolo County Waste Advisory

Committee, the local task force established pursuant to the Act to review and recommend goals, policies, and procedures regarding waste and recycling in Yolo County and the incorporated cities. Environmental Resource Analyst Roberta Childers is Woodland's appointed representative to the Waste Advisory Committee. The committee had no comments on the amendment or EIR Addendum and provided Yolo County with a letter stating concurrence with the findings of these documents.

The Yolo County Board of Supervisors at its October 23, 2012 meeting adopted a resolution approving the Siting Element amendment and adopted the EIR Addendum. Final approval of the Siting Element amendment also requires approval by a majority of the Yolo County cities with a majority of the population. At the direction of the Board of Supervisors, Yolo County staff has asked that the city councils of Woodland, West Sacramento, Davis, and Winters adopt resolutions approving the Siting Element. Once this approval is received, the Siting Element amendment will be submitted to the California Department of Resources Recycling and Recovery (CalRecycle) for formal approval.

Discussion

The Yolo County Siting Element:

- Identifies solid waste disposal goals and policies for Yolo County,
- Quantifies the remaining permitted disposal capacity in Yolo County,
- Identifies minimum siting criteria from federal and state sources and introduces avoidance and discretionary criteria to be considered in future efforts to site disposal facilities,
- Identifies general areas of Yolo County that conform with the minimum siting criteria, and
- Identifies a program for Yolo County to maintain long-term disposal capacity.

The revisions incorporated into the Siting Element amendment consist of a minor amendment and information update. In addition to deletion of all references to the UCD landfill, other information in the original 1995 Siting Element has been updated, including tonnage projections for YCCL and a discussion of the Siting Element's consistency with the updated 2030 Yolo Countywide General Plan. In addition, some background figures in the 1995 Siting Element have been updated, including maps of airport safety zones, shallow groundwater areas, unstable areas, faults, wetlands, and flood zones in the county.

The EIR Addendum concludes that the circumstances, impacts, and mitigation requirements identified in the *Yolo County Central Landfill Permit Revisions Subsequent EIR* remain substantively unchanged by the Siting Element amendment.

The 28-page Siting Element amendment may be viewed on the Yolo County website at:

http://141.174.195.7/docs/2012/BOS/20121023_43/1077_CIWMP-Siting%20Element%202012%20final%20draft.pdf.

Following is a summary of its main points:

Goals and Policies: Ten goals and corresponding policies are identified to address the siting, operation, and management of disposal facilities; control of hazardous wastes; public review and input; regional planning; and conservation of disposal capacity.

Disposal Capacity: YCCL is now the only permitted disposal facility in Yolo County. As of July 1, 2011, the remaining municipal solid waste (MSW) disposal capacity at YCCL was 39,493,850 cubic yards, which corresponds to an estimated 23,696,310 tons of MSW. Based on historical waste disposal and population projections, countywide permitted MSW disposal capacity is anticipated to expire in approximately 2090. This projection omits the 75 percent diversion requirement in Assembly Bill 341 and the UC Davis zero-waste plan, and is therefore conservative.

Criteria for Siting Disposal Facilities: A set of minimum exclusionary criteria is used to identify potentially suitable areas for new or expanded landfill space in Yolo County. The criteria include water protection, minimizing seismic risks, geologic stability, and airport safety. The Siting Element also introduces avoidance and discretionary criteria to be considered as part of future landfill siting efforts in Yolo County. These criteria address environmental, social, legal, and other issues specific to Yolo County. The Siting Element also identifies a landfill siting process that can be followed should permitted disposal capacity fall below the 15-year minimum requirement established by CalRecycle or should the County otherwise determine that a new facility is desired.

Location of General Areas: The exclusionary criteria are used to identify general areas of Yolo County potentially suitable for a more detailed landfill site search. The area remaining after application of the exclusionary criteria is mostly in the westernmost portion of Yolo County, excluding much of the Capay Valley, and also includes portions of the central county excluding certain airport zones and floodplain areas.

Program Implementation: The Siting Element identifies no need for additional permitted MSW disposal capacity to meet the state's 15-year minimum requirement. Nonetheless, the Siting Element identifies the following key elements of a long-term strategy for maintaining disposal capacity:

- Local adoption of the Siting Element and incorporation into the Yolo County Integrated Waste Management Plan;
- Ongoing use of the YCCL by the four cities, Yolo County, and UC Davis;
- Planning for future landfill siting studies;
- Ongoing dialogue with neighboring jurisdictions on potential regional programs; and
- Consideration of expanded waste reduction and recovery programs as a contingency.

SUBJECT: First Amendment to the 1995 Countywide Siting Element of the
Yolo County Integrated Waste Management Plan

PAGE: 4
ITEM:

Conclusion

Staff recommends that the City Council adopt the resolution to approve the First Amendment to the 1995 Siting Element of the Yolo County Integrated Waste Management Plan.

Prepared by: Roberta Childers
Environmental Resource Analyst

Reviewed by: Gregor G. Meyer
Public Works Director

Paul Navazio
City Manager

Attachment: Resolution

CITY OF WOODLAND

RESOLUTION NO. _____

**RESOLUTION APPROVING THE FIRST AMENDMENT TO THE
1995 COUNTYWIDE SITING ELEMENT OF THE
YOLO COUNTY INTEGRATED WASTE MANAGEMENT PLAN**

WHEREAS, the California Integrated Waste Management Act of 1989 (the Act) describes the requirements to be met by cities and counties when developing and implementing Integrated Waste Management Plans; and

WHEREAS, the Act requires that, as part of the Integrated Waste Management Plan, each county prepare a Countywide Siting Element that provides a description of the areas to be used for development of adequate solid waste transformation and/or disposal capacity; and

WHEREAS, Yolo County prepared a Countywide Siting Element that was approved by the Board of Supervisors and city councils within Yolo County in 1995, and by the California Integrated Waste Management Board in 1996; and

WHEREAS, one of the functions of the Countywide Siting Element is to identify all permitted disposal facilities within Yolo County; and

WHEREAS, the University of California, Davis has ceased operation of and is intending to close its landfill, necessitating a revision to the Countywide Siting Element; and

WHEREAS, the Yolo County Division of Integrated Waste Management prepared a First Amendment to the 1995 Countywide Siting Element, which was reviewed in draft form by the Yolo County Waste Advisory Committee and the California Department of Resources Recycling and Recovery (CalRecycle); and

WHEREAS, Yolo County prepared *Addendum to the Yolo County Central Landfill Permit Revisions Subsequent Environmental Impact Report* in accordance with the California Environmental Quality Act (CEQA) in connection with the proposed approval of the First Amendment to the 1995 Countywide Siting Element; and

WHEREAS, on September 27, 2012, after a noticed public meeting, the Waste Advisory Committee issued a letter of support recommending that Yolo County and the cities within the county adopt and approve the First Amendment to the 1995 Countywide Siting Element; and

WHEREAS, the Yolo County Board of Supervisors duly considered the First Amendment to the 1995 Countywide Siting Element, EIR Addendum, and recommendations of the Waste Advisory Committee at a noticed public hearing held on October 23, 2012, and adopted the EIR Addendum and approved the Siting Element amendment; and

WHEREAS, to be ultimately approved under the Act, a Siting Element must also be approved by a majority of the cities within the county, which contain a majority of the population of the incorporated area of the county, and then further approved by CalRecycle.

NOW, THEREFORE, BE IT RESOLVED the City Council approves the First Amendment to the 1995 Countywide Siting Element of the Yolo County Integrated Waste Management Plan.

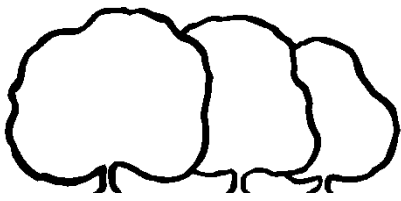
PASSED AND ADOPTED this 20th day of November 2012, by the following vote:

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

Marlin H. Davies, Mayor

ATTEST:

Ana Gonzalez, City Clerk



REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: November 20, 2012

SUBJECT: Waste Management 2013 Rate Adjustment

Recommendation for Action

Staff recommends that the City Council receive the Waste Management 2013 rate adjustment information and accept it as complete and adequate.

Fiscal Impact

Under the requested 2013 Waste Management rate adjustments, the monthly service charges for an average Woodland household will increase by 69 cents, or about 2.5%. Charges for commercial bins will increase by approximately 2.4% to 3.2% depending on the size of bin and frequency of service.

Waste Management provides a 15% franchise fee to the City. If the customer base remains similar to the current customer base, the rate adjustment is expected to result in an increase of \$35,000-\$40,000 in annual franchise fee revenues.

Report in Brief

Consistent with the terms of the franchise agreement between Waste Management and the City, Waste Management has submitted a request to increase its rates, effective January 1, 2013, to reflect: (1) the increase in the U.S. City Average Consumer Price Index for All Urban Consumers (CPI) for the 12-month period ending August 2012; (2) the July 2011 and July 2012 increases in landfill disposal fees; and (3) a one-time adjustment, which will terminate January 1, 2014, to recover the amount of revenue lost by virtue of Waste Management not receiving disposal fee adjustments for the 18-month period from July 1, 2011, to December 31, 2012.

Staff has reviewed the information provided by Waste Management and considers it to be correct and adequate to support the requested rate adjustments.

Background

Waste Management provides street sweeping services and collection and disposal of trash, recyclables, and yard refuse (green waste) for the City of Woodland pursuant to the terms of the amended franchise agreement between the City and Waste Management dated July 1, 2011. The franchise agreement allows Waste Management to increase its service rates annually in accordance with changes in the CPI in the most recent 12-month period for which data are available and also to reflect any increase in landfill disposal fees. Waste Management's annual rate adjustments take effect on January 1 of each calendar year, whereas Yolo County Central Landfill adjusts its disposal fees each July 1.

The annual CPI increase may be no more than 5%, or 4% if specified targets for commercial-sector recycling are not achieved. The annual disposal fee adjustment is applied only to the portions of the service rates that represent disposal costs, and it is reduced by the amount of the CPI adjustment.

One condition of the amended franchise agreement was that there would be no customer rate increase during 2012. Consequently, the service rates that went into effect on January 1, 2011 remain in effect through December 31, 2012. However, Waste Management is allowed, on January 1, 2013, to adjust the disposal portion of the rates to account for the July 2011 and July 2012 increases in landfill disposal fees, including a one-time adjustment to recover the amount of revenue Waste Management will have lost as a result of not receiving disposal fee adjustments for the 18-month period from July 1, 2011, to December 31, 2012.

According to the franchise agreement, provided that adequate supporting information has been submitted by the company, any requested CPI adjustment shall be deemed approved and shall take effect on the following January 1st, and the City Council shall not deny a requested disposal fee adjustment unless it finds that Waste Management has not provided adequate supporting information.

Discussion

The 2013 rate request submitted by Waste Management includes adjustments to account for increases in the CPI and landfill disposal fees, as described above: (1) the increase in the CPI for the 12-month period ending August 2012; (2) the July 2011 and July 2012 increases in landfill disposal fees; and (3) a one-time adjustment, which will terminate January 1, 2014, to recover the amount of revenue lost by virtue of Waste Management not receiving disposal fee adjustments for the 18-month period from July 1, 2011, to December 31, 2012.

Staff has reviewed the information provided by Waste Management and found it to be appropriate and adequate to support the rate adjustment request. Additional details are provided below:

- *CPI:* The CPI change for the 12-month period ending August 2012 was 1.69%.

- *Disposal Fee:* Yolo County Central Landfill increased the disposal fee for municipal solid waste from \$37.72 to \$38.78 per ton (2.81%) in 2011 and from \$38.78 to \$39.63 per ton (2.19%) in 2012. The total disposal fee increase for the two-year period was \$1.91 per ton, an overall increase of 5.06%. Waste Management's supporting documentation shows that this percentage was reduced by the CPI change of 1.69%, resulting in a rate adjustment factor of 3.37% for the disposal portion of the service rates. The rate adjustment information shows the disposal portion of each rate separately, along with the calculated adjustment to that rate.
- *One-Time Adjustment:* The disposal portions of the service rates were further adjusted (a) by 2.81% to recover the revenues lost as a result of Waste Management not receiving a disposal fee adjustment for the increased landfill rates during the 12 months of July 1, 2011 through June 30, 2012, and (b) by one-half of 2.19% to recover the revenues lost as a result of its not receiving a disposal fee adjustment for the increased landfill rates during the 6-month period of July 1, 2012 through December 31, 2012. Waste Management's supporting documentation shows these rate adjustments, which terminate January, 1, 2014, separately from the other adjustments.

Staff has reviewed the documentation provided by Waste Management and found the calculations to be appropriate and the documentation to be adequate.

Alternative Courses of Action

1. Receive the Waste Management 2013 rate adjustment information and accept it as complete and adequate.
2. Find that the Waste Management 2013 rate adjustment information is incomplete and request supplemental information.

Conclusion

Staff recommends that the City Council receive the Waste Management 2013 rate adjustment information and accept it as complete and adequate.

Prepared by: Roberta Childers
Environmental Resource Analyst

Reviewed by: Gregor G. Meyer
Public Works Director

SUBJECT: Waste Management 2013 Rate Adjustment

PAGE: 4

ITEM:

Paul Navazio
City Manager

Attachments: Waste Management 2013 rate adjustment information



Waste Management
Waste Management of Woodland
1324 Paddock Place
Woodland, CA 95776
(530) 406-4326
(530) 406-4333 Fax

September 28, 2012

Ms. Roberta Childers
City of Woodland
300 First Street
Woodland, CA 95695

Subject: Refuse Rate Adjustment, Effective January 1, 2013

Ms. Childers:

Waste Management respectfully requests a rate adjustment pursuant to the terms of our franchise agreement as stated in Section 7.3.4, requiring the submission of the request by October 1st each year.

Attached for your review please find relevant support information, and collection Rate Schedules and Exhibits for a January 1, 2013 rate adjustment. Should you have any questions, please do not hesitate to call me at (530) 406-4326.

Respectfully yours,

A handwritten signature in blue ink, appearing to read 'Jason A. Smith'.

Jason A. Smith
District Manager

Attachments



Waste Management of Woodland
CPI Adjustment Calculation
City of Woodland
Effective 1/1/2013

ELEMENTS	FORMULA	RATE ADJUSTMENT
CPI ADJUSTMENT CALCULATION		
CPI Adjustment 2011 to 2012:		
Consumer Price Index (CPI for All Urban Consumers) ¹		
Index August 2012	A	230.379
Index August 2011	B	226.545
Percentage change of index	C = (A-B)/B	1.692%
Contractually allowed maximum % of CPI (Section 7.3)	I	5.00%
Allowed 2013 Price Adjustment: Lower of Annual CPI Adjustment (C) or contractually allowed max. % increase (I)	J	1.692%
Internet Hyperlink to Indices:		
¹ http://data.bls.gov/PDQ/servlet/SurveyOutputServlet		

Waste Management of Woodland
City of Woodland
Residential Rate Adjustment as of 1/1/2013

CPI % Change
MSW Disposal Increase
2011 Disp Capture
2012 Disp Capture

1.69%	a
3.37%	b
2.81%	k
2.19%	l

	Current Monthly Rate 1/1/2012 e	CPI Adjustment f=e*a	Disposal Portion of Rate g	Disposal Adjustment h=g*b	One time Disposal 12 mo 2011 Adjustment m=g*k	One time Disposal 6 mo 2012 Adjustment n=(g*l)/2	Monthly Rate w/o Disposal Catch-up i=e+f+h	New Monthly Rate w/ Disposal Catchup o=i+m+n	% change j=(o-e)/e
Garbage Rates/Residential									
Base Service									
35 Gallons	\$ 10.93	\$ 0.18	\$ 1.53	\$ 0.05	\$ 0.04	\$ 0.02	\$ 11.16	\$ 11.22	2.61%
64 Gallons	\$ 12.59	\$ 0.21	\$ 3.07	\$ 0.10	\$ 0.09	\$ 0.04	\$ 12.90	\$ 13.03	3.46%
101 Gallons	\$ 22.09	\$ 0.37	\$ 4.60	\$ 0.16	\$ 0.13	\$ 0.05	\$ 22.62	\$ 22.80	3.21%
Alley service - no medical justification	\$ 5.44	\$ 0.09	\$ -	\$ -	\$ -	\$ -	\$ 5.53	\$ 5.53	1.65%
Extra bag pickup	\$ 2.08	\$ 0.04	\$ 0.29	\$ 0.01	\$ 0.01	\$ 0.01	\$ 2.13	\$ 2.15	3.12%
Extra toter pickup	\$ 6.48	\$ 0.11	\$ 1.50	\$ 0.05	\$ 0.04	\$ 0.02	\$ 6.64	\$ 6.70	3.32%
Low Income (10% discount from base)									
35 Gallons	\$ 9.84						\$ 10.04	\$ 10.09	2.54%
64 Gallons	\$ 11.33						\$ 11.61	\$ 11.72	3.44%
101 Gallons	\$ 19.88						\$ 20.36	\$ 20.52	3.22%
Garbage Rates/Commercial									
1-64 Gallon Can	\$ 24.72	\$ 0.42	\$ 6.14	\$ 0.21	\$ 0.17	\$ 0.13	\$ 25.35	\$ 25.65	3.76%
1-96 Gallon Can	\$ 31.11	\$ 0.53	\$ 9.22	\$ 0.31	\$ 0.26	\$ 0.20	\$ 31.95	\$ 32.41	4.18%
Yard Refuse/Street Sweeping									
Small Lot*	\$ 10.10	\$ 0.17	\$ -	\$ -	\$ -	\$ -	\$ 10.27	\$ 10.27	1.68%
1-96 Gallon Toter	\$ 13.10	\$ 0.22	\$ -	\$ -	\$ -	\$ -	\$ 13.32	\$ 13.32	1.68%
2-96 Gallon Toters	\$ 13.10	\$ 0.22	\$ -	\$ -	\$ -	\$ -	\$ 13.32	\$ 13.32	1.68%
3-96 Gallon Toters	\$ 16.24	\$ 0.27	\$ -	\$ -	\$ -	\$ -	\$ 16.51	\$ 16.51	1.66%
4-96 Gallon Toters	\$ 16.24	\$ 0.27	\$ -	\$ -	\$ -	\$ -	\$ 16.51	\$ 16.51	1.66%
Each add'l toter after 4	\$ 3.18	\$ 0.05	\$ -	\$ -	\$ -	\$ -	\$ 3.23	\$ 3.23	1.57%
Street Sweeping (only)									
Type									
Residential\Condominium	\$ 4.15	\$ 0.07	\$ -	\$ -	\$ -	\$ -	\$ 4.22	\$ 4.22	1.69%
Apartments\Mobile Home Parks (per unit)	\$ 2.25	\$ 0.04	\$ -	\$ -	\$ -	\$ -	\$ 2.29	\$ 2.29	1.78%
Commercial	\$ 6.85	\$ 0.12	\$ -	\$ -	\$ -	\$ -	\$ 6.97	\$ 6.97	1.75%
Recycling									
Residential Curbside	\$ 1.48	\$ 0.03	\$ -	\$ -	\$ -	\$ -	\$ 1.51	\$ 1.51	2.03%
State Mandated Fee									
Per Household	\$ 0.70	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 0.70	\$ 0.70	0.00%
Bulky Waste Pickup									
Limited to 5 cubic yards - per pickup rate	\$ 67.21	\$ 1.14	\$ 7.89	\$ 0.27	\$ 0.22	\$ 0.17	\$ 68.62	\$ 69.01	2.68%

*The Small Lot rate applies only to those customers who qualified for this rate before July 1, 2007, and who were grandfathered in under this rate. Current Small Lot rate customers who choose to have one cart will continue to pay the Small Lot rate (as annually adjusted) until the property is sold or unless they choose to have additional carts.

Waste Management of Woodland
City of Woodland
Commercial Rate Adjustment as of 1/1/2013

CPI % Change	1.692%
MSW Disposal Increase	3.372%
2011 Disp Capture	2.81%
2012 Disp Capture	2.19%

Current Monthly Rates as of 1/1/12

Size	Frequency/Week					
	1	2	3	4	5	6
1	\$ 64.89	\$ 106.38	N/A	N/A	N/A	N/A
1.5	\$ 81.31	\$ 137.06	\$ 192.31	N/A	N/A	N/A
2	\$ 98.30	\$ 165.94	\$ 233.66	\$ 301.28	\$ 369.01	\$ 436.22
3	\$ 125.95	\$ 219.43	\$ 312.71	\$ 383.73	\$ 499.52	\$ 592.99
4	\$ 158.03	\$ 278.76	\$ 399.61	\$ 520.28	\$ 652.84	\$ 761.89
6	\$ 206.22	\$ 371.33	\$ 543.45	\$ 756.21	\$ 945.24	\$ 1,154.60

CPI Adjustment

Size	Frequency/Week					
	1	2	3	4	5	6
1	\$ 1.10	\$ 1.80	N/A	N/A	N/A	N/A
1.5	\$ 1.38	\$ 2.32	\$ 3.25	N/A	N/A	N/A
2	\$ 1.66	\$ 2.81	\$ 3.95	\$ 5.10	\$ 6.24	\$ 7.38
3	\$ 2.13	\$ 3.71	\$ 5.29	\$ 6.49	\$ 8.45	\$ 10.03
4	\$ 2.67	\$ 4.72	\$ 6.76	\$ 8.80	\$ 11.05	\$ 12.89
6	\$ 3.49	\$ 6.28	\$ 9.20	\$ 12.80	\$ 15.99	\$ 19.54

Disposal Portion of Rate

Size	Frequency/Week					
	1	2	3	4	5	6
1	\$ 6.84	\$ 13.67	N/A	N/A	N/A	N/A
1.5	\$ 10.25	\$ 20.50	\$ 30.75	N/A	N/A	N/A
2	\$ 13.67	\$ 27.33	\$ 41.00	\$ 54.67	\$ 68.33	\$ 82.00
3	\$ 20.50	\$ 41.00	\$ 61.50	\$ 82.00	\$ 102.51	\$ 123.00
4	\$ 27.33	\$ 54.67	\$ 82.00	\$ 109.32	\$ 136.67	\$ 164.00
6	\$ 41.00	\$ 82.00	\$ 123.00	\$ 164.00	\$ 204.99	\$ 246.00

Disposal Increase

Size	Frequency/Week					
	1	2	3	4	5	6
1	\$ 0.23	\$ 0.46	N/A	N/A	N/A	N/A
1.5	\$ 0.35	\$ 0.69	\$ 1.04	N/A	N/A	N/A
2	\$ 0.46	\$ 0.92	\$ 1.38	\$ 1.84	\$ 2.30	\$ 2.76
3	\$ 0.69	\$ 1.38	\$ 2.07	\$ 2.76	\$ 3.46	\$ 4.15
4	\$ 0.92	\$ 1.84	\$ 2.76	\$ 3.69	\$ 4.61	\$ 5.53
6	\$ 1.38	\$ 2.76	\$ 4.15	\$ 5.53	\$ 6.91	\$ 8.29

One Time Disposal Increase

Size	Frequency/Week					
	1	2	3	4	5	6
1	\$ 0.25	\$ 0.49	N/A	N/A	N/A	N/A
1.5	\$ 0.37	\$ 0.74	\$ 1.10	N/A	N/A	N/A
2	\$ 0.49	\$ 0.99	\$ 1.48	\$ 1.97	\$ 2.46	\$ 2.95
3	\$ 0.74	\$ 1.48	\$ 2.22	\$ 2.95	\$ 3.69	\$ 4.43
4	\$ 0.99	\$ 1.97	\$ 2.95	\$ 3.94	\$ 4.92	\$ 5.90
6	\$ 1.48	\$ 2.95	\$ 4.43	\$ 5.90	\$ 7.37	\$ 8.85

New Monthly Rates as of 1/1/13

Size	Frequency/Week					
	1	2	3	4	5	6
1	\$ 66.47	\$ 109.13	N/A	N/A	N/A	N/A
1.5	\$ 83.41	\$ 140.81	\$ 197.70	N/A	N/A	N/A
2	\$ 100.91	\$ 170.66	\$ 240.47	\$ 310.19	\$ 380.01	\$ 449.31
3	\$ 129.51	\$ 226.00	\$ 322.29	\$ 395.93	\$ 515.12	\$ 611.60
4	\$ 162.61	\$ 287.29	\$ 412.08	\$ 536.71	\$ 673.42	\$ 786.21
6	\$ 212.57	\$ 383.32	\$ 561.23	\$ 780.44	\$ 975.51	\$ 1,191.28

Waste Management of Woodland
City of Woodland
Additional Services Rate Adjustment as of 1/1/2013

CPI % Change
MSW Disposal Increase
2011 Disp Capture
2012 Disp Capture

1.692%
3.372%
2.81%
2.19%

	Current Monthly Rate 1/1/2012	CPI Adjustment	Disposal Increase	One time Disposal 12 mo 2011 Adjustment	One time Disposal 6 mo 2012 Adjustment	Monthly Rate w/o Disposal Catch-up 1/1/2013	New Monthly Rate w/ Disposal Catchup 1/1/2013
Commercial Bin Recycling							
All sizes - per month/per bin	\$ 26.96	\$ 0.46	\$ -	\$ -	\$ -	\$ 27.42	\$ 27.42
State Mandated Fee							
Per yard times 4.3 weeks/month	\$ 0.26	\$ -	\$ -	\$ -	\$ -	\$ 0.26	\$ 0.26
Additional Weekly Front-Load Commercial Services							
Dismount and Push Charge per Bin Serviced per Week	\$ 5.54	\$ 0.09	\$ -	\$ -	\$ -	\$ 5.63	\$ 5.63
Key Charge per Bin Serviced per Week	\$ 6.58	\$ 0.11	\$ -	\$ -	\$ -	\$ 6.69	\$ 6.69
Enclosure Charge per Bin Serviced per Week	\$ 7.27	\$ 0.12	\$ -	\$ -	\$ -	\$ 7.39	\$ 7.39
Gate Service Charge per Bin Serviced per Week	\$ 7.27	\$ 0.12	\$ -	\$ -	\$ -	\$ 7.39	\$ 7.39
Long Walk per Bin Serviced per Week	\$ 17.38	\$ 0.29	\$ -	\$ -	\$ -	\$ 17.67	\$ 17.67
Maximum Additional Weekly Charges per Bin Serviced per Week	\$ 22.51	\$ 0.38	\$ -	\$ -	\$ -	\$ 22.89	\$ 22.89
Scout Truck (Container Truck) Container Pull Out	\$ 31.40	\$ 0.53	\$ -	\$ -	\$ -	\$ 31.93	\$ 31.93
Per Yard Surcharge for Customers Pre- compacting Trash	\$ 19.24	\$ 0.33	\$ 0.21	\$ 0.17	\$ 0.07	\$ 19.78	\$ 20.02
Additional One Time Front-Load Commercial Charges							
Overloaded Container for First Cubic Yard, No Dismount Required	\$ 6.53	\$ 0.11	\$ 0.05	\$ 0.04	\$ 0.02	\$ 6.69	\$ 6.74
Overloaded Container for Each Cubic Yard in excess of 1	\$ 2.37	\$ 0.04	\$ 0.05	\$ 0.04	\$ 0.02	\$ 2.46	\$ 2.51
No Dismount Required	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Additional Pickup, 1 Cubic Yard Bin	\$ 38.99	\$ 0.66	\$ 0.05	\$ 0.04	\$ 0.02	\$ 39.70	\$ 39.75
Additional Pickup, 1.5 Cubic Yard Bin	\$ 40.18	\$ 0.68	\$ 0.08	\$ 0.07	\$ 0.03	\$ 40.94	\$ 41.03
Additional Pickup, 2 Cubic Yard Bin	\$ 41.34	\$ 0.70	\$ 0.10	\$ 0.09	\$ 0.04	\$ 42.14	\$ 42.27
Additional Pickup, 3 Cubic Yard Bin	\$ 43.73	\$ 0.74	\$ 0.16	\$ 0.13	\$ 0.05	\$ 44.63	\$ 44.81
Additional Pickup, 4 Cubic Yard Bin	\$ 45.89	\$ 0.78	\$ 0.21	\$ 0.17	\$ 0.07	\$ 46.88	\$ 47.12
Additional Pickup, 6 Cubic Yard Bin	\$ 50.78	\$ 0.86	\$ 0.31	\$ 0.26	\$ 0.10	\$ 51.95	\$ 52.31
Additional Trip to Customer Location at Customer Request	\$ 26.16	\$ 0.44	\$ -	\$ -	\$ -	\$ 26.60	\$ 26.60
Temporary Commercial Bin							
3 Yd Temporary Commercial Bin	\$ 154.26	\$ 2.61	\$ 0.16	\$ 0.13	\$ 0.05	\$ 157.03	\$ 157.21

Note:

Additional disposal fees for non-standard items (box springs, tires, televisions, etc) charged by Yolo County or City designated landfill will be charged to the customer when it is possible to identify the customer in violation.

Waste Management of Woodland
City of Woodland

Debris (RO) Box Rate Adjustment as of 1/1/13

MSW Disposal Increase	\$ 1.91
CPI % Change	1.692%
2011 Disp Capture	\$ 1.06
2012 Disp Capture	\$ 0.85

Box Size/Haul Rate	Current Monthly Haul Rate 1/1/2012 a	CPI Adjustment b-a*100 % c	One time Disposal 12 mo 2011 Increase	One time Disposal 6 mo 2012 Increase	Monthly Rate w/o Disposal Catch-up 1/1/2013	New Monthly Haul Rate 1/1/2013 d=a+b+c	** Maximum Weight
15 Yards	\$ 154.46	2.61	\$ 2.87	\$ 0.64	\$ 159.94	\$ 162.16	Concrete, Dirt, and Wood only. Haul plus disposal.
20 Yards	\$ 204.51	3.46	\$ 3.82	\$ 0.85	\$ 211.79	\$ 214.76	4,000 Pounds
25 Yards	\$ 255.78	4.33	\$ 4.78	\$ 1.06	\$ 264.89	\$ 268.60	5,000 Pounds
30 Yards	\$ 306.60	5.19	\$ 5.73	\$ 1.28	\$ 317.52	\$ 321.98	6,000 Pounds
40 Yards	\$ 408.84	6.92	\$ 7.64	\$ 1.70	\$ 423.40	\$ 429.34	8,000 Pounds
50 Yards	\$ 497.27	8.41	\$ 9.55	\$ 2.13	\$ 515.23	\$ 522.66	10,000 Pounds

State Mandated Fee	\$ 0.25
Per yard times 4.3 weeks/month	\$ - \$ - \$ 0.25 \$ 0.25

Compactor Rate	\$ 18.64
Per Yard	\$ 0.32 \$ 0.05 \$ 0.04 \$ 0.02 \$ 19.01 \$ 19.07

Debris Box Fuel Surcharge

The attached fuel Surcharge rate table will be applied to only the Debris Box line of business and will be calculated based on the cost of fuel on a monthly basis. This will be a line item on the customer's monthly bill.

Collection Fuel Surcharge Table

DOE avg. at Least (\$/gallon)	WM Surcharge %	DOE avg. at Least (\$/gallon)	WM Surcharge %	DOE avg. at Least (\$/gallon)	WM Surcharge %	DOE avg. at Least (\$/gallon)	WM Surcharge %	DOE avg. at Least (\$/gallon)	WM Surcharge %	DOE avg. at Least (\$/gallon)	WM Surcharge %	DOE avg. at Least (\$/gallon)	WM Surcharge %
\$ 0.95		\$ 1.39	2.42	\$ 1.83	4.84	\$ 2.27	7.28	\$ 2.71	9.68	\$ 3.15	12.10	\$ 3.59	14.52
\$ 0.96	0.06	\$ 1.40	2.48	\$ 1.84	4.90	\$ 2.28	7.32	\$ 2.72	9.74	\$ 3.16	12.16	\$ 3.60	14.58
\$ 0.97	0.11	\$ 1.41	2.53	\$ 1.85	4.95	\$ 2.29	7.37	\$ 2.73	9.79	\$ 3.17	12.21	\$ 3.61	14.63
\$ 0.98	0.17	\$ 1.42	2.59	\$ 1.86	5.01	\$ 2.30	7.43	\$ 2.74	9.85	\$ 3.18	12.27	\$ 3.62	14.69
\$ 0.99	0.22	\$ 1.43	2.64	\$ 1.87	5.06	\$ 2.31	7.48	\$ 2.75	9.90	\$ 3.19	12.32	\$ 3.63	14.74
\$ 1.00	0.28	\$ 1.44	2.70	\$ 1.88	5.12	\$ 2.32	7.54	\$ 2.76	9.96	\$ 3.20	12.38	\$ 3.64	14.80
\$ 1.01	0.33	\$ 1.45	2.75	\$ 1.89	5.17	\$ 2.33	7.59	\$ 2.77	10.01	\$ 3.21	12.43	\$ 3.65	14.85
\$ 1.02	0.39	\$ 1.46	2.81	\$ 1.90	5.23	\$ 2.34	7.65	\$ 2.78	10.07	\$ 3.22	12.49	\$ 3.66	14.91
\$ 1.03	0.44	\$ 1.47	2.86	\$ 1.91	5.28	\$ 2.35	7.70	\$ 2.79	10.12	\$ 3.23	12.54	\$ 3.67	14.96
\$ 1.04	0.50	\$ 1.48	2.92	\$ 1.92	5.34	\$ 2.36	7.76	\$ 2.80	10.18	\$ 3.24	12.60	\$ 3.68	15.02
\$ 1.05	0.55	\$ 1.49	2.97	\$ 1.93	5.39	\$ 2.37	7.81	\$ 2.81	10.23	\$ 3.25	12.65	\$ 3.69	15.07
\$ 1.06	0.61	\$ 1.50	3.03	\$ 1.94	5.45	\$ 2.38	7.87	\$ 2.82	10.29	\$ 3.26	12.71	\$ 3.70	15.13
\$ 1.07	0.67	\$ 1.51	3.08	\$ 1.95	5.50	\$ 2.39	7.92	\$ 2.83	10.34	\$ 3.27	12.76	\$ 3.71	15.18
\$ 1.08	0.72	\$ 1.52	3.14	\$ 1.96	5.56	\$ 2.40	7.98	\$ 2.84	10.40	\$ 3.28	12.82	\$ 3.72	15.24
\$ 1.09	0.78	\$ 1.53	3.19	\$ 1.97	5.61	\$ 2.41	8.03	\$ 2.85	10.45	\$ 3.29	12.87	\$ 3.73	15.29
\$ 1.10	0.83	\$ 1.54	3.25	\$ 1.98	5.67	\$ 2.42	8.09	\$ 2.86	10.51	\$ 3.30	12.93	\$ 3.74	15.35
\$ 1.11	0.89	\$ 1.55	3.30	\$ 1.99	5.72	\$ 2.43	8.14	\$ 2.87	10.56	\$ 3.31	12.98	\$ 3.75	15.40
\$ 1.12	0.94	\$ 1.56	3.36	\$ 2.00	5.78	\$ 2.44	8.20	\$ 2.88	10.62	\$ 3.32	13.04	\$ 3.76	15.46
\$ 1.13	0.99	\$ 1.57	3.41	\$ 2.01	5.83	\$ 2.45	8.25	\$ 2.89	10.67	\$ 3.33	13.09	\$ 3.77	15.51
\$ 1.14	1.05	\$ 1.58	3.47	\$ 2.02	5.89	\$ 2.46	8.31	\$ 2.90	10.73	\$ 3.34	13.15	\$ 3.78	15.57
\$ 1.15	1.10	\$ 1.59	3.52	\$ 2.03	5.94	\$ 2.47	8.36	\$ 2.91	10.78	\$ 3.35	13.20	\$ 3.79	15.62
\$ 1.16	1.16	\$ 1.60	3.58	\$ 2.04	6.00	\$ 2.48	8.42	\$ 2.92	10.84	\$ 3.36	13.26	\$ 3.80	15.68
\$ 1.17	1.21	\$ 1.61	3.63	\$ 2.05	6.05	\$ 2.49	8.47	\$ 2.93	10.89	\$ 3.37	13.31	\$ 3.81	15.73
\$ 1.18	1.27	\$ 1.62	3.69	\$ 2.06	6.11	\$ 2.50	8.53	\$ 2.94	10.95	\$ 3.38	13.37	\$ 3.82	15.79
\$ 1.19	1.32	\$ 1.63	3.74	\$ 2.07	6.16	\$ 2.51	8.58	\$ 2.95	11.00	\$ 3.39	13.42	\$ 3.83	15.84
\$ 1.20	1.38	\$ 1.64	3.80	\$ 2.08	6.22	\$ 2.52	8.64	\$ 2.96	11.06	\$ 3.40	13.48	\$ 3.84	15.90
\$ 1.21	1.43	\$ 1.65	3.85	\$ 2.09	6.27	\$ 2.53	8.69	\$ 2.97	11.11	\$ 3.41	13.53	\$ 3.85	15.95
\$ 1.22	1.49	\$ 1.66	3.91	\$ 2.10	6.33	\$ 2.54	8.75	\$ 2.98	11.17	\$ 3.42	13.59	\$ 3.86	16.01
\$ 1.23	1.54	\$ 1.67	3.96	\$ 2.11	6.38	\$ 2.55	8.80	\$ 2.99	11.22	\$ 3.43	13.64	\$ 3.87	16.06
\$ 1.24	1.60	\$ 1.68	4.02	\$ 2.12	6.44	\$ 2.56	8.86	\$ 3.00	11.28	\$ 3.44	13.70	\$ 3.88	16.12
\$ 1.25	1.65	\$ 1.69	4.07	\$ 2.13	6.49	\$ 2.57	8.91	\$ 3.01	11.33	\$ 3.45	13.75	\$ 3.89	16.17
\$ 1.26	1.71	\$ 1.70	4.13	\$ 2.14	6.55	\$ 2.58	8.97	\$ 3.02	11.39	\$ 3.46	13.81	\$ 3.90	16.23
\$ 1.27	1.76	\$ 1.71	4.18	\$ 2.15	6.60	\$ 2.59	9.02	\$ 3.03	11.44	\$ 3.47	13.86	\$ 3.91	16.28
\$ 1.28	1.82	\$ 1.72	4.24	\$ 2.16	6.66	\$ 2.60	9.08	\$ 3.04	11.50	\$ 3.48	13.92	\$ 3.92	16.34
\$ 1.29	1.87	\$ 1.73	4.29	\$ 2.17	6.71	\$ 2.61	9.13	\$ 3.05	11.55	\$ 3.49	13.97	\$ 3.93	16.39
\$ 1.30	1.93	\$ 1.74	4.35	\$ 2.18	6.77	\$ 2.62	9.19	\$ 3.06	11.61	\$ 3.50	14.03	\$ 3.94	16.45
\$ 1.31	1.98	\$ 1.75	4.40	\$ 2.19	6.82	\$ 2.63	9.24	\$ 3.07	11.66	\$ 3.51	14.08	\$ 3.95	16.50
\$ 1.32	2.04	\$ 1.76	4.46	\$ 2.20	6.88	\$ 2.64	9.30	\$ 3.08	11.72	\$ 3.52	14.14	\$ 3.96	16.56
\$ 1.33	2.09	\$ 1.77	4.51	\$ 2.21	6.93	\$ 2.65	9.35	\$ 3.09	11.77	\$ 3.53	14.19	\$ 3.97	16.61
\$ 1.34	2.15	\$ 1.78	4.57	\$ 2.22	6.99	\$ 2.66	9.41	\$ 3.10	11.83	\$ 3.54	14.25	\$ 3.98	16.67
\$ 1.35	2.20	\$ 1.79	4.62	\$ 2.23	7.04	\$ 2.67	9.46	\$ 3.11	11.88	\$ 3.55	14.30	\$ 3.99	16.72
\$ 1.36	2.26	\$ 1.80	4.68	\$ 2.24	7.10	\$ 2.68	9.52	\$ 3.12	11.94	\$ 3.56	14.36	\$ 4.00	16.78
\$ 1.37	2.31	\$ 1.81	4.73	\$ 2.25	7.15	\$ 2.69	9.57	\$ 3.13	11.99	\$ 3.57	14.41		
\$ 1.38	2.37	\$ 1.82	4.79	\$ 2.26	7.21	\$ 2.70	9.63	\$ 3.14	12.05	\$ 3.58	14.47		

Collection Fuel Surcharge Table

DOE avg. at Least (\$/gallon)	WM Surcharge %	DOE avg. at Least (\$/gallon)	WM Surcharge %	DOE avg. at Least (\$/gallon)	WM Surcharge %	DOE avg. at Least (\$/gallon)	WM Surcharge %	DOE avg. at Least (\$/gallon)	WM Surcharge %	DOE avg. at Least (\$/gallon)	WM Surcharge %	DOE avg. at Least (\$/gallon)	WM Surcharge %
\$ 4.01	16.83	\$ 4.44	19.20	\$ 4.87	21.56	\$ 5.30	23.93	\$ 5.73	26.29	\$ 6.16	28.66	\$ 6.59	31.02
\$ 4.02	16.89	\$ 4.45	19.25	\$ 4.88	21.62	\$ 5.31	23.98	\$ 5.74	26.35	\$ 6.17	28.71	\$ 6.60	31.08
\$ 4.03	16.94	\$ 4.46	19.31	\$ 4.89	21.67	\$ 5.32	24.04	\$ 5.75	26.40	\$ 6.18	28.77	\$ 6.61	31.13
\$ 4.04	17.00	\$ 4.47	19.36	\$ 4.90	21.73	\$ 5.33	24.09	\$ 5.76	26.46	\$ 6.19	28.82	\$ 6.62	31.19
\$ 4.05	17.05	\$ 4.48	19.42	\$ 4.91	21.78	\$ 5.34	24.15	\$ 5.77	26.51	\$ 6.20	28.88	\$ 6.63	31.24
\$ 4.06	17.11	\$ 4.49	19.47	\$ 4.92	21.84	\$ 5.35	24.20	\$ 5.78	26.57	\$ 6.21	28.93	\$ 6.64	31.30
\$ 4.07	17.16	\$ 4.50	19.53	\$ 4.93	21.89	\$ 5.36	24.26	\$ 5.79	26.62	\$ 6.22	28.99	\$ 6.65	31.35
\$ 4.08	17.22	\$ 4.51	19.58	\$ 4.94	21.95	\$ 5.37	24.31	\$ 5.80	26.68	\$ 6.23	29.04	\$ 6.66	31.41
\$ 4.09	17.27	\$ 4.52	19.64	\$ 4.95	22.00	\$ 5.38	24.37	\$ 5.81	26.73	\$ 6.24	29.10	\$ 6.67	31.46
\$ 4.10	17.33	\$ 4.53	19.69	\$ 4.96	22.06	\$ 5.39	24.42	\$ 5.82	26.79	\$ 6.25	29.15	\$ 6.68	31.52
\$ 4.11	17.38	\$ 4.54	19.75	\$ 4.97	22.11	\$ 5.40	24.48	\$ 5.83	26.84	\$ 6.26	29.21	\$ 6.69	31.57
\$ 4.12	17.44	\$ 4.55	19.80	\$ 4.98	22.17	\$ 5.41	24.53	\$ 5.84	26.90	\$ 6.27	29.26	\$ 6.70	31.63
\$ 4.13	17.49	\$ 4.56	19.86	\$ 4.99	22.22	\$ 5.42	24.59	\$ 5.85	26.95	\$ 6.28	29.32	\$ 6.71	31.68
\$ 4.14	17.55	\$ 4.57	19.91	\$ 5.00	22.28	\$ 5.43	24.64	\$ 5.86	27.01	\$ 6.29	29.37	\$ 6.72	31.74
\$ 4.15	17.60	\$ 4.58	19.97	\$ 5.01	22.33	\$ 5.44	24.70	\$ 5.87	27.06	\$ 6.30	29.43	\$ 6.73	31.79
\$ 4.16	17.66	\$ 4.59	20.02	\$ 5.02	22.39	\$ 5.45	24.75	\$ 5.88	27.12	\$ 6.31	29.48	\$ 6.74	31.85
\$ 4.17	17.71	\$ 4.60	20.08	\$ 5.03	22.44	\$ 5.46	24.81	\$ 5.89	27.17	\$ 6.32	29.54	\$ 6.75	31.90
\$ 4.18	17.77	\$ 4.61	20.13	\$ 5.04	22.50	\$ 5.47	24.86	\$ 5.90	27.23	\$ 6.33	29.59	\$ 6.76	31.96
\$ 4.19	17.82	\$ 4.62	20.19	\$ 5.05	22.55	\$ 5.48	24.92	\$ 5.91	27.28	\$ 6.34	29.65	\$ 6.77	32.01
\$ 4.20	17.88	\$ 4.63	20.24	\$ 5.06	22.61	\$ 5.49	24.97	\$ 5.92	27.34	\$ 6.35	29.70	\$ 6.78	32.07
\$ 4.21	17.93	\$ 4.64	20.30	\$ 5.07	22.66	\$ 5.50	25.03	\$ 5.93	27.39	\$ 6.36	29.76	\$ 6.79	32.12
\$ 4.22	17.99	\$ 4.65	20.35	\$ 5.08	22.72	\$ 5.51	25.08	\$ 5.94	27.45	\$ 6.37	29.81	\$ 6.80	32.18
\$ 4.23	18.04	\$ 4.66	20.41	\$ 5.09	22.77	\$ 5.52	25.14	\$ 5.95	27.50	\$ 6.38	29.87	\$ 6.81	32.23
\$ 4.24	18.10	\$ 4.67	20.46	\$ 5.10	22.83	\$ 5.53	25.19	\$ 5.96	27.56	\$ 6.39	29.92	\$ 6.82	32.29
\$ 4.25	18.15	\$ 4.68	20.52	\$ 5.11	22.88	\$ 5.54	25.25	\$ 5.97	27.61	\$ 6.40	29.98	\$ 6.83	32.34
\$ 4.26	18.21	\$ 4.69	20.57	\$ 5.12	22.94	\$ 5.55	25.30	\$ 5.98	27.67	\$ 6.41	30.03	\$ 6.84	32.40
\$ 4.27	18.26	\$ 4.70	20.63	\$ 5.13	22.99	\$ 5.56	25.36	\$ 5.99	27.72	\$ 6.42	30.09	\$ 6.85	32.45
\$ 4.28	18.32	\$ 4.71	20.68	\$ 5.14	23.05	\$ 5.57	25.41	\$ 6.00	27.78	\$ 6.43	30.14	\$ 6.86	32.51
\$ 4.29	18.37	\$ 4.72	20.74	\$ 5.15	23.10	\$ 5.58	25.47	\$ 6.01	27.83	\$ 6.44	30.20	\$ 6.87	32.56
\$ 4.30	18.43	\$ 4.73	20.79	\$ 5.16	23.16	\$ 5.59	25.52	\$ 6.02	27.89	\$ 6.45	30.25	\$ 6.88	32.62
\$ 4.31	18.48	\$ 4.74	20.85	\$ 5.17	23.21	\$ 5.60	25.58	\$ 6.03	27.94	\$ 6.46	30.31	\$ 6.89	32.67
\$ 4.32	18.54	\$ 4.75	20.90	\$ 5.18	23.27	\$ 5.61	25.63	\$ 6.04	28.00	\$ 6.47	30.36	\$ 6.90	32.73
\$ 4.33	18.59	\$ 4.76	20.96	\$ 5.19	23.32	\$ 5.62	25.69	\$ 6.05	28.05	\$ 6.48	30.42	\$ 6.91	32.78
\$ 4.34	18.65	\$ 4.77	21.01	\$ 5.20	23.38	\$ 5.63	25.74	\$ 6.06	28.11	\$ 6.49	30.47	\$ 6.92	32.84
\$ 4.35	18.70	\$ 4.78	21.07	\$ 5.21	23.43	\$ 5.64	25.80	\$ 6.07	28.16	\$ 6.50	30.53	\$ 6.93	32.89
\$ 4.36	18.76	\$ 4.79	21.12	\$ 5.22	23.49	\$ 5.65	25.85	\$ 6.08	28.22	\$ 6.51	30.58	\$ 6.94	32.95
\$ 4.37	18.81	\$ 4.80	21.18	\$ 5.23	23.54	\$ 5.66	25.91	\$ 6.09	28.27	\$ 6.52	30.64	\$ 6.95	33.00
\$ 4.38	18.87	\$ 4.81	21.23	\$ 5.24	23.60	\$ 5.67	25.96	\$ 6.10	28.33	\$ 6.53	30.69	\$ 6.96	33.06
\$ 4.39	18.92	\$ 4.82	21.29	\$ 5.25	23.65	\$ 5.68	26.02	\$ 6.11	28.38	\$ 6.54	30.75	\$ 6.97	33.11
\$ 4.40	18.98	\$ 4.83	21.34	\$ 5.26	23.71	\$ 5.69	26.07	\$ 6.12	28.44	\$ 6.55	30.80	\$ 6.98	33.17
\$ 4.41	19.03	\$ 4.84	21.40	\$ 5.27	23.76	\$ 5.70	26.13	\$ 6.13	28.49	\$ 6.56	30.86	\$ 6.99	33.22
\$ 4.42	19.09	\$ 4.85	21.45	\$ 5.28	23.82	\$ 5.71	26.18	\$ 6.14	28.55	\$ 6.57	30.91	\$ 7.00	33.28
\$ 4.43	19.14	\$ 4.86	21.51	\$ 5.29	23.87	\$ 5.72	26.24	\$ 6.15	28.60	\$ 6.58	30.97		

Consumer Price Index - All Urban Consumers

Series Id: CUUR0000SA0
 Not Seasonally Adjusted
 Area: U.S. city average
 Item: All items
 Base Period: 1982-84=100

Download:



.xls

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2002	177.1	177.8	178.8	179.8	179.8	179.9	180.1	180.7	181	181.3	181.3	180.9	179.9	178.9	180.9
2003	181.7	183.1	184.2	183.8	183.5	183.7	183.9	184.6	185.2	185	184.5	184.3	184	183.3	184.6
2004	185.2	186.2	187.4	188	189.1	189.7	189.4	189.5	189.9	190.9	191	190.3	188.9	187.6	190.2
2005	190.7	191.8	193.3	194.6	194.4	194.5	195.4	196.4	198.8	199.2	197.6	196.8	195.3	193.2	197.4
2006	198.3	198.7	199.8	201.5	202.5	202.9	203.5	203.9	202.9	201.8	201.5	201.8	201.6	200.6	202.6
2007	202.416	203.499	205.352	206.686	207.949	208.352	208.299	207.917	208.49	208.936	210.177	210.036	207.342	205.709	208.976
2008	211.08	211.693	213.528	214.823	216.632	218.815	219.964	219.086	218.783	216.573	212.425	210.228	215.303	214.429	216.177
2009	211.143	212.193	212.709	213.24	213.856	215.693	215.351	215.834	215.969	216.177	216.33	215.949	214.537	213.139	215.935
2010	216.687	216.741	217.631	218.009	218.178	217.965	218.011	218.312	218.439	218.711	218.803	219.179	218.056	217.535	218.576
2011	220.223	221.309	223.467	224.906	225.964	225.722	225.922	226.545	226.889	226.421	226.23	225.672	224.939	223.598	226.28
2012	226.665	227.663	229.392	230.085	229.815	229.478	229.104	230.379						228.85	

**Waste Management of Woodland
City of Woodland
Disposal Increase Calculations**

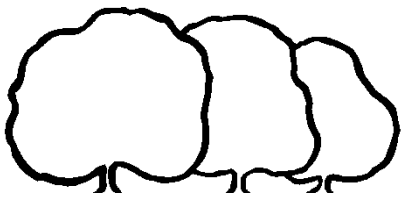
7.3.2 Disposal Fee Adjustment. Subject to the provisions of Section 7.3.4 regarding the time for making such a request, the Service Rates Shall be increased following an increase in the Disposal Fees. The Disposal Fee increase will be submitted at the time of the annual rate adjustment. The increase is subject to the provisions of Section 7.3.5 regarding the effective date of such increases and compensatory mechanisms for Disposal Fee increases for time periods prior to the effective date. Such increases shall be equal to the amount derived by multiplying (A) the portion of the previous Service Rate representing Disposal Costs by (B) the percentage increase in the Disposal Fees, and reducing that product (but not below zero) by an amount equal to the CPI adjustment (or, if less, the change in the U.S.C.P.I. between the date of the most recent Disposal Fee increase and the most recent month for which the U.S.C.P.I. is available).

Yolo County Landfill - MSW Disposal Adjustment Calculation

	<u>\$</u>	
2012 Disposal Rate - July	\$ 39.63	a
2010 Disposal Rate - July	\$ 37.72	b
Inc (Dec) in Disposal Rate	<u>\$ 1.91</u>	c=a-b
% Inc (Dec) in Disposal Rate	5.06%	d=c/b
2012 CPI %	<u>1.692%</u>	e
% Inc (Dec) in Disposal Rate Adjustment	3.372%	f = d-e

Yolo County Landfill - MSW Disposal One-Time Adjustment Calculation

	<u>\$</u>	Amount	%
		<u>increased</u>	<u>increase</u>
2012 Disposal Rate - July	\$ 39.63	\$ 0.85	2.19%
2011 Disposal Rate - July	\$ 38.78	\$ 1.06	2.81%
2010 Disposal Rate - July	<u>\$ 37.72</u>		



REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: November 20, 2012

SUBJECT: Final Acceptance and Notice of Completion for Series Street Light Replacement, Phase 3, CIP 09-21

Recommendation for Action

Staff recommends City Council accept the Series Street Light Replacement, Phase 3, construction contract as complete and authorize the City Clerk to file a Notice of Completion.

Fiscal Impact

Funding for the Series Street Light Replacement, Phase 3, project (CIP 09-21) is \$160,000 in CDBG funds and \$55,000 in TDA funds. This provided a total budget for design and construction of \$215,000 as approved in the Capital Budget for FY 2012. The actual cost for construction is \$146,381. The difference between the total project budget and the engineer's estimate is the amount budgeted for design, construction management and construction contingency. Total project expenditures are less than \$180,000. There was no capital cost impact to the General Fund.

Background

The contractor, Terry Hansen Electric, began construction of the Series Street Light Replacement, Phase 3, in May 2012 and finished in early September 2012. This included a 3 month lead time for ordering and delivery of the poles.

One (1) change order was issued in the amount of \$1,800. The total contract value paid to the Contractor is \$146,381.

This was the first project of a series of projects to upgrade the lighting circuit in the Gibson/College area. The Gibson/College area is generally bounded by College Avenue (west), Sixth Street (east), Granada-Cottage (north) and Gibson Road (south). A new 120 volt AC lighting circuit was installed along with 11 new LED street lights. Phase 3 of the Series Street Light replacement refers to the upgrade of all of the street lights in the Gibson/College area.

Conclusion

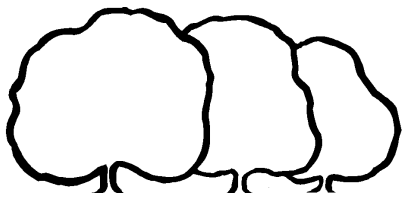
Staff recommends City Council accept the Series Street Light Replacement, Phase 3, construction contract as complete and authorize the City Clerk to file a Notice of Completion.

Prepared by: Tamera Burnham
Assistant Engineer

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

Reviewed by: Nicholas J. Ponticello
Community Development Director

Paul Navazio
City Manager



City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: November 20, 2011

SUBJECT: Appointment of Community Service Award Nominating Committee

Recommendation for Action

Staff recommends that the City Council approve the appointment of six community members to the Community Service Award Nominating Committee as described herein.

Background

At the October 16, 2012 regular meeting, the City Council agreed to organize the 2013 Community Service Award Nominating Committee. The Committee will consist of seven members which includes: The Mayor, two members appointed by the Mayor and one member each from the remaining four Council Members.

The Committee will work to develop a slate of nominees for subsequent Council consideration and approval. The actual awards will be presented by the City Council at a dinner to be held on February 22, 2012.

In addition, the City will again be soliciting public suggestions on names of individuals who should be considered for a Community Service Award. The suggested names will be forwarded to the Nominating Committee for their consideration. The Committee will also be asked to reconsider names submitted last year as well.

Discussion

The Secretary to the City Manager received the names from Council members of the following six community residents to serve on the Nominating Committee with Mayor Davies:

1. Gary Traynham
2. Don Campbell

3. Dotty Pritchard
4. Katie Curran
5. Bob Bigelow
6. Cindy Ochoa

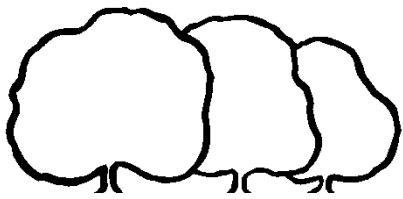
Recommendation for Action

Staff recommends that the City Council approve the appointment of six community members to the Community Service Award Nominating Committee as described herein.

Prepared by: Jennifer Robinson
Secretary to the City Manager

Reviewed by: Ana Gonzalez
City Clerk

Paul Navazio
City Manager



City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: November 20, 2012

SUBJECT: Public Safety Department (Police and Fire) Quarterly Status report
for the period of July 2012 through September 2012

Recommendation for Action

Staff recommends that the City Council accept the Public Safety Department Quarterly Status Report for July 2012 through September 2012.

Background

The Public Safety Department Quarterly Status Report includes a summary of all activity within the Department (Police and Fire). In lieu of providing comprehensive monthly status reports to the City Council and department heads via e-mail communication, the City Council will now be receiving Status Reports on a quarterly basis via agenda packet.

Prepared by: Bonnie Sylva
Administrative Secretary

Reviewed by: Dan Bellini
Chief, Public Safety Dept.

Paul Navazio
City Manager

Attachments: Public Safety Quarterly Report (July-Sept. 2012)



DATE: November 20, 2012

SUBJECT: QUARTERLY REPORT FOR JULY, AUGUST, & SEPTEMBER 2012

POLICE:

PATROL AND INVESTIGATIONS SIGNIFICANT CASES:

July 9: vehicle vandalism on Barbara Way. A citizen discovered a window in her car was broken during the night. The officer located 14 additional victims of vehicle vandalism, which involved broken windows, within the vicinity of the original complaint.

July 13: stabbing in the area of West Woodland Avenue; suspect fled on foot westbound. Yolo County Gang Task Force officers intercepted the fleeing suspect near the intersection of Cottonwood Street and West Woodland Avenue. The suspect, a juvenile Woodland resident, was taken into custody. While running from the officers, the suspect threw the knife onto the roof of an adjacent building; the knife was recovered. The 17-year-old stabbing victim was transported by ambulance to UCD Medical Center in Sacramento with wounds to his hands and legs. Another juvenile victim was struck in the head (no weapon involved) and knocked unconscious. He was transported to UCD Medical Center and released after being treated for a minor head injury. The suspect was arrested for three felony violations.

July 21: physical fight in area of Community Lane. One subject was hit with a rock, and all of the involved parties were seen running toward Cottonwood Street. No victims or suspects were located, but while the investigation was occurring, dispatch sent officers to another area of Community Lane for a report of a female that was hit in the head with a crowbar. The victim, an adult female, had a deep, disfiguring slice across her cheek from ear to mouth. She was not able to speak at the time, but her friend told officers she knew who sliced the victim's face. The victim was transported by ambulance to UCD Medical Center. Two suspects were arrested for felony assault with a deadly weapon and felony mayhem.

July 24: missing juvenile near the 300 block of North Street. The 11-year-old was last seen at his residence. The juvenile was at-risk due to required medication and his young age. There was an extensive search for the missing child for approximately eight hours before he was located hiding inside his grandmother's home in another area of town.

July 26: report of many subjects in a fight and armed with shovels and sticks near Quik Stop on East Main Street. All involved parties fled prior to officers' arrival. Two victims showed up at WMH minutes later. One victim, an 18-year-old, self-declared Sureno gang member, said he and the other victim, an 18-year-old, were "jumped" by numerous individuals in the parking lot near Tractor Supply. The gang member was hit on the back of the head with an unknown weapon causing an injury that required stitches. The other victim sustained a disfiguring cut from his forehead across the bridge of his nose and below his eye. Blood was found in the parking lot at Quik Stop and two shovels were recovered. It was determined this was a fight between Norteno and Sureno gang members, and the case was forwarded to YCGTF.

July 27: report of a stabbing at West Lincoln Avenue and California Street. The victim, an 18-year-old Woodland resident, was bleeding from stab wounds to the back and neck and had a broken arm. The victim reported being assaulted by 6-7 HMAs with bats. The suspects fled in a vehicle prior to officers' arrival. The victim was transported to UCD Medical center. Approximately 10 minutes after the stabbing occurred, there was a report of a shooting in the 500 block of Cottonwood Street, about three blocks from where the stabbing took place. The incidents were unrelated. The victim was grazed on the head by a suspect with a handgun. He was treated at WMH before being released.

August 2: report of a fight with firearms in the area of 918 Fourth Street. Information was received that occupants of vehicles were shooting at each other, ramming their vehicles, and they had all fled. Officers located four subjects dressed in black walking hurriedly away from the area. The subjects were detained and as officers were determining their involvement, dispatch advised that two stabbing victims had arrived at Woodland Memorial Hospital.

August 8: a subject came to the front lobby of the Department for a robbery report. He told an officer that as he was leaving work at the Red Robin Restaurant, a masked gunman demanded money. The victim said the suspect wielded a chrome handgun and was wearing a ski mask. After giving the suspect his money, the victim watched as the suspect got into an older model white Honda sedan, where there were two other subjects inside also wearing ski masks. There are no leads at this time.

August 8: report of a shooting in front of Don's Diner on Cottonwood Street. The victim was an 18-year-old Woodland resident who suffered life-threatening injuries. Further investigation revealed the shooting was a gang-related drive-by shooting with a shotgun as the primary weapon.

September 5: stabbing outside Dingle Elementary School. Officers located an adult male victim lying on the grass near the school. Due to his injury, the victim was not able to make a statement, but witnesses provided a description of the suspects and their vehicle. A plan was immediately implemented to safely and orderly evacuate the children from the school and crime scene. A high-risk traffic stop was done on the suspects' vehicle on East Gibson Road. The two adult male suspects are known gang members and were arrested for attempted murder.

September 6: report of shots fired into unoccupied vehicle on Johnston Street. The male adult suspect, known to the victim, fled the scene in his vehicle prior to officers' arrival. There were no injuries, but five bullet holes were found in the parked vehicle and a sixth round struck a garage door of a residence on Johnston Street. The suspect was located at his residence and arrested for felony discharge of firearm from a vehicle, felony discharge of firearm at an inhabited dwelling, and driving a motor vehicle while under the influence of alcohol.

September 26: gunshots fired into residence. In the early morning, unknown suspect(s) fired shots into the front of a residence on Cleveland Street. The round penetrated an exterior wall and lodged in the interior wall of a bedroom. The adult female resident and her two young children were in the bedroom at the time but were not injured. The motive for the shooting is unknown.

September 30: robbery at gunpoint at 7-11 on East Main Street. When officers arrived, the suspect had fled in a dark colored vehicle; the license plate number was provided. According to witnesses, an adult male suspect entered the store wearing a ski mask and dark, long-sleeved shirt. He brandished a semi-automatic pistol and demanded money; he grabbed a large handful of money and fled through the front door. The vehicle was located at a hotel on East Main Street and an adult female nearby claimed ownership of the vehicle. A consensual search of the vehicle revealed a dark, long-sleeved shirt and a black semi-automatic replica pistol BB gun. The male

suspect approached officers and a consensual search was conducted of the motel room. Officers located a ski mask, other clothing the suspect had been described wearing, and \$600. Both suspects were arrested for felony robbery.

During the quarter, a total of 112 transients were arrested for violations ranging from violation of the City's no camping ordinance, drunk in public, narcotic violations, recyclable thefts, and warrants.

Patrol supervisors contacted a total of 70 citizens during the quarter auditing the service and performance of our officers. Approximately 94% were satisfied with the services they received from our employees. Upon further inquiry and discussion with those citizens who were dissatisfied, it was determined that the officers' actions were appropriate and consistent with department policy and procedures.

POP Projects:

Twelve new POPs were opened during the quarter, and there are currently 7 still open.

Special Enforcement Team (S.E.T.):

During the quarter of July-September, the S.E.T. team had the following activity: contact with 137 Post Release Community Supervision (PRCS) subjects, 28 parolees, and 35 probationers not on PRCS. They made 33 felony arrests and 13 misdemeanor arrests. They conducted 84 home searches and 11 vehicle searches.

School Resource Officers (SRO):

Officer Bell and Officer Drobish had the following activity for the quarter: they made 403 consensual contacts. Of those contacts, 5 were for fighting, 9 for gang activity, 16 for drugs, 3 for tobacco, 2 for theft, 1 for weapons possession, and 15 for truancy. They made 11 home visits, 22 arrests, and issued 6 citations. Officer Bell took 6 individuals to the hospital for psychological evaluations. Officer Drobish opened a POP project at Everman Park and made 5 felony arrests and 1 misdemeanor arrest. All of the arrests involved juveniles committing a variety of gang-related and drug-related crimes after school. The POP is still open.

CRIME				Calendar Year 2012	
Category	Jul	Aug	Sep	Reported to CA DOJ	Cleared by Arrest
Homicide	0	0	0	0	0
Rape	1	0	3	9	3
Robbery	5	3	2	37	23
Aggravated Assault*	54	40	27	361	291
Burglary	33	32	29	274	67
Larceny/ Thefts	125	104	96	729	130
Auto Theft	19	11	7	138	36
Arson	2	4	6	41	3
TOTAL	239	194	170	1589	553

** Includes all aggravated & simple assaults*

WORKLOAD

Calls for Service	Jul	Aug	Sep	
Priority 1	114	107	80	
Priority 2	1649	1678	1565	
All other calls for service	3385	3594	3212	
TOTAL	5148	5379	4857	
Response Times				
Priority 1	5:35	5:34	5:17	
Priority 2	8:19	8:18	7:52	
Priority 3	16:30	22:57	20:52	
Reports				
Online Reports	5	21	8	
Mail-in Reports	129	141	122	
Total case numbers issued	658	594	570	
TOTAL	792	756	700	
Warrants				
Felony	336	338	330	
Misdemeanor	1003	1004	1040	
TOTAL	1339	1342	1370	
Graffiti	6	19	8	

290 Registrant Activity	Jul	Aug	Sep	
Total registrants	97	101	100	
<i>Categories</i>				
High Risk registrants	**	**		
Serious registrants	**	**		
Other categories of registrants	**	**		
<i>Other Information</i>				
Total transient registrants	8	10	10	
290 PC violation warrants issued	0	1	0	
Non-compliance w/annual update	0	0	0	

** DOJ is reassessing all registrants to ensure correct classification. All registrants are listed as "Sex Registrant" with no separate classification of "Serious" or "High Risk."

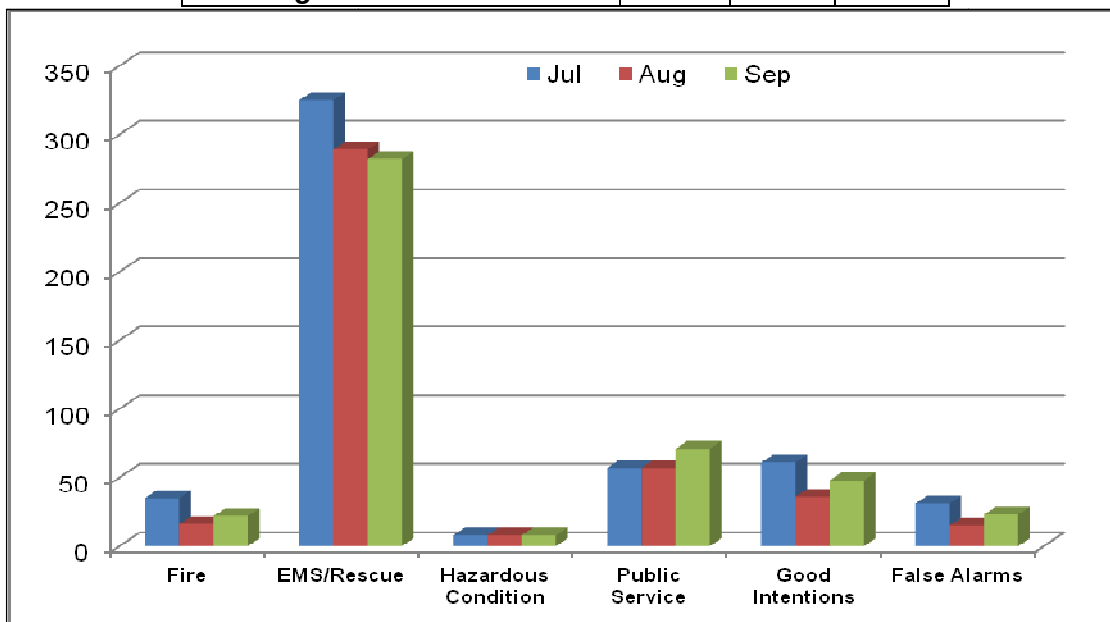
Personnel		
Jul-Sept	Budgeted	Filled
Sworn	60	58
Non-sworn	15	15
Total	75	73

Volunteer/Chaplain Hours (quarter total)	2218
--	------

FIRE:

The Quarterly Status Report includes a wide variety of information in an effort to better inform the public and the City Council.

	Jul	Aug	Sep
Total Incident Responses			
Fire	35	16	22
EMS/Rescue	325	289	282
Hazardous Condition	8	8	8
Public Service	57	57	71
Good Intentions	61	36	48
False Alarms	31	15	23
TOTAL	517	421	454
Mutual/Auto-Aid/Strike Team	23	12	6
Concurrent Incidents	197	131	
Fire Prevention			
Commercial Inspections	16	20	26
Plan Reviews	11	5	7
Business License Inspections	15	10	16
Permitted Inspections	95	104	103
Residential Inspections	12	16	9
Resale Inspections	22	27	14
Engine Company Inspections	117	96	70
TOTAL	288	278	245
Weed Abatement hours	11.5	3.5	1.5
Public Education events	2	2	5
Training Hours	555	655.5	607.5



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 called **concurrent incidents**. The breakdown of concurrent incidents is shown below:

# of Companies committed simultaneously	Jul	Aug	Sep
2 companies	113	78	78
3 companies	49	38	32
4 companies	32	12	25
5 companies	3	2	1
6 companies	0	1	1
TOTAL	197	131	137
% of Total Incident Responses	38.10%	31.12%	30.18%

Response time average for initial fire engine on-scene (in minutes):

Call Type	Jul	Aug	Sep
Fire	5:06	5:38	5:25
EMS	4:55	4:42	5:17

Automatic or Mutual Aid:

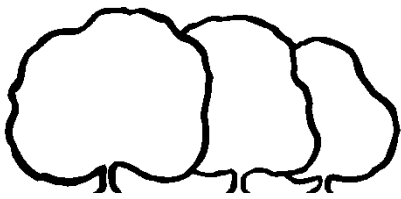
Automatic aid is provided to another agency through formal agreement and occurs automatically on significant events without any special request. Mutual aid occurs when fire departments provide help to one another upon special request when a significant event(s) (large incident or multiple small incidents) take place. Every fire agency in Yolo County is a signatory to this agreement.

	Jul	Aug	Sep
Aid Received	8	6	4
Aid Given	15	6	2
Total	23	12	6

Department Highlights:

- | | |
|--------|---|
| July | <ul style="list-style-type: none"> • Participated in Live Grass Training, Hazardous Materials Training and AT&T Substation Tour • Staffed Annual 4th of July Fireworks Show (fire prevention staff and one overtime company) • Hosted the 4th of July Pancake Breakfast at Station #3; provided tours for the attendees. |
| August | <ul style="list-style-type: none"> • Participated in Post Office Drill in West Sacramento and Wildland Burn training. • One year anniversary of SAFER grant firefighters (6) • Participated in the Yolo County Fair and Target's National Night Out |

- September
- Participated in West Valley Regional Fire Training Consortium
 - Obtained training in Wildland Firefighter Tactic Training, Hose Evolutions and Hazardous Materials Identification.
 - Participated in Annual Relay 4 Life walk.
 - Participated in the Costco Safety Week and Woodland's Farmer's Market fire safety presentation.
 - Several station tours were given to local organizations



REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: November 20, 2012

SUBJECT: Floodplain Management Ordinance Variance for a New Agricultural
Building Located at 1460 Churchill Downs Ave.

Recommendation for Action

Staff recommends that the City Council hold a public hearing to adopt Resolution # _____ granting a variance from the City of Woodland Floodplain Management Ordinance for an agricultural storage building located at 1460 Churchill Downs Avenue.

Fiscal Impact

There are no fiscal impacts associated with this action.

Report in Brief

The owner of 1460 Churchill Downs Avenue, Woodland, California 95776, parcel number 027-450-060-000, (Applicant), desires to construct a new building for agricultural purposes. The applicant is requesting a variance to the City of Woodland's Floodplain Management Ordinance (Ordinance), Article II Section 6-2-17(3)(B), to erect the building at grade; however, the building will be constructed in compliance with all other standards set forth in Section 6-2-17(3)(C) and in the NFIP Technical Bulletin 7-93 on wet floodproofing.

Background

The Applicant applied for a building permit (permit number BLDG-12-01082) to construct a 4,032 square foot metal building for storing of plant material (greenhouse) on his property at 1460 Churchill Downs Avenue. This property is within a Federal Emergency Management Agency (FEMA) special flood hazard area, as shown on the flood insurance rate map, panel 06113C-0435H, amended May 16, 2012. (Attachment A). The base flood elevation (BFE) is 48.9 feet above sea level (1988 datum), and the ground elevation is approximately 44.5 feet at the building location. (Attachment B). Therefore, flood depths could reach 4.4 feet above grade. The depth of the floodplain and the use of the structure as a non-habitable building used solely for agricultural purposes make it infeasible to elevate the structure.

Discussion

The Applicant is requesting a variance to allow the erection of a metal agricultural building in the Woodland special flood hazard area. (Attachment C). Applicable guidance for evaluating the request for this variance rest in the Ordinance under section 6-2-25 (f), Conditions for Variances, and section 6-2-17 Standards of Construction.

Section 6-2-25(f) allows a variance for development that is a functionally dependent use, such as a barn, garage, or other agricultural structures to be constructed below the base flood elevation, provided it is constructed in a manner that minimizes flood damage and does not result in additional threats to public safety. The purpose of this section 6-2-25(f) is to allow limited development of non-habitable structures in those circumstances where it is not feasible to meet the minimum floor elevation requirements set forth in the Ordinance. The specific text of section 6-2-25(f) reads:

- (f) Variances may be issued for new construction, substantial improvement, and other proposed new development necessary for the conduct of a functionally dependent use provided that the provisions of this section are satisfied and that the structure or other development is protected by methods that minimize flood damages during the base flood and does not result in additional threats to public safety.

Section 6-2-17(3)(C) describes construction methods and certification requirements necessary to allow functionally dependant development to be constructed at grade. The specific test of 6-2-17(3)(C) is:

- (C) All new construction and substantial improvements with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage, and which are subject to flooding, shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Designs for meeting this requirement must exceed the following minimum criteria: (Per FEMA Technical Bulletin 7-93)
 - (i) Be certified by a registered professional engineer; or
 - (ii) Have a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwater;

Section 6-2-17(1)(A) describes construction methods in all special flood hazards

- (A) All new construction and substantial improvements shall be adequately anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads including the effects of buoyancy.

Section 6-2-17(2)(C) describes construction methods in all special flood hazards relating to mechanical and electrical equipment:

- (C) With electrical, heating, ventilation, and plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

The proposed development is a 4032 square foot metal building to be used as a greenhouse for storage of plants below the base flood elevation on the site of a privately owned industrial warehouse and office. (Attachment D). The structure is non-habitable, does not create any additional threat to public safety, and can be constructed in a manner that meets the intent of section 6-2-17(3)(C). In addition, FEMA has expressed support and acknowledged the appropriateness of this variance request in the attached email to the Community Development Department. (Attachment E).

The Community Development Department supports, and recommends approval of, the proposed variance under the flowing conditions:

- (1) The variance is limited to construction of one maximum 4,500 square foot metal greenhouse-agricultural building at the subject property.
- (2) The design requirements in Section 6-2-17(3)(C) and in the NFIP Technical Bulletin 7-93 on wet floodproofing shall be applied to the proposed structure, as well as all other applicable City standards.

The risk associated with this variance is borne by the Applicant. Section 6-2-24 states:

Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:

- (1) The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as twenty-five dollars for one hundred dollars of insurance coverage, and
- (2) Such construction below the base flood level increases risks to life and property. It is recommended that a copy of the notice shall be recorded by the floodplain administrator in the office of the Yolo County recorder and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.

The Planning Division has reviewed this project for environmental review and has issued a Notice of Exemption for the project based upon the following:

ENVIRONMENTAL ASSESSMENT STATUS

This project qualifies for a categorical exemption from the provisions of CEQA as the project is considered a Class 3c (CEQA Guidelines, §15303). CEQA identifies this as a Class 3 - New

Construction Or Conversion Of Small Structures exemption and is listed in Title 14, Article 19 §15332 of the California Code of Regulations. This class exemption is required to adhere to the following requirements:

15303. NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel.

Conclusion

Staff recommends that the City Council hold a public hearing to approve Resolution # _____ granting a variance from the City of Woodland Floodplain Management Ordinance for an agricultural storage building located at 1460 Churchill Downs Avenue.

Prepared by: Paul Siegel
Chief Building Official

Reviewed by: Nicholas J Ponticello
CDD Director

Paul Navazio
City Manager

Attachments: Resolution
Attachment A - FIRM Rate Map
Attachment B - Elevation Certificate
Attachment C – Request for Variance
Attachment D – Site plan
Attachment E – Email from FEMA

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND APPROVING A
VARIANCE FROM THE CITY OF WOODLAND FLOODPLAIN MANAGEMENT ORDINANCE FOR
AN AGRICULTURAL BUILDING LOCATED AT 1460 CHURCHILL DOWNS**

WHEREAS, the owner of the property located at 1460 Churchill Downs Ave., Woodland California, APN 027-450-060 (Applicant), proposes to construct an agricultural building (Structure) on said property (Site); and

WHEREAS, the Structure is located within a FEMA special flood hazard area that could experience flooding; and

WHEREAS, the Structure is functionally dependent to function and operation of agriculture use of the land and thus cannot be practically elevated to meet minimum elevation requirements of the City of Woodland Floodplain Management Ordinance (Ordinance); and,

WHEREAS, section 6-2-17(3)(C) of the Ordinance and National Flood Insurance Program NFIP Technical Bulletin 7-93 provides for specific design requirements to allow for the construction of such buildings at grade, below the base flood elevation; and

WHEREAS, section 6-2-25 of the Ordinance authorizes the City Council to issue variances from the Ordinance upon certain conditions and with certain findings as set forth in the Ordinance; and

WHEREAS, the Federal Emergency Management Agency (FEMA) has also determined that the proposed variance is appropriate; and,

WHEREAS, failure to grant this variance would result in hardship (as defined in the Ordinance) to the agricultural operation of the Applicant and would leave no viable alternative for the construction of the Structure; and,

WHEREAS, granting of the variance is made upon a showing of good and sufficient cause and will have no adverse effect on any other property, health or safety of the community, neighborhood, or any considerable number of persons, or result in extraordinary public expense, or conflict with existing local laws other than the Ordinance being herein varied;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council hereby issues a variance allowing the Structure to be erected on the Site by the Applicant on the following terms and conditions:

- 1) The variance is limited to the construction of one maximum 4,500 square foot metal greenhouse-agricultural building on the Site:
- 2) The design requirements in Section 6-2-17(3)(C) and in NFIP Technical Bulletin 7-93 shall be applied to the proposed Structure, as well as all other applicable City standards.
- 3) The City Council determines the variance is necessary and appropriate and makes all findings required under Sections 6-2-24, 6-2-25(e) and 6-2-25(f). This Resolution, the accompanying staff report and all other evidence presented before the City Council were considered in making these findings and determinations.

- 4) The Community Development Director shall provide the Applicant with the written notice required under Section 6-2-24(b).

PASSED AND ADOPTED by the City Council of the City of _____ on the ____ day of _____ 2012 by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

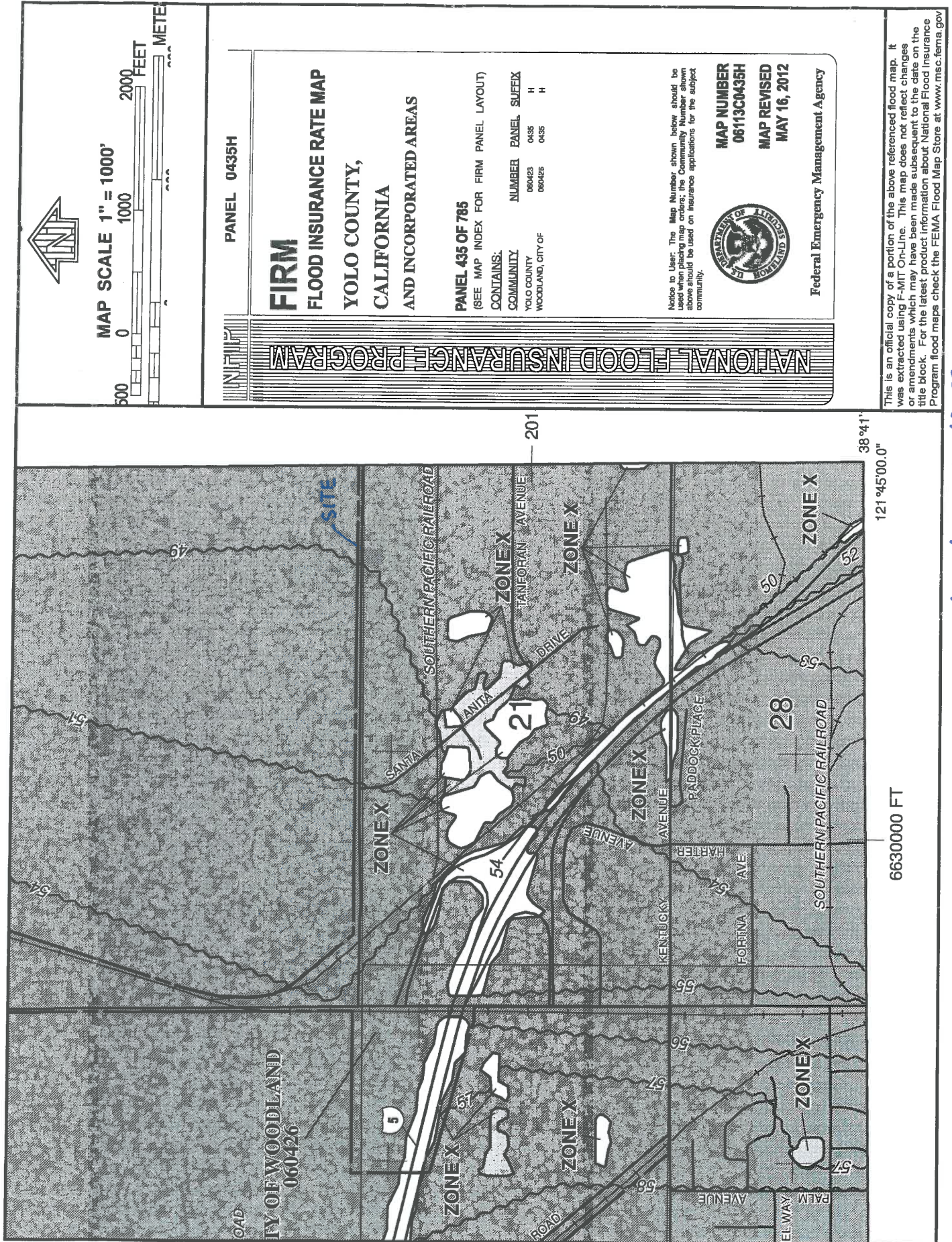
ABSENT: _____

Marlin H. Davies, Mayor

Attest:

Ana Gonzalez, City Clerk

Attachment A



B.F.E. = 48.9' N.A.V.D. 88

U.S. DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency
National Flood Insurance Program

ELEVATION CERTIFICATE

OMB No. 1660-0008
Expires March 31, 2012

Important: Read the instructions on pages 1-9.

SECTION A - PROPERTY INFORMATION

A1. Building Owner's Name NUSEED GLOBAL		For Insurance Company Use:
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 1460 CHURCHILL DOWNS AVENUE		Policy Number
City WOODLAND	State CA	Company NAIC Number
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) ASSESSOR'S PARCEL NUMBERS: 027-450-059-000 & 027-450-060-000		ZIP Code 95776
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) NON-RESIDENTIAL		
A5. Latitude/Longitude: Lat. 38°41'54.4" Long. -121°45'09.4"		Horizontal Datum: ☐ NAD 1927 ☒ NAD 1983
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.		
A7. Building Diagram Number 1B		
A8. For a building with a crawlspace or enclosure(s):		A9. For a building with an attached garage:
a) Square footage of crawlspace or enclosure(s)	4,032 sq ft	a) Square footage of attached garage
b) No. of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade	21	b) No. of permanent flood openings in the attached garage within 1.0 foot above adjacent grade
c) Total net area of flood openings in A8.b	2,688 sq in	c) Total net area of flood openings in A9.b
d) Engineered flood openings? ☒ Yes ☐ No		d) Engineered flood openings? ☐ Yes ☒ No

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1. NFIP Community Name & Community Number WOODLAND 060426		B2. County Name YOLO		B3. State CA	
B4. Map/Panel Number 06113C 0435	B5. Suffix H	B6. FIRM Index Date 05/16/2012	B7. FIRM Panel Effective/Revised Date 05/16/2012	B8. Flood Zone(s) AE	B9. Base Flood Elevation(s) (Zone AO, use base flood depth) 48.9

B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9.
☐ FIS Profile ☒ FIRM ☐ Community Determined ☐ Other (Describe) _____

B11. Indicate elevation datum used for BFE in Item B9: ☐ NGVD 1929 ☒ NAVD 1988 ☐ Other (Describe) _____

B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? ☐ Yes ☒ No
 Designation Date _____ ☐ CBRS ☐ OPA

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on: ☒ Construction Drawings* ☐ Building Under Construction* ☐ Finished Construction
 *A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO. Complete Items C2.a-h below according to the building diagram specified in Item A7. Use the same datum as the BFE.
 Benchmark Utilized **CITY OF WOODLAND "P-12"** Vertical Datum **N.A.V.D. 88**
 Conversion/Comments **NONE**

	Check the measurement used.
a) Top of bottom floor (including basement, crawlspace, or enclosure floor)	45.0 ☒ feet ☐ meters (Puerto Rico only)
b) Top of the next higher floor	N/A ☐ feet ☐ meters (Puerto Rico only)
c) Bottom of the lowest horizontal structural member (V Zones only)	N/A ☐ feet ☐ meters (Puerto Rico only)
d) Attached garage (top of slab)	N/A ☐ feet ☐ meters (Puerto Rico only)
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments)	48.9 ☒ feet ☐ meters (Puerto Rico only)
f) Lowest adjacent (finished) grade next to building (LAG)	44.5 ☒ feet ☐ meters (Puerto Rico only)
g) Highest adjacent (finished) grade next to building (HAG)	44.8 ☒ feet ☐ meters (Puerto Rico only)
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support	44.5 ☒ feet ☐ meters (Puerto Rico only)

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

☒ Check here if comments are provided on back of form.

Were latitude and longitude in Section A provided by a licensed land surveyor? ☒ Yes ☐ No

Certifier's Name **CHRISTOPHER W. LERCH**

License Number **L.S. 7906**

Title **PRINCIPAL/SENIOR SURVEYOR**

Company Name **LAUGENOUR AND MEIKLE**

Address **608 COURT STREET**

City **WOODLAND**

State **CA**

ZIP Code **95695**

Signature

Date **08/15/2012**

Telephone

(530)662-1755



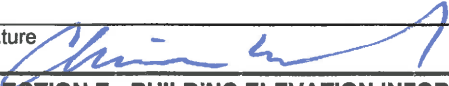
IMPORTANT: In these spaces, copy the corresponding information from Section A.			For Insurance Company Use:	
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 1460 CHURCHILL DOWNS AVENUE			Policy Number	
City WOODLAND	State CA	ZIP Code 95776	Company NAIC Number	

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)

Copy both sides of this Elevation Certificate for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments **NEW BUILDING IS A GREENHOUSE, ENGINEERED FLOOD VENTS WILL BE INSTALLED WITHIN 1' OF ADJACENT**

GRADE. MACHINERY SERVICING THE BUILDING WILL BE ABOVE THE BASE FLOOD ELEVATION.

Signature  Date **08/15/2012** ☐ Check here if attachments

SECTION E - BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)

For Zones AO and A (without BFE), complete Items E1-E5. If the Certificate is intended to support a LOMA or LOMR-F request, complete Sections A, B, and C. For Items E1-E4, use natural grade, if available. Check the measurement used. In Puerto Rico only, enter meters.

- E1. Provide elevation information for the following and check the appropriate boxes to show whether the elevation is above or below the highest adjacent grade (HAG) and the lowest adjacent grade (LAG).
- a) Top of bottom floor (including basement, crawlspace, or enclosure) is N/A ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- b) Top of bottom floor (including basement, crawlspace, or enclosure) is N/A ☐ feet ☐ meters ☐ above or ☐ below the LAG.
- E2. For Building Diagrams 6-9 with permanent flood openings provided in Section A Items 8 and/or 9 (see pages 8-9 of Instructions), the next higher floor (elevation C2.b in the diagrams) of the building is N/A ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- E3. Attached garage (top of slab) is N/A ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- E4. Top of platform of machinery and/or equipment servicing the building is N/A ☐ feet ☐ meters ☐ above or ☐ below the HAG.
- E5. Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance? ☐ Yes ☐ No ☐ Unknown. The local official must certify this information in Section G.

SECTION F - PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. *The statements in Sections A, B, and E are correct to the best of my knowledge.*

Property Owner's or Owner's Authorized Representative's Name

N/A

Address N/A	City N/A	State N/A	ZIP Code N/A
Signature	Date N/A	Telephone	NA/
Comments N/A			

☐ Check here if attachments

SECTION G - COMMUNITY INFORMATION (OPTIONAL)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below. Check the measurement used in Items G8 and G9.

- G1. ☐ The information in Section C was taken from other documentation that has been signed and sealed by a licensed surveyor, engineer, or architect who is authorized by law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2. ☐ A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- G3. ☐ The following information (Items G4-G9) is provided for community floodplain management purposes.

G4. Permit Number	G5. Date Permit Issued	G6. Date Certificate Of Compliance/Occupancy Issued
-------------------	------------------------	---

G7. This permit has been issued for: ☐ New Construction ☐ Substantial Improvement

G8. Elevation of as-built lowest floor (including basement) of the building _____ ☐ feet ☐ meters (PR) Datum _____

G9. BFE or (in Zone AO) depth of flooding at the building site _____ ☐ feet ☐ meters (PR) Datum _____

G10. Community's design flood elevation _____ ☐ feet ☐ meters (PR) Datum _____

Local Official's Name	Title
Community Name	Telephone
Signature	Date
Comments	

☐ Check here if attachments

Attachment C



Red House
Architecture & Design

16 October 2012

Paul Siegel
Chief Building Official
City of Woodland
520 Court Street
Woodland, CA 95695

RE: Proposed NuSeed Greenhouse at 1460 Churchill Downs
Permit #BLDG12-01082
Request for Variance

Dear Paul,

This letter is to serve as a request to initiate the process to grant a variance for the above referenced project. Attached please find a check for \$2589.00 for the variance fee (\$2075.00) and the CEQA review (\$514.00) as well as the completed City of Woodland General Application form. I have also attached relevant highlighted portions of ASCE 24 for your reference.

The owner is seeking a variance from the requirements of the City of Woodland Floodplain Management Regulations Article II Section. 6-2-17(B) - specifically the FEMA requirement that the "first floor" be located above the Base Flood Elevation (BFE).

The proposed project is a 42' x 96' "greenhouse" building. Per ACSE 24-05 Table 1-1 this building is a "Category 1" building and is considered "low hazard to human life in the event of failure". The building will be solely for agricultural greenhouse uses and will be non-habitable. Hazardous or toxic chemicals will not be stored in the building and there will be no ancillary functions (such as office, workshop or bathroom) within the building.

The building is a prefabricated system consisting of a steel frame and poly-carbonate walls (agratech.com) with a concrete pier foundation and with a partial concrete slab and gravel floor at near-grade. The BFE is approximately 4.4 feet above grade. The building will be "wet" floodproofed per FEMA requirements (ASCE Section 6.3) through the use of ICC-ES Certified engineered flood vents (smartvent.com). All utilities servicing the building will be located above the BFE. Attaching the greenhouse structure to the existing warehouse (and thereby making it a "non-substantial" addition) is not

448 Pendegast Street
Woodland, CA 95695
(530) 662-6298
redhouse_arch@att.net

feasible as the proposed location of the building is critical in order to obtain an adequate level of sunshine. Raising the floor to above the BFE is impractical.

We respectfully request that a variance be granted for the following reasons:

- 1) Per ASCE24-5 Section C1.4.3 notes that "certain agricultural facilities may be constructed with their lowest floor below the design flood elevation" and that the "NFIP will allow these types of agricultural structures to be wet floodproofed upon issuance of a variance from the community."
- 2) ASCE 24-05 Section 2.3 and Table 2-1 allow the "lowest floor" of non-residential buildings to be located below Design Flood Elevation provided "the structure meets the flood proofing requirements of Section 6."
- 3) In an email dated 10/11/12 from Robert Durrin of FEMA (Robert.Durrin@fema.dhs.gov) to Paul Siegel, Mr Durrin stated: "I've consulted with my FEMA HQ counterpart in Washington DC and if the project is as presented, then it would be appropriate to utilize the variance procedure as part of the review and approval process. That is, because the building is located in Zone AE, and it is intended not to be elevated, and the use is limited to storage (plants), then the variance would be legitimate."

We look forward to the City Council's approval of this request for variance as soon as possible. If you have any further questions or require anything else please do not hesitate to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read 'CCB', with a long horizontal flourish extending to the right.

Chris Campbell, Architect # 26318

Cc: Keith Wehri, NuSeed

TABLE 1-1. Classification of Structures for Flood-Resistant Design and Construction
(Classification same as ASCE 7, Ref. [1])

Nature of Occupancy	Category
Buildings and other structures that represent a low hazard to human life in the event of failure including, but not limited to: • Agricultural facilities^a • Certain temporary facilities • Minor storage facilities^b	I
All buildings and other structures except those listed in Categories I, III, and IV	II
Buildings and other structures that represent a substantial hazard to human life in the event of failure including, but not limited to: • Buildings and other structures where more than 300 people congregate in one area • Buildings and other structures with day-care facilities with capacity greater than 150 • Buildings and other structures with elementary school or secondary school facilities with capacity greater than 250 • Buildings and other structures with a capacity greater than 500 for colleges or adult education facilities • Health care facilities with a capacity of 50 or more resident patients but not having surgery or emergency treatment facilities • Jails and detention facilities • Power generating stations and other public utility facilities not included in Category IV Buildings and other structures not included in Category IV (including, but not limited to, facilities that manufacture, process, handle, store, use, or dispose of such substances as hazardous fuels, hazardous chemicals, hazardous waste, or explosives) containing sufficient quantities of hazardous materials considered to be dangerous to the public if released. Buildings and other structures containing hazardous materials shall be eligible for classification as Category II structures if it can be demonstrated to the satisfaction of the authority having jurisdiction by a hazard assessment as described in Section 1.5.2^c that a release of the hazardous material does not pose a threat to the public.	III
Buildings and other structures designated as essential facilities including, but not limited to: • Hospitals and other health care facilities having surgery or emergency treatment facilities • Fire, rescue, ambulance, and police stations and emergency vehicle garages • Designated earthquake, hurricane, or other emergency shelters • Designated emergency preparedness, communication, and operation centers and other facilities required for emergency response • Power generating stations and other public utility facilities required in an emergency • Ancillary structures (including, but not limited to, communication towers, fuel storage tanks, cooling towers, electrical substation structures, fire water storage tanks or other structures housing or supporting water, or other fire-suppression material or equipment) required for operation of Category IV structures during an emergency • Aviation control towers, air traffic control centers, and emergency aircraft hangars • Water storage facilities and pump structures required to maintain water pressure for fire suppression • Buildings and other structures having critical national defense functions Buildings and other structures (including, but not limited to, facilities that manufacture, process, handle, store, use, or dispose of such substances as hazardous fuels, hazardous chemicals, hazardous waste, or explosives) containing extremely hazardous materials where the quantity of the material exceeds a threshold quantity established by the authority having jurisdiction. Buildings and other structures containing extremely hazardous materials shall be eligible for classification as Category II structures if it can be demonstrated to the satisfaction of the authority having jurisdiction by a hazard assessment as described in Section 1.5.2^c that a release of the extremely hazardous material does not pose a threat to the public. This reduced classification shall not be permitted if the buildings or other structures also function as essential facilities.	IV

^aCertain agricultural structures may be exempt from some of the provisions of this standard—see Section C1.4.3.

^bFor the purposes of this standard, minor storage facilities do not include commercial storage facilities.

^cSection 1.5.2 reference is made to ASCE Standard 7-05, not this standard.

Nevertheless, the area may be identified on the flood insurance rate map as having residual flood risk from floods greater than the 1%-annual chance flood.

However, even certified flood protective works may not render the area behind them as being safe for the design and construction of structures at grade. For example, the integrity of certain flood protective works may have been reduced by flooding, erosion, poor maintenance, or other events since the floodplain was mapped. More commonly, areas protected by even well-designed and constructed works are known to suffer from drainage problems, especially during extreme flood conditions.

Prudent design and construction of structures in proximity to flood protective works will entail the review of all available maps, studies, and other information pertaining to the works and its condition, and any known drainage or ponding problems in the area.

C1.4.3 Classification of Structures

Table 1-1 of the standard classifies structures according to importance and potential threat to human life. The table has been taken directly from ASCE-7 (Standard Ref. [1]), and it may be different from the classifications in building codes. For the purposes of this, only structures that represent a low hazard to human life and that pose little threat to other structures (during design flood conditions) should be classified as Category 1.

Note that while agricultural facilities are classified as Category 1 structures and are subject to the requirements of this standard, certain agricultural facilities may be constructed with their lowest floors below the design flood elevation. For example, FEMA recognizes that wet floodproofing may be appropriate for some agricultural structures—farm storage structures, grain bins, corn cribs, and general purpose barns—even though these structures are not used for those purposes specifically identified in the NFIP regulations for enclosures below the BFE (parking, building access, storage) as being suitable for wet floodproofing. The NFIP will allow these types of agricultural structures to be wet floodproofed upon issuance of a variance from the community. NFIP Technical Bulletin 7-93, Ref. [C5], provides more information on this subject.

C1.5 BASIC DESIGN AND CONSTRUCTION REQUIREMENTS

C1.5.1 General

It is essential that the designer understand the nature and magnitude of loads that will act on struc-

tures during design flood conditions. Furthermore, it is essential that appropriate load combinations be applied, especially for coastal areas (Coastal High Hazard Areas and Coastal A Zones) and other areas around large bodies of water. Design wind loads may act simultaneously with design flood loads in such areas. This is usually not the case in riverine areas; however, in riverine floods of long duration, where flood water depths and wide areas of water or low geography create long fetches, wind-driven waves may develop. In these areas, wave action may be important and should be considered in design and construction.

Proper identification and/or calculation of DFEs and velocities are, of course, required before structure elevation, foundation type, and other aspects of design can be considered. Design flood depths and velocities must be specified with a reasonable degree of accuracy; otherwise, flood forces computed during the design process will be unreliable. If flood hazard maps and studies do not specify flood elevations (e.g., as in the case of unnumbered A zones) or flood discharge/velocity information, other sources of floodplain information should be consulted. Agencies listed in Section C1.3 should be contacted. In the absence of flood elevation and other data from FEMA or other agencies, registered professional engineers having the required expertise in hydrology and hydraulics should be consulted.

Siting of structures in flood hazard areas involves land use and regulatory issues. The designer should consult the local jurisdiction and other agencies with zoning, land use, and regulatory authority, to ascertain local and state siting restrictions or conditions. Many jurisdictions or governing authorities may prohibit construction or other development activities in certain portions of the floodplain; many will impose specific requirements on siting, design, and construction. For example, some jurisdictions may require that new construction not cause any of the following to occur: (1) alter the flood path; (2) increase the flood discharge; (3) increase the flood velocity; (4) increase the flood elevation; (5) increase the area of flood inundation; or (6) reduce available wetlands.

C1.5.2 Elevation Requirements

The minimum required elevation of structures (lowest floor, dry floodproofing measures, and location of utility equipment) is a function of two factors: the type of flood hazard area and the structure category. Tables that specify the minimum elevations are found in Section 2 (flood hazard areas other than Coastal High Hazard Areas and Coastal A), Section 4

51

CONNECT TO
(E) ELEC MAIN

1
A2

(E) DRIVE

SITE PLAN

Attachment E

From: Durrin, Robert [Robert.Durrin@fema.dhs.gov]
Sent: Thursday, October 11, 2012 12:16 PM
To: Paul Siegel
Cc: Raul Barba (rbarba@water.ca.gov); ychao@water.ca.gov; Lohmann, Edith
Subject: RE: flood insurance refund due to zone change

Paul – Raul and Tim (Youchen Chao) are my state counterparts therefore I am copying them with this response.

I've consulted with my FEMA HQ counterpart in Washington DC and if the project is as presented, then it would be appropriate to utilize the variance procedure as part of the review and approval process. That is, because the building is located in Zone AE, and it is intended not to be elevated, and the use is limited to storage (plants), then the variance would be legitimate. I would recommend the vents be pre-engineered and manufactured which are available via several vendors. Google should produce some results. Otherwise, the total vented opening area must be 1 sq inch per sq foot of enclosed area subject to flooding. Care must be exercised to assure the net vented opening area is incorporated. Each opening must be placed such that the bottom of the opening is no more than 1 foot above the adjacent grade thereby assuring that no more than 1 foot (or less) of water would build up on the exterior wall of the building producing excessive hydrostatic pressure. Additionally, all associated utilities servicing the buildings should be protected from flood waters typically by elevating.

Be advised that the assumption is that there will be no added amenities inside the building such as office space, workshop, bathroom, etc.

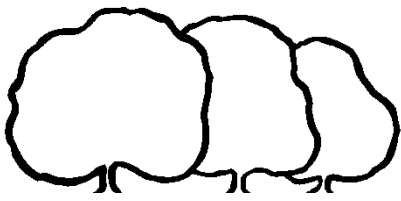
Also, if there are dangerous or toxic chemicals being stored, some level of consideration must be exercised with an eye on what might result if there is a flood.

As for the existing buildings built in Zone X, you should be sure to keep a copy of the maps in place at the time of construction. It may be a question raised during future visits by State and/or Federal staff and could impact flood insurance premiums. The owners should have a copy too if you can arrange that.

If you have additional questions, please contact me per the following.

Thank you.

BD, NFIP Specialist, Former CFM
US DHS/FEMA
1111 Broadway
Oakland, CA 94607



REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: November 20, 2012

SUBJECT: Revise Business License Fee Schedule to Reflect a New State
Mandated Surcharge

Recommendation for Action

Staff recommends that the City Council hold a public hearing to adopt Resolution No. _____ to approve the state's mandated Disability and Education Revolving Fund surcharge be included within the City's Comprehensive Fee Schedule.

Fiscal Impact

Senate Bill 1186 (SB 1186) imposes, on and after January 1, 2013, and until December 31, 2018, a state surcharge of \$1 on any applicant for a local business license or renewal. SB 1186 creates a continuously appropriated fund, the Disability Access and Education Revolving Fund, for the deposit of funds to be transferred to the Division of the State Architect. This bill makes an appropriation by authorizing local government entities to retain 70 percent of the surcharge imposed while the remaining 30 percent will be remitted to the Division of the State Architect.

For the remainder of this fiscal year (January 1, 2013 to June 30, 2013) approximately 1,719 active business licenses will be renewed and staff is estimating that 257 new business licenses will be issued. A total of 1,966 business licenses will be issued or renewed with the new state mandated surcharge which will generate \$1,966 in revenue. Of these funds, \$1,376 will stay with the City and \$590 will be remitted back to the State.

Staff also projects that in subsequent fiscal years, a total of 3,736 business licenses will be issued or renewed with the new state mandated surcharge which will generate \$3,736 in revenue. Of these funds, \$2,615 will stay with the City and \$1,121 will be remitted back to the State.

Of the moneys collected and retained by the City under this program, a maximum of 5 percent may be used for related administrative costs and the remaining moneys shall be used to fund increased certified access specialist (CAsp) services in the City for the public and to facilitate compliance with construction-related accessibility requirements. SB 1186 also states that the highest priority shall be

given to the training and retention of certified access specialists to meet the needs of the public in the City.

Report in Brief

On September 19, 2012 Governor Jerry Brown signed SB 1186 into law. SB 1186 seeks to promote compliance with the state's disability access laws without unwarranted litigation. SB 1186 imposes a state mandated business license surcharge on new business licenses and renewals so local governments can increase CASp services and fund programs that will assist businesses with compliance. The surcharge will also assist the state with establishing and maintaining oversight of the certified access specialist program and in developing and disseminating educational materials to facilitate compliance.

Of particular interest to commercial property owners, SB 1186 requires that property owners include a statement in all leases regarding whether or not the building has been inspected by a certified access specialist (CASp), as well as the outcome of that inspection.

Background

Since 1969, persons with disabilities have enjoyed protection under Civil Code (CIV) Sections 54 and 54.1, which entitle individuals with disabilities and medical conditions to full and free access to and use of roadways, sidewalks, buildings and facilities open to the public, hospitals and medical facilities, and housing. After Congress enacted the Americans with Disabilities Act (ADA) in 1990, the state made a violation of the ADA also a violation of Section 54 or 54.1. The state protections provided to disabled persons are comparatively higher than those provided under the ADA and are independent of the ADA. A violation of Section 54 or Section 54.1 makes a person liable for actual damages plus a maximum of three times the actual damages (but not less than \$1,000), plus attorney's fees and costs. In a private right of action under the ADA, a plaintiff may obtain injunctive relief and attorney's fees, while an action by the United States Attorney may bring equitable relief, monetary damages on behalf of the aggrieved party, and a civil penalty of up to \$100,000.

Under the Unruh Civil Rights Act, all persons, regardless of sex, race, color, religion, ancestry, national origin, disability or medical condition, are entitled to the full and equal accommodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever. (CIV Section 51.) A violation of the ADA also constitutes a violation of Section 51. A violation of this section subjects a person to actual damages incurred by an injured party, plus treble the actual damages but not less than \$4,000, and any attorney's fees as the court may determine to be proper. (CIV Section 52)

SB 1608 (Corbett, Harman, Steinberg, Runner and Calderon), Chapter 549, Statutes of 2008, which took effect January 1, 2009 provided for an early evaluation of a filed complaint if the defendant is a qualified defendant who had the identified place of public accommodation inspected and determined

to meet applicable physical access standards by a state CASp prior to the filing of the complaint. It did not create any pre-litigation hurdles for a person with a disability.

On September 19, 2012 Governor Jerry Brown signed SB 1186 (Steinberg and Dutton) into law. SB 1186 seeks to promote compliance with the state's disability access laws without unwarranted litigation. The bill amends, repeals, and adds sections to the Business and Professions Code, Civil Code, Code of Civil Procedure, Government Code, and the Health and Safety Code.

SB 1186 attempts to further address the issue by prohibiting demand for money requests alleging construction-related accessibility violations and requiring an attorney to provide notice to a building owner or tenant identifying any alleged construction-related accessibility violations at least 30 days prior to filing a claim for damages. It also imposes a state mandated business license surcharge on new business licenses and renewals so local governments can increase CASp services and fund programs that will assist businesses with compliance. The surcharge will also assist the state with establishing and maintaining oversight of the certified access specialist program and on developing and disseminating educational materials to facilitate compliance.

Discussion

SB 1186 prohibits an attorney or any person from issuing a demand for money to a building owner or tenant for a violation of a construction-related accessibility standard, and prohibits an attorney or any person from receiving any payment, settlement, compensation or other remuneration pursuant to a demand for money in cases alleging a violation of a construction-related accessibility standard. This bill defines "demand for money" and requires an attorney to provide to a building owner or tenant a document that notifies the recipient of any alleged construction-related accessibility violation that may be a basis for a damages claim at least 30 days prior to filing any claim for damages based on an alleged construction-related accessibility violation. This bill prohibits the document from demanding or requesting any money to settle or forgo a claim for damages or imply that the building owner or tenant is liable for damages and/or attorney's fees. Violation of these provisions would be cause for the imposition of disciplinary action against an attorney.

SB 1186 requires a commercial property owner to state on the lease form or rental agreement if the property being leased or rented was inspected by a certified access specialist, as well as the outcome of that inspection.

SB 1186 also specifies that the functions and responsibilities of the California Commission on Disability Access (CCDA) includes the concurrent and prospective review of legislative measures, including this bill, and recommendations on any additional ideas or options to promote disability access and reduce unnecessary litigation.

Lastly, SB 1186 will also imposes several requirements on local governments:

- Requires that on and after January 1, 2013 the City collect an additional state surcharge of \$1 on any applicant for a business license or business license renewal.
- Requires that the City report annually to the state commencing March 1, 2014 of the total moneys collected in the previous calendar year and of its distribution, including the moneys spent on administrative services, the moneys spent to increase CASp services, the moneys spent to fund programs to facilitate compliance, and the moneys transmitted to the Disability Access and Education Revolving Fund.
- Requires that on and after January 1, 2013 the City provides to an applicant for a business license or renewal of a business license, the following information:

“Under federal and state law, compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open to the public. You may obtain information about your legal obligations and how to comply with disability access laws at the following agencies: The Division of the State Architect at www.dgs.ca.gov/dsa/Home.aspx. The Department of Rehabilitation at www.rehab.cahwnet.gov. The California Commission on Disability Access at www.ccda.ca.gov.”

Conclusion

Staff recommends that the City Council hold a public hearing to adopt Resolution No. _____ to approve the state’s mandated Disability and Education Revolving Fund surcharge be included within the City’s Comprehensive Fee Schedule.

Prepared by: Evis Morales
Management Analyst

Reviewed by: Nicholas J. Ponticello
CDD Director

Paul Navazio
City Manager

Attachment: Resolution
Exhibit A (Business License Fee Schedule)

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND
ADOPTING THAT THE STATE'S DISABILITY ACCESS AND EDUCATION
REVOLVING FUND SURCHARGE BE INCLUDED WITHIN
THE CITY OF WOODLAND COMPREHENSIVE FEE SCHEDULE**

WHEREAS, on September 19, 2012 the Governor of California signed into law SB 1186,

WHEREAS, the bill provides for the creation of the Disability Access and Education Revolving Fund to support the increases of certified access specialist (CAsp) services in the City for the public, provides support to facilitate compliance with construction-related accessibility requirements, and provides support for training and retention of certified access specialists,

WHEREAS, moneys deposited in this fund will come from a surcharge imposed on both new business licenses and business license renewals,

WHEREAS, the bill requires the City of Woodland to collect a one dollar (\$1) surcharge from an applicant seeking a new business license or from an existing business seeking renewal of a City of Woodland issued business license,

WHEREAS, the City of Woodland may retain up to seventy (70) percent of the moneys collected for related administrative costs and for certified access specialist (CAsp) services enhancements,

WHEREAS, the remainder of the moneys, thirty (30) percent, will be submitted to the Division of the State Architect for deposit into the Disability Access and Education Revolving Fund,

NOW, THEREFORE, BE IT RESOLVED

SECTION 1. That the schedule of business license fees for the City of Woodland is hereby modified to include the state mandated the Disability Access and Education Revolving Fund surcharge, as shown in Exhibit A;

SECTION 2. That the surcharge will be incorporated into the current City of Woodland Comprehensive Fee Schedule;

SECTION 3. That the Community Development Department of the City of Woodland shall administer the fee schedule.

SECTION 4. That the provisions of this resolution shall become effective on January 1, 2013.

PASSED AND ADOPTED this 20th day of November, 2012, by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

APPROVED AS TO FORM:

Andrew Morris, City Attorney

Marlin H. (Skip) Davies, Mayor

ATTEST:

Ana Gonzalez, City Clerk

EXHIBIT A

BUSINESS REGISTRATION FEES

This Division provides the funds for the implementation of the Business Registration System. All businesses which are conducting operations in the City of Woodland are required to be registered. Annually, renewal notices are sent to each business based on the date of issuance. Approximately 3,736 businesses are registered in the City of Woodland.

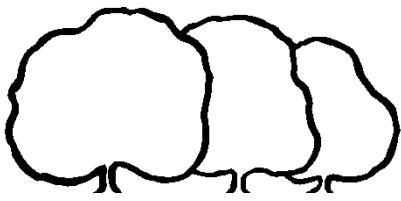
A business registration shall be required for new use(s) in existing vacant buildings, re-occupancy of the same use(s) in the same office(s), a home occupancy, a new out-of-town business without a location in this City and a change of business location within this City.

NEW BUSINESS REGISTRATION	CDD	Police	Fire	Disability Access /Education Revolving Fund Surcharge	Total Fee (Cross Unit Cost)	Current Fee Type
New Business	\$273	\$85	\$14	\$1	\$373	Comprehensive
Home Business	\$82	\$0	\$0	\$1	\$83	Comprehensive
Out of Town Business	\$140	\$0	\$0	\$1	\$141	Comprehensive
Special Events (per day)	\$37	\$0	\$0	\$1	\$38	Comprehensive
Temporary (seasonal 30 day)	\$140	\$0	\$0	\$1	\$141	Comprehensive
Bingo	\$50			\$1	\$51	Comprehensive
Replacement of Registration Certificate	\$6	\$0	\$0	\$0	\$6	Comprehensive
BUSINESS REGISTRATION RENEWAL			Annual Renewal Fee	Disability Access /Education Revolving Fund Surcharge	Total Fee	Late Fee
Retail Sales, Service Business, and Misc. (based on gross receipts)						
\$100,000 or less			\$55	\$1	\$56	\$111
\$100,001 to \$500,000			\$137	\$1	\$138	\$275
\$500,001 to \$4,000,000			\$271	\$1	\$272	\$543
\$4,000,001 or more			\$814	\$1	\$815	\$1,629

BUSINESS REGISTRATION FEES

(Continued)

Industrial, Manufacturing, Wholesale, and Non-Retail (based on # of employees)	Annual Renewal Fee	Disability Access /Education Revolving Fund Surcharge	Total Fee	Late Fee
1 to 3	\$55	\$1	\$56	\$111
4 to 20	\$137	\$1	\$138	\$275
21 to 99	\$271	\$1	\$272	\$543
100 or more	\$814	\$1	\$815	\$1,629
Rentals (based on # of attached units)				
5 to 19	\$137	\$1	\$138	\$275
20 to 49	\$271	\$1	\$272	\$543
50 or more	\$814	\$1	\$815	\$1,629
Personal Services, Professions, and Brokers (based on # of employees)				
1 to 3	\$55	\$1	\$56	\$111
4 to 20	\$137	\$1	\$138	\$275
21 to 99	\$271	\$1	\$272	\$543
100 or more	\$814	\$1	\$815	\$1,629
Home Business and Out of Town				
Flat Rate	\$55	\$1	\$56	\$111
Bingo				
Flat Rate	\$50	\$1	\$51	\$101



REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: November 20, 2012

SUBJECT: First Ground Level Tank, Project 08-33
Adopt Findings for Sole Source Procurement of Specified Items

Recommendation for Action

Staff recommends that the City Council adopt Resolution No. _____, making findings relative to the sole source procurement of items specified in Table 1 for the First Ground Level Tank, CIP Project 08-33.

Fiscal Impact

Project 08-33 is fully funded by Water Enterprise funds in the approved Capital Budget; the total budget for the project through FY 12-13 is \$7,009,000, with an additional \$1,900,000 programmed for FY 13-14. The sole source procurement of specified items is not anticipated to have a significant cost impact. Cost increases, if any, will be offset by savings resulting from increased efficiency, reduced maintenance costs and increased reliability of the specified equipment. Construction of the project will be competitively bid. There are no impacts to the general fund.

Background

City Council previously approved plans and specifications and authorized bid advertisement for Project 08-33 to construct a 3-million gallon water tank and pump station at David Douglass Park. Staff is requesting that City Council adopt the attached resolution and make findings pursuant to Section 3400(c) of Public Contract Code to authorize sole source procurement of certain specialized equipment for the project as shown in Exhibit 'A'. The intent of the action is to provide for standardization of specialized equipment, supplies and parts which will result in reduction of maintenance costs, training and inventory requirements. Through standardization of certain specialized equipment, the City will end up with a higher quality and easier to maintain product with a lower lifetime cost.

Discussion

Public Contract Code generally prohibits sole source procurement (specifying the specific brand or manufacturer for equipment) without substitution of an "or equal"; however, Section 3400(c) of Public Contract Code provides an exception if the local agency makes a finding that the designation

was made in order to match other products in use on existing public improvements. The table in Exhibit 'A' shows specialized electrical and mechanical components to be installed with the construction of Project 08-33; these components should be standardized to match existing water production, distribution and Supervisory Control and Data Acquisition (SCADA) system equipment in use at other City facilities.

Over time, certain specialized electrical and mechanical components for the City's water production and distribution and the SCADA systems have proven to be of higher quality and more reliable than others. These components have become standards for these systems. Standardizing certain equipment and materials improves operator control and efficiency, increases repair efficiency and generally reduces costs.

Pursuant to Public Contract Code Section 3400(c)(2), staff offers the following findings in support of designating the specific brand or trade name of the items shown in Exhibit A.

- Experience has shown those items listed on Exhibit A provide superior quality and increased reliability by withstanding normal wear and tear and occasional adverse conditions.
- Uniformity of supplies and equipment provides for ease of installation, operation, and maintenance by reducing work effort and cost.
- Standardizing supplies and equipment, particularly those that are specialized electrical and mechanical components and those that interface with the SCADA system ensures the most reliable, dependable and cost efficient operations throughout the City.
- Standardizing equipment simplifies and reduces parts inventories which, in turn, reduces costs and saves time in maintaining inventory.
- Standardized equipment promotes continuity of service by providing operators familiarity with use and operation of the system.

Conclusion

Staff recommends that the City Council adopt Resolution No. _____, making findings relative to the sole source procurement of items specified in Table 1 for the First Ground Level Tank, CIP Project 08-33.

Prepared by: Akin Okupe
Senior Civil Engineer
Reviewed by: Doug Baxter
Principal Civil Engineer
Reviewed by: Nicholas Ponticello
Community Development Director

Paul Navazio
City Manager

Attachments: Resolution
Exhibit 'A' - Designated Materials for the First Ground Level Tank

RESOLUTION _____

**RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF WOODLAND
DESIGNATING CERTAIN PRODUCTS, BRANDS OR SERVICES
PURSUANT TO PUBLIC CONTRACT CODE SECTION 3400**

WHEREAS, pursuant to Public Contract Code section 3400(c), the **CITY OF WOODLAND** ("City") may make a finding(s) designating certain products, things or services by specific brand or trade name for the statutorily enumerated purposes; and

WHEREAS, City Council has reviewed the City's current facilities, general contracts, plans, and specifications in order to evaluate the City's need to establish uniform, complete, and compatible electrical and mechanical components for water production, distribution and Supervisory Control and Data Acquisition (SCADA) systems for City-wide use in order to facilitate the most reliable, dependable, cost efficient and feasible products throughout the City; and

WHEREAS, the components are listed on the attached Exhibit A and will allow the City to ensure that the mechanical and electrical components utilized on this and for all future City projects match the currently utilized components in use at other City facilities as permitted pursuant to Public Contract Code Section 3400(c)(2); and

WHEREAS, City maintenance personnel have been trained in the maintenance, repair and replacement of the mechanical and electrical components listed in Exhibit A, and maintain a stock of the equipment needed for replacements and maintenance; and

WHEREAS, City staff has determined that the mechanical and electrical components listed above have demonstrated ease of maintenance, reliability, durability, and quality; and

WHEREAS, based on the Council's above described review and Public Contract Code Section 3400(c)(2), the Council has determined the City must require and specify the use of the mechanical and electrical components listed above on City projects as set forth below.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WOODLAND AS FOLLOWS:

Section 1. The above recitals are true and correct.

Section 2. The City, pursuant to Public Contract Code section 3400, intends to establish uniform, complete and compatible electrical and mechanical components for water production, distribution and SCADA systems to facilitate the use of the most reliable, dependable, cost efficient and feasible products throughout the City.

Section 3. The City has found compatibility, cost, ease of maintenance and use of different types of SCADA equipment and mechanical and electrical component manufacturers to be problematic and believes it necessary to establish a uniform equipment manufacturer requirement in order to avoid incompatibility issues, as well as security, durability and reliability

issues, and costs associated with experimenting and replacing incompatible and useless mechanical and electrical products and to avoid the waste of City funds associated with addressing incompatible components.

Section 4. The above listed manufacturer's equipment are specified because the majority of existing water production, distribution and SCADA system mechanical and electrical equipment installed in the City is as listed above and the City wants to match its water production, distribution and SCADA systems and associated parts with existing and associated parts.

Section 5. City staff has determined that the above listed mechanical and electrical equipment has demonstrated its reliability, durability, quality and long-term accuracy.

Section 6. The City's research also indicates that including multiple brands of SCADA equipment may cause incompatibility issues and make SCADA data retrieval and transmitting more difficult to implement. Furthermore, the City's installed SCADA system is already equipped with the above listed material and can be readily configured with this equipment.

Section 7. City maintenance staff has been trained in the maintenance, replacement, and repair of the above listed equipment and the City maintains a stock of the equipment needed for replacement and maintenance.

Section 8. The City and its consultants have undertaken research into the products/brands of above listed equipment. Pursuant to Public Contract Code Section 3400(c)(2), the City Council hereby designates the above listed equipment for use in future projects so as to establish a standardization of the City's specialized water production and distribution system's electrical and mechanical components, thus avoiding incompatibility of products, as well as security, replacement and maintenance problems.

PASSED AND ADOPTED by said City Council on _____, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED AS TO FORM:

Andrew Morris, City Attorney

Marlin H. Davies, Mayor

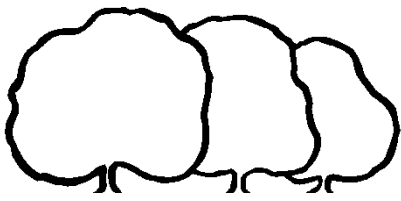
ATTEST:

Ana Gonzalez, City Clerk

Exhibit 'A'

Designated Materials for the First Ground Level Tank, Project No 08-33

Equipment	Manufacturer
Programmable Logic Controller (PLC)	Allen-Bradley CompactLogix
PLC Operator Interface	Allen-Bradley PanelView Plus 1000
Radio Modem	Microwave Data System (MDS)
Chemical Metering Pumps	PULSAtron by Pulsafeeder
Variable Frequency Motor Drives	Allen-Bradley
Level Transmitters	Milltronics HydroRanger with XPS-15 transducer
Magnetic Flow Meter	Siemens Danfoss Magflow 5000W with 6000 converter
Chlorine Residual Analyzer	Wallace & Tiernan Depolox 3
Pressure Transmitter	Rosemount 3051TG



REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: November 20, 2012

SUBJECT: City Storm Drain System & Stormwater Regulatory Requirements

Recommendation for Action

Staff recommends that the City Council receive an update on the potential for the new storm drain system permit requirements and provide staff direction regarding additional information or actions desired.

Update Purpose

This will be a short update to inform the City Council about the significant impending permit changes, and associated cost concerns. The intent is to begin the process of preparing the City Council and staff for 2013/14 budget planning, educate the Council about the potential impacts, and reinforce overall community awareness about storm drain system issues

Background

The City operates and maintains a stormwater system that includes more than 2,000 drain inlets and inverted siphons, 80 miles of drainage pipes, three pumping stations, and other major components. Increased urbanization has resulted in the stormwater system conveying both increased storm flows and increased dry-weather flows, such as runoff from lawn watering and residential car washing. These flows carry pollutants, including automotive fluids, pesticides and fertilizers, detergents, and debris, to the Tule Canal in the Yolo Bypass, where Woodland's stormwater is discharged untreated.

Since 2003, the City's storm drain system discharges have been subject to requirements of the federal Clean Water Act that are enforced in California through a National Pollutant Discharge Elimination System (NPDES) permit for small municipal separate storm sewer systems (Phase II MS4 permit) issued by the State Water Resources Control Board (State Water Board). The focus of this permit has been the reduction to the maximum extent practicable of pollutants introduced into natural water bodies via storm drain system discharges from small municipalities. The Phase II MS4

permit was scheduled to be revised and reissued in 2008; the revised permit is now expected to be adopted in February 2013.

The U.S Environmental Protection Agency and the State Water Board have become increasingly concerned about pollutant loads in stormwater system discharges and also ways in which urban runoff alters stream channels by increasing flow volumes and velocities. The State Water Board in its revised Phase II MS4 is attempting to comprehensively address these concerns both through strict runoff restrictions and through highly prescriptive measures intended to address a wide array of potential pollutant sources. Permittees argue that many of the proposed permit provisions exceed Clean Water Act mandates and therefore constitute unfunded state mandates.

The fees that the City currently collects for the Storm Enterprise Fund do not fully cover the costs of operating and maintaining the storm water conveyance system and meeting existing regulatory requirements. The City's General Fund is already negatively affected by the shortfall in storm drain funds. In addition, the City will not be able to meet the new Phase II MS4 permit requirements without committing more staff and budget to new and additional supplemental compliance activities. Proposition 218 prohibits a storm drain fee from being increased without an affirmative vote by a majority of property owners or two-thirds of the electorate, which, however, severely limits the options available to Woodland and other municipalities to ensure our ability to meet permit requirements without adversely affecting other municipal priorities.

Discussion

Our stormdrain system is aged and over utilized. The limited revenues currently collected from our rate payers do not meet even the basic requirements for operations, nor do they address the repairs and replacement needed throughout the system.

The City is unable to maintain compliance with our current storm water regulatory requirements. The new proposed Phase II MS4 permit is significantly more rigorous and will require more than doubling our current resource allocation to meet the new and increasingly stringent regulatory demands.

Staff is currently updating the estimated staffing requirements, resources needed for compliance, public and agency outreach procedures, and budget implications. Many of these new impacts to our budget will be on an annual basis, but some of them will be programmed over the next 5 years. Staff will have to decipher the somewhat vague and unclear permit language in order to get a better estimate of the anticipated actual costs. We are awaiting the final permit language that is scheduled to be adopted by the State Water Board in February. As is the case in many of these new permits, much of the actual interpretation of the permit will be determined through the courts.

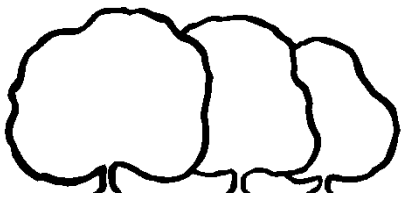
Conclusion

Staff recommends that the City Council receive an update on the potential for the new storm drain system permit requirements and provide staff direction regarding additional information or actions desired.

Prepared by: Roberta Childers
Environmental Resource Analyst

Reviewed by: Gregor G. Meyer
Public Works Director

Paul Navazio
City Manager



REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: November 20, 2012

SUBJECT: YOLO COUNTY HABITAT CONSERVATION PLAN JOINT
POWERS AGENCY UPDATE

Recommendation for Action

Staff recommends that the City Council:

- 1) receive the status update on the Yolo County Habitat Conservation Plan Joint Powers Agency,
- 2) authorize an appropriation not-to-exceed \$160,000 from the General City Development Impact fee fund for the city's share of member agency contributions requested to continue JPA activities through completion of the HCP/NCCP Administrative Draft Plan (June 30, 2012), and
- 3) direct staff to ensure appropriate nexus to recover the value of the city's contribution through allowable fees from future development activities.

Fiscal Impact

In order to continue work on the Administrative Draft of the HCP/NCCP, the JPA is requesting all member agencies to fund the shortfall in the JPA's 2012-13 budget, totaling \$680,000. Woodland's share is proposed at slightly under \$160,000. Current city budget for FY 12-13 only included cost share of in-kind planning staff support to the program. The recommended funding source for the interim funding needs would come from Fund 510 (General City Development), a development impact fee fund which has sufficient fund balance to cover this outlay. Alternatively, the City Council could elect to utilize General Fund reserves or Measure E revenues.

The city's funding contribution to continue the work of the JPA would be considered a loan, pending future enactment of a fee to be charged to new development related to habitat mitigation.

Background

Conservation planning in Yolo County has been ongoing for approximately twenty years. Initial conservation efforts were focused primarily on mitigating impacts to Swainson's hawk foraging habitat resulting from development activity. However, Yolo County and the cities of Davis, West Sacramento, Winters, and Woodland recognized that a more comprehensive approach to

conservation planning that addressed the needs of multiple species would be more beneficial from a regional perspective.

The Yolo County Habitat Joint Powers Agency (JPA) was formed in 2002 to reinforce the commitment of the local governments to develop a regional conservation plan. The JPA has two primary missions: (1) to assist in the planning, preparation, and subsequent administration of the Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP); and (2) to facilitate acquisition of habitat conservation easements as mitigation for impacts to Swainson's hawk foraging habitat. The JPA's role in overseeing the Swainson's hawk Foraging Habitat Interim Mitigation Program arose out of a 2002 Memorandum of Understanding (MOU) between the California Department of Fish Game (CDFG) and the JPA. The MOU allows land development activities to occur during the preparation of the HCP/NCCP. In 2005, the JPA entered into a Planning Agreement with the CDFG and the U.S. Fish and Wildlife Service (USFWS) to support the development of the HCP/NCCP, which is set to expire on February 8, 2013.

It is important to note that the 2002 MOU authorized the creation of the Wildlife Mitigation Trust Account and provides guidelines for the expenditure of Swainson's hawk mitigation fees collected in the Yolo County beginning in 1993. In 2006, the CDFG authorized the use of \$2 million in the Wildlife Mitigation Trust Account to prepare the HCP/NCCP. In addition, state and federal grants were awarded to the JPA to prepare the plan. This included a Section 6 USFWS grant in the amount of \$528,804 that was awarded in May 2010. The second grant included a CDFG grant in the amount of \$500,000, which was awarded in April, 2011.

Discussion

The JPA Board conducted a meeting on October 15, 2012, to discuss the funding status of the JPA. Since August 2012, interim JPA staff conducted an evaluation of JPA revenues and expenditures over the last ten years, which also included a review of annual audits and consultation with the County Auditor-Controller's Office.

Most recently, at its meeting of November 15, 2012, the JPA Board voted unanimously to pursue completion of the plan's Administrative Draft with resources identified through grant commitments as well as \$680,000 in member agency contributions to cover Agency debts and ongoing operating expenses (through June 30, 2012) that are not reimbursable through grant revenues.

At the end of the current fiscal year, and upon JPA, member agency and public comments on the Administrative Draft of the HCP/NCCP plan document, the JPA will consider whether and/or how to continue efforts toward completion and implementation of a Final Plan Document.

The following provides a summary of the JPA staff's evaluation along with city staff comments and recommendations.

Existing Grants

According to JPA interim staff, neither of the grants was adequately managed. Grant tasks and deliverables did not align with the steps necessary to complete the plan, which resulted in an inadequate flow of funding to complete plan. In addition, the consultant payment schedule and invoice procedures did not align with the flow of grant money, which made it difficult to seek reimbursement in a timely manner. Grant submittals lagged six to twelve months behind schedule. In addition, the Section 6 grant expired in August 2012. Consequently, \$236,366 was returned in September 2012 since the grant was dependent on completing the plan. This was necessary to seek a grant extension for the remaining eligible funds and increase the JPA's chances of securing a new Section 6 grant in 2012. The request to extend the grant was submitted in September. Interim JPA staff also submitted a request to extend the existing CDFG grant in October as this grant is set to expire in September 2013.

Funding Shortfall

In June 2012, the JPA Board adopted a budget for fiscal year 2012-2013 that did not reveal any deficit or shortfall. However, interim JPA staff indicates that \$670,101 in additional revenue is needed to maintain operations through December 2012. The \$670,101 includes a negative fund balance of \$225,391 for fiscal year 2011-2012, unpaid invoices totaling \$303,310, and six months of "keep the lights on" administrative expenses totaling \$141,400. The JPA cannot use the funding from the existing grants for two reasons: (1) work occurred outside of the approved grant tasks and (2) the consultants were not required to provide adequate documentation for compensation.

In order to continue work on the Administrative Draft of the HCP/NCCP, the JPA is requesting all member agencies to fund the shortfall in the JPA's 2012-13 budget, totaling \$680,000. Woodland's share is proposed at slightly under \$160,000. Current city budget for FY 12-13 only included cost share of in-kind planning staff support to the program. The recommended funding source for the interim funding needs would come from Fund 510 (General City Development), a development impact fee fund which has sufficient fund balance to cover this outlay. Alternatively, the City Council could elect to utilize General Fund reserves or Measure E revenues.

The city's funding contribution to continue the work of the JPA would be considered a loan, pending future enactment of a fee to be charged to new development related to habitat mitigation.

Wildlife Mitigation Trust Account

Between 2007 and 2012, the JPA spent \$3.53 million from the Wildlife Mitigation Trust Account. As previously mentioned, the CDFG capped this at \$2 million. According to JPA interim staff, the \$1.53 million overage occurred without the knowledge and authority of the JPA Board. As of August 2012, \$943,326 is left in this account. It should be noted that between 2007 and 2012, the JPA purchased approximately 1,131 acres of Swainson's hawk conservation easements with the funds.

Other Actions Taken To Date

In August, the consultants were directed to cease work on the plan. The California Wildlife Conservation Board (CWCB) has invited the JPA to apply for a \$600,000 grant for consideration at an upcoming CWCB board meeting scheduled for November 29, 2012. Interim JPA staff believes that it is possible to complete the administrative draft of the HCP/NCCP by July 2013 if the CWCB awards the grant to the JPA and if the JPA successfully secures the amendments to the existing Section 6 grant and the existing CDFG grant. Interim JPA staff estimates that 50% of the HCP/NCCP is complete and that the draft environmental document is about 20% complete. JPA interim staff further estimates that it will take at least another 36 months, beginning in January 2013, to complete the plan by January 2016. The cost to complete the plan is between \$2.5 to \$3 million. However, more work needs to be done to develop a realistic schedule and budget.

Impacts to Woodland Without An HCP/NCCP

In the event that work on the HCP/NCCP is immediately terminated, there would be no immediate impact on City approved projects, provided that the Swainson's Hawk Foraging Habitat Interim Mitigation Program remains intact. The Swainson's hawk Mitigation Plan allows projects that are less than 40 acres to pay a fee, which is currently \$8,660, at a 1:1 ratio. The interim program currently requires project that are 40 acres or more to acquire conservation easements at a 1:1 ratio. The JPA has been resourceful in serving as a clearinghouse coordinator for expediting mitigation projects that are 40 acres and larger. Continuance of the interim fee program would require the JPA or some other entity to administer and manage this program subject to approval by the Department of Fish & Game. Since the interim mitigation program only applies to Swainson's hawk foraging habitat, project proponents are currently required to negotiate directly with the Department of Fish and Game and US Fish & Wildlife Service to mitigate impacts on nesting tree takes and takes of other threatened and endangered species. This process will not be impacted if work on the Yolo Natural Heritage Program is discontinued.

If the interim mitigation program is discontinued, individual project permits will be required for all habitat mitigation, including Swainson's hawk foraging habitat, regardless of acreage. Under this scenario, this could add anywhere from 6 months to 18 months to a project's schedule.

Independent of completing the HCP/NCCP, Woodland has benefitted from mitigation coordination services provided by the JPA for Swainson's hawk and other species impacts. Since these services are enabled by resource agency agreements intended to facilitate the HCP/NCCP, staff cannot assure that the JPA or another local successor agency would be able to continue to provide the same level of mitigation coordination absent progress toward the HCP/NCCP.

Conclusion

Despite the many challenges and delays in completing the Yolo County Habitat Conservation Plan, City staff feels that there is value in getting the plan to an administrative draft. The JPA and its member agencies will then be in a position to evaluate options and benefits of continuing with completion of the final plan, contingent upon identification of grant and other funding sources in support of this effort.

Prepared by: Nicholas J. Ponticello
CDD Director

Paul Navazio
City Manager

Attachment:

- Yolo County Habitat JPA FY2012-13 Budget Summary

Yolo Habitat JPA 2012-13 Budget

	Scenarios		
	June 2013 (High Contingency)	June 2013 (Low Contingency)	JPA Dissolution
NON-REIMBURSABLE EXPENDITURES			
Deferred FY11-12 expenses (1)	\$ 141,617	\$ 141,617	\$ 141,617
Consultant costs - first half of 2012-13 (2)	\$ 147,019	\$ 147,019	\$ 147,019
Interim Executive Director Nov/Dec (3)	\$ 5,000	\$ 5,000	\$ 5,000
Former Executive Director	\$ 30,764	\$ 30,764	\$ 30,764
Project Manager (4)	\$ 35,000	\$ 35,000	\$ 35,000
Administrative Assistant (5)	\$ 29,700	\$ 29,700	\$ 29,700
County Counsel	\$ 20,000	\$ 20,000	\$ 13,500
2011-12 Audit Expense	\$ 10,000	\$ 10,000	\$ -
2013 Performance Audit	\$ 5,000	\$ 5,000	\$ -
Direct Costs (6)	\$ 4,000	\$ 4,000	\$ 2,000
Unreimbursable Admin Costs from 1/13 to 6/13 (7)	\$ 15,000	\$ 15,000	\$ -
Contingency	\$ 15,000	\$ 7,500	\$ 7,500
Total Non-Reimbursable Expenditures	\$ 458,100	\$ 450,600	\$ 412,100
REVENUE			
Partial invoice forgiveness (8)	\$ 15,758	\$ 15,758	\$ -
FY 12-13 opening balance (deficit) (9)	\$ (225,391)	\$ (225,391)	\$ (225,391)
Total Revenue	\$ (209,633)	\$ (209,633)	\$ (225,391)
Ending Non-Reimbursable Balance	\$ (667,733)	\$ (660,233)	\$ (637,491)

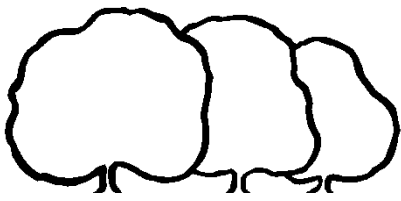
Notes:

- (1) Deferred consultant expenses from FY 11-12.
- (2) Outstanding invoices for consultant work performed in FY 12-13.
- (3) 40 hours total at \$125/hour for Nov/Dec. Based on estimate of hours necessary for financial and other work not covered by grants. Assumes this time necessary even if JPA dissolves.
- (4) JPA-approved project management expenses
- (5) As of November 4, the JPA's Administrative Assistant is 1/2 time. This amount reflects that change.
- (6) Direct office expenses.
- (7) This assumes 33 hours per month for the administrative assistant at \$37.26/hour and 10 hours per month for the Executive Director at \$125/hour
- (8) As of 11/2/12, this includes SAIC (\$12,000), EMS (\$3,113), and Tschudin Consulting Group (\$645.
- (9) Negative fund balance from FY 11-12

	Scenarios		
	June 2013 (High Contingency)	June 2013 (Low Contingency)	JPA Dissolution
REIMBURSABLE EXPENDITURES			
Executive Director	\$ 65,500	\$ 65,500	\$ -
First Draft HCP/NCCP	\$ 300,000	\$ 300,000	\$ -
GIS Revisions	\$ 80,000	\$ 80,000	\$ -
Project Management	\$ 113,000	\$ 113,000	\$ -
Special Counsel	\$ 20,000	\$ 20,000	\$ -
JPA Counsel	\$ 10,800	\$ 10,800	\$ -
Public Outreach	\$ 70,000	\$ 70,000	\$ -
JPA Office	\$ 51,200	\$ 51,200	\$ -
Total Reimbursable Expenditures	\$ 710,500	\$ 710,500	\$ -
REVENUE			
ERP Grant	\$ 272,000	\$ 272,000	\$ -
Section 6 Grant Extension	\$ 88,500	\$ 88,500	\$ -
WCB Grant	\$ 600,000	\$ 600,000	\$ -
Total Revenue	\$ 960,500	\$ 960,500	\$ -
Ending Reimbursable Balance	\$ 250,000	\$ 250,000	\$ -

Member Contributions based on 95%/5% Split			
	High Contingency	Low Contingency	Dissolution
Davis	23.75%	\$158,586.59	\$156,805.34
West Sac	23.75%	\$158,586.59	\$156,805.34
Winters	5%	\$33,386.65	\$33,011.65
Woodland	23.75%	\$158,586.59	\$156,805.34
Yolo County	23.75%	\$158,586.59	\$156,805.34

Note: Assumes 95% split equally by Woodland, Davis, County, and West Sac



City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: November 20, 2012

SUBJECT: Surface Water Project Update

Recommendation for Action

This agenda item serves to provide the City Council with an oral informational update on developments related to the Davis-Woodland Water Supply Project.

Background

The City of Woodland continues to pursue a critical utility infrastructure project designed to largely replace its deteriorating groundwater supply with reliable, higher quality surface water from the Sacramento River. This project has been developed in partnership with the City of Davis, through the Woodland-Davis Clean Water Agency JPA. The current project schedule provides for completion of the joint surface water project by the summer/fall of 2016.

The City of Davis has recently completed its analysis of alternative projects for meeting its short-and long-term water supply needs, and has concluded that the Davis-Woodland Surface Water Project indeed represents the preferred, most reliable, cost-effective and timely project for Davis to continue to pursue. Nonetheless, the Davis City Council is still in the process of finalizing its commitment to the joint surface water project, and has two significant hurdles to overcome in order for the project to remain on its current schedule.

The first is the affirmation of the proposed project by the Davis electorate via a ballot measure being placed before the voters on the March 5, 2013 election. In addition, the City of Davis is in the process of finalizing its water-rate requirements which will require approval through its constitutionally-required Proposition 218 process, scheduled to be completed soon after the March election date, contingent on approval of the ballot measure.

In the course of the City of Davis' consideration of final approvals for the water project, the Davis City Council has asked the City of Woodland discuss several elements of the existing Joint Powers Authority Agreement related to cost-sharing of project costs. Both communities retain a strong interest in ensuring that the project costs are shared fairly and equitably amongst the project partners,

SUBJECT: The subject, as well as the Recommendation for Action,
will appear on the Council agenda

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ITEM:

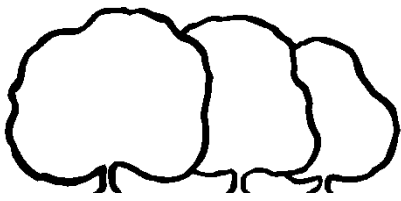
and that the water rates to be borne by each city's rate-payers are set to recover the true cost of providing improved surface water to their respective communities.

As discussions between city staff as well as representatives from the two city councils (with Mayor Davies and Councilmember Marble representing the City of Woodland) progress, it is important that the full Council, as well as the City of Woodland's Rate Advisory Committee and general public remain informed as to the parameters for these discussions.

The city representatives are committed to ensuring that any modifications to the existing JPA Agreement that may result from current discussions continue to protect the interests of the City of Woodland rate-payers, and remain true to the fundamental principles of fairness and equity which represent the core values that have guided the City of Woodland's participation in the partnership with the City of Davis.

Prepared by: Paul Navazio
City Manager

Paul Navazio
City Manager



City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: November 20, 2012

SUBJECT: Long Range Calendar

Recommendation for Action

Staff recommends that the City Council receive the Long Range Calendar for informational purposes only.

Background

This calendar is being provided for planning purposes only and is intended to keep the Council apprised of upcoming agenda items and better plan for upcoming Council meetings.

Prepared by: Ana Gonzalez
City Clerk

Reviewed by: Paul Navazio
City Manager

Paul Navazio
City Manager

Attachment

COUNCIL LONG RANGE CALENDAR

Items subject to removal and/or rescheduling

Tuesday, November 27 2012

Study Session

2nd Reading of PERS Ordinance

Tuesday, December 4, 2012

Regular Meeting

Closed Session

Minutes

Committee Reports

Presentations

Consent

Measure E Annual Report

Measure V Annual Report

YGRIP Coordinator Award Contract

Tree City USA Recertification

Approve Modifications for Chapter 19 of the City Code – Wastewater Discharge and Treatment

Public Hearing

Regular

Annual AB1600 Report

Love Ride, Inc. Lease Agreement for use of Dubach Park

Tuesday, December 18, 2012

Regular Meeting

Conflict of Interest Code

Public Works Quarterly Status Report (Sep-Nov)

Approve Consultant Agreement for the Safe Routes to School Improvement Project, CIP 13-06

Sports Officiating Contract

Tuesday, December 25, 2012

CANCELLED

Tuesday, January 15, 2013	Regular Meeting
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General Plan Consultant Contract (1/2013)
Parkview – SL Plan Amendment; DA; Housing Element Affordable Housing Site List Amend. (1/2013)
Verizon Cell Tower Communication License Agreement
Downtown Parking

Tuesday, January 22, 2013	Study Session
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Tuesday, February 5, 2013	Regular Meeting
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C&SC House – re-use or re-locate
Announce CSA Recipients
Approve Consultant Agreement for Kentucky Ave. Widening and Complete Streets Project, CIP 04-07

Tuesday, February 19, 2013	Regular Meeting
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Tuesday, February 26, 2013	Study Session
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FUTURE AGENDA ITEMS – DATE TO BE DETERMINED:

FY 2012-13 Mid-Year Budget Update (**Feb**)
Annual Housing Element Progress Report (**Apr**)
Annual General Plan Progress Report (**Apr**)
WDCWA Joint Intake Schedule - Consider and Approve Construction – (**Apr**)
WDCWA DBO Procurement Schedule – Authorization to Proceed w/Proj Final Eng and Const – **Aug/Sep 2013**
Trina Solar Exclusive Negotiating Agreement – Ross - **TBD**
Water Meter Project Phase 3: Approve Plans & Specs; Authorize Bid Advertisement – Okupe - **TBD**
Solaria Project Status Update – Ross - **TBD**
Purchase & Sale Agreement for Old Wastewater Treatment Plant – Ross - **TBD**
Regional Parksite Analysis – Ross - **TBD**
Opera House Agreement
Woodland State Theater Mgmt Group
Purchase and Sale Agreement – Econ Dev
Discussion related to Pan Handling Ordinance (Art and Tom)
iPad for Council
Receive Streets Master Plan Update
CDD Consolidation and Relocation
Purchase and Sale Agreement for Old WWTP
Weed Abatement Ordinance
Review and Adjust Sports Park Fee Schedule

FUTURE STUDY SESSIONS (TBD):

City Council Goals/Progress Report

Street/Sidewalk Annual Status Report

Climate Action Plan

Budget Workshop (**March**)

Update Economic Development Strategic Plan

Water Project Financing

Redevelopment Bond Proceeds