

City of Woodland

300 First Street
Woodland, CA 95695

Meeting Agenda City Council

Tuesday, August 19, 2014

6:00 PM

Council Chambers

A. CALL TO ORDER

B. CLOSED SESSION

**JOINT REGULAR CITY COUNCIL/WOODLAND FINANCE AUTHORITY
AUGUST 19, 2014
6:00 P.M.**

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. COMMUNICATIONS-PUBLIC COMMENT

This is 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.

[14-333](#)

SUBJECT: Long Range Calendar

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

Attachments: [Council Long Range Calendar](#)

COMMITTEE REPORTS

[14-298](#)

SUBJECT: Commission on Aging Meeting Minutes for June 12, 2014

Recommendation for Action: Staff recommends that the City Council receive the June 12, 2014 Commission on Aging Minutes that were approved on July 10, 2014.

Attachments: [61214 Minutes](#)

F. MINUTES

1. [14-321](#) SUBJECT: Council Meeting Minutes

Recommendation for Action: Staff recommends that the City Council adopt the minutes of the Joint Regular City Council/Woodland Finance Authority meetings of July 1, 2014 and July 15, 2014.

Attachments: [07_01_14_DRAFT_Meeting_Minutes_for_approval.pdf](#)

[07_15_14_DRAFT_Meeting_Minutes_for_approval.pdf](#)

G. PRESENTATIONS

2. [14-326](#) SUBJECT: Adopt Resolution in Support of Measures “S” and “T”, the “Save our Schools” Facilities Bond Measures

Recommendation for Action: Staff recommends that the City Council Adopt Resolution No. _____, A Resolution of the City Council of the City of Woodland in Support of Measures “S” and “T”, the “Save our Schools” Facilities Bond Measures to Improve School Facilities within the Woodland Joint Unified School District.

Attachments: [WJUSD Resolution](#)

3. [14-310](#) SUBJECT: Update on the Lower Sacramento Delta North Regional Flood Management Plan and CIP#09-15 Lower Cache Creek Flood Study

Recommendation for Action: Staff recommends that City Council receive a presentation at its August 19th meeting as an update on the status of the Lower Sacramento/Delta North Regional Flood Management Plan (RFMP) and the City's flood control efforts.

Attachments: [RFMP](#)

H. CONSENT CALENDAR

4. [14-299](#) SUBJECT: Receive Annual Report from the Manufactured Home Fair Practices Commission

Recommendation for Action: Staff recommends that the City Council receive and file the Manufactured Home Fair Practices Commission Annual Report for the 2013 program year and receive a summary update on the 2014 program year.

Attachments: [Annual Rpt+Minutes](#)
[Annual Adjustment Approvals 2014](#)

5. [14-300](#) SUBJECT: Approval of \$5,000 in Additional Funds for FY 2013-14 CDBG Project - Site Preparation of 1224 Lemen Avenue Education, Recreation, and Boxing Club Facility

Recommendation for Action: Staff recommends that the City Council adopt Resolution No. _____, approving \$5,000 in additional Community Development Block Grant funds for Yolo County Housing's site preparation of its New Education, Recreation, and Boxing Club Facility at 1224 Lemen Avenue.

Attachments: [CC Reso Addtl Funds 19Aug14](#)

6. [14-302](#) SUBJECT: Renewal of a ten year Right-of-Way Easement with UNAVCO for PBO Monitoring Station P 271

Recommendation for Action: Staff recommends that the City Council adopt Resolution No. _____, which will authorize the City Manager to execute the necessary documents to grant a renewal of a ten year Right-of-Way Easement at the Waste Water Treatment Plant to UNAVCO for the Plate Boundary Observation and Monitoring Station for scientific data collection.

Attachments: [RESOLUTION forPBONOver2](#)
[PBOmap](#)
[PBO Contract 2014](#)

7. [14-309](#) SUBJECT: Authorize Contract Amendment with Wood Rodgers for Floodsafe Yolo/Lower Cache Creek Feasibility Study, CIP 09-15

Recommendation for Action: Staff recommends that the City Council authorize the City Manager to execute Amendment to the consultant services agreement with Wood Rodgers for the Floodsafe Yolo/Cache Creek Feasibility Study, CIP 09-15, for an additional amount not to exceed \$75,000.

Attachments: [081914 Wood Rodgers Resolution](#)
[Wood Rogers](#)

8. [14-313](#) SUBJECT: Approval of Resolution Adopting the new Public Employees' Medical and Hospital Care Act (PEMHCA) Contribution Rate for Calendar Year 2015.

Recommendation for Action: Staff recommends that the City Council approve the Resolution No. _____ adopting the new Public Employees' Medical and Hospital Care Act (PEMHCA) contribution rate of \$122.00 per month for calendar year 2015.

Attachments: [PEMHCA RESO 2015](#)

9. [14-316](#) SUBJECT: Community Development Department's Quarterly Status Report

Recommendation for Action

Staff recommends that the City Council receive the Community Development Department's Quarterly Status report.

Attachments: [CDD Quarterly Report Q22014](#)

[CDD - Capital Project Status Report April - July 2014](#)

10. [14-317](#) SUBJECT: Approval to Release Homebuyer Consultant Request for Proposals

Recommendation for Action: Staff recommends that the City Council take the following actions.

1. Adopt Resolution No. _____, authorizing:
 - a. the release of a Request for Proposals (RFP) for homebuyer consulting; and
 - b. authorizing the City Manager to execute a contract with the selected subcontractor, in an amount not-to-exceed \$30,000 over a three-year term, and amend the budget as necessary.

Attachments: [RFP 19Aug14](#)

[CC Reso 19Aug14](#)

11. [14-318](#) SUBJECT: Approve Amendment #3 to Agreement with the Ferguson Group for Federal Representation and Advocacy Services for Flood Mitigation

Recommendation for Action: Staff recommends that the City Council adopt Resolution No. _____ authorizing Amendment #3 to extend the Ferguson Group agreement for an additional 12 months for an amount not to exceed \$40,000.

Attachments: [Resolution auth amendment 3 with ferguson group](#)

[Contract amend 3 with scope](#)

12. [14-319](#) SUBJECT: Ordinance to Amend Sections 15-40, 15-41, and 15-42 of the Woodland Municipal Code Relating to Electronic Cigarettes

Recommendation for Action: Staff recommends that the City Council adopt Ordinance No. 1567 amending various sections of the Woodland Municipal Code to modify regulations related to electronic cigarettes.

Attachments: [WOODLAND_E-Cigarette Ordinance-c2-c1](#)

13. [14-322](#) SUBJECT: Public Safety Department (Police and Fire) Quarterly Status report for the period of April 2014 through June 2014

Recommendation for Action: Staff recommends that the City Council accept the Public Safety Department Quarterly Status Report for April 2014 through June 2014.

Attachments: [Qtrly Report - Apr-June 2014](#)

14. [14-328](#) SUBJECT: Board and Commission Reappointments and Resignations

Recommendation for Action: Staff recommends that the City Council reappoint members to the Board of Building Appeals, Historical Preservation Commission, Library Board and Planning Commission and accept the resignations of Lucinda Talkington from the Commission on Aging, Keith Quigley and Bud Goding from the Library Board and Nathan Stephens from the Parks and Recreation Commission.

I. PUBLIC HEARINGS

15. [14-323](#) SUBJECT: Woodland Visitor Attraction District Assessment-Ordinance Amendment

Recommendation for Action: Staff recommends that the City Council:

1. Conduct a public hearing; and
2. Waive the first reading and read by title only, an ordinance amending Section 23-92 relating to the computation of the Visitor Attraction District Assessment; and
3. Schedule the second reading and adoption of Ordinance No. _____ for the September 2, 2014 City Council meeting.

Attachments: [resol 6260 intent to increase annual assessment](#)

[WOODLAND ordinance amending VAD assessment](#)

16. [14-324](#) SUBJECT: Resolution to Invoke the City's Water Shortage Contingency Plan in Compliance with the State Emergency Regulation for Statewide Urban Water Conservation

Recommendation for Action:

Staff recommends that the City Council:

- 1) Adopt Resolution No. _____ proclaiming a Stage One, Water Alert, as described in Section 23C-11-4 of the City of Woodland Municipal Code, and
- 2) In order to comply with the full extent of the State's emergency water conservation regulations, staff recommends the City Council also:
 - a. prohibit the use of potable water in a fountain or other decorative water features except where the water is part of a recirculating system, and
 - b. require that water users meet the required mandatory 10% reduction in water use wholly or partly through reductions in outdoor irrigation of ornamental landscapes or turf with potable water during months when irrigation is being applied to outdoor landscaping.

Attachments: [Resolution to invoke the water shortage contingency plan 8-19-14](#)

[Att A - Report attachment - SWBResNo.2014-0038](#)

[Att B - SWB requirements of urban suppliers](#)

J. REPORTS OF THE CITY MANAGER

17. [14-320](#) SUBJECT: Approve application for State Revolving Fund financing of the Industrial Park Recycled Water Project and resolutions in support of application

Recommendation for Action: Staff recommends that the City Council approve the application for State Revolving Fund (SRF) financing of the Industrial Park Recycled Water Project and the following resolutions:

1. Resolution No. _____ for the City Manager to be the "Authorized Representative" or designee to sign and file, for and on behalf of the City of Woodland, a Financial Assistance Application for a financing agreement from the State Water Resources Control Board for the planning, design, and construction of the City of Woodland Industrial Park Recycled Water Project (the "Project"),
2. Resolution No. _____ for Reimbursement of the SRF Expenditures paid prior to the issuance of the Obligations or the approval by the State Water Board of the Project Funds,
3. Resolution No. _____ for the City of Woodland to dedicate and pledge Water Enterprise funds (Fund 210) to payment of any and all Clean Water State Revolving Fund Program financing for the Industrial Park Recycled Water Project.

Attachments: [F6 - Woodland Recycled Water Pledged Revenues and Funds Resolution.docx](#)

[F4 - Woodland Recycled Water SRF Authorizing Resolution \(2\).docx](#)

[F3 - Woodland Recycled Water Reimbursement Resolution \(2\).docx](#)

18. [14-312](#) SUBJECT: Approve Contract with Kennedy/Jenks for Industrial Park Recycled Water Project, CIP 15-10

Recommendation for Action: Staff recommends that the City Council approve the engineering design contract with Kennedy/Jenks for the Industrial Park Recycled Water Project, CIP 15-10, and authorize the City Manager to execute the consultant services agreement for an amount not to exceed \$385,903.

Attachments: [081914 Kennedy Jenks](#)

[KJ Prop Industrial RW Project](#)

19. [14-331](#) SUBJECT: \$2,902,500 City of Woodland Community Facilities District 2004-1 (Spring Lake) Subordinate Special Tax Bonds, Series 2014C

Recommendation for Action: Staff recommends that the City Council approve Resolution No. _____ Authorizing the Execution and Delivery of

a Bond Issuance Agreement, Authorizing the Issuance of Subordinate Special Tax Bonds, and Approving Certain Other Actions Related Thereto.

Attachments: [Exhibit A](#)

[Resolution Woodland Subordinate Special Tax Bonds 2014C](#)

[Bond Issuance Agreement Woodland Subordinate Special Tax Bonds 2014C](#)

K. ADJOURN

I declare under penalty of perjury that the foregoing Agenda for the Joint Regular City Council/Woodland Finance Authority Regular Meeting of the City of Woodland scheduled for August 19, 2014 was posted on August 15, 2014 in the outside display case at City Hall, 300 First Street, Woodland, CA, and was available to the public during normal business hours.

Jennifer Robinson, Deputy 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.

Legislation Details (With Text)

File #: 14-333 **Version:** 1 **Name:** Long Range Calendar
Type: Report of the City Manager **Status:** Agenda Ready
File created: 8/14/2014 **In control:** City Council
On agenda: 8/19/2014 **Final action:**
Title: SUBJECT: Long Range Calendar

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

Sponsors:

Indexes:

Code sections:

Attachments: [Council Long Range Calendar](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: August 19, 2014

SUBJECT: Long Range Calendar

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

Staff Contact

Ana Gonzalez, City Clerk - (530) 661-5806, ana.gonzalez@cityofwoodland.org

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 items.

Prepared by: Ana Gonzalez, City Clerk



Paul Navazio, City Manager

Attachment

COUNCIL LONG RANGE CALENDAR

Items subject to removal and/or rescheduling

AUGUST 30th (Special Meeting – 9am -2pm Community & Senior Center)
City Council Retreat / Review Goals and Priorities

SEPTEMBER 2nd

Proclamation Declaring September 2014 Adult Literacy Awareness Month
Rescission of Gateway II Project Approvals
Authorization to Submit CalGRIP Grant Application
Planning Commission Meeting Minutes for May 15, June 5 and July 17, 2014
Approval of Agreement with Brown LLC
League of California Cities – Conference Resolutions (TBD)

SEPTEMBER 16th

Proposed Measure J Spending Plan / Budget Amendments
Contract Award – West Water Transmission Pipeline Project
Prostate Cancer Awareness Month
Approval of FY 2013/14 CDBG Consolidated Annual Performance Evaluation Report
PW Quarterly Status Report
Terra Verde – Solar Project Power Purchase Agreement

OCTOBER 7th

Council Direction on Preferred General Plan Land Use Scenario
Application of new Management Agreement for Leisureville Community Assoc.

FUTURE AGENDA ITEMS – DATE TO BE DETERMINED:

1st Quarter FY14/15 Budget Update (October)
Updated County Master-Tax Sharing Agreement
County food waste composting proposal
Amend Home Occupation Ord. to Comply with CA Homemade Food Act – Public Hearing
Purchase Contract – Recycled Water
Local Tobacco License

FUTURE STUDY SESSIONS (TBD):

Lower Cache Creek Flood Control Feasibility Study
Update Economic Development Strategic Plan
Budget Workshop – Long-range Planning (Spring)

Updated 8/14/14

Legislation Details (With Text)

File #: 14-298 Version: 1 Name:
Type: Minutes Status: Agenda Ready
File created: 7/15/2014 In control: City Council
On agenda: 8/19/2014 Final action:
Title: SUBJECT: Commission on Aging Meeting Minutes for June 12, 2014

Recommendation for Action: Staff recommends that the City Council receive the June 12, 2014 Commission on Aging Minutes that were approved on July 10, 2014.

Sponsors:

Indexes:

Code sections:

Attachments: [61214 Minutes](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: August 19, 2014

SUBJECT: Commission on Aging Meeting Minutes for June 12, 2014

Recommendation for Action : Staff recommends that the City Council receive the June 12, 2014 Commission on Aging Minutes that were approved on July 10, 2014.

Staff Contact

Kris Bain, Community Services Program Manager, 661-2002, krista.bain@cityofwoodland.org

Conclusion

Staff recommends that the City Council receive the June 12, 2014 Commission on Aging Minutes that were approved on July 10, 2014.

Prepared by: Kris Bain, Community Services Program Manager

Paul Navazio, City Manager

Attachment: June 12, 2014 Commission on Aging Meeting Minutes



Commission on Aging

Woodland Community & Senior Center, 2001 East Street, Woodland, CA 95776

Regular Meeting Minutes

June 12, 2014

Call to Order

Meeting convened at 3:06 p.m. at the Community & Senior Center, 2001 East Street, Woodland, California; Chair Garman presiding.

Roll Call

Commissioners Present: Garman, Campbell, Wright
Absent: Overholt
Staff: Engel, Bain and Haynie
Guest: Cindy Martel and Elizabeth Freed

Pledge of Allegiance

Communications-Public Comment

Cindy Martel attended the Senior Resource Fair with her mother. Ms. Martel stated that the Senior Resource Fair was a well-run event, with nice spacing of tables. Ms. Martel would like to see presentations on more topics that are not on fitness.

Minutes

Commissioner Wright made the motion to accept the minutes of May 8, 2014 as written, Commissioner Campbell seconded the motion. 3/0

Regular Calendar

Senior Resource Fair May 28, 2014

Item was removed and added to July 10, 2014 meeting.

Senior Center Inc. Representative

Commissioner Garman will attend the August SCI meeting. Will add item to the September 11, 2014 meeting.

Workplan 2014

Commissioner Garman will report on Workplan at the July meeting.

Workplan 2015

Item tabled until July meeting.

Report of the Staff

Senior Center Report

Bain reported that Flower for Mother's Day workshop created over forty (40) arrangements and donated thirty two arrangements to the Californian for Mother's Day. Plans are in progress to offers this again in September incorporating different locations and encourage other participants. Yoga Meditation class has grown to 30-45 participants and will now be offered every week. Mari Sanchez will be the coordinator for the Teens Helping Seniors Program. Mari is a teacher at Maxwell Elementary School and has 14 years of service with the Community Services Department in youth recreation programs. Teens Helping Seniors has



Commission on Aging

Woodland Community & Senior Center, 2001 East Street, Woodland, CA 95776

20 participants enrolled, requests art coming in from Senior. The Parent/Participant meeting is scheduled for tonight.

Facility Update

Engel explained that the whole Community & Senior Center and Sports Park facility plan is being reviewed. Staff is presently collecting data on the needs of the facility and participants. Maintenance will spot check the front entrance for any grout issues.

Business Items for Next Meeting

Senior Resource Fair

2014 Workplan

2015 Workplan

Next Meeting Date July 10, 2014

Adjourn

Commissioner Campbell made the motion to adjourn the meeting at 3:53 p.m., Commissioner Wright seconded the motion, and motion carried 3/0.

Respectfully submitted,

Cathy Haynie, Administrative Secretary
Parks & Recreation Department

Legislation Details (With Text)

1.

File #: 14-321 Version: 1 Name:
Type: Minutes Status: Agenda Ready
File created: 8/8/2014 In control: City Council
On agenda: 8/19/2014 Final action:
Title: SUBJECT: Council Meeting Minutes

Recommendation for Action: Staff recommends that the City Council adopt the minutes of the Joint Regular City Council/Woodland Finance Authority meetings of July 1, 2014 and July 15, 2014.

Sponsors:

Indexes:

Code sections:

Attachments: [07_01_14_DRAFT_Meeting_Minutes_for_approval.pdf](#)
[07_15_14_DRAFT_Meeting_Minutes_for_approval.pdf](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: August 19, 2014

SUBJECT: Council Meeting Minutes

Recommendation for Action : Staff recommends that the City Council adopt the minutes of the Joint Regular City Council/Woodland Finance Authority meetings of July 1, 2014 and July 15, 2014.

Staff Contact

Ana Gonzalez, City Clerk - 530-661-5806, ana.gonzalez@cityofwoodland.org

Prepared by: Ana Gonzalez, City Clerk

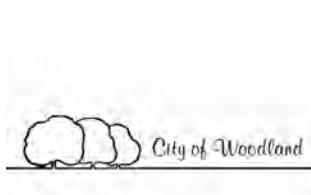


Paul Navazio, City Manager

Attachments: July 1, 2014 Council minutes
July 15, 2014 Council minutes

City of Woodland

*300 First Street
Woodland, CA 95695*



Meeting Minutes - Draft

Tuesday, July 1, 2014

6:00 PM

Community and Senior Center

City Council

**WOODLAND COMMUNITY AND SENIOR CENTER
2001 EAST STREET
WOODLAND, CALIFORNIA**

**JOINT REGULAR CITY COUNCIL/WOODLAND FINANCE AUTHORITY
JULY 1, 2014
6:00 P.M.**

A. CALL TO ORDER

POSTING OF COLORS BY WOODLAND PUBLIC SAFETY

B. PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by former Mayor David Flory.

INVOCATION BY WOODLAND POLICE CHAPLAIN

Invocation led by Police Chaplain Scott Montgomery.

C. ROLL CALL

Present: 6 - Mayor Marlin Davies, Vice Mayor Tom Stallard, Council Member William Marble, Council Member Jim Hilliard, Council Member Sean Denny and Angel Barajas

D. COMMUNICATIONS-PUBLIC COMMENT

E. COMMUNICATIONS-COUNCIL/STAFF STATEMENTS AND REQUESTS

Verbal updates provided by Council Members/Staff.

14-253 **SUBJECT:** Long Range Calendar

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

F. CONSENT CALENDAR

On a motion by Vice Mayor Stallard, seconded by Council Member Marble and carried unanimously, Consent Calendar Items No. 1 through 12 were approved.

Item No. 3 - Council received a revised Resolution for this item.

Item No. 6 - Ordinance was introduced at the last meeting and passed on a 3-2 vote with Council Members Marble and Denny voting against. This item was approved on consent and reflects a 3-2 vote.

Ayes: 5 - Mayor Davies, Vice Mayor Stallard, Council Member Marble, Council Member Hilliard and Council Member Denny

1. **14-221** SUBJECT: Treasurer's Investment Report Quarter Ending March 31, 2014

Recommendation for Action: Staff recommends that City Council accept the quarterly Treasurer's Investment Report for the quarter ended March 31, 2014.

This Consent Item(s) was approved on the Consent Agenda

2. **14-226** SUBJECT: Intent to Levy Assessment: Spring Lake and Gateway Lighting & Landscaping Districts

Recommendation for Action: Staff recommends that the City Council approve and adopt 1) Resolution No. _____ to Initiate Proceedings for the Annual Levy and Collection of Assessments; Resolution No. _____ to Preliminarily Approve the Engineer's Annual Levy Report and the Levy and Collection of Annual Assessments; and 3) Resolution No. _____ Declaring Intention to Conduct a Public Hearing on July 15, 2014 for the Spring Lake and Gateway L&L Districts.

This Consent Item(s) was approved on the Consent Agenda

3. **14-236** SUBJECT: Authorize Amendment to the Design Contract with Carollo Engineers, for the Aeration Retrofit Project (CIP #12-02), and Approve Award of the Construction Contract in the amount of \$14,640,000 to Western Water Construction for the Aeration Retrofit Project (CIP #12-02).

Recommendation for Action: Staff recommends that the City Council approve the attached resolution:

1. Authorizing an amendment to the Design Contract (CM#00124) with Carollo Engineers, Inc., for the Aeration Project Retrofit Project (CIP #12-02) from \$1,480,641 to \$1,700,793,
2. Awarding the construction contract in the amount of \$14,640,000 to Western Water Construction for the Aeration Retrofit Project (CIP #12-02), and approve a 10% contingency of \$1,464,000,
3. Authorizing the City Manager to sign the California Environmental Protection Agency State Water Resources Control Board (SWRCB) Installment Sale Agreement Publicly Owned Treatment Works (POTW) Construction Financing Water Pollution Control Facility Improvements Clean Water State Revolving Fund Project No. C-06-8002-110; and
4. Approving a technical correction to Resolution 6208 approved by Council on February 18, 2014.

This Consent Item(s) was approved with changes

4. **14-237** SUBJECT: Second Reading - Wireless Communication Facilities Ordinance Amendment

Recommendation for Action: Staff recommends that the City Council adopt Ordinance No. 1562 amending the City's Zoning Ordinance pertaining to the placement of Wireless Communication Facilities on property that is owned, leased or otherwise controlled by the City. The ordinance amendment includes updates to ensure that the City complies with federal requirements regarding processing co-location of multiple telecommunications equipment of a single tower.

This Consent Item(s) was adopted on second reading

5. **14-238** SUBJECT: Second Reading of Ordinance No. 1563 "An Ordinance of the City Council of the City of Woodland to Approving a Development Agreement for the Heritage Remainder Project

Recommendation for Action: Staff recommends that the City Council adopt Ordinance No. 1563, "An Ordinance of the City Council of the City of Woodland to Approving a Development Agreement for the Heritage Remainder Project.

This Consent Item(s) was adopted on second reading

6. **14-240** SUBJECT: Second reading of revised ordinance amending Woodland Municipal Code Section 23C-7-10, adding Sections 23C-7-10.1 and 23C-7-10.2 to, and deleting and replacing Article 23C-11 of, the Woodland Municipal Code related to water conservation

Recommendation for Action: Staff recommends that the City Council adopt Ordinance No. 1564, "An Ordinance of the City Council of the City of Woodland, California Amending Section 23C-7-10, Adding Sections 23C-7-10.1 and 23C-7-10.2, and Deleting and Replacing Article 23C-11 of the Woodland Municipal Code Related to Water Conservation."

This Consent Item(s) was adopted on second reading

7. **14-245** SUBJECT: Authorize City Manager to Execute Side Letter of Agreement with Woodland City Employees' Association to Modify Provisions of the Existing Memorandum of Understanding Related to Salary and Education Reimbursement

Recommendation for Action: Staff recommends that the City Council authorize the City Manager to execute a Side Letter of Agreement with Woodland City Employees' Association (WCEA) to modify provisions

of the existing Memorandum of Understanding related to salary and education reimbursement.

This Consent Item(s) was approved

8. 14-247

SUBJECT: Second Reading of Ordinance No. 1566 Governing Banners Promoting Special Events

Recommendation for Action: Staff recommends that the City Council adopt Ordinance No. 1566 amending Chapter 20, Article 12 of the Woodland Municipal Code relating to banners promoting special events.

This Consent Item(s) was adopted on second reading

9. 14-249

SUBJECT: Award Contract for Independent Auditors

Recommendation for Action: Staff recommends that the City Council authorize the City Manager to execute a contract with Mayer Hoffman McCann P.C. for independent auditing services for three fiscal years (FY2013/14 through FY2015/16), with an optional two year extension.

This Consent Item(s) was approved

10. 14-251

SUBJECT: Approve the new Salary Schedule for Temporary Employees

Recommendation for Action: Staff recommends approve the new Salary Schedule for Temporary Employees

This Consent Item(s) was approved on the Consent Agenda

11. 14-252

SUBJECT: Appointment of Commission on Aging and Library Board Members

Recommendation for Action: Staff recommends that the City Council consider and appoint collectively members to the Commission on Aging and the Library Board as recommended by Mayor Davies and Vice Mayor Stallard.

This Consent Item(s) was approved on the Consent Agenda

12. 14-254

SUBJECT: Approval of Purchase & Sale Agreements for Purchase of Properties for Construction of CIP 12-05, Water Transmission Main (West), Surface Water Local Pipelines

Recommendation for Action: Staff recommends that City Council adopt Resolution No. _____ approving Purchase and Sale Agreements (Agreements) with Matthew Cross, Woodland

Development Company, Stanley M. Davis & Associates, Robert R. Griffin and Larry D. Kirkbride, and authorize the City Manager to execute Agreements for the purchase of property required for construction of CIP 12-05, Water Transmission Main (West), Surface Water Local Pipelines.

This Consent Item(s) was approved on the Consent Agenda

G. REPORTS OF THE CITY MANAGER

13. 14-246 **SUBJECT:** Declaring the Results of the June 3, 2014 Election

Recommendation for Action: Staff recommends that the City Council:

1) Adopt Resolution No. _____ declaring the results of the June 3, 2014 election related to the election of two (2) members of the City Council for terms expiring upon the election of the successor thereto at the Municipal Election in 2018.

2) Adopt Resolution No. _____ declaring the results of the June 3, 2014 election related to Measures J, K, L, M and N.

On a motion by Council Member Hilliard, seconded by Council Member Denny and carried unanimously, Council adopted Resolution No. 6273, A Resolution Declaring the Results of the Gubernatorial Primary Election Held in the City of Woodland on June 3, 2014.

On a motion by Council Member Marble, seconded by Vice Mayor Stallard and carried unanimously, Council adopted Resolution No. 6274, A Resolution of the City Council of the City of Woodland Declaring the Results of the Gubernatorial Primary Election Held on June 3, 2014.

H. ADMINISTER OATH OF OFFICE TO NEW/RE-ELECTED COUNCIL MEMBERS

William L. Marble

Angel Barajas

Oath of Office was administered to Angel Barajas and Bill Marble.

I. ORGANIZATIONAL MATTERS

Designation of Mayor

Designation of Mayor Pro Tempore

Tom Stallard was designated Mayor

On a motion by Council Member Marble, seconded by Council Member Denny and carried unanimously, Tom Stallard was designated Mayor.

Bill Marble was designated Mayor Pro Tem

On a motion by Council Member Hilliard, seconded by Council Member Barajas and carried unanimously, Bill Marble was designated Mayor Pro Tem.

J. MAYOR'S REMARKS

Remarks by Mayor Stallard.

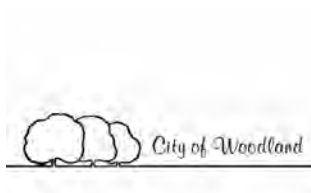
K. ADJOURNED AT 6:39 PM

Respectfully submitted,

Ana B. Gonzalez
City Clerk

City of Woodland

*300 First Street
Woodland, CA 95695*



Meeting Minutes - Draft

Tuesday, July 15, 2014

6:00 PM

Council Chambers

City Council

**CITY COUNCIL
CLOSED SESSION AGENDA
JULY 15, 2014
5:30 P.M.**

A. CALL TO ORDER

B. CLOSED SESSION

**B.1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS,
Pursuant to Government Code Section 54956.8
Properties: APN 64-017-06 and 64-017-30
Agency Negotiators: City Manager, Community Development
Director,
City Attorney, City Engineer, Senior Civil Engineer
Negotiating Parties: Browns Corner LLC and City of Woodland
Under Negotiation: Price and Terms of Payment**

**B.2 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Government Code section 54956.9(d)(1))
Name of case: California ex rel. Sherwin v. Office Depot, Inc.,
Los Angeles County Superior Court Case No. BC410135**

**JOINT REGULAR CITY COUNCIL/WOODLAND FINANCE AUTHORITY
JULY 15, 2014
6:00 P.M.**

A. CALL TO ORDER

B. ROLL CALL

Present: 5 - Mayor Tom Stallard, Mayor Pro Tem William Marble, Council Member Jim Hilliard, Council Member Sean Denny and Council Member Angel Barajas

C. PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by Public Safety Chief Dan Bellini.

D. COMMUNICATIONS-PUBLIC COMMENT

**Marissa Sirota - Springlake resident spoke regarding Springlake concerns.
Mah Noor, Rachel Jensen, Daisy Ayala - Students from the Anti Tobacco Youth
Coalition and participants in the undercover tobacco stings.
Steven Jensen, Yolo County Health Department - Spoke regarding Tobacco
Retail Licensing**

E. COMMUNICATIONS-COUNCIL/STAFF STATEMENTS AND REQUESTS

14-280 SUBJECT: Long Range Calendar

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

F. COMMITTEE REPORTS

Council Members received the Commission on Aging Meeting Minutes of May 8, 2014 and the Planning Commission Meeting Minutes of March 6, 2014, April 3, 2014 and April 17, 2014.

1. 14-232 SUBJECT: Commission on Aging Meeting Minutes for May 8, 2014

Recommendation for Action: Staff recommends that the City Council receive the May 8, 2014 Commission on Aging Minutes that were approved on June 12, 2014.

2. 14-286 SUBJECT: Planning Commission Meeting Minutes

Recommendation for Action: Staff recommends that the City Council adopt the minutes of the Woodland Planning Commission meetings of March 6, 2014, April 3, 2014 and April 17, 2014.

G. MINUTES

On a motion by Council Member Denny, seconded by Council Member Marble and carried unanimously, Council Members adopted the Joint Regular City Council/Woodland Finance Authority meeting minutes of June 3, 2014 and June 17, 2014.

Ayes: 5 - Mayor Stallard, Mayor Pro Tem Marble, Council Member Hilliard, Council Member Denny and Council Member Barajas

3. 14-290 SUBJECT: Council Meeting Minutes

Recommendation for Action: Staff recommends that the City Council adopt the minutes of the Joint Regular City Council/Woodland Finance Authority meetings of June 3, 2014 and June 17, 2014.

H. CONSENT CALENDAR**Approval of the Consent Agenda**

On a motion by Council Member Barajas, seconded by Council Member Denny and carried unanimously, Council Members approved the Consent Calendar Items No. 4 through 6 and Items No. 8 through 13. For technical reasons, Item No. 7 was removed from Consent and moved after Item No. 21.

4. **14-257** SUBJECT: Second Reading - Purchasing Ordinance Amendment

Recommendation for Action: Staff recommends that the City Council adopt Ordinance No. 1565 amending Section 17B-080(h) of the Woodland Municipal Code Relating to Local Bidder Preference for Purchasing Materials, Supplies, and Equipment.

This Consent Item(s) was approved on the Consent Agenda.

5. **14-283** SUBJECT: Transportation Development Act Claim

Recommendation for Action: Staff recommends that the City Council adopt Resolution No. _____ authorizing the filing of the annual Transportation Development Act claim with the Sacramento Area Council of Governments.

This Consent Item(s) was approved on the Consent Agenda.

6. **14-287** SUBJECT: Renewal of Woodland Access Visual Enterprises Contract

Recommendation for Action: Staff recommends that the City Council approve Resolution No. _____ renewing the contract with Woodland Access Visual Enterprises for the broadcast of the Council meetings and Commission meetings for the period July 1, 2014 through June 30, 2017.

This Consent Item(s) was approved on the Consent Agenda.

8. **14-261** SUBJECT: Approval of Subrecipient Agreement with the Yolo Wayfarer Center funded through 2013 Continuum of Care Program Grant

Recommendation for Action: Staff recommends that the City Council approve Resolution No. _____, authorizing the City Manager to execute a subrecipient agreement with the Yolo Wayfarer Center (dba Fourth and Hope) funded through a 2013 Continuum of Care Program grant in the amount of \$154,068 and authorizes the Finance Officer to amend the budget as necessary.

This Consent Item(s) was approved on the Consent Agenda.

9. **14-264** SUBJECT: Appropriate Measure J Funding for Utility Rate Payer Assistance Program

Recommendation for Action: Staff recommends that the City Council authorize use of anticipated FY14/15 Measure J revenues in support of the City's Utility Rate Payer Assistance Program.

This Consent Item(s) was approved on the Consent Agenda.

- 10. 14-266** **SUBJECT:** Approve Plans & Specifications, and Authorize Bid Advertisement for Water Transmission Main West, CIP # 12-05

Recommendation for Action: Staff recommends that the City Council approve Resolution No. _____ approving the plans and specifications and authorizing bid advertisement for Water Transmission Main West, CIP # 12-05

This Consent Item(s) was approved on the Consent Agenda.

- 11. 14-270** **SUBJECT:** Adoption of Preliminary 2020 Climate Action Plan

Recommendation for Action: Staff recommends that the City Council adopt Resolution No. _____ approving adoption of the City of Woodland Preliminary 2020 Climate Action Plan.

This Consent Item(s) was approved on the Consent Agenda.

- 12. 14-281** **SUBJECT:** City-County Memorandum of Understanding for the Electric Vehicle Workplace Charging Partnership

Recommendation for Action: Staff recommends that the City Council adopt Resolution No. _____ approving the Memorandum of Understanding between the County of Yolo and the City of Woodland Regarding Workplace Charging Partnership.

This Consent Item(s) was approved on the Consent Agenda.

- 13. 14-292** **SUBJECT:** Assistance to Firefighters Grant Award

Recommendation for Action: Staff recommends that the City Council authorize the City Manager and the Public Safety Chief to accept the Assistance to Firefighters Grant (AFG) Award for SCBA equipment and to authorize the purchase of these equipment using the grant funds supplemented with approved General Fund appropriations for FY15

This Consent Item(s) was approved on the Consent Agenda.

I. PUBLIC HEARINGS

- 14. 14-271** **SUBJECT:** Public Hearing: Gateway Landscaping & Lighting District

Recommendation for Action: Staff recommends that the City Council conduct a public hearing and adopt Resolution No. _____ to approve the fiscal year 2014/2015 annual levy report and Resolution No. _____ ordering the levy and collection of the assessment within the Gateway

Lighting and Landscaping District.

On a motion by Council Member Hilliard, seconded by Mayor Pro Tem Marble and carried unanimously, Council Members approved Resolution No. 6287, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND, CALIFORNIA, AMENDING AND/OR APPROVING THE FISCAL YEAR 2014/2015 ENGINEER'S REPORT REGARDING THE GATEWAY LANDSCAPING AND LIGHTING DISTRICT and Resolution No. 6288, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND, CALIFORNIA ORDERING THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS REGARDING THE GATEWAY LANDSCAPING AND LIGHTING DISTRICT FOR FISCAL YEAR 2014/2015.

Ayes: 5 - Mayor Stallard, Mayor Pro Tem Marble, Council Member Hilliard, Council Member Denny and Council Member Barajas

15. 14-272

SUBJECT: Public Hearing: Spring Lake Lighting & Landscaping District

Recommendation for Action: Staff recommends that the City Council conduct a public hearing and adopt Resolution No. _____ to approve the fiscal year 2014/2015 annual levy report and Resolution No. _____ ordering the levy and collection of the assessment within the Spring Lake Lighting and Landscaping District.

On a motion by Council Member Hilliard, seconded by Council Member Denny and carried unanimously, Council Members approved Resolution No. 6289, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND, CALIFORNIA, AMENDING AND/OR APPROVING THE FISCAL YEAR 2014/2015 ENGINEER'S REPORT REGARDING THE SPRING LAKE LANDSCAPING AND LIGHTING DISTRICT and Resolution No. 6290, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND, CALIFORNIA ORDERING THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS REGARDING THE SPRING LAKE LANDSCAPING AND LIGHTING DISTRICT FOR FISCAL YEAR 2014/2015.

Ayes: 5 - Mayor Stallard, Mayor Pro Tem Marble, Council Member Hilliard, Council Member Denny and Council Member Barajas

16. 14-273

SUBJECT: Public Hearing: West Wood Lighting & Landscaping District

Recommendation for Action: Staff recommends that the City Council conduct a public hearing and adopt Resolution No. _____ to approve the fiscal year 2014/2015 annual levy report and order the levy and collection of the assessment within the West Wood Lighting and Landscaping District.

On a motion by Council Member Denny, seconded by Council Member Hilliard and carried unanimously, Council Members approved Resolution No. 6291, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND, CALIFORNIA, AMENDING AND/OR APPROVING THE ANNUAL LEVY REPORT AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE WEST WOOD UNIT NO. 1 LANDSCAPING AND LIGHTING DISTRICT, FISCAL YEAR 2014/2015.

Ayes: 5 - Mayor Stallard, Mayor Pro Tem Marble, Council Member Hilliard, Council Member Denny and Council Member Barajas

17. 14-274 SUBJECT: Public Hearing: Streng Pond Landscape Maintenance District

Recommendation for Action: Staff recommends that the City Council conduct a public hearing and adopt Resolution No. _____ to approve the fiscal year 2014/2015 annual levy report and order the levy and collection of the assessment within the Streng Pond Landscape Maintenance District.

On a motion by Council Member Hilliard, seconded by Council Member Denny and carried unanimously, Council Members approved Resolution No. 6292, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND, CALIFORNIA, AMENDING AND/OR APPROVING THE ANNUAL LEVY REPORT AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE STRENG POND LANDSCAPING MAINTENANCE DISTRICT, FISCAL YEAR 2014/2015.

Ayes: 5 - Mayor Stallard, Mayor Pro Tem Marble, Council Member Hilliard, Council Member Denny and Council Member Barajas

18. 14-275 SUBJECT: Public Hearing: North Park Lighting & Landscaping District

Recommendation for Action: Staff recommends that the City Council conduct a public hearing and adopt Resolution No. _____ to approve the fiscal year 2014/2015 annual levy report and order the levy and collection of the assessment within the North Park Lighting and Landscaping District.

On a motion by Council Member Denny, seconded by Mayor Pro Tem Marble and carried unanimously, Council Members approved Resolution No. 6293, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND, CALIFORNIA, AMENDING AND/OR APPROVING THE ANNUAL LEVY REPORT AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE NORTH PARK LIGHTING AND LANDSCAPING DISTRICT, FISCAL YEAR 2014/2015.

Ayes: 5 - Mayor Stallard, Mayor Pro Tem Marble, Council Member Hilliard, Council Member Denny and Council Member Barajas

19. 14-276 SUBJECT: Public Hearing: Gibson Ranch Lighting & Landscaping District

Recommendation for Action: Staff recommends that the City Council conduct a public hearing and adopt Resolution No. _____ to approve the fiscal year 2014/2015 annual levy report and order the levy and collection of the assessment within the Gibson Ranch Lighting and Landscaping District.

On a motion by Mayor Pro Tem Marble, seconded by Council Member Barajas and carried unanimously, Council Members approved Resolution No. 6294, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND, CALIFORNIA, AMENDING AND/OR APPROVING THE ANNUAL LEVY REPORT

**AND ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN
THE GIBSON RANCH LANDSCAPING AND LIGHTING DISTRICT, FISCAL YEAR
2014/2015.**

Ayes: 5 - Mayor Stallard, Mayor Pro Tem Marble, Council Member Hilliard, Council Member Denny and Council Member Barajas

20. 14-279

SUBJECT: Waste Management Liens

Recommendation for Action

Staff recommends that the City Council conduct a Public Hearing to receive input from property owners and adopt Resolution No. _____, "A Resolution Requesting Collection of Charges on Tax Roll".

On a motion by Mayor Pro Tem Marble, seconded by Council Member Denny and carried unanimously, Council Members approved Resolution No. 6295, A Resolution Requesting Collection of Charges on Tax Roll.

Ayes: 5 - Mayor Stallard, Mayor Pro Tem Marble, Council Member Hilliard, Council Member Denny and Council Member Barajas

21. 14-282

SUBJECT: Public Hearing to Receive Comments Concerning the Renewal of Assessment for Woodland Visitor Attraction District; Adoption of Resolution Confirming the Assessment Report and Authorizing City Manager to Sign Administrative Agreement with Yolo County Visitor's Bureau

Recommendation for Action: Staff recommends that the City Council:

1. Hold a Public Hearing to receive comments concerning the renewal of the 2014-2015 Annual Assessment for the Woodland Visitor Attraction District;
2. Approve Resolution No. _____ confirming the 2014-2015 Annual Assessment Report and Authorizing the City Manager to sign the Administrative Agreement with Yolo County Visitors Bureau to implement the Visitor Attraction District.

On a motion by Council Member Hilliard, seconded by Council Member Barajas and carried unanimously, Council Members adopted Resolution No. 6296, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND CONFIRMING THE ASSESSMENT REPORT AND APPROVING THE LEVY OF AN ASSESSMENT FOR THE VISITOR ATTRACTION DISTRICT FOR FISCAL YEAR 2014-2015 PURSUANT TO THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989.

Ayes: 5 - Mayor Stallard, Mayor Pro Tem Marble, Council Member Hilliard, Council Member Denny and Council Member Barajas

7. 14-293

SUBJECT: Special Assessment Tax Roll Collections

Recommendation for Action: Staff recommends that the City Council adopts Resolution Nos. _____ - _____ (total of five Resolutions) Requesting Collection of Charges on Tax Roll for the Lighting and Landscaping Districts, Special Assessment Districts and the

Community Facility Districts as described herein.

On a motion by Mayor Pro Tem Marble, seconded by Council Member Hilliard and carried unanimously, Council Members adopted Resolution No. 6277 through 6281, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND REQUESTING COLLECTION OF CHARGES ON TAX ROLL for: East Main Street Assessment District, Series 2001; Fire Suppression Assessment District; Spring Lake Landscaping and Lighting District; Gateway Landscaping and Lighting District; Gibson Ranch Landscaping and Lighting District; North Park Landscaping and Lighting District; Streng Pond Landscape Maintenance District; West Wood Unit No. 1 Landscaping and Lighting District; City of Woodland Community Facilities District No. 1 (Gibson Ranch); City of Woodland Community Facilities District No. 2004-1 (Spring Lake) and Spring Lake Maintenance Community Facilities District.

J. REPORTS OF THE CITY MANAGER

22. 14-260 SUBJECT: City Response to Yolo County Grand Jury Report on City Housing Loan Portfolio and Annual Report on Portfolio

Recommendation for Action: Staff recommends that the City Council take the following actions:

1. Approve the City's formal response to the May 23, 2014 Yolo County Grand Jury report, City of Woodland, A Real Estate Lender;
2. Receive a status report on the City's affordable housing loan portfolio; and
3. Review the initial draft of the Policy and Procedure Manual for Management of the Affordable Housing Loan Portfolio.

On a motion by Council Member Denny, seconded by Mayor Pro Tem Marble and carried unanimously, Council Members approved the City's formal response to the May 23, 2014 Yolo County Grand Jury report, received a status report on the City's affordable housing loan portfolio and reviewed the initial draft of the Policy and Procedure Manual for Management of the Affordable Housing Loan Portfolio.

Ayes: 5 - Mayor Stallard, Mayor Pro Tem Marble, Council Member Hilliard, Council Member Denny and Council Member Barajas

23. 14-262 SUBJECT: Authorize Amendments to the Professional Services Agreements in Support of the General Plan Update Project (CIP #07-06)

Recommendation for Action: Staff recommends that the City Council:

- 1) Approve Resolution No. _____ authorizing Contract Amendment No. 2 to the Professional Services Agreement (CM# 000215) for Tschudin Consulting Group, from \$203,800 to \$372,450, and
- 2) Approve Resolution No. _____ authorizing contract amendment to the Professional Services Agreement (CM# 000219) for Dyett and Bhatia, Urban and Regional Planners, from \$707,526 to \$827,526.

On a motion by Council Member Barajas, seconded by Council Member Denny and carried unanimously, Council Members adopted Resolution No. 6297, A

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND APPROVING CONTRACT AMENDMENT NO. 2 WITH TSCHUDING CONSULTING GROUP, FOR THE GENERAL PLAN UPDATE PROJECT CIP # 07-06 and Resolution No. 6298, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND APPROVING CONTRACT AMENDMENT NO. 4 WITH DYETT AND BHATIA, URBAN AND REGIONAL PLANNERS, FOR THE GENERAL PLAN UPDATE PROJECT CIP # 07-06.

Ayes: 5 - Mayor Stallard, Mayor Pro Tem Marble, Council Member Hilliard, Council Member Denny and Council Member Barajas

24. 14-265

SUBJECT: Recycled Water Program (CIP 15-10)

Recommendation for Action: Staff recommends that City Council:

- 1) Approve establishing a new Capital Improvement Project - Industrial Park Recycled Water Project (CIP 15-10),
- 2) Authorize staff to submit a grant application of \$2,000,000 as part of the Westside IRWM grant submittal to the State Department of Water Resources, and
- 3) Approve Resolution No. _____ authorizing
 - a. Reallocating \$550,000 of Sewer Enterprise Funds from Treatment Plant - Export Biosolids (CIP 10-11) to Recycled Water Program (CIP 15-10) for project start-up costs, and
 - b. Approve the consultant agreement with Nexgen Utility Management, Inc. for \$127,480 for Recycled Water permitting and project funding assistance, and authorize the City Manager to amend the contract for up to 10% of the original cost.

On a motion by Council Member Barajas, seconded by Council Member Denny and carried unanimously, Council Members approved Resolution No. 6299, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND APPROVING AN AGREEMENT WITH NEXGEN UTILITY MANAGEMENT, INC. FOR WASTEWATER ENGINEERING ASSISTANCE CONSULTING SERVICES.

Ayes: 5 - Mayor Stallard, Mayor Pro Tem Marble, Council Member Hilliard, Council Member Denny and Council Member Barajas

25. 14-278

SUBJECT: East Kentucky Avenue Road Rehabilitation Project, CIP #10-07; Authorize the City Manager to Execute the Construction Contract

Recommendation for Action: Staff recommends that the City Council adopt Resolution No. _____ authorizing the City Manager to award and execute the construction contract for the East Kentucky Avenue Road Rehabilitation Project, CIP #10-07 to the lowest, responsive, responsible bidder up to \$900,000 and change orders to the contract up to 25% of the contract amount not to exceed the project budget of \$1,222,683.

On a motion by Mayor Pro Tem Marble, seconded by Council Member Hilliard and carried unanimously, Council Members approved replacement Resolution No. 6300, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND FOR THE EAST KENTUCKY AVENUE PROJECT CIP 10-07

AUTHORIZING THE CITY MANAGER TO AWARD AND EXECUTE THE EAST KENTUCKY AVENUE ROAD REHABILITATION PROJECT (CIP 10-07) CONSTRUCTION CONTRACT.

Ayes: 5 - Mayor Stallard, Mayor Pro Tem Marble, Council Member Hilliard, Council Member Denny and Council Member Barajas

- 26. 14-269** **SUBJECT:** Ordinance to Amend Sections 15-40, 15-41, and 15-42 of the Woodland Municipal Code Relating to Electronic Cigarettes

Recommendation for Action: Staff recommends that the City Council introduce the ordinance amending various sections of the Woodland Municipal Code to modify regulations related to electronic cigarettes.

On a motion by Mayor Pro Tem Marble, seconded by Council Member Barajas and carried unanimously Council Members introduced (1st reading) the Ordinance amending various sections of the Woodland Municipal code to modify regulations related to electronic cigarettes.

Ayes: 5 - Mayor Stallard, Mayor Pro Tem Marble, Council Member Hilliard, Council Member Denny and Council Member Barajas

- 27. 14-288** **SUBJECT:** Council Committee / Liaison Appointments

Recommendation for Action: Staff recommends that the Council approve the proposed 2014-2016 Council appointments to Inter-Jurisdictional Boards and Committees as recommended by Mayor Stallard.

On a motion by Mayor Pro Tem Marble, seconded by Council Member Denny and carried unanimously, Council Members approved the proposed 2014-2016 Council appointments to the Inter-Jurisdictional Boards and Committees with the following changes: Appoint Council Member Hilliard to the Flood/Water Committee, appoint Council Member Denny to the Rail Relocation Committee and correct meeting dates to the Water Resources Association of Yolo County (WRA) to read as follows: meets five times a year, plus as needed.

Ayes: 5 - Mayor Stallard, Mayor Pro Tem Marble, Council Member Hilliard, Council Member Denny and Council Member Barajas

K. ADJOURNED AT 7:48PM

Respectfully submitted,

Ana B. Gonzalez
City Clerk

Legislation Details (With Text)

2.

File #:	14-326	Version:	1	Name:	
Type:	Presentation	Status:		Agenda Ready	
File created:	8/13/2014	In control:		City Council	
On agenda:	8/19/2014	Final action:			
Title:	SUBJECT: Adopt Resolution in Support of Measures "S" and "T", the "Save our Schools" Facilities Bond Measures				
Recommendation for Action: Staff recommends that the City Council Adopt Resolution No. _____, A Resolution of the City Council of the City of Woodland in Support of Measures "S" and "T", the "Save our Schools" Facilities Bond Measures to Improve School Facilities within the Woodland Joint Unified School District.					
Sponsors:					
Indexes:					
Code sections:					
Attachments:	WJUSD Resolution				
Date	Ver.	Action By	Action		Result

TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: August 19, 2014

SUBJECT: Adopt Resolution in Support of Measures "S" and "T", the "Save our Schools" Facilities Bond Measures

Recommendation for Action : Staff recommends that the City Council Adopt Resolution No. _____, A Resolution of the City Council of the City of Woodland in Support of Measures "S" and "T", the "Save our Schools" Facilities Bond Measures to Improve School Facilities within the Woodland Joint Unified School District.

Staff ContactAna Gonzalez, City Clerk - (530) 661-5806, ana.gonzalez@cityofwoodland.org**Background**

The Council received a request from a member of the Woodland Joint Unified School District Board of Trustees, to adopt a resolution in support of Measures S and T, the "Save our Schools" Facilities Bond Measures.

If Measure S is approved by the voters, it would fund roof repairs; update classroom computer technology; remove asbestos/hazardous materials; make schools accessible for students with disabilities; and replace

boilers, plumbing, sewers and electrical systems by issuing \$78 million in bonds at legal rates with independent oversight, mandatory audits and no money for administrator salaries.

If Measure T is approved by the voters, it would fund and support student health and safety by fixing cracked/potholed pavement; providing lunch/shade shelters for students; repairing/replacing school playgrounds/playfields/physical education facilities; and repairing/upgrading fencing/school security, by issuing \$19 million in bonds at legal rates with independent oversight, mandatory audits, no money for administrator salaries.

Conclusion

Staff recommends that the City Council Adopt Resolution No. _____, A Resolution of the City Council of the City of Woodland in Support of Measures S and T, the “Save our Schools” Facilities Bond Measures to Improve School Facilities within the Woodland Joint Unified School District.

Prepared by: Ana Gonzalez, City Clerk

A handwritten signature in dark ink, appearing to read "Paul Navazio", is written over a light gray circular background.

Paul Navazio, City Manager

Attachment: Resolution

Resolution No. _____

**A Resolution of the City Council of the City of Woodland
in Support of Measures “S” and “T”, the “Save our Schools” Facilities Bond Measures
to Improve School Facilities within the Woodland Joint Unified School District**

WHEREAS, the Woodland Joint Unified School District (WJUSD) has determined that certain school facilities and equipment within the Woodland Joint Unified School District (WJUSD), need to be repaired, constructed, improved, and equipped to enable the District to improve student safety, upgrade schools and enhance the educational opportunities of the students within the WJUSD in the District; and

WHEREAS, the State has been unable to provide the District with amounts necessary for the District to adequately provide a safe and optimal learning environment for all our students; and

WHEREAS, the WJUSD Board of Trustees has determined that the safety of our students is one of its primary objectives and to ensure a productive learning environment the District must upgrade existing facilities which are no longer suitable in order to meet current and future needs; and

WHEREAS, it is advisable to provide the funding for the District’s facility needs by means of a local general obligation bond where all the bond money will stay in our community and be used only for District school facilities and academic programs; and

WHEREAS, the WJUSD Board of Trustees will establish a Bond Oversight Committee of independent citizens and grant them the responsibilities to ensure that funds are spent effectively and comply with the terms of the measures; and

WHEREAS, “Measure S” would fund roof repairs; update classroom computer technology; remove asbestos/hazardous materials; make schools accessible for students with disabilities; and replace boilers, plumbing, sewers and electrical systems by issuing \$78 million in bonds at legal rates with independent oversight, mandatory audits and no money for administrator salaries; and

WHEREAS, “Measure T” would fund and support student health and safety by fixing cracked/potholed pavement; providing lunch/shade shelters for students; repairing/replacing school playgrounds/playfields/physical education facilities; and repairing/upgrading fencing/school security, by issuing \$19 million in bonds at legal rates with independent oversight, mandatory audits, no money for administrator salaries; and

WHEREAS, as required by Education Code Section 15268, based upon a projection of assessed property valuation, the WJUSD Board of Trustees has determined that, if approved on November 4th by the voters in the district, the projected tax rate to be levied to pay the debt service on the bonds proposed to be issued will not exceed \$40 per year per \$100,000 of assessed valuation of taxable property located within the WJUSD; and

WHEREAS, strong communities have strong city-school ties and these relationships are what support prosperity, economic development, work force development, and make for extraordinary communities.

NOW, THEREFORE, BE IT RESOLVED, that the City of Woodland, strongly supports and urges the voters to approve Measures “S” and “T” to be on November 4th, 2014 ballot.

PASSED AND ADOPTED by the City Council this 19th day of August, 2014, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Tom Stallard, Mayor

ATTEST:

APPROVED AS TO FORM:

Ana B. Gonzalez, City Clerk

Kara K. Ueda, City Attorney

Legislation Details (With Text)

3.

File #: 14-310 Version: 1 Name:

Type: Presentation Status: Agenda Ready

File created: 7/28/2014 In control: City Council

On agenda: 8/19/2014 Final action:

Title: SUBJECT: Update on the Lower Sacramento Delta North Regional Flood Management Plan and CIP#09-15 Lower Cache Creek Flood Study

Recommendation for Action: Staff recommends that City Council receive a presentation at its August 19th meeting as an update on the status of the Lower Sacramento/Delta North Regional Flood Management Plan (RFMP) and the City's flood control efforts.

Sponsors:

Indexes:

Code sections:

Attachments: [RFMP](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: August 19, 2014

SUBJECT: Update on the Lower Sacramento Delta North Regional Flood Management Plan and CIP#09-15 Lower Cache Creek Flood Study

Recommendation for Action : Staff recommends that City Council receive a presentation at its August 19th meeting as an update on the status of the Lower Sacramento/Delta North Regional Flood Management Plan (RFMP) and the City's flood control efforts.

Staff Contact

Tim Busch, Principal Utilities Civil Engineer, 530-661-5963, tim.busch@cityofwoodland.org

Fiscal Impact

There is no fiscal impact associated with this report. It is for information only. The Lower Cache Creek Flood Study is a \$1.9 million project in the Capital Budget, CIP# 09-15, funded from the Storm Drain Enterprise Fund utilizing a long-term loan from the Sewer Enterprise Fund.

Background

The Lower Sacramento/Delta North Regional Flood Management Plan (RFMP) is the regional follow-on to the

2012 Central Valley Flood Protection Plan (CVFPP) and is being developed at the local and regional level with partial funding from the California Department of Water Resources (DWR). The RFMP will establish the flood management vision for the Region and identify a prioritized list of regional actions including improvements to existing flood management facilities. The Region encompasses portions of Yolo, Solano, Sacramento, and Sutter Counties and contains a diverse set of stakeholder groups in urban and rural areas with varied interests. The RFMP is being developed by FloodProtect, a regional working group that is made up of representatives from nearly all of the Region's land use and flood management agencies and stakeholders.

The RFMP planning process has led to a strong partnership being developed among the local flood management interests in our region. The RFMP planning efforts could include the following elements:

- Flood Management - Structural and nonstructural projects that address National Flood Insurance Program (NFIP) rate concerns as well as providing 200-year flood protection for communities, including Woodland.
- Agricultural sustainability - Avoiding and minimizing impacts to agriculture when possible, but also working with the agricultural community to identify where strategic investments in agricultural infrastructure, coupled with developing a long term funding stream, could promote the long term sustainability of agriculture and recognizes the importance of agriculture to our regional economy and flood management system.
- Conservation - Development of LOCALLY ACCEPTABLE environmental enhancements to the Sacramento River and Yolo Bypass that achieves the objectives of the USBR/DWR's BioOp Project and DWR's Conservation Strategy.
- Water Supply - Inclusion of elements that increase the reliability of our existing water supply system where there is a nexus to a conservation or flood management action.

The Lower Sacramento River/Delta North Regional Flood Management Plan has been completed and was submitted to the Department of Water Resources (DWR) on July 21, 2014. FloodProtect is one of six regional flood management plans funded in part by FloodSAFE (DWR). Ric Reinhardt from MBK Engineers has been working with FloodProtect and will make the presentation.

Discussion

The City continues to advance the Lower Cache Creek Feasibility Study with the Corps of Engineers as part of the 3x3x3 Feasibility Study process. The City is also looking to expand options available to the City for flood control in conjunction with the RFMP. The City is working to begin a feasibility study for Lower Cache Creek with the State as the project's partner that would also advance goals of the RFMP and provide flood protection to Woodland.

Conclusion

Staff recommends that City Council receive this report and presentation at its August 19th meeting as an update on the status of the RFMP and the City's flood control efforts.

Prepared by: Tim Busch, Principal Utilities Civil Engineer

Reviewed by: Brent Meyer, City Engineer

Ken Hiatt, Community Development Director

A handwritten signature in dark ink, appearing to read "Paul Navazio". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Paul Navazio, City Manager



Lower Sacramento River/Delta North Regional Flood Management Plan

July 2014

FLOOD
Protect
PLANNING FOR ACTION

Lower Sacramento Delta North Region

5.2 Yolo County Improvements

5.2.1 Yolo County Urban Areas

The following sections present flood management improvements for Yolo County urban areas Woodland, Davis, and West Sacramento.

5.2.1.1 City of Woodland

City of Woodland Feasibility Study

The City of Woodland is pursuing a feasibility study to identify and evaluate alternatives for reducing the risk of flooding. Some of the identified alternatives under consideration include the construction of in-place levee improvements or setback levees along Cache Creek, bypass channels and/or integration with a regional solution that would expand the capacity of the Yolo Bypass. Preliminary estimates for these alternatives range from \$200 million to \$400 million. A USACE feasibility study was initiated in 2010 with the intent of identifying Federal interest in a flood risk reduction project. However, because of limited Federal funding, the City of Woodland is pursuing a strategy to conduct a joint City/State feasibility study that could be the basis of providing in-kind contributions toward the USACE study, if future Federal funds are available. If Federal funding is not available, the City of Woodland would be positioned to pursue a joint City/State flood risk reduction project without Federal participation. The City of Woodland expects to complete a feasibility study in 2015.

Table 5-8. City of Woodland Improvements

Solution	Estimated Cost (Incl. O&M)	Design Readiness	Permitting Readiness	Funding Readiness (Incl. O&M)	Multi Benefits
City of Woodland Feasibility Study Alternatives Analysis	TBD	Feasibility	Not complete (Standard or Simple requirements)	Funding sources not identified	Ecosystem Restoration

5.2.1.2 City of Davis

The primary concern for the City of Davis, related to the SPFC facilities, is to ensure that any improvements recommended by the RFMP do not negatively impact the City. There are a few areas in the City limits that are within the FEMA flood zone, with the area near the wastewater treatment plant (WWTP) and its planned water supply project, as the areas of biggest concern (see Figure 5-9 and Table 5-9). Additionally, there is concern about the potential of flooding from Putah Creek.

Wastewater Treatment Plant Flood Protection Measures

The City is in the process of upgrading the WWTP. It may be necessary for the City of Davis to implement flood protection measures at the WWTP to comply with the requirements of its NPDES permit (West Yost, 2013).

If it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts to be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. Examples of that treatment are described in the code. To the extent that unique archaeological resources are not preserved in place or left in an undisturbed state, mitigation measures shall be required as provided in the code.

Finally, California law also protects Native American burials, skeletal remains and associated grave goods regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains (California Health and Safety Code Section 7050.5, California Public Resources Code Sections 5097.94 *et seq.*). The disposition of human remains and burial-associated artifacts would typically require the preparation of a treatment plan that includes Tribal monitors and re-burial as close to the origin site as possible. Implementation of the flood control projects identified in this plan will be required to comply with the above CEQA regulations regarding the protection and mitigation of cultural resources.

5.6 Yolo Bypass/Cache Slough Integrated Water Management Plan

During the course of developing this RFMP, several key partner agencies recognized a unique opportunity to develop an ambitious multi-objective plan in the heart of the Sacramento River Flood Control Project. This plan, the Yolo Bypass / Cache Slough Integrated Water Management Plan (IWMP), seeks to provide system-wide flood benefits through modifications to the Yolo Bypass while simultaneously implementing significant habitat conservation, water supply, and agricultural sustainability improvements.

The vision of this IWMP is to reduce the economic, environmental, and social costs of individually implementing competing project objectives in a small geographic area like the Yolo Bypass / Cache Slough complex. This vision can be accomplished through the achievement of the following five goals established for flood management in the region:

- ◆ Implement system-wide flood improvements – Identify viable and locally supportable modifications to flood management infrastructure in and around the Yolo and Sacramento Bypasses.
- ◆ Improve agricultural sustainability – Undertake efforts to improve rural levee systems, implement feasible rural floodplain management requirements, and establish dedicated funding for rural agricultural economic development.
- ◆ Conserve / create high value habitat – Improve aquatic and other habitat values in a manner that preserves flood management function and minimizes impacts on farming and other existing land uses.

- ◆ Consider water supply facilities in project development – Coordinate flood management and ecosystem restoration project development with existing local diversion facilities and planned improvements to water supply facilities for consistency and efficiency.
- ◆ Establish a more sustainable approach to O&M – Identify long-term plan for operating and maintaining flood control and related facilities associated with the bypasses to include possible changes to governance, financing, and environmental compliance.

The Yolo Bypass / Cache Slough complex is currently the target of numerous single objective large scale projects intended to modify the existing landscape from primarily a flood conveyance corridor to satisfy a broader range of objectives. The extent of transformation in this small geographic area needed to satisfy an independently implemented patchwork of single objective projects is neither supportable due to local economic impacts nor viable due to uncertain landowner support. However, there is growing consensus around the concept that these, often competing, singular objectives can be accommodated through a more inclusive and less parochial approach to project scoping and development. This IWMP is founded on the concept that all parties interested in the Yolo Bypass / Cache Slough complex can achieve their goals and “get better together” by seeking truly integrated solutions that concede project formulation around a single objective to multi-objective formulation where the alternatives are evaluated based on a broader range of equally treated objectives.

In order to achieve the goals stated above, the current IWMP concept is developed around eleven (11) plan elements as follows:

1. Small community protection (Yolo and Knights Landing)
2. Reconfiguration of the Elkhorn Basin for additional flood capacity and habitat
3. City of Woodland flood protection incorporating Westside rail relocation
4. Sacramento bypass and weir widening
5. Lower Bypass / Cache Slough reconfiguration for additional flood capacity and habitat
6. Increased flood protection and mitigation of any hydraulic impacts for Rio Vista
7. North Bay Aqueduct Alternate Intake Project implementation
8. Yolo Bypass / Cache Slough Corridor Management Plan development
9. FEMA NFIP regulatory relief for rural areas (Clarksburg)
10. Yolo Bypass / Cache Slough O&M Authority and Funding
11. Agriculture Sustainability Fund establishment

The IWMP overlaps with the RFMP in that a number of these plan elements are recommended in the RFMP as individual single objective projects. However, the combination of these projects with the other plan elements results in a high priority, multi-objective plan for the Yolo Bypass / Cache Slough complex with strong regional support. While some of these plan elements are very unique in scope, they are necessary to explore, in order to take advantage of this rare opportunity to align State and local interests in the often-contentious area of system-wide improvement projects. Further, these elements could help accelerate implementation of the State System-wide Investment Approach (SSIA) as described in the Central Valley Flood Protection Plan (CVFPP), strengthen local agency support for the Sacramento River Basin Wide Feasibility Study, and better align the State and region to take advantage of other funding streams planned for expenditure in the Yolo Bypass / Cache Slough complex in the near future. One such example is implementation of the Biological Opinion for operation of the State Water Project and the Central Valley Project, commonly referred to as the BiOp project.

Additional funding is required to advance the IWMP beyond its current concept and to evaluate its technical feasibility and political viability. A project delivery team (PDT) has been established to develop a scope, schedule, and budget for development of the IWMP. This PDT is comprised of the following agencies:

- ◆ State of California – Department of Water Resources
- ◆ Solano County
- ◆ Yolo County
- ◆ Sacramento Area Flood Control Agency
- ◆ West Sacramento Area Flood Control Agency
- ◆ Solano County Water Agency
- ◆ Reclamation District 2068

The short term goal of the PDT is to reach agreement on the scope, schedule, and budget for the IWMP and secure funding to initiate its development by the end of calendar year 2014. Some elements of the IWMP may be implemented earlier by leveraging other available funds and/or grant programs. The long term goal of the PDT is to have the IWMP integrated into the Sacramento River Basin Wide Feasibility Study in 2016 and adopted for implementation in the 2017 update of the CVFPP.

5.7 Next Steps

It was always envisioned that the RFMP would be a living and on-going process. To the extent that DWR will provide funding for regional planning through adoption of the 2017 update to the CVFPP, FloodProtect will provide support as additional funds become available.

Legislation Details (With Text)

4.

File #: 14-299 Version: 1 Name:
Type: Consent Item(s) Status: Agenda Ready
File created: 7/17/2014 In control: City Council
On agenda: 8/19/2014 Final action:
Title: SUBJECT: Receive Annual Report from the Manufactured Home Fair Practices Commission

Recommendation for Action: Staff recommends that the City Council receive and file the Manufactured Home Fair Practices Commission Annual Report for the 2013 program year and receive a summary update on the 2014 program year.

Sponsors:

Indexes:

Code sections:

Attachments: [Annual Rpt+Minutes](#)
[Annual Adjustment Approvals 2014](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: August 19, 2014

SUBJECT: Receive Annual Report from the Manufactured Home Fair Practices Commission

Recommendation for Action : Staff recommends that the City Council receive and file the Manufactured Home Fair Practices Commission Annual Report for the 2013 program year and receive a summary update on the 2014 program year.

Staff Contact

Dan Sokolow, Senior Planner - (530) 661-5927, dan.sokolow@cityofwoodland.org

Fiscal Impact

For 2013, the City collected registration fees of \$9,660 from the five mobile home parks located in Woodland and incurred \$7,317 in estimated expenses for the operation of the MHFPC. The running balance of fees collected minus expenses incurred remains positive at \$20,900. Revenues generated are budgeted to cover the City's consultant costs incurred for administering the program.

Background

The City Council approved the Manufactured Home Space Rent Control Ordinance (Woodland City Code, Chapter 16B) in 2001 and it went into effect the following year. The purpose of the ordinance is to protect the owners and residents of manufactured homes from unreasonable space rental increases while simultaneously recognizing and providing for the need of park owners to receive a just and reasonable return on their property. The ordinance also established a commission, the Manufactured Home Fair Practices Commission, to review all proposed rent increases for mobile home spaces subject to the ordinance's rent control provisions.

Discussion

For program year 2013, there were a total of 630 manufactured home spaces in the City, of which 340 are subject to the registration and rent ceiling provisions of the of the City's Manufactured Home Space Rent Control Ordinance.

Summary of Actions Taken by the Manufactured Home Fair Practices Commission for Program Year 2013:

Bells Trailer Village (40 spaces in park, 40 regulated spaces) - Approved a permissive adjustment increase to the space rent ceiling of 1.50%.

Casa del Sol (156 spaces in park, 18 regulated spaces) - No action taken. Casa del Sol did not file a park registration. Previously, Casa del Sol claimed exemption from the rental control ordinance. The exemption status of Casa del Sol is pending.

Leisureville (150 spaces in park, 0 regulated spaces) - No action taken as Leisureville is exempt from the rental control ordinance by not having the minimum number (2) of rental spaces.

Idle Wheel (153 spaces in park, 151 regulated spaces) - Approved a permissive adjustment increase to the space rental ceiling of 1.50%.

Royal Palm (131 spaces in park, 131 regulated spaces) - Approved a permissive adjustment increase to the space rental ceiling of 1.50%.

For program year 2014, the Commission met on June 24, 2014 and approved permissive adjustment increases to the space rental ceiling of 0.97% for Bells Trailer Village, Idle Wheel, and Royal Palm. The annual report and meeting minutes have not been prepared at this time.

Conclusion

Staff recommends that the City Council receive and file the Manufactured Home Fair Practices Commission Annual Report for the 2013 program year and receive a summary update on the 2014 program year.

Prepared by: Dan Sokolow
Senior Planner

Reviewed by: Christine Engel

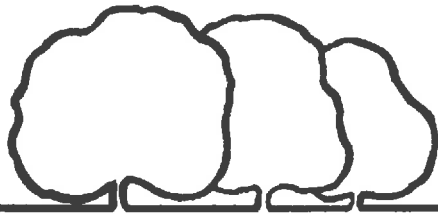
CSD Director



Paul Navazio
City Manager

Attachments:

1. Manufactured Home Fair Practices Commission Program Year 2013 Annual Report and Meeting Minutes
2. Annual Adjustment Approvals for Program Year 2014



City of Woodland

ANNUAL REPORT 2013

MANUFACTURED HOME FAIR PRACTICES COMMISSION

AUTHORITY

The City of Woodland's mobile home rent control ordinance specifies that the Manufactured Home Fair Practices Commission (MHFPC) renders "at least semiannually a comprehensive written report to the city council concerning the commission's activities, holdings, actions results of hearings and all other matters pertinent to this chapter..." (§16.B4(m)(6).) The City Council is provided copies of minutes of MHFPC meetings during the year, but this document represents a more formal reporting of the Commission's activities for the 2013 program year.

The City's ordinance also specifies: "The city manager is hereby directed to maintain an accurate accounting of all direct and indirect costs of administering the regulations contained in this chapter. The city manager shall submit a report to the commission and city council of such costs and any recommendation for a change in the registration fee at least annually from and after the effective date of this chapter." (§16.B6(e).)

FINANCIAL STATUS

For program years 2002 through 2005, park owners were required to pay an annual registration fee of \$137 per-space. Starting in program year 2006, the Commission recommended and the City Council approved a lower registration fee of \$30 per space. The \$30 per-space fee continues to remain in effect until changed by the City Council upon the recommendation of the Commission. In program year 2013, revenue from fees collected exceeded the expenses of the Commission.

Since the Commission's inception in 2001, the running balance of fees collected minus expenses incurred remains positive at \$20,900. The following table summarizes the Commission revenue and expenses:

Program Year	Fees Collected	Expenses Incurred	Surplus (Deficit)
2002	\$30,550	\$102,292	(\$71,742)
2003	\$44,807	\$27,186	\$17,621
2004	\$44,388	\$13,300	\$31,088

Program Year	Fees Collected	Expenses Incurred	Surplus (Deficit)
2005	\$44,251	\$10,735	\$33,516
2006	\$10,248	\$11,157	(\$909)
2007	\$10,375	\$12,128	(\$1,753)
2008	\$10,230	\$ 7,917	\$ 2,313
2009	\$10,230	\$ 7,483	\$ 2,747
2010	\$10,230	\$ 6,370	\$ 3,860
2011	\$10,200	\$ 9,894	\$ 306
2012	\$ 9,660	\$ 8,150	\$ 1,510
2013	\$ 9,660	\$ 7,317	\$ 2,343
TOTAL	\$244,829	\$223,929	\$20,900

MHFPC COMMISSIONERS AND STAFF

In 2013, the MHFPC Commissioners were:

<u>Name</u>	<u>Term Expires</u>
Bill Marcus, Chairperson	12/31/2014
VACANCY, Member	12/31/2013
Tom Bills, Member	12/31/2014
Robert Noren, Member	12/31/2014
VACANCY, Member	12/31/2013
Alan Gering, Alternate Member	12/31/2013
VACANCY, Alternate Member	12/31/2013

Commission Members Bill Marcus, Tom Bills, and Robert Noren are serving 3-year terms ending 12/31/2014. Two additional Member seats, with 3-year terms ending 12/31/2013, are currently vacant. Alternate Member Alan Gering was re-appointed to another 2-year term ending 12/31/2013. There is also a current vacancy in an Alternate Member seat, with a term ending 12/31/2013. All vacancies remain open.

Andrew P. Pugno continues to serve as the Commission's Attorney, and temporarily provides staff support to the Commission, until the Community Development Department assigns a permanent City staff member to support the Commission.

2013 STATISTICS

In 2013, there were a total of 630 manufactured home spaces in the City of Woodland, of which 340 spaces are subject to the registration and rent ceiling provisions of the City of Woodland's Manufactured Home Space Rent Control ordinance.

Mobile Home Park	Spaces in Park	Regulated Spaces
Bells	40	40
Casa del Sol	156	18
Leisureville	150	0

Idle Wheel	153	151
Royal Palm	131	131
TOTAL	630	340

2013 ACTIVITY BY PARK:

Bells Trailer Village:

- All 40 spaces at Bells Trailer Village were registered with the Commission.
- Registration fees of \$1200 were paid to the City in 2013.
- All regulated space rents as of December 31, 2012 appeared to be within the 1.96% increase in the space rent ceiling previously approved by the Commission in 2012.
- Bells completed their annual re-registration process on time and requested a permissive adjustment in 2013.
- The MHFPC approved a permissive adjustment increase to the space rent ceiling of 1.50% in 2013.

Idle Wheel:

- Idle Wheel reported 153 total spaces, and registered 151 spaces. Space #111, which previously had been claimed as a manager's coach in 2009, has been claimed to be exempt as a rental unit (the resident does not own the mobile home) since 2010. Also, Space #263 was registered as exempt from the space rent ceiling under a long-term rental agreement, pursuant to state law.
- Registration fees of \$4530 were paid.
- All regulated space rents as of December 31, 2012 appeared to be within the 1.96% increase in the space rent ceiling previously approved by the Commission in 2012.
- Idle Wheel completed their annual re-registration process on time and requested a permissive adjustment in 2013.
- The MHFPC approved a permissive adjustment increase to the space rent ceiling of 1.50% in 2013.
- Upon request of the park owner, the MHFPC determined that the space rent ceiling for Space #111, if the park owner chooses to begin renting the ground space to a manufactured home owner, would be \$342.45.

Royal Palm:

- This year, Royal Palms registered 131 spaces and paid the \$3930 registration fee, the same as the prior year.
- All regulated space rents as of December 31, 2012 appeared to be within the 1.96% increase in the space rent ceiling previously approved by the Commission in 2012.
- Royal Palm completed their annual re-registration process on time and requested a permissive adjustment in 2013.
- The MHFPC approved a permissive adjustment increase to the space rent ceiling of 1.50% in 2013.

Leisureville:

- There are 150 spaces at Leisureville. Management claims there are no space renters, and that all residents have an ownership interest in the park. Because Leisureville did not have at least 2 spaces rented or held out for rent, Leisureville is exempt from the Ordinance, and no action was taken by the Commission.

Casa Del Sol:

- Management at CHOC has previously reported a total of 156 spaces, but registered only those 18 spaces determined by the Commission in prior program years to be held out for median-income households and, therefore, subject to the rent control ordinance.
- The remaining 138 spaces in the park were historically claimed to be subject to recorded affordable housing covenants which restrict tenants to very-low or low income levels and, as such, have been recognized as exempt from rent control.
- In 2011, the Commission found that space rents for the 18 registered spaces were generally not within the adjusted space rent ceiling, i.e., the space rents reported in the 2010 Annual Registration plus the 1.45% increase to the space rent ceiling granted in 2011. Park management for CHOC examined the registration figures more closely, and determined that rents had been increased beyond the space rent ceiling in error. Management said they would correct the error and issue refunds.
- In 2012, CHOC asserted that the remaining 18 spaces are now exempt pursuant to new, complex regulatory agreements entered by management in 2009 and 2011 to restrict tenancies and limit rents to affordable levels. Whether or not those agreements exempt the park from space rent control is, however, unclear.
- In 2013, the Commission received no park registration filing from CHOC/Casa del Sol. It is the park owner's responsibility to come to the Commission with a position and proposed solution if it wants to be completely exempt from the Ordinance.
- While the exemption status of the park is pending, no registration fees were paid by CHOC in 2013. This issue was not resolved in the 2013 program year.

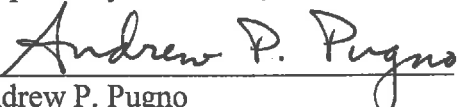
Commission Meetings for Program Year 2013

For Program Year 2013, the Manufactured Home Fair Practices Commission held one meeting, May 30, 2013.

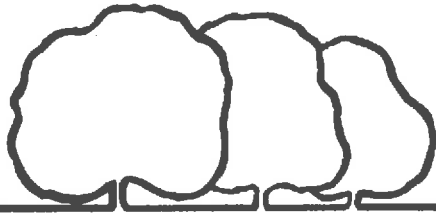
Net Operating Income or Special Adjustment Requests.

There were no Special Adjustment/Fair Return Hearing requests submitted in 2013 by any of the manufactured home park owners.

Respectfully Submitted,


Andrew P. Pugno
MHFPC Attorney

Dated: June 25, 2014



City of Woodland

MINUTES

Manufactured Home Fair Practices Commission

DATE: May 30, 2013



CALL TO ORDER: Chairperson Bill Marcus called the meeting to order at 6:45 p.m., May 30, 2013, in the City Manager's Conference Room, Second Floor of City Hall.

ROLL CALL:

The following MHFPC Commissioners and staff were in attendance/absent:

Present: Bill Marcus, Chairperson
Robert Noren, Member
Alan Gering, Alternate Member
Andrew Pugno, MHFPC Attorney

Absent: Tom Bills, Member

APPROVAL OF MINUTES: The minutes of the Commission meeting of May 3, 2012 were approved as drafted on motion by Commissioner Gering and second by Commissioner Noren. (3-0, YES: Marcus, Gering, Noren).

COMMUNICATIONS

• **PUBLIC COMMENT:**

- Belinda Moreno, representing management at Idle Wheel/Royal Palms, was present, but reserved her comments for specific agenda items later in the meeting.

- **CORRESPONDENCE:**

- The Commission was provided copies of correspondence notifying three manufactured home parks of approval of an annual permissive adjustment increase to the space rent ceiling of 1.96% in 2012.

- **COMMISSIONER/STAFF STATEMENTS AND REQUESTS:**

- None

REGULAR AGENDA:

A. Introduction of new and returning MHFPC Members and Alternates

It was reviewed that Commission Members Bill Marcus, Tom Bills, and Robert Noren are serving 3-year terms ending 12/31/2014. Two additional Member seats, with 3-year terms ending 12/31/2013, are currently vacant. Alternate Member Alan Gering was re-appointed to another 2-year term ending 12/31/2013. There is also a current vacancy in an Alternate Member seat, with a term ending 12/31/2013. All vacancies remain open. Due to a City staff shortage, Attorney Andrew Pugno's office continues to serve as interim commission staff in addition to the role of Legal Counsel.

5 Regular Members (3 year terms):

<u>Name</u>	<u>Nominating Council seat:</u>	<u>Term Expires</u>
Bill Marcus	Sean Denny	12/2014
VACANCY	Tom Stallard	12/2013
Tom Bills	William L. Marble	12/2014
Robert Noren	Marlin H. "Skip" Davies	12/2014
VACANCY	Jim Hilliard	12/2013

2 Alternate Members (2 year terms)

<u>Name</u>	<u>Nominated By:</u>	<u>Term Expires</u>
Alan Gering	Mayor	12/2013
VACANCY	Mayor	12/2013

B. Review and Approve: Annual Commission Report to City Council for 2012

A draft of the *Annual Commission Report to City Council for 2012* was circulated and reviewed. The Annual Report serves to provide the City Council with "a comprehensive written report ... concerning the commission's activities, holdings, actions results of

hearings and all other matters pertinent to this chapter..." To a large extent, the City Council's receipt of the MHFPC minutes fulfills this requirement of the Ordinance, but this document represents a more formal reporting of the Commission's activities in program year 2012. Discussion was had.

On motion of Commissioner Noren, seconded by Chairperson Marcus, the draft report was approved for transmission to the City Council. (3-0, YES: Marcus, Gering, Noren).

C. Review and Approve Annual Park Registrations/Exemption Claims for:

a. Bells Trailer Village

Last year, Bells had registered 40 spaces, all reported as month-to-month tenancies. In 2012, Bells was granted a 1.96% increase to the space rent ceiling.

This year, Bells again registered 40 spaces, all month-to-month tenancies. Staff stated that reported rent levels for all spaces appeared to be within the adjusted space rent ceiling. The park owner paid \$1200 in registration fees.

b. Leisureville

There are 150 spaces at Leisureville. Management from Leisureville sent the Commission correspondence dated December 10, 2012 indicating that there are no space renters at the park, and that all residents have an ownership interest in the park. As it appeared that Leisureville is exempt from the Ordinance, no action was taken by the Commission.

c. Idle Wheel Estates

Last year, Idle Wheel reported 153 spaces, and registered 151 spaces. The Commission increased the space rent ceiling by 1.96% in 2012.

This year, Idle Wheel again reported 153 spaces, and registered 151 spaces. Space #111, which previously had been claimed as a manager's coach in 2009, has been claimed to be exempt as a rental unit (the resident does not own the mobile home) since 2010. It is also vacant. Space #263 is claimed as exempt from the space rent ceiling under a long-term rental agreement, pursuant to state law.

The park owner paid \$4530 in registration fees. Staff stated that reported rent levels for all 151 spaces appeared to be within the adjusted space rent ceiling.

Belinda Moreno, representing management at Idle Wheel, informed the Commission that the park owner would like to sell the home on Space #111 and start renting the ground space again. Ms. Moreno asked what the space rent

ceiling would be. It is a double-wide space, similar to neighboring spaces. Commission Attorney Andrew Pugno advised the Commission that there are no pre-ordinance (enacted 2001) records of the rent level charged before the space became a manager's unit. Ms. Moreno suggested using the highest rent in the park as the new space rent ceiling for Space #111. Commissioner Noren suggested using an average of all spaces in the park, or just neighboring spaces. Chairperson Marcus stated that today's rent ceilings are not based on lot size, but on the 1996 rent levels, plus subsequent inflation adjustments. Lot sizes are not determinative. Commissioner Noren suggested using an average of nearby spaces.

d. Royal Palms Estates

Last year, Royal Palms reported and registered 131 spaces. The Commission increased the space rent ceiling by 1.96% in 2012.

This year, Royal Palms again reported and registered 131 spaces. The park owner paid \$3930 in registration fees. Staff stated that reported space rent levels appeared to be within the adjusted space rent ceiling.

e. CHOC/Casa del Sol

The Commission received no park registration filing from CHOC/Casa del Sol. Discussion was had whether Casa del Sol can claim an exemption for the 18 spaces previously subject to the Ordinance such as the state-law "new construction" rule or pursuant to affordable housing covenants. Commission Attorney Andrew Pugno stated that it is the park owner's responsibility to come to the Commission with a position and proposed solution if it wants to be exempt from the Ordinance.

f. Commission Action

On motion of Commissioner Noren, seconded by Chairperson Marcus, the Commission took the following actions:

- i. The annual registration filings for Bells Trailer Village (40 spaces), Idle Wheel Estates (151 spaces), Royal Palms Estates (131 spaces), and Leisureville (0 spaces) were approved; and
- ii. The space rent ceiling (as of December 31, 2012) for Space #111 of Idle Wheel Estates was set as the average of current rent ceilings for Spaces 106-115, or **\$342.45**.

(3-0, YES: Marcus, Gering, Noren).

D. Review Manufactured Home Park Annual Inspection Reports

Prior to considering applications for annual permissive adjustments, park owners are required to pass park inspections conducted by the City. This year the inspections were conducted March 25, 2013, by Paul Siegel, Chief Building Official. All ten (10) categories of items were inspected in Bell's Trailer Village, Casa del Sol, Idle Wheel Estates, and Royal Palm Estates.

E. Review CPI Data and Available Annual Permissive Adjustments

Staff provided the Commission with data showing the Consumer Price Index for All Urban Consumers in the West Urban Area, including all items and not seasonally adjusted, as reported by the Bureau of Labor Statistics, U.S. Department of Labor, with the base period of 1982-84 = 100. The data revealed that the 12 month period ending February, adjusted by the 75% multiplier, would produce a 1.50% permissive adjustment for all applications filed March 1, 2013. (2.000% increase in CPI x 75% = 1.50% increase to rent ceiling.)

F. Approve Annual Permissive Adjustments to Space Rent Ceilings for:

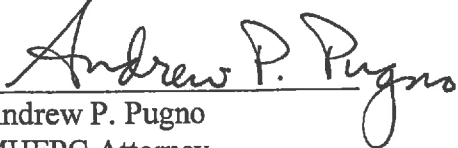
The Commission discussed the three (3) applications received for Annual Permissive Adjustments to the Space Rent Ceilings.

The Commission approved a **1.50%** increase to the space rent ceiling at Bells Trailer Village, Idle Wheel Estates (including Space #111), and Royal Palms Estates, on motion of Commissioner Gering, seconded by Commissioner Noren. (3-0, YES: Marcus, Gering, Noren).

G. Set next meeting

Chairperson Bill Marcus announced that the next meeting of the Commission will be at a date and time to be announced.

ADJOURNMENT. The MHFPC adjourned at 7:55 p.m.


Andrew P. Pugno
MHFPC Attorney

LAW OFFICES OF ANDREW P. PUGNO

andrew@pugnolaw.com

June 25, 2014

E. Mahlon Whittle
Whittle & Associates Property Mgmt., Inc.
409 Lincoln Avenue
Woodland CA 95695

**Re: Notice of Approved Annual Permissive Adjustment
Bell's Trailer Village**

Dear Mr. Whittle:

The undersigned serves as staff counsel for the City of Woodland Manufactured Home Fair Practices Commission. The Commission approved an Annual Permissive Adjustment of the space rent ceiling for Bells Trailer Village on June 24, 2014.

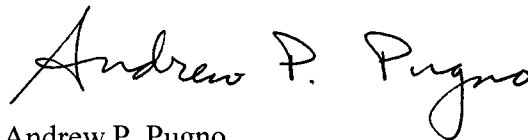
Effective June 24, 2014, the space rent *ceiling* for Bells Trailer Village (which was last adjusted on May 30, 2013) is increased by **0.97%**. (See Woodland City Code, §16B.8(c)(3).) The 0.97% year-to-year adjustment represents a cumulative adjustment of **43.34%** above the space rent in effect on January 1, 1996.

The park may not increase its gross space rental income in excess of its adjusted space rent ceiling. The gross amount of any adjustment must be distributed to each individual space in the park based upon the same percentage increase in the gross space rents of all spaces in the park subject to the space rent ceiling. Thus, individual space rents may increase by the same percentage increase as the increase allowed for the gross space rents in the park. (See Woodland City Code, §16B.9(f).)

Subject to state law requirements of minimum notice to park residents and any other applicable law, actual rent increases charged to residents under the adjusted space rent ceiling may go into effect July 1, 2014.

If you have any questions, please contact me at (916) 608-3065.

Very truly yours,
LAW OFFICES OF ANDREW P. PUGNO



Andrew P. Pugno
Attorney at Law

cc: Ana Gonzalez, Woodland City Clerk

LAW OFFICES OF ANDREW P. PUGNO

andrew@pugnolaw.com

June 25, 2014

Philip A. Hoon
5 Bon Air Road Suite 225
Larkspur, CA 94939

**Re: Notice of Approved Annual Permissive Adjustment
Royal Palm Estates**

Dear Mr. Hoon:

The undersigned serves as staff counsel for the City of Woodland Manufactured Home Fair Practices Commission. The Commission approved an Annual Permissive Adjustment of the space rent ceiling for Royal Palm Estates on June 24, 2014.

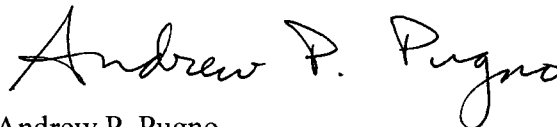
Effective June 24, 2014, the space rent *ceiling* for Royal Palm Estates (which was last adjusted on May 30, 2013) is increased by **0.97%**. (See Woodland City Code, §16B.8(c)(3).) The 0.97% year-to-year adjustment represents a cumulative adjustment of **40.46%** above the space rent in effect on January 1, 1996.

Each park may not increase its gross space rental income in excess of its adjusted space rent ceiling. The gross amount of any adjustment must be distributed to each individual space in the park based upon the same percentage increase in the gross space rents of all spaces in the park subject to the space rent ceiling. Thus, individual space rents may increase by the same percentage increase as the increase allowed for the gross space rents in the park. (See Woodland City Code, §16B.9(f).)

Subject to state law requirements of minimum notice to park residents and any other applicable law, actual rent increases charged to residents under the adjusted space rent ceiling may go into effect July 1, 2014.

If you have any questions, please contact me at (916) 608-3065.

Very truly yours,
LAW OFFICES OF ANDREW P. PUGNO



Andrew P. Pugno
Attorney at Law

cc: Ana Gonzalez, Woodland City Clerk

LAW OFFICES OF ANDREW P. PUGNO

andrew@pugnolaw.com

June 25, 2014

Philip A. Hoon
5 Bon Air Road Suite 225
Larkspur, CA 94939

**Re: Notice of Approved Annual Permissive Adjustment
Idle Wheel Estates**

Dear Mr. Hoon:

The undersigned serves as staff counsel for the City of Woodland Manufactured Home Fair Practices Commission. The Commission approved an Annual Permissive Adjustment of the space rent ceiling for Idle Wheel Estates on June 24, 2014.

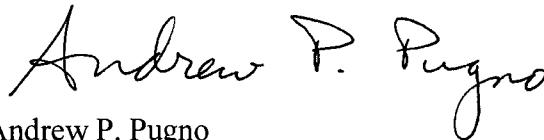
Effective June 24, 2014, the space rent *ceiling* for Idle Wheel Estates (which was last adjusted on May 30, 2013) is increased by **0.97%**. (See Woodland City Code, §16B.8(c)(3).) The 0.97% year-to-year adjustment represents a cumulative adjustment of **40.46%** above the space rent in effect on January 1, 1996.

Each park may not increase its gross space rental income in excess of its adjusted space rent ceiling. The gross amount of any adjustment must be distributed to each individual space in the park based upon the same percentage increase in the gross space rents of all spaces in the park subject to the space rent ceiling. Thus, individual space rents may increase by the same percentage increase as the increase allowed for the gross space rents in the park. (See Woodland City Code, §16B.9(f).)

Subject to state law requirements of minimum notice to park residents and any other applicable law, actual rent increases charged to residents under the adjusted space rent ceiling may go into effect July 1, 2014.

If you have any questions, please contact me at (916) 608-3065.

Very truly yours,
LAW OFFICES OF ANDREW P. PUGNO



Andrew P. Pugno
Attorney at Law

cc: Ana Gonzalez, Woodland City Clerk

Legislation Details (With Text)

5.

File #: 14-300 Version: 1 Name:

Type: Consent Item(s) Status: Agenda Ready

File created: 7/17/2014 In control: City Council

On agenda: 8/19/2014 Final action:

Title: SUBJECT: Approval of \$5,000 in Additional Funds for FY 2013-14 CDBG Project - Site Preparation of 1224 Lemen Avenue Education, Recreation, and Boxing Club Facility

Recommendation for Action: Staff recommends that the City Council adopt Resolution No. _____, approving \$5,000 in additional Community Development Block Grant funds for Yolo County Housing's site preparation of its New Education, Recreation, and Boxing Club Facility at 1224 Lemen Avenue.

Sponsors:

Indexes:

Code sections:

Attachments: [CC Reso Addtl Funds 19Aug14](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: August 19, 2014

SUBJECT: Approval of \$5,000 in Additional Funds for FY 2013-14 CDBG Project - Site Preparation of 1224 Lemen Avenue Education, Recreation, and Boxing Club Facility

Recommendation for Action : Staff recommends that the City Council adopt Resolution No. _____, approving \$5,000 in additional Community Development Block Grant funds for Yolo County Housing's site preparation of its New Education, Recreation, and Boxing Club Facility at 1224 Lemen Avenue.

Staff ContactDan Sokolow, Senior Planner - (530) 661-5927, dan.sokolow@cityofwoodland.org**Fiscal Impact**

The additional Community Development Block Grant (CDBG) funds, \$5,000, would be provided from funds, \$2,769, not used for two completed CDBG projects (FY 2011-12 City of Woodland ADA Accessibility and FY 2011-12 City Hall ADA Restrooms Projects) and CDBG loan repayment (Program Income) during the current fiscal year. The City averages about \$1,500 in monthly Program Income payments from the repayment of housing rehabilitation and microenterprise loans.

Background

The City funded Yolo County Housing's (YCH) 1224 Lemen Avenue project in 2013 through FY 2013-14 CDBG funds and the re-programming of FY 2011-12 CDBG funds in the amounts of \$74,997 and \$12,000, respectively. The funds were provided to allow YCH to prepare a demolition plan for the existing building, YCH's former headquarters, as well as architecture and engineering plans for the new facility. The City's FY 2014-15 CDBG Action Plan includes funding of \$94,033 for demolition of the existing building at 1224 Lemen.

Discussion

To date, YCH has completed a demolition plan and lead paint and asbestos assessments for the 1224 Lemen building. The costs for the interior design of the facility have increased as result of the architect designing a facility larger than initially anticipated and YCH has requested additional funds to cover the increase. The proposed additional funding does not trigger an amendment to the City's FY 2013-14 CDBG Action Plan since the funding does not increase the amount allocated to the 1224 Lemen activity by more than 25 percent.

Conclusion

Staff recommends that the City Council adopt Resolution No. _____, approving \$5,000 in additional Community Development Block Grant funds for Yolo County Housing's site preparation of its New Education, Recreation, and Boxing Club Facility at 1224 Lemen Avenue.

Prepared by: Dan Sokolow
Senior Planner

Reviewed by: Christine Engel
CSD Director



Paul Navazio
City Manager

Attachment
Council Resolution No. _____

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND
APPROVING ADDITIONAL CDBG FUNDS OF \$5,000 FOR THE SITE
PREPARATION OF YOLO COUNTY HOUSING'S NEW EDUCATION,
RECREATION, AND BOX CLUB FACILITY AT 1224 LEMEN AVENUE**

WHEREAS, Yolo County Housing (YCH) received City of Woodland CDBG funds during FY 2013-14 and through the re-programming of FY 2011-12 CDBG funds in the amounts of \$74,997 and \$12,000, respectively, for the site preparation of YCH's New Education, Recreation, and Box Club Facility at 1224 Lemen Avenue;

WHEREAS, YCH has requested additional funds in the amount of \$5,000 to cover an increase in the cost for the interior design of the facility; and

WHEREAS, the proposed additional funding does not trigger an amendment to the City's FY 2013-14 CDBG Action Plan since the amount does not increase the amount allocated to the 1224 Lemen activity by more than 25 percent.

NOW THEREFORE, BE IT RESOLVED, as follows:

The City Council does hereby approve additional CDBG funds in the amount of \$5,000 for the site preparation of YCH's New Education, Recreation, and Boxing Club Facility at 1224 Lemen Avenue.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tom Stallard, Mayor

ATTEST:

APPROVED AS TO FORM:

Ana Gonzalez, City Clerk

Kara K. Ueda, City Attorney

Legislation Details (With Text)

6.

File #: 14-302 Version: 1 Name:
Type: Consent Item(s) Status: Agenda Ready
File created: 7/22/2014 In control: City Council
On agenda: 8/19/2014 Final action:
Title: SUBJECT: Renewal of a ten year Right-of-Way Easement with UNAVCO for PBO Monitoring Station P 271

Recommendation for Action: Staff recommends that the City Council adopt Resolution No. _____, which will authorize the City Manager to execute the necessary documents to grant a renewal of a ten year Right-of-Way Easement at the Waste Water Treatment Plant to UNAVCO for the Plate Boundary Observation and Monitoring Station for scientific data collection.

Sponsors:

Indexes:

Code sections:

Attachments: [RESOLUTION forPBONOver2](#)
[PBOmap](#)
[PBO Contract 2014](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: August 19, 2014

SUBJECT: Renewal of a ten year Right-of-Way Easement with UNAVCO for PBO Monitoring Station P 271

Recommendation for Action : Staff recommends that the City Council adopt Resolution No. _____, which will authorize the City Manager to execute the necessary documents to grant a renewal of a ten year Right-of-Way Easement at the Waste Water Treatment Plant to UNAVCO for the Plate Boundary Observation and Monitoring Station for scientific data collection.

Staff Contact

Bruce D. Pollard, (530) 661-5820, bruce.pollard@cityofwoodland.org

Fiscal Impact

This easement has no direct cost associated with it. All associated costs are borne by UNAVACO.

Background

The Plate Boundary Observatory (PBO) network of GPS and Strainmeter instruments that was installed during

calendar years 2004-2008 includes sites throughout the western states. PBO is a component of EarthScope and is designed to provide observational data to significantly enhance knowledge of the structure and evolution of the North American continent and the processes controlling earthquakes and volcanic eruptions. The PBO Sighting Committee, of UNAVCO, composed of academic and government scientists in the fields of tectonics, geodesy, and seismology, selected the City of Woodland for a site location. The City of Woodland PBO site is located within the WWTP. The City Council approved the first ten year contract on February 17, 2004. The contract gives the city free access to the data from the PBO GPS Base Station (P 271).

Discussion

With this PBO site located in Woodland the city is contributing to a Federal scientific study of the continental plates in western North America. The city also has access to the data from the site and may use that data for GPS and GIS purposes. The contract has been reviewed by the City Attorney. There have been no problems with the project over the last ten years.

Conclusion

Staff recommends that the City Council adopt Resolution No. _____, which will authorize the City Manager to execute the necessary documents to grant a renewal of a ten year Right-of-Way Easement at the Waste Water Treatment Plant to UNAVCO for the Plate Boundary Observation and Monitoring Station for scientific data collection.

Prepared by: Bruce D. Pollard
Senior Civil Engineer

Reviewed by: Brent Meyer
City Engineer

Reviewed by: Ken Hiatt
Community Development Director



Paul Navazio, City Manager

Attachment: A: Resolution No. _____
B: PBO Site Map
C. Copy of the contract

RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND
APPROVING AN AGREEMENT WITH FOR A LONG TERM LAND USE PERMIT**

WHEREAS, the City of Woodland wishes to enter into a Geodetic Monitoring Station Land Use Permit with the Plate Boundary Observatory/UNAVACO (UNAVACO) for a Geodetic Monitoring Station Land Use Permit (“Agreement”); and

WHEREAS, this is a renewal of an existing Land Use Permit; and

WHEREAS, this permit is integral to a Federal project to monitor plate tectonics and develop earthquake prediction methods; and

WHEREAS, the City Council wishes to approve the Agreement and authorize its execution through the adoption of this Resolution;

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

The City Council hereby approves the Agreement. The City Manager is hereby authorized and directed to execute the Agreement, subject to City Attorney approval. The City Attorney is hereby authorized to make clarifying and confirming changes so long as the total dollar amount authorized in the Agreement (zero) does not change.

PASSED AND ADOPTED this _____ day of _____ 2014, by the following vote:

AYES:

NOES:

ABSENT:

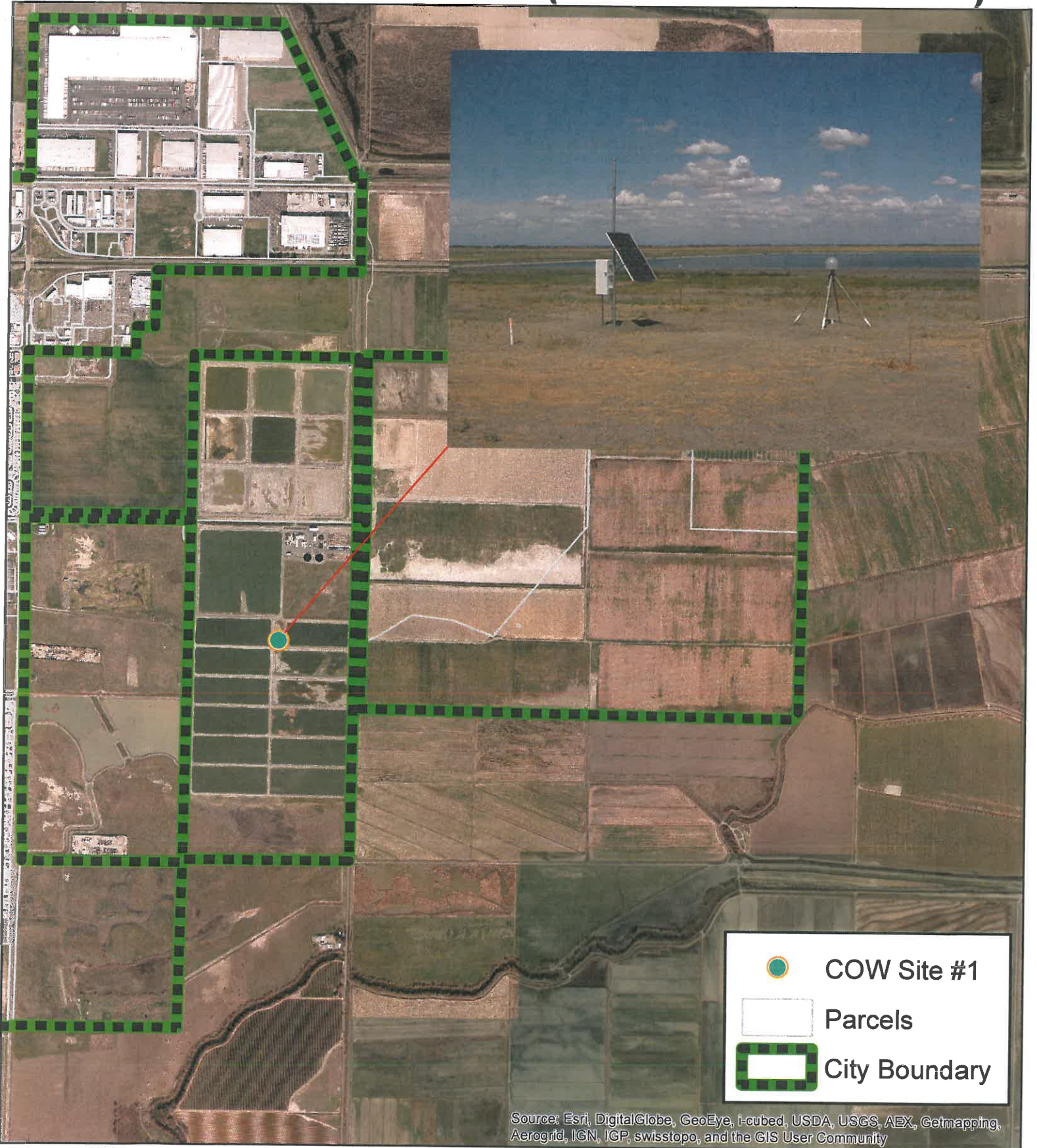
ABSTAIN:

Tom Stallard, Mayor

ATTEST:

Ana B. Gonzalez, City Clerk

Attachment B: Woodland PBO Site #1 - WWTP Between Ponds 1 & 12 (North of Pond 2 & 11)



73

0 0.25 0.5 1
Miles

1:24,000

4 character ID: P271

PBO Representative: Willoughby

PBO Region: NCAL

Radio Repeater Site: yes no



Site Contact Info

Name: City of Woodland California

Mailing Address: 300 First Street
Woodland, CA 95695

Phone: (530) 661 – 5961

Email: Larry.Hatch@cityofwoodland.org

GEODETIC MONITORING STATION LAND USE PERMIT

The undersigned **City of Woodland California** (hereinafter called the "PERMITTER") hereby grants the **Plate Boundary Observatory/UNAVCO, Inc., with offices located at 6350 Nautilus Drive, Boulder CO 80301** (hereinafter called the "PERMITTEE") permission to install, operate, maintain and service a Global Navigation Satellite System (GNSS) or Global Positioning System (GPS) monument, which measures ground motion caused by earthquakes and slow fault slip between earthquakes at the location specified below and in attached images and maps (if required):

County: Yolo	City: Woodland	State: CA	Address/Description: 300 First Street Woodland, CA 95695
Latitude/ Longitude: 38.65735, -121.714549			
Approximate area utilized: 20' x 30'			

The permit is given without charge in consideration of the above and the following:

1. This permit encompasses the period beginning **3/01/2014** and continues through **3/01/2024**. The Permitter may terminate this agreement at any time with or without cause upon 30-day written notice to the Permittee. The Permittee will have 90 days to remove the equipment at the termination of this permit in order to complete any geodetic observations that are in progress.
2. As consideration for the use of defined area, the Permittee shall assist the Permitter to obtain access to GPS data gathered at this and other GNSS/GPS stations operated by UNAVCO for the National Science Foundation. We note that the GNSS/GPS station has utility for land surveying of the Permitter's property and for future geodetic observations as part of the National Spatial Data Infrastructure.
3. The Permittee will notify the Permitter or Permitter's agent prior to the day of installation of the equipment. The Permittee will notify the Permitter or agent prior to entry for any maintenance visits, if these are required.
4. The Permittee accepts the premises in "as is" condition and upon completion of the permit, agrees to restore the premises as nearly as possible to the condition found at the start of the issuance of this permit.
5. The Permittee agrees to maintain the area granted in this permit in a safe manner.
6. The Permitter will not be held responsible for loss of, or damage to, any equipment on the property.
7. The Permittee agrees that the installation and maintenance of the GNSS/GPS monument, instruments, and ancillary equipment installed on the lands of the Permitter shall be effected with all reasonable diligence and precaution in order to avoid damage to the land, property, or personnel.
8. The Permitter has the right and authority to grant this non-recorded easement. Permittee requests the right to assign the permit to another Permittee only with the written consent of the Permitter.
9. The Permittee requests that Permitter inform the Permittee of any intent to sell the property, or portion thereof, where the GNSS/GPS monument is located.
10. Prior to any form of payment to the land-owner, W-9 and Vendor Certification forms must be completed by the Permitter and submitted to UNAVCO at the address above.
11. The Permitter may call 1-866-381-7507 regarding any questions related to this permit.
12. Additional Stipulations:
 - A. The Permittee shall not, in its installation, operation, and maintenance or servicing of the GPS monument, obstruct or interfere in any way with the operation of the City's Wastewater Treatment Facility.
 - B. The Permittee agrees to indemnify, protect, defend and hold harmless the City, its officers, agents and employees from any and all claims, liabilities, expenses or damages arising out of or in any way related to the Permittee's or its employees', agents', subcontractors or volunteers' presence or work on the Property or the presence of the GPS monument on the property. The only exception to the Permittee's responsibility to protect,

4 character ID: P271

PBO Representative: Willoughby

PBO Region: NCAL

Radio Repeater Site: yes no

Site Contact Info

Name: City of Woodland California

Mailing Address: 300 First Street
Woodland, CA 95695

Phone: (530) 661 – 5961

Email: Larry.Hatch@cityofwoodland.org

defend, and hold the City, its officers, agents and employees harmless is if the claim, liability or damage results from the City's sole negligence or willful misconduct.

- C. Prior to and as a condition of its entry upon the property, Permittee shall obtain and maintain, at its own cost and expense, bodily injury, automobile and property damage insurance with a combined single limit of at least \$1,000,000 per occurrence. The City shall be names as an additional insured on the Permittee's policies.
- D. The City of Woodland will have access to real time correction data from a shielded 9-pin serial port connection located on the outside of the PBO equipment box. PBO will make every effort to ensure access to this data, however the stream is subject to interruption at any time and will be restored at PBO's convenience.

Permitter Signature, Name, Title and Date:

Permittee Signature, Name, Title and Date:

Legislation Details (With Text)

7.

File #: 14-309 Version: 1 Name:
Type: Consent Item(s) Status: Agenda Ready
File created: 7/28/2014 In control: City Council
On agenda: 8/19/2014 Final action:
Title: SUBJECT: Authorize Contract Amendment with Wood Rodgers for Floodsafe Yolo/Lower Cache Creek Feasibility Study, CIP 09-15

Recommendation for Action: Staff recommends that the City Council authorize the City Manager to execute Amendment to the consultant services agreement with Wood Rodgers for the Floodsafe Yolo/Cache Creek Feasibility Study, CIP 09-15, for an additional amount not to exceed \$75,000.

Sponsors:

Indexes:

Code sections:

Attachments: [081914 Wood Rodgers Resolution](#)
[Wood Rogers](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: August 19, 2014

SUBJECT: Authorize Contract Amendment with Wood Rodgers for Floodsafe Yolo/Lower Cache Creek Feasibility Study, CIP 09-15

Recommendation for Action : Staff recommends that the City Council authorize the City Manager to execute Amendment to the consultant services agreement with Wood Rodgers for the Floodsafe Yolo/Cache Creek Feasibility Study, CIP 09-15, for an additional amount not to exceed \$75,000.

Fiscal Impact

Approval of amendment #4 for Project 09-15 will bring the total not to exceed cost for the Lower Cache Creek Feasibility Study (LCCFS) hydrology and hydraulic modeling services to \$364,655. This project is included in the Capital Budget approved by Council with \$1,400,000 with funding being advanced from the sewer enterprise fund with a future repayment from the storm drain enterprise fund as approved by Council on January 17, 2012 and the budget was increased by \$500,000 in FY 14/15. Depending on the results of this supplemental rail relocation fatal flaw analysis, there may be additional work necessary as part of feasibility study process and development of an overall flood solution. Wood Rodgers' efforts will be closely directed by City Staff and the flood control Program Manager. Wood Rodgers' work is expected to be considered an In-Kind Contribution by the State of California Department of Water Resources and creditable to the City's share of a City/State joint feasibility study.

Background

The original contract was signed on July 2, 2012 to examine Cache Creek Floodways as part of the Cache Creek Feasibility Study. This Contract Amendment is being presented to Council for the following reasons:

- Contract Amendment #3 performed the Fatal Flaw Analysis for combining rail relocation with the flood project and this Contract Amendment completes the railroad relocation alternative work developed in the Fatal Flaw Analysis to provide 200-year flood protection to the City of Woodland.
- The scope of work includes evaluating cost savings measures to accommodate both rail realignment and flood protection.
- The scope of work includes: resizing the flood conveyance channel, reduce geometry of rail/flood control embankment, utilization of adjacent excavated material for levee construction, and evaluation of land acquisition costs and environmental mitigation.
- This analysis is applicable to the City of Woodland's local cost share of the Cache Creek Feasibility study. In addition, the work done will also inform the project analysis for the regional flood control solution.
- The information developed in this Contract and Amendment will be used in discussions with all stakeholders. These stakeholders are State and Federal agencies, local government agencies, residents, businesses, community organizations, etc.

Discussion

One of the requirements of SB 5 and its companion legislation is that municipalities certify that the new development in its urban area is protected to the 200-year level. This analysis will include refinement of rail relocation flood control alternative to support a regional flood solution. The identification of a locally acceptable Cache Creek flooding solution also needs to be identified in order to obtain funding for implementation from State (CVFPP) or Federal funding sources. It will also allow the identification of the beneficiaries (local, regional, state, and Federal) to assign the costs of the project to the benefited parties.

The work will be closely coordinated with the City's Program Manager for flood control and Wood Rodgers would proceed to work on tasks as directed by the Program Manager with concurrence from City Staff.

Conclusion

Staff recommends that the City Council approve amendment to the consultant services agreement with Wood Rodgers for the Floodsafe Yolo/Cache Creek Feasibility Study, CIP 09-15, for an additional amount not to exceed \$75,000, and authorize the City Manager to execute the agreement.

Prepared by: Tim Busch
Principal Utilities Civil Engineer

Prepared by: Brent Meyer
City Engineer

Reviewed by: Ken Hiatt
Community Development Director



Paul Navazio
City Manager

Attachments: Resolution authorizing the contract amendment with Wood Rodgers
Wood Rodgers Scope of Work

RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND
APPROVING AN AGREEMENT WITH Wood Rodgers, Inc. for Engineering Consulting
Services**

WHEREAS, the City of Woodland wishes to enter into an engineering consulting services agreement with Wood Rodgers, Inc. (Wood Rodgers) for Supplemental Analysis for the Rail Relocation Alternatives Fatal Flaw Analysis (“Agreement”); and

WHEREAS, Wood Rodgers is on the City’s on call list of engineering consultants and was selected through a competitive process; and

WHEREAS, Wood Rodgers has been working on the Lower Cache Creek Feasibility Study and has assisted the City of Woodland in flood management for the past several years; and

WHEREAS, Wood Rodgers will complete the analysis including: resizing the flood conveyance channel, reducing the geometry of rail/flood control embankment, utilization of adjacent excavated material for levee construction, and evaluation of land acquisition costs and environmental mitigation.

WHEREAS, the City Council wishes to approve the Agreement and authorize its execution through the adoption of this Resolution.

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

Section 1. The City Council hereby approves the Agreement. The Mayor is hereby authorized and directed to execute the Agreement, subject to City Attorney approval. The City Attorney is hereby authorized to make clarifying and confirming changes so long as the total dollar amount authorized in the Agreement does not change.

Section 2. A copy of the Agreement is available and on file in the City Clerk’s office, and is incorporated herein by reference and made a part of this Resolution..

PASSED AND ADOPTED this 19th day of August 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tom Stallard, Mayor
ATTEST:

Ana B. Gonzalez, City Clerk



July 22, 2014

Mr. Tim Busch
City of Woodland
300 First Street,
Woodland, CA 95695

Dear Mr. Busch:

Subject: City of Woodland, Proposal to Provide Supplemental Analysis for the Rail Relocation Alternatives Fatal Flaws Analysis

Wood Rodgers, Inc. (Wood Rodgers) is pleased to provide the following proposal for performing additional analyses in support of rail relocation alternatives as potential components of the City of Woodland (City) Lower Cache Creek Feasibility Study (LCCFS). Reference is made to Wood Rodgers' Technical Memorandum (TM) dated June 5, 2014, wherein the results of the initial Fatal Flaws Analysis were presented. Eight recommendations were included in the TM to refine Alternative No. 1, potentially reducing the overall cost of the Alternative. The purpose of this proposed supplemental analysis will be to implement and evaluate the impact of these recommendations on the overall alternative cost.

It is understood that the City is discussing the potential to initiate a joint City and California Department of Water Resources (DWR) feasibility study for Lower Cache Creek. This study will review a number of alternatives as described in Table 1 of Wood Rodgers' proposal dated March 31, 2014. The work described in this proposal is anticipated to have positive implications for determining the feasibility of the alternatives to be evaluated in the joint City/DWR LCCFS.

SCOPE OF WORK

In order to schedule and manage the work, Wood Rodgers has divided the work into three Tasks, as described below:

Task 1.0 – Project Management

Wood Rodgers will continue to perform project management over its work. A duration of approximately six (6) weeks is anticipated for Task 1.0. Up to two (2) two-hour project meetings are anticipated as a part of this Task. Wood Rodgers

will prepare invoices, perform schedule and budget tracking, and provide status reporting as a part of this Task. Wood Rodgers will also coordinate its work with HDR for railway preliminary design as a part of this Task.

Task 2.0 – Refine Railroad Relocation Alternative No. 1

Under Task 2.0, Wood Rodgers will refine the analysis for Rail Alternative No. 1 to incorporate the recommended cost savings measures discussed in the June 5, 2014 TM. The cost savings measures are identified below:

1. Eliminate or Reduce the Size of the Flood Control Conveyance channel
2. Assume that the Channel Excavation Material Meets Levee Fill Requirements
3. Reduce the Embankment Height for Segments 1 through 6
4. Reduce Land Acquisition Unit Costs
5. Reduce the Geometry of the Rail/Flood Control Embankment
6. Refine the Unit Cost for Borrow Material
7. Remove the Royalty Cost for Borrow Material
8. Reduce the Cost for Environmental Mitigation

The assumptions associated with each of these revisions and other relevant information will be documented within the TM of Task 3.0. Updated segment and summary cost tables for Alternative No. 1 will be prepared to determine the total revised cost for the alternative.

Task 3.0 – Prepare Technical Memorandum

Following the completion of Task 2.0, Wood Rodgers will document the results of the analysis in a Technical Memorandum (TM). Figures showing the revised configuration and features of Alternative No. 1 will be presented. The cost tables of Task 2.0 will be included as an appendix to the TM.

- Deliverables: Two (2) copies of a TM will be provided to the City's Program Manager.

Budget

Wood Rodgers' proposed budget for this work is shown on **Table 1**. For your reference, enclosed are copies of Wood Rodgers' Invoicing, Payment, and Liability Policies (**Exhibit A**) and 2014 Fee Schedule (**Exhibit B**).

Schedule

It is proposed that the Draft Report be delivered to the City's Program Manager within six (6) weeks of receiving a signed Notice to Proceed (NTP) with the work.

Wood Rodgers appreciates the opportunity to submit this proposal for your consideration and looks forward to assisting you with this assignment.

If you have any questions regarding this proposal, please contact me at 916-326-5294.

Sincerely,



Jonathan Kors, P.E.
Vice President

Enclosures

**TABLE 1
CITY OF WOODLAND
REFINEMENT OF RAIL RELOCATION ALTERNATIVE NO. 1
PROPOSED BUDGET**

TASK	DIRECT LABOR CLASSIFICATIONS						TOTAL HOURS	DIRECT LABOR	REIMBURSABLES	TOTAL
	Principal Engineer II/ Project Manager	Associate Engineer II	Associate Engineer I	Engineer II	GIS I	Project Coordinator				
	\$205	\$150	\$140	\$120	\$110	\$95				
A. Perform Project Management	24	8				4	36	\$6,500	\$220	\$6,720
B. Refine Rail Alternative No. 1	18	60	120	120	80		398	\$52,690	\$1,800	\$54,490
C. Prepare Technical Memorandum	8	6	40		40	4	98	\$12,920	\$870	\$13,790
	50	74	160	120	120	8	532	\$72,110	TOTAL	\$75,000

EXHIBIT "B"



WOOD RODGERS

SACRAMENTO FEE SCHEDULE
Effective January 1, 2014

CLASSIFICATION	STANDARD RATE
Principal Engineer/Geologist/Surveyor/Planner/LA* II	\$205
Principal Engineer/Geologist/Surveyor/Planner/LA* I	\$165
Associate Engineer/Geologist/Surveyor/Planner/GIS/LA* III	\$160
Associate Engineer/Geologist/Surveyor/Planner/GIS/LA* II	\$150
Associate Engineer/Geologist/Surveyor/Planner/GIS/LA* I	\$140
Engineer/Geologist/Surveyor/Planner/GIS/LA* III	\$130
Engineer/Geologist/Surveyor/Planner/GIS/LA* II	\$120
Engineer/Geologist/Surveyor/Planner/GIS/LA* I	\$110
Assistant Engineer	\$90
CAD Technician III	\$110
CAD Technician II	\$100
CAD Technician I	\$90
Project Coordinator	\$95
Administrative Assistant	\$75
1 Person Survey Crew	\$160
2 Person Survey Crew	\$240
3 Person Survey Crew	\$320
Consultants, Outside Services, Materials & Direct Charges	Cost Plus 10%
Overtime Work	Rate Plus 50%

*LA = Landscape Architect

Blueprints, reproductions, and outside graphic services will be charged at vendor invoice.
Auto mileage will be charged at the IRS standard rate, currently 56 cents per mile.

Fee Schedule subject to change January 1, 2015.

Legislation Details (With Text)

8.

File #: 14-313 Version: 1 Name:
Type: Consent Item(s) Status: Agenda Ready
File created: 7/30/2014 In control: City Council
On agenda: 8/19/2014 Final action:
Title: SUBJECT: Approval of Resolution Adopting the new Public Employees' Medical and Hospital Care Act (PEMHCA) Contribution Rate for Calendar Year 2015.

Recommendation for Action: Staff recommends that the City Council approve the Resolution No. _____ adopting the new Public Employees' Medical and Hospital Care Act (PEMHCA) contribution rate of \$122.00 per month for calendar year 2015.

Sponsors:

Indexes:

Code sections:

Attachments: [PEMHCA RESO 2015](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: August 19, 2014

SUBJECT: Approval of Resolution Adopting the new Public Employees' Medical and Hospital Care Act (PEMHCA) Contribution Rate for Calendar Year 2015.

Recommendation for Action : Staff recommends that the City Council approve the Resolution No. _____ adopting the new Public Employees' Medical and Hospital Care Act (PEMHCA) contribution rate of \$122.00 per month for calendar year 2015.

Staff Contact

Sheila McShane, Human Resources Manager, 530 661 5807, Sheila.mcshane@cityofwoodland.org

Fiscal Impact

There is no direct fiscal impact related to this action. The city's contributions to both active and retiree medical insurance benefits are fully covered within appropriations provided in the FY14/15 adopted budget. Establishing the annual PEMHCA minimum contribution rate merely impacts the accounting treatment established by CalPERS for this purpose.

Background

Approval of this plan will bring the City into compliance with the Public Employees' Medical and Hospital

Care Act (PEMHCA) and CalPERS retiree health plan guidelines and rules governing treatment of active versus retired employees.

Discussion

Under the CalPERS Health Benefit Program, the City is required under the Public Employees' Medical and Hospital Care Act (PEMCHA) to provide the same benefit to active employees as retired employees. The amount designated is the minimum amount required by CalPERS. In 2014 the, the minimum contribution was \$119.00 per member; the 2015 rate will increase to \$122.00 per member. The amount is adjusted annually by a cost-of-living factor. Under a cafeteria plan, the city designates this minimum amount as the medical contribution toward employees. Under the equal contribution plan, this same amount is then designated at the retiree medical contribution.

The City's overall contributions toward CalPERS Health Benefit Program for all employees are established through the various Memoranda of Understanding (MOU's) with the various employee bargaining groups.

Conclusion

Staff recommends that the City Council approve the Resolution No. _____ adopting the new Public Employees' Medical and Hospital Care Act (PEMHCA) contribution rate of \$122.00 per month for calendar year 2015.

Prepared by: Sheila McShane, Human Resources Manager



Paul Navazio, City Manager

Attachment: Resolution

RESOLUTION NO ____
RESOLUTION FOR ADOPTING THE NEW PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT
(PEMHCA) FOR THE CALENDAR YEAR 2015 OF \$122 PER MONTH

Whereas, the governing board of the City of Woodland had the authority to implement Government Code Section 22892 of the Public Employees' Medical and Hospital Care Act (PEMHCA);

WHEREAS, the governing body of the City of Woodland has a written labor policy or agreement which specifically provides for the payment of PEMHCA ;

Whereas, one of the steps in the procedures to implement Section 22892 is the adoption by the governing body of the City of Woodland of a Resolution to commence paying the new amount effective January 1, 2015;

WHEREAS, the governing body of the City of Woodland will continue to contribute the required minimum PEMCHA \$122 per month toward retiree health insurance;

The effective date for this resolution shall be August 19, 2014.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the City of Woodland elects to pay and report the value of EMPC as set forth above.

PASSED AND ADOPTED by the City Council this 19th day of August, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tom Stallard, Mayor

ATTEST:

Ana B. Gonzalez, City Clerk

Kara Ueda, City Attorney

Legislation Details (With Text)

9.

File #:	14-316	Version:	1	Name:	
Type:	Consent Item(s)	Status:		Agenda Ready	
File created:	8/1/2014	In control:		City Council	
On agenda:	8/19/2014	Final action:			
Title:	SUBJECT: Community Development Department's Quarterly Status Report				
	Recommendation for Action Staff recommends that the City Council receive the Community Development Department's Quarterly Status report.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	CDD Quarterly Report Q22014 CDD - Capital Project Status Report April - July 2014				
Date	Ver.	Action By	Action		Result

TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: August 19, 2014

SUBJECT: Community Development Department's Quarterly Status Report

Recommendation for Action

Staff recommends that the City Council receive the Community Development Department's Quarterly Status report.

Staff Contact

Alex Halcon, Management Analyst - 530-661-5885, Alex.Halcon@cityofwoodland.org

Fiscal Impact

This is an informational item with no fiscal impact.

Report in Brief

Attached is the Community Development Department's (CDD) Monthly Quarterly Report. The report highlights building activity, major development projects, and activities of the Successor Agency/former Redevelopment Agency *from April 1, 2014 to July 31, 2014*.

Additionally, we have included the current Capital Project Status Report providing an update of the projects through July 31, 2014.

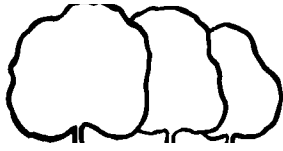
Prepared by: Alex Halcon, Management Analyst

Reviewed by: Ken Hiatt, Community Development Director

A handwritten signature in dark ink, appearing to read "Paul Navazio", is positioned above the printed name.

Paul Navazio, City Manager

Attachment: CDD Quarterly Status Report, CIP Status Report



PROJECT UPDATE

Activities from April 1, 2014 to July 31, 2014

PLANNING AND DEVELOPMENT APPLICATIONS

Project:	Summary Project Applications from April 1, 2014 through July 31, 2014		
Phase:	N/A	PM:	Planning Staff
Location:	Citywide		
Description:	Planning project applications processed		
Status:	• 1 CUP for a proposed 90-foot Cell Tower in the CH/EOZ zone on Douglas Ln • 1 Site Plan and Design Review for a new building at the North east corner of 6th and Main • 15 Design Review Sign Applications • 4 Design Reviews for cell tower modifications • 5 Design Reviews for Minor Exterior Improvements (Starbucks at Ashley and Main; Sweeties on Main Street; The White Barn on First St; 351 Court Street, Dental office; and 119 Court St. • 1 Tentative Parcel Map and Design Review at 1336 E. Gum • 78 new single family home plan check for Spring Lake		

Project:	Woodland Commerce Center		
Phase:	Environmental Review for DEIR	PM:	Erika Bumgardner
Location:	NW corner of East Main Street and CR 102		
Description:	Proposed annexation for 146-acre site with a GP land designation of Industrial and pre-zoned Industrial.		
Status:	Draft Program EIR circulated during the period of April 26 – June 10, 2013. RBF, the City's environmental consultant, and City staff have prepared responses to the comments received on the Draft EIR. City staff is preparing the Development Agreement for the project.		

Project:	Woodland Spring Lake Partnership (Spring Lake Central)
Phase:	Initial Review PM: Cindy Norris/Paul Hanson
Location:	West of Harry Lorenzo, North of Heritage Parkway
Description:	105 acres of land; Proposed Tentative Map, Rezone and General Plan Amendment to replace the Spring Lake Central project previously approved in Feb 2007. The new application proposes to reconfigure the land uses within the project and subdivide the single family lots. The application proposes to remove the central commercial acreage and provide approximately 612 new units; 405 single family, 22 half-plex and 185 multi-family. One acre fire station and a 4.3 acre park site.
Status:	The General Plan petition was approved by Planning Commission on March 6, 2014. Staff has been working with the applicant on design revisions.

Project:	Heritage Remainder (Tentative Map #4784) General Plan Amendment and Rezone; Turn of the Century, LLC
Phase:	Initial Review PM: Paul Hanson
Location:	Northwest corner of County Road 25A and County Road 102; extending west along County Road 25A
Description:	A proposed General Plan and Spring Lake Specific Plan Amendment to rezone undeveloped portions of the Heritage Remainder Area (Vesting Map #4784). The amendment will re-zone the existing 38.3 acre R-3 and the 1.22 acre Affordable Housing designations to R-4 (4 du/acre). The proposal reconfigures the site layout, shifting the existing R-15 area immediately south of its current location and increases the acreage from 8.22 to 9.14 acres. The amendment results in 297-343 units total; an average of 5.3 du/acre.
Status:	The General Plan and Specific Plan amendments were approved by the City Council on July 1, 2014. In addition, an amendment to the Spring Lake Affordable Housing Plan was approved to allow projects with greater than 50 units the option of paying in-lieu fees for required affordable units. Staff has met with a builder who has indicated interest in a portion of the lots.

Project:	Cal West (Tentative Map # 4991) General Plan Amendment and Rezone; Cal West Investors, LLC
Phase:	Initial Review PM: Cindy Norris/ Paul Hanson
Location:	Northwest Corner of Harry Lorenzo Avenue and Farmers Central Rd and east of HWY 113
Description:	A proposed General Plan and Spring Lake Specific Plan Amendment to re-zone the existing 5.6 acre, R-15 designation to R-8. The amendment will also re-zone the existing 2.4 acre, Neighborhood Commercial site to R-8 and reconfigure the existing Park to front solely on Farmer's Central Road. The park will be reduced in size from 10 acres to 8.3 acres. The amendment will result in 227 units or 6 du/acre.
Status:	The General Plan petition was approved by Planning Commission on March 6, 2014. The project is currently under review. On July 15, 2014 the City received comments from Spring Lake residents and is preparing responses to the concerns and questions that relate to commercial rezoning, park construction, schools, and other issues.

Project:	Calwest Final Parcel Map 5003		
Phase:	Final Map Review	PM:	Bruce Pollard
Location:	Spring Lake, West of Harry Lorenzo Drive and North of Farmers Central Road Extension		
Description:	Parcel Map to split up business interests.		
Status:	The Map has been summated for review to Yolo County.		

Project:	Prudler Tentative map # 4856, General Plan Amendment and Rezone (Map revision)		
Phase:	Initial Review	PM:	Paul Hanson
Location:	North of Sports Park Drive, East of East Street and South of the County Fair Mall.		
Description:	A proposed General Plan Amendment to amend the land use from General Commercial to Residential. Proposed rezone from C-2 to R-1 and a revised subdivision map for a total of 204 lots of which 86 units will be at an R-5 density and 118 at an R-8 density, for a total project density of 5.85 units/ac.		
Status:	The project is currently under review. A planning consultant firm, Raney Planning and Management, has been hired to assist with project management. Staff has been working with the applicant on possible design revisions and completing required technical analyses.		

Project:	Final Map 5004, Parkview		
Phase:	Construction	PM:	Bruce Pollard/Jim Heath
Location:	Spring Lake south of Jack Slaven Park		
Description:	Final map with 108 SFD buildable lots		
Status:	The Final Map was approved by City Council on July 20, 2013. The project, by Taylor Morrison, is currently under construction.		

Project:	Final Map 5019 Heritage 4C & 7 phase 1		
Phase:	Design Review	PM:	Bruce Pollard
Location:	Spring Lake south of Heritage Parkway on Mickle Avenue		
Description:	Will result in 13 SFD buildable lots		
Status:	The Final Map was approved by City Council on April 2, 2013. The subdivision, Camelia by Lennar, is currently under construction.		

Project:	Final Map 5029 Heritage 4C & 7		
Phase:	Design Review	PM:	Bruce Pollard/Jim Heath
Location:	Spring Lake south of Heritage Parkway on Mickle Avenue		
Description:	Final map with 65 SFD		
Status:	The project, Camelia by Lennar Homes, is currently under construction.		

Project:	Final Map 5030 Heritage 4A	
Phase:	Construction	PM: Bruce Pollard/Jim Heath
Location:	Spring Lake south of Heritage Parkway on Mickle Avenue	
Description:	Final map with 20 SFD lots buildable lots	
Status:	The project is currently under construction by Lennar Homes	

Project:	Final Map 4853 Solara Ranch	
Phase:	Plan Submittal	PM: Bruce Pollard
Location:	Spring Lake East of Beeghly Ranch (Parkland extension)	
Description:	Final map with 94 lots	
Status:	Civil improvement plans are complete and a map was submitted for first plan check. Completion timing will be based on the settlement of the Development Agreement (DA) amendment and Pulte legal dispute. Staff has met with the applicant concerning architectural review.	

Project:	Final Map 4986 Heidrick II and Heidrick III	
Phase:	Design Review	PM: Bruce Pollard
Location:	Spring Lake West of Pioneer Avenue and South of Farmers Central Road	
Description:	Final map with 99 SFD buildable lots	
Status:	(No Change) Civil improvement plans submitted for review for both Heidrick II and III. Developer is examining combining projects.	

Project:	Mutual Housing at Spring Lake (Spring Lake Housing Associates)	
Phase:	Approved	PM: Paul Hanson
Location:	Spring Lake – Pioneer Avenue, Farmers Central Road, Brubaker Street, and Armus Place.	
Description:	The <i>Mutual Housing at Spring Lake</i> apartment project is a 101 unit multi-family residential project on a 5 acre parcel within the R-25 zone.	
Status:	(No Change) Approved by Planning Commission on July 21, 2011. The project was awarded tax credits in June 2013 and construction of the first 62 units will start in Fall 2013. Building permit has been issued for 62 units and is under construction .	

Project:	Spare Time, Inc.	
Phase:	Approved	PM: Paul Hanson
Location:	Molly Avenue and Betty Avenue	
Description:	Tentative Map Tentative Subdivision Map No. 4581 to subdivide APNs 066-122-060 totaling 5.65 acres into 34 single family lots and 4 half-plex lots.	
Status:	(No Change) Approved by Planning Commission on November 1, 2007 and expires on November 1, 2014.	

Project:	Velocity Island Cable Wakeboard Park	
Phase:	Construction	PM: Bruce Pollard/Jim Heath/ Paul Hanson
Location:	755 North East Street	
Description:	Cable wakeboard park (a surface water sport) within the City's 15-acre Dubach Detention Basin	
Status:	Project open and operating. Some Civil improvements deferred	

Project:	New Court House	
Phase:	Construction	PM: Bruce Pollard/Jim Heath
Location:	Main Street between 5 th and 6 th Streets	
Description:	Public Improvements related to a new Superior Court Building	
Status:	The project is now under construction.	

Project:	Starbucks Drive-Thru at Ashley and Main in the Rite Aid Center	
Phase:	Review	PM: Paul Hanson
Location:	271- 281 West Main Street	
Description:	Petrovich Development Co. is requesting approval of a Conditional Use Permit to allow the construction of a 1,700 sq. ft. Starbucks with Drive-Thru and a 1,000 sq. ft. spec retail space.	
Status:	A Design Review for minor site modifications has been submitted for review.	

Project:	Final Map TBD Heritage Remainder	
Phase:	Plan Review	PM: Pollard/Weichel
Location:	Springlake south of Lennar and Heritage subdivisions	
Description:	Improvement plans for ~ 100 lots in the Heritage remainder	
Status:	Plan checking first submittal of plans	

Project:	Fairfield Inn & Suites CUP/Design Review Modification		
Phase:	Review	PM:	Erika Bumgardner
Location:	2100 Freeway Drive		
Description:	The project includes a modified exterior design concept for the Fairfield Inn & Suites located at 2100 Freeway Drive in the Highway Commercial Entryway Overlay Zone, from the original 2008 design approval and a reduction in the total number of bedrooms from 105 rooms (four stories) to 72 rooms (three stories). The modified design was approved by the Planning Commission on January 16, 2014. The project CUP was originally approved in 2008.		
Status:	Project is currently in plan check review.		

Project:	Verizon Cell Tower at Woodland Sports Park CUP and Wireless Telecommunication Facilities Ordinance Amendment		
Phase:	Scheduled for hearing	PM:	Erika Bumgardner
Location:	2001 East Street		
Description:	Conditional Use Permit to allow the construction and operation of a 90-foot tall telecommunications cellular tower and the installation of related ground equipment on an approximate 780 square foot lease area at 2001 East Street (Woodland Sports Park). The request also includes an amendment to the Zoning Ordinance to permit telecommunications antennas or towers on property that is owned, leased or otherwise controlled by the City through a Conditional Use Permit. The ordinance amendment includes updates to ensure that the City complies with recent federal requirements regarding processing co-location of multiple telecommunications equipment on a single tower.		
Status:	The CUP was approved by the City Council on June 17, 2014 and the Ordinance Amendment was approved by the City Council on July 1, 2014. The cell tower is currently in plan check review.		

Project:	Design Review for a New Building located at the North East Corner of 6th and Main		
Phase:	New Submittal	PM:	Erika Bumgardner
Location:	NEC 6 th and Main Street		
Description:	A proposed 9,200 square foot retail shopping center located at the northeast corner of 6th and Main Streets. Retail tenants have not been identified; however there is space for up to 6 separate tenants in the center. Parcel Map No. 4929 was approved for the site in October 2007 in association with the proposed Rite Aid shopping center. The Rite Aid shopping center project was not completed and the current proposed project represents an entirely new development proposal for the site.		
Status:	30 day Completeness Review		

Project:	Cell Tower (Monopine) CUP at 96 West Main		
Phase:	Review	PM:	Erika Bumgardner
Location:	96 West Main Street		
Description:	The applicant, AT&T Mobility, proposes to construct and operate an 95-foot tall telecommunications cellular tower in the shape of a pine tree (monopine) and to install related ground equipment within a 1,463 square foot lease area at 96 West Main Street, a .49 acre parcel with an existing 8,320 square foot commercial/office building located along the eastern half of the site.		
Status:	The project was approved by the Planning Commission on April 17, 2014 and is currently in plan check for review.		

Project:	Woodland Christian School CUP/Design Review Modification		
Phase:	Approved	PM:	Erika Bumgardner
Location:	1787 Matmor Road		
Description:	Request to approve a modification to an existing Conditional Use Permit. The proposal includes Site Plan and Design Review for the relocation of the originally approved kindergarten through 5 th grade elementary school from the southern to the northern half of the project site. Minor location adjustments are proposed for the previously approved preschool building and high school gymnasium. The proposal also includes a new high school science building and the elimination of the previously approved church worship center and associated buildings.		
Status:	The project was approved by the Planning Commission on January 16, 2014. Building permit review is complete and ready for issuance.		

Project:	Proposed 90-foot Cell Tower in the CH/EOZ District at Hays Lane		
Phase:	New submittal	PM:	Erika Bumgardner
Location:	430 Douglas Lane		
Description:	Conditional Use Permit to construct and operate a 90-foot tall telecommunications cellular tower disguised as a water tank and to install related ground equipment within a 1,305 square foot lease area at 430 Douglas Lane, a vacant (undeveloped) 1 acre parcel. The project site will be accessed via a 15' non-exclusive access and utility easement from Hays Lane, south of the subject property.		
Status:	30 day Completeness Review		

Project:	General Plan Update
Phase:	On-going PM: Cindy Norris
Location:	City-wide
Description:	A planned update to the City's 1996/2002 General Plan
Status:	Heidi Tschudin has been hired as the General Plan Project Manager with Dyett and Bhatia hired as the General Plan Consultant.
	Recent actions include: • A City Council workshop on October 15, 2013 and a follow up meeting on November 19, 2013. Recommendations from that meeting include the following: 1. That developing a flood solution, advancing job creation, promoting infill, and building out of the Spring Lake Specific Plan are top priorities for the General Plan update. 2. That subsequent new growth should be prioritized in the following sequence subject to defining appropriate land use triggers for advancement of future planning and build –out of these areas: Master Plan Remainder Area, East Area, Northwest Area. 3. That a range of growth rates (through 2035) should be analyzed: 180 dwelling units per year (0.8% annual average rate or 4,000 units over 22 years) and 400 dwelling units per year (1.7% annual average rate or 9,000 units over 22 years). 4. Direct staff to prepare a preliminary land use map with these assumptions, seek community input including the General Plan Steering Committee. • After review by the General Plan Steering Committee on April 7, 2014, a draft land use map, land use descriptions, and four conceptual development scenarios were developed with the intent of testing and analyzing the results. Consultant evaluations in the areas of fiscal/economic, transportation, stormwater, flood, water are currently underway. Additional evaluation and testing will be provided in the area of schools, parks, fire, police and other relevant service areas. Once analysis is complete the revised scenarios and the results of the testing will be presented in a series of meetings for review and discussion. The ultimate result at the end of this phase will be approval of a preferred development strategy. The General Plan team will then begin the process of drafting the general plan policies, text and conducting the environmental review. • On July 17, 2014 the General Plan Team released the Final Update of the Opportunities and Challenges, Issues and Constraints Report. • The General Plan Team is working to update the City's Vision and Guiding Principles statement based on input received by Council, the public and GP Steering Committee.

BUILDING ACTIVITY

Project:	Huntington Square Subdivision	
Phase:	Construction	PM: Paul Siegel
Location:	Spring Lake at end of Matmor Dr.	
Description:	162 Single Family Home Development	
Status:	(No Change) 162 single family home permits have been issued. 150 homes have been finalized and 12 homes are currently under construction. There are 3 remaining lots. Sports Park Drive road construction is complete. Bike path and landscape will be completed this summer after water transmission line is installed.	

Project:	Produce Market	
Phase:	Plan Review	PM: Paul Siegel / Paul Hanson
Location:	1490 E. Main St.	
Description:	Produce Market on 4.47 acres: Site will be on septic tank.	
Status:	Project is ready to issue. Applicant has put the project on hold until early next year.	

Project:	Comfort Suites Hotel	
Phase:	Plan Review	PM: Paul Siegel
Location:	2080 Freeway Drive	
Description:	Construction of 41,500 sq ft Hotel with 66 Rooms	
Status:	The permit was issued in December. Construction has started. Staff has been working with the applicant on their public art project component.	

Project:	Mutual Housing at Spring Lake-New Affordable Housing Project	
Phase:	Plan Review	PM: Paul Siegel / Paul Hanson
Location:	2170 Farmers Central Road	
Description:	Construction of new apartment complex including 62 units and a community center building, and site improvements.	
Status:	The permit has been issued and the project is under construction.	

Project:	Lennar Homes	
Phase:	Permits Issued	PM: Rick Essenwanger
Location:	Spring Lake Heritage Unit 4, south of Heritage Parkway	
Description:	Four Master Plans for 98 single family homes in an R-4 subdivision. 42 single family home permits have been issued. 11 homes have been finalized and 31 homes are currently under construction. There are 56 remaining lots.	
Status:	Project is in production phase.	

Project:	Taylor Morrison Homes	
Phase:	Permits Issued	PM: Rick Essenwanger
Location:	Spring Lake Parkview Subdivision	
Description:	Six Master Plans for 108 single family homes in an R-8 zoning. 27 single family home permits have been issued. 0 homes have been finaled and 27 homes are currently under construction. There are 81 remaining lots.	
Status:	Project is in production phase.	

Project:	Nguyen DDS Dental Office TI	
Phase:	Construction	PM: Paul Siegel
Location:	351 Court	
Description:	Tenant Improvement and major remodel of building at Court and Elm	
Status:	The permit was issued in June. Construction has started.	

Project:	Fairfield Inn & Suites	
Phase:	Plan Review	PM: Paul Siegel
Location:	2100 Freeway Drive	
Description:	Plan Review of a 41,946 sq. ft. three story hotel with 72 units.	
Status:	Project is in plan check.	

Project:	Starbucks Shell	
Phase:	Plan Review	PM: Paul Siegel
Location:	271 West Main St	
Description:	Shell building located between Rite Aid and Burger King on West Main. Building will be home for future Starbucks.	
Status:	Project is in plan check.	

Project:	Woodland Christian School CUP/Design Review Modification	
Phase:	Plan Review	PM: Rick Essenwanger
Location:	1787 Matmor Road	
Description:	Addition of classroom and assembly building and site access.	
Status:	Project is ready to issue.	

Project:	Yogurt and Deli TI	
Phase:	Plan Review	PM: Paul Siegel
Location:	540 Main Street	
Description:	Tenant Improvement for two users at the newly remodeled historic building at 540 Main.	
Status:	Project is in plan review	

Project:	Subway Sandwich	
Phase:	Plan Review	PM: Paul Siegel
Location:	709 Main Street	
Description:	Tenant Improvement for new Subway Sandwich.	
Status:	Project is in plan review	

Project:	Prologis Tenant Improvement	
Phase:	Construction	PM: Paul Siegel
Location:	2190 Hanson Way	
Description:	Tenant Improvement includes extensive remodel of office spaces. Other permits will include racking and conveyor systems	
Status:	Project is in construction	

Project:	Continental Supply TI	
Phase:	Construction	PM: Paul Siegel
Location:	460 Hater Ave Ste. A	
Description:	Tenant Improvement for industrial building. TI is for expansion of office space.	
Status:	Project is in construction	

CODE ENFORCEMENT ACTIVITY

Reactive Enforcement:	<u>Status</u>				
	Number	Open	Closed	Pending	Notes
Calls for Service					
Code Complaints			42	74	
Complaints Unfounded	10				No code violations were found
Code Violations	71				Verified
Warning Notices	54				Issued
Code Compliance	42				code violations corrected
Abatement	0				
	<u>Specific Nuisance Items</u>				
Non-Operable Vehicles	30				95% of vehicles were removed
Junk and Debris	33				Blighted conditions
Illegal Construction (stop work notice)	14				(3) Stop work notices were posted
Parking on Landscaping	0				
Buildings (unsecure/vacant)	14				Building were abandoned or foreclosed
Obstruction of Public way	7				Overgrown shrubs or bush in setback areas blocking sight view
Prohibited signs	2				Posted, and re-moved
	<u>Other Items</u>				
Business License Inspections	9				Renewal inspections
	<u>Specific Items</u>				
	<u>Ongoing Projects</u>				
Proactive Enforcements	Status:	105 W. Main St. (Long John Silver)		Working closely with property manager, via phone to help maintain property	
Non-Operable Vehicle		95% of vehicles were re-moved (see above)			
Foreclosure Monitoring					
	<u>Public Outreach</u>				
Business					
Workshops		Traffic/Engineering/Code Enforcement 6/12/2014 Yolo Co. Environmental and Consumer task Force, 6/19/2014			
Neighborhood Watch		Attended meeting, 6/10/2014			

SUCCESSOR AGENCY/FORMER REDEVELOPMENT

Project:	AB1484 Low/Mod Due Diligence Fund Report Approval and Certification		
Phase:	Approval of Bond Expenditure Agreement/Winding Down Agency	PM:	Wendy Ross
Location:	Agency wide		
Description:	Post-redevelopment and per AB1x 26 and subsequently AB1484, required activity to wind down Woodland Redevelopment Agency projects and allocation of funds.		
Status:	The CA Department of Finance Finding of Completion was issued on May 7, 2013. The Department of Finance approved the addition of the CalHFA outstanding HELP loan for the Casa Del Sol in April 2013. It was determined that the Woodland Successor Agency is authorized by DOF to enter into Bond Expenditure Agreement, whereby the balance of Agency Bond proceeds in the amount of approximately \$4.0m will be transferred to the City to be allocated to projects that qualify per the Official Statement of the Bonds, CA Redevelopment Law and the Woodland Redevelopment Plan. Staff has begun the process identify qualified priority projects. ROPS 14/15A is currently under review by the Department of Finance.		

Economic Development Projects

Project:	Yolo County Broadband Strategic Plan		
Phase:	underway	PM:	Wendy Ross
Location:	Countywide focus		
Description:	Countywide collaboration to do a broadband Internet planning study to determine how we can best ensure that our businesses, residences and community anchors have access to affordable, reliable broadband Internet service that will meet their long term needs.		
Status:	Completed second round of community stakeholder meetings with major businesses, government agencies and key stakeholders in region. Next step to assess the findings and review how each community is prepared to carry out the proposed strategy.		

Project:	Yolo County Recycle Market Development Zone designation		
Phase:	Set up underway	PM:	Wendy Ross
Location:	Countywide, excluding West Sacramento and Clarksburg area		
Description:	Countywide Loan program to encourage recycling businesses within California to site new manufacturing facilities and expand existing operations. This program provides low-interest loans for the purchase of equipment and other relevant business costs. The intent of the program is to help manufacturers increase their processing capabilities and create additional markets for recycled-content products.		
Status:	Recycle Market Development Zone (YoloRMDZ) was designated in fall 2013. Staff has secured URL www.YoloRMDZ.org . Working on Calrecycle website and Yolo County website. Zone is a 10 year designation.		

Project:	State Theatre	
Phase:	Design Review/Building Permit	PM: Ken Hiatt
Location:	322 Main Street	
Description:	Renovation and addition of State Theatre as 10 screen multiplex cinema with café.	
Status:	City Council approved Disposition and Development Agreement with Cinema West on June 17, 2014. Escrow has been opened and evidence of financing provided by developer. Design review and building permit plans are being developed. Close of escrow and construction anticipated Fall 2014.	

Project:	Visitor Attraction	
Phase:	Ongoing	
Location:	City and Countywide with focus on increasing hotel occupancy in Woodland	
Description:	Market the City of Woodland and promote events to enhance Woodland as a visitor destination.	
Status:	. City has established a Memorandum of Understanding with Yolo county Visitor's Bureau with scope of services outlining activities to promote visitor attraction funded by the Hotel BID. City, in partnership with hoteliers and YCVB, is working towards increasing the BID from 1% to 1.5% to expand activities and increase emphasis on improving hotel occupancy in Woodland.	



DETAILED PROJECT LISTING

ROADWAY PROJECTS

Project:	00-06, I-5 and Highway 113 Interconnect, Phase 2		
Phase:	Delay	PM:	Ayon
Description:	This project includes the construction of the freeway to freeway connector from northbound I-5 to southbound SR 113. This project is being designed and managed by Caltrans.		
Status:	• City is working with Caltrans to place this project on hold. The Co-op Agreement has been revised and staff is working with Caltrans and SACOG to transfer unused State funding to a future grant project on East Main Street and transfer unused Federal funding to the I-5/CR-102 Landscaping project for Construction. • This Co-op Agreement was approved by Council on October 1, 2013. • Staff is working with SACOG staff to transfer some funding from this project to the E. Main Street Improvement Project to expand the scope of the project to improve traffic handling in the corridor.		

Project:	04-07, Kentucky Avenue Complete Street Widening and Reconstruction Project		
Phase:	Design	PM:	Ayon
Description:	Project will reconstruct pavement and widen Kentucky Avenue to 4-lanes from East Street to College Street and will reconstruct pavement and make operational improvements from College Street to West Street. The project includes bicycle lanes, landscape separated sidewalks, landscaped medians, new and modified traffic signals and associated roadway utility improvements through the entire corridor from East to West streets.		
Status:	• Design completion estimated winter 2015, currently at 50% design. • Construction scheduled for summer 2017 • Staff requested, and was granted, \$11M in funding from SACOG for construction of the project. • Project is being designed under a contract with Psomas and design is approximately 50% complete.		

Project:	08-58, Main Street Streetscape Enhancements (Third St to Sixth St)		
Phase:	Design	PM:	Olmedo
Description:	Enhance downtown's role as the government, dining, entertainment, cultural and retail/specialty center of the community. Project limits are Main Street from East Street to Third Street. Improvements include curb bulb-outs at intersections, new curbs, gutters, sidewalks and landscaping along with other enhancements in the public right of way as appropriate or affordable. Funded by a SACOG 2010 Community Design Grant.		
Status:	• Design by Laugenour and Meikle is estimated to be complete fall 2014. • NEPA completed June 2014. Caltrans Right-of-Way & utility coordination completed July 2014. • Caltrans is currently reviewing staff's request for construction authorization, which will be needed prior to advertising. • Construction is scheduled for early summer 2015 to coordinate with the Courthouse construction schedule and to prevent construction damage to new improvements.		

Project:	09-25, County Road 25A from County Road 101 to State Highway 113		
Phase:	Design	PM:	Pollard
Description:	Pavement rehabilitation and widening of County Road 25A between Highway 113 and County Road 101. Final configuration will be a 2-lane roadway.		
Status:	• Design funding provided by Pulte (Centex) in January 2010. • Design is on hold pending resolution of Pulte Development Requirements.		

Project:	10-07, East Kentucky Rehab (East to Harter)		
Phase:	Construction	PM:	Heath
Description:	Project will rehabilitate E. Kentucky from East Street to Harter Avenue-Paddock Court; including adding bike lanes to close the bike system gap on Kentucky. The project will reconstruct the pavement, valley gutters and curb. This project is Federal-Aid funded by SACOG in 2012. Local funds are being used for design.		
Status:	• The design is complete • Bids were opened on July 15, 2014 • The construction contract was awarded to Teichert Construction in the amount of \$1,066,564 • Construction is expected to begin by mid August 2014.		

Project:	11-24, I-5 & CR 102 Interchange Landscaping		
Phase:	Design	PM:	Ayon
Description:	This project is the landscaping phase of the I-5/CR-102 Interchange Improvements Project (#97-24).		
Status:	- Callander Associates completed 100% PS&E and is addressing recent Caltrans review comments to obtain a Caltrans Encroachment Permit. - The I-5/SR-113 (CIP 00-06) Co-op Agreement has been revised and staff has moved some federal funds to this project's construction. Staff is working with Caltrans and SACOG to move leftover federal funds from the I-5/CR-102 Interchange project (CIP 97-24) to this project. These federal funds can only be used for the I-5/CR-102 and I-5/SR-113 projects. - Staff working with PDC to obtain PDC's cost share for this project, per their Development Agreement. - Construction is anticipated to begin in spring 2015.		

Project:	11-27, Main Street and Cleveland Traffic Signal Improvements		
Phase:	Pre-Design	PM:	Ayon
Description:	This project will upgrade the existing intersection and traffic signal equipment and will install vehicle detection on Cleveland St, new signal poles, new signal heads, pedestrian audible signals, and pedestrian signal heads. Project will also reconstruct the non-compliant ADA curb ramps at the intersection. This intersection is one of the top 10 accident locations, thus its selection for grant use.		
Status:	- Design is substantially complete. Need to obtain NEPA and complete utility coordination. - Preparing specifications and estimate for bidding. - Construction anticipated summer 2015		

Project:	13-05, E. Main Street Improvement Project (East Street to Pioneer Ave.)		
Phase:	Pre-Design	PM:	Ayon
Description:	Project will resurface E. Main Street between East Street and Pioneer Avenue to widen and improve bike lanes, complete sidewalks on the south side of the road. Staff is working to obtain additional funding to construct an off-street multi-use path on the north side of the roadway between Pioneer Avenue and Matmor Road		
Status:	- Staff applied for and received \$1 million in grant funding for the construction of this project. - Staff is working with SACOG and Caltrans to transfer remaining funding from I5/SR113 to this project to allow for the inclusion of the multi-use path. - Design is anticipated to begin late fall 2015 with construction funded in summer 2018. - Staff is working with SACOG staff to advance funding for the design of this project to 2014 to allow the project to start sooner.		

Project:	13-06, Safe Routes to School Improvement Project		
Phase:	Complete	PM:	Heath
Description:	Project will construct school area improvements to increase visibility of students walking and biking to school. Project includes driver feedback signs, lighted crosswalk and signing and striping improvements.		
Status:	• The contract was awarded to Cal Electro, Inc. of Redding. • Construction started on July 25, 2013 and is anticipated to be complete by the end of January. • The issues with the power supplied by PG&E to the traffic signal at Gum and Matmor appear to have been resolved. The signal was turned on the morning of March 25. • The Contractor has not completed the project punchlist or provided the specified spare parts. • Staff is preparing a claim to be submitted to PG&E for the additional costs incurred due to the issues with the PG&E power supply.		

Project:	14-05, 2013/2014 ADA Improvements		
Phase:	Construction	PM:	Fong
Description:	Project will continue the ADA Priority path along Gibson Road near the hospital and will complete ramps in various other locations on the priority route.		
Status:	• Design was complete March 2014 for construction summer 2014. • Council PS&E approval by Resolution No. 6218 on April 1, 2014 • Bids advertised on April 8, 2014 with bid opening on May 1, 2014. • Notice to proceed date of June 9, 2014 with project completion expected by August 1, 2014.		

Project:	14-14, 2014 Pavement Maintenance Project		
Phase:	Design	PM:	Ayon
Description:	Project will perform pavement maintenance seals and roadway restriping on roads within the area bound by Gibson Avenue, CR98, East Street and the south City Limits.		
Status:	• Council approved PS&E on April 15, 2014 by Resolution No. 6222 for summer 2014 construction. • Bids advertised on April 21, 2014 with bid opening on May 15, 2014. • Construction contract awarded to Windsor Fuel Company in the amount of \$869,775.05. • Construction started late June 2014 with an expected completion in late August/early September 2014.		

WATER INFRASTRUCTURE PROJECTS

Project:	08-07, Surface Water Project	
Phase:	Design/Construction	PM: Busch
Description:	This project includes a regional water supply project jointly funded with the City of Davis and UCD. It will provide 18 million gallons of water per day for the City of Woodland, including storage tank, storage pumping facilities and related water transmission lines to get the high quality water into the City. Some of our existing wells will be converted to Aquifer Storage and Recovery (ASR) wells, and ultimately new ASR wells will be used to supplement summer water use, peak hour and peak day water demands. These ASR wells will also help us bridge over the periods when there may be water right curtailments.	
Status:	• The design phase of the DBO contract is well underway. The 90% Yard Piping was approved. The SWPPP review has been completed. The Early Concrete Structures design package and the Process Equipment for Procurement Design package have been approved. Upcoming major design submittals include the 90% off site piping (finished water pipelines to Woodland and Davis) and the 90% Balance of Plant. • Construction work is underway. The trailer complex has been completed. The site has been excavated to allow for construction of the deep treatment plant (RWTF) structures and piping. The concrete floor slabs have been poured for the in-plant pump station and equalization basin. Construction of the new RWTF access road and culver crossing is expected to begin August 11, 2014. Construction of the 2-2.9 million gallon finished water storage tanks is expected to begin in late August 2014. • The contractor for the Cannery Project in Davis has commenced hauling from the RWTF soil stockpile to Davis. Approximately 80,000 cubic yards will be hauled to Davis. • RD 2035 held a groundbreaking ceremony for the intake structure on June 24, 2014. For the intake, Federal and State funds have been obtained for this fiscal year. Some of the State and Federal funding for the second year of construction will be allocated during that fiscal year. RD2035 has received all necessary permits and construction is underway. The contractor is installing piles for the structure. • Public involvement meetings and outreach is continuing. • The first reimbursement request for the \$143M of State Safe Drinking Water SRF loan for both Woodland's portion of the Surface Water Project and local system improvements was submitted on July 31, 2014. Approximately \$30M was included in the first reimbursement request between the two loans.	

Project:	08-28, Modify Well Casings		
Phase:	Design	PM:	Busch
Description:	Work to include modifications to well casings to extend life expectancy and reduce the level of nitrates in the well water. Specific wells to be modified will be determined the year before work is to be done. At this time the most likely wells to be modified are Wells 10, 11, 13, 14, 17 and 21. Work will also include video inspection, cleaning, doing minor repairs to pump shaft and bearings and minor repairs to casing.		
Status:	• Staff completed permitting with CDPH (DDW) and constructed the modifications to Well #11. The well was pumped to waste to improve water quality and the well subsequently passed water quality testing and nitrates have been reduced. The well was placed back online in June 2014. • Staff met with CDPH regarding permitting for the modifications to Well 10 to reduce nitrates. Staff provided a modification package for Well #10 to CDPH based on design modifications that were coordinated with CDPH.		

Project:	08-33, 1st Ground level Storage Tank		
Phase:	Construction	PM:	Houck
Description:	This project includes construction of a new ground level 3-million gallon water storage tank and booster pump station with two new water main connections to the existing system. The tank and pump station are located at the west end of the holding pond at the corner of CR 98 and El Dorado Drive.		
Status:	• Construction is largely completed for the booster pump station and. The tank has been tested for water quality and the electrical and mechanical equipment in the booster pump station have been tested. The SCADA system is online. The DDW (Division of Drinking Water, formerly CDPH) have inspected the facility and issued a temporary permit to operate on July 18, 2014. The City has been operating the tank since July 18, 2014. • The paving work for both the tank and park path has been completed along with the fencing, and irrigation system work. The remaining chain link fence along CR 98 at the tank will be replaced with wrought iron fencing. The landscaping work, including tree planting is underway.		

Project:	09-23, Water System Leak Detection and Repairs
Phase:	Design PM: Busch
Description:	This project includes identification and prioritization of water mains throughout the City in need of repair or replacement, including elimination of undersized pipes. The project involves replacing the 2" back of sidewalk mains with a new 8" diameter main and abandon the 2" mains. The initial focus is on streets with the highest numbers of water main breaks and cast iron water mains over 60 years old.
Status:	- Mapping of high priority water main replacement locations has been completed. A prioritized list of streets for replacement between 2014 and 2018 has been completed. - The design the 2014 Water Main Replacement Project is underway and the 90% design submittal is expected in the next couple of weeks. The streets selected for water main replacement include: Shasta Place, Lassen Place, Plane Ave, N. Grand Ave, McKinley Ave., and Antelope Street between Cottonwood St and West St, The project will be bid in winter 2014-2015 to allow the contractor to begin work in spring 2015. - The water main replacement locations for 2015 have been selected. The bidding and construction of this project may be combined with the 2014 work to start construction in spring 2015. The streets selected include: W Beamer Street and Buckeye St between Cottonwood St and West St and West Street between Buckeye St and Beamer St.

Project:	11-14, Water Transmission Main (East)
Phase:	Construction PM: Fong
Description:	Install a water transmission main (ranging from 30" to 36") instead of a 12 inch water main in the Spring Lake area to meet the needs of the surface water project.
Status:	- UPRR permit has been completed - Right of way and easements substantially complete. - The preconstruction meeting was held July 29, 2014. Construction work is scheduled to begin September 2, 2014 with project completion expected Summer 2015. The contractor is planning to begin work on the project with the boring and jacking beneath the UPRR tracks and East Street. The contractor intends to complete the 3 borings, then begin installing the pipe heading east from East Street.

Project:	12-05, Water Transmission Main (West)		
Phase:	Design	PM:	Houck
Description:	This project is identified as part of the surface water project to improve water quality and offset the declining water quality from the groundwater supplies. This pipeline is a segment of the transmission line that will convey treated surface water from the new regional water treatment facility to all areas in the City. This segment of pipeline runs from East Street to Ashley Avenue.		
Status:	• Design of the project is underway. The 90% submittal has been completed. Final plans and specifications are expected in mid-August 2014 • Right-of-Way/easement acquisition work has been completed. • The project is anticipated going to bid in August 2014.		

Project:	14-13, ASR Testing and Modeling – Surface Water Project		
Phase:	Design	PM:	Busch
Description:	The project involves development of a transport model to determine the storage capacity of the aquifer, degradation of the aquifer due to aquifer storage recharge and geochemical effect of the aquifer storage recharge.		
Status:	• Injection testing has been completed at Well 28. The draft report has been completed. • Test results confirm that the injected water was confined to the aquifer layer as intended. It is an approximately 50 foot thick layer, approximately 400 feet below the surface. • Test results confirmed that over 75% of the extracted water was purely the injected water, when extrapolated for full scale ASR, an estimated 90% of injected water may be recoverable.		

FLOOD AND STORM DRAINAGE PROJECTS

Project:	06-12, Springlake East Regional Pond		
Phase:	Construction	PM:	Pollard
Description:	This project will landscape the center island and western portions of the existing Spring Lake East Regional Pond. Native plants and grasses will be used to minimize future maintenance and create/maintain a natural habitat.		
Status:	• The Yolo County Resource Conservation District has planted native plant material at the site. Tamarisk Trees have been removed. A drip system has been installed to establish the vegetation. • The ADA portion of the contract was delayed because the fall rains were not adequate for moisture. This will be scheduled for the spring of 2014. Weed control and vegetation monitoring continues. YCRDC is soliciting bids for ADA improvements.		

Project:	09-15, Lower Cache Creek Feasibility Study		
Phase:	Pre-Design	PM:	Busch
Description:	This project engages local, regional state and federal agencies in the development of comprehensive strategies to minimize the risk of flooding from Lower Cache Creek while enhancing water supply and the ecosystem in a manner that reflect community values. The FY 2011 focus areas will be on initiating studies in cooperation with the US Army Corps of Engineers, California Department of Water Resources and other regional agencies and outreach that will inform the community of the conceptual solution.		
Status:	- The Corps of Engineers completed Milestone #1 in April 2014. \$800,000 is included in the President's 2015 Budget. The LCCFS budget has been modified to about \$2.9M from the original estimate of \$5.6M. The Charette has also resulted in a commitment to meet Milestone #1 by November 18, 2013. Staff is working with the Corps on LCCFS budget and schedule. Corps work on the project is on hold pending additional budget. - Working on Regional Solution as part of CVFPP Lower Sacramento Area. The draft plan has been completed and efforts are underway to refine the design and estimated project costs. - Staff is coordinating with DWR for a City/DWR partnership for a feasibility study that may include elements of the Regional Flood Management Plan.		

Project:	09-31, Storz Pond Maintenance		
Phase:	Construction	PM:	Pollard
Description:	This contract with the YCRCDD will provide on-going maintenance of the pond for minimal cost. Maintains Storz Pond to meet City and area-wide drainage needs. Funding is from Storm Drain In-Lieu revenue already collected.		
Status:	Native grasses are responding well and becoming established.		

Project:	14-12, Ashley Gate Storm Structure Rehabilitation		
Phase:	Construction	PM:	Fong
Description:	The Southwest Tank will be located at David Douglass Park as an integral part of the Surface Water Project. The David Douglass Park is part of the storm water system and the Tank Project will result in loss of storage for storm attenuation. To mitigate for this loss of capacity, the control system for operation of the facility needs to be upgraded to increase its reliability and replace capacity through better control of the basin storage function.		
Status:	- Construction contractor has been selected and will begin work in August 2014. The electrical equipment has been ordered. - Construction underway with completion expected Fall 2014.		

SEWER INFRASTRUCTURE PROJECTS

Project:	08-21, Annual Sewer Repair and Replacement		
Phase:	Design & Construction	PM:	Busch
Description:	Repair and/or replacement of existing sewer mains and laterals based on priorities as determined during routine maintenance work and video surveys of facilities.		
Status:	• Investigation of sewer trunk mains from Beamer & CR 102 to SS lift station at E. Main Street for purposes of designing rehabilitation has been completed. The Beamer Trunk lines and Gibson Trunk lines were investigated under CIP #13-10 for the purpose of evaluating the conditions of those mains. • A contractor has been selected for the manhole rehab and float bottom channelization of manholes.. The contractor is planning to begin work August 18, 2014. This Project will facilitate the weekly flushing program by focusing on sewer line that are on the weekly flushing list and interrupt the flow path from the top manhole to a junction point. • The design is nearly completed for sanitary sewer relocation at Douglas Jr. High School on WJUSD property. Bidding is planned for September 2014 and construction is planned for over Christmas break. • Two deep sewer repairs have been completed on Amherst and El Dorado. • Two deep sewer repairs are planned on Gibson Street at West Street and Matmor St. • Kentucky Ave Trunk Main: Designing relining of existing 30" (35 LF) concrete pipe in addition to lining ductile iron crossings of I-5 and Kentucky Ave east of East Street. The project is nearing completion of design and is planned for bidding in September 2014 and construction in fall 2014. • Oak Avenue replacement work is in construction as CIP Project #14-21.		

Project:	10-11 Treatment Plant Expansion – Biosolids
Phase:	Construction PM: Busch
Description:	This project consists of the disposal of biosolids that have accumulated in the storage ponds at the Water Pollution Control Facility (WPCF). To date, over twenty years of biosolids have been stored in approximately five storage ponds and the Regional Water Control Board requested that the City present a disposal plan during the application process for the waste discharge permit adopted in February 2009. The Regional Board will expect the City to begin the process for biosolids removal from the ponds in accordance with the submitted plan. The disposal plan includes removing one pond from service every third year, dry out the solids and have a disposal company contracted to remove the biosolids for either landfill disposal or farmland application. If the City does not follow through with the biosolids disposal plan by the end of the new NPDES permit cycle, which will be in 2014, then we can anticipate the Regional Board will give the City a biosolids requirement that may prove to be very costly to comply with in the next NPDES permit.
Status:	• Road damage from the 2012 pond cleaning in front of the UV treatment building, an operable gate and a drying pad will be constructed to facilitate management of waste contaminated soil from sewer collection operations. This pad will be located between South Ponds #1 and #12. South Pond 10 will be treated with soil cement in 2013 and South Pond 8 will be cleaned out in 2014. This allows the plant to always have a spare sludge drying facility available. There will also be some minor piping changes done to the (WAS) distribution system and “water cap” circulation system to allow South Ponds #7 through #11 to be isolated from the system. This will facilitate drying and cleaning the sludge from these ponds after the biosolids in the ponds are stabilized. This project will be advertised in early 2014 for implementation over the spring and summer of 2014. This project has been rolled into the SRF application and will begin after SRF funds are approved. • Approximate 200,000 tons have been moved to North Pond # 9. Yolo County and the City will be working on modification of the Biosolids rules for disposal of “Class A Exceptional Quality Pathogen tested” produced in Yolo County having a record keeping requirement for applications of 10 tons per year per acre to conform to the State rules for the same product type. This would facilitate land application for the City of Woodland.

Project:	12-02, Oxidation Ditch Retrofit – Phase 1
Phase:	Construction PM: Fong
Description:	During the analysis done by Carollo Engineers for the Woodland Davis Regionalization Study, it was learned that the present ditch rotor system was not performing at a level to give the Water Pollution Control Facility (WPCF) its rated capacity for solids (Biological Oxygen Demand) of 8.0 MGD. The several rotor sets are reaching the end of their useful life and are scheduled to be replaced. Instead of replacing the inadequate rotor system, it is proposed that a new solids aeration system be retrofitted into the existing ditches to raise the solids capacity to match the existing hydraulic capacity (10.4 mgd). This project will result in increasing the solids capacity of the WPCF to match the hydraulic capacity of 10.4 mgd. It will also improve "settling characteristics" in the clarifiers and provide better UV disinfection and save \$100K per year in electric costs when the WPCF is operating at capacity.
Status:	- The City evaluated the bid alternatives for the high speed blowers, aerator equipment and mixing pumps and based on the evaluation, remained with the base bid on all items. The construction contract was awarded on July 1, 2014. The preconstruction meeting was held August 1, 2014. The contractor is in the process of mobilizing to the WPFC and beginning work. - SRF funding agreement completed - Project in construction with expected completion by Fall 2016.

Project:	13-10, Sewer Main Inspection and Assessment Project
Phase:	Complete PM: Fong
Description:	Cleaning and the inspection of the City's sewer system is required by the state mandated Sanitary Sewer Management Plan (SSMP). This project will clean and inspect approximately 10 miles of sewer trunk mains (specifically the Beamer Trunk and Gibson Trunk) to produce a report that the City will use to enhance the sewer collection system reliability and to prevent sewer blockages or failures.
Status:	- This project took funds from CIP 08-21 to set aside specifically to clean the water main trunks so a visual inspection can be performed to assess the condition of the trunk lines. - City issued RFP on January 29, 2013 - RFP's opened on February 26, 2013 - City Evaluation Team ranked the RFPs and opened the cost proposals of the top 3 ranked firms - On April 23, 2013, City Council approved the project and authorized City Manager to sign consultant agreement with Water Works Engineers (\$163,912). - Cleaning and inspection work was completed on June 19, 2013. - Water Works Engineers submitted a draft version of the data and report for City review of October 16, 2013 and have been authorized by the City to finalize the report. - Water Works Engineers issued the final report in mid-November 2013 and City accepted and closed out the project on 12/16/2013.

Project:	14-21, Oak Avenue Sewer Rehabilitation	
Phase:	Construction	PM: Heath
Description:	Abandonment of the existing 8” sewer main and installation of the new 8” sewer main, installation of one sewer manhole within East Oak Avenue, and a second manhole within East Street at the intersection with East Oak Avenue.	
Status:	- The contract was awarded to C.E. Cox General Engineering on May 21, 2014 - Construction started on July 18, 2014 and is expected to be complete in mid august.	

Project:	15-10, Recycled Water	
Phase:	Planning	PM: Busch
Description:	The City of Woodland is planning for a diversified water supply portfolio including future surface water, groundwater and local recycled water sources to meet current and future water demands. The City proposes to use its currently available tertiary treated Title 22 effluent from the City’s Water Pollution Control Facility (WPCF) providing a firm capacity of approximately 2,700 gpm for future recycled water uses. The annual capacity of recycled water is 4,500 afy. The recycled water source would improve the City’s water supply reliability by reducing potable demands during the summer months when demands are highest and/or impacted by drought conditions. Recycled water is very reliable even during drought conditions and would serve to drought-proof the City’s overall water portfolio. During winter months, the recycled water source allows for the increased injection of treated surface water into the ground through the City’s ASR wells. The expected potable water savings from implementing the Phase I Project sites would be approximately 1,277 afy at start-up.	
Status:	- The drought IRWM grant application (Westside) for \$2M was submitted to DWR on July 20, 2014. Grant awards are anticipated in September 2014. - Council approved the permitting contract for the recycled water program and submittal of a SRF loan application for recycled water funding at 1% interest. SRF loan application is anticipated to be submitted early September 2014. - Staff is working with large industrial water users on recycled water quality and evaluating supplying recycled water to the industrial park.	

PARKS AND FACILITIES PROJECTS

Project:	11-15, Community Center – Sports Park Frontage Landscaping	
Phase:	Construction	PM: Fong
Description:	Fronting landscape along the south side of Sports Park Drive as well as the 10' bike path of the Community Center/Sports Park Master Plan.	
Status:	- Project will be managed concurrently with CIP 11-14, Water Transmission Main, East. - Construction completion expected by Spring 2015.	

Project:	13-07, Community and Senior Center Emergency Generator		
Phase:	Design/Bidding	PM:	Olmedo
Description:	Project will provide and install a new 250 kW emergency generator to power essential electrical circuits. Work includes wiring modifications in electrical room to install new automatic transfer switch. Transferred PW Operations funds into capital project.		
Status:	Consultant has completed plans for installation of the new generator and associated electrical modifications. Project out to bid. Bid opening scheduled for August 19th. Council construction award date scheduled for September 2nd. Construction scheduled for Fall 2014.		

ADMINISTRATION

Project:	2012 Engineering Standards		
Phase:	Admin	PM:	Ayon
Description:	Updating the Engineering Standards to stay current with regulatory requirements, meet ongoing maintenance needs and based on construction practices and experiences.		
Status:	• Preparing revisions based on input from city engineering and maintenance staff. • Ongoing		

Legislation Details (With Text)

10.

File #: 14-317 Version: 1 Name:
Type: Consent Item(s) Status: Agenda Ready
File created: 8/4/2014 In control: City Council
On agenda: 8/19/2014 Final action:
Title: SUBJECT: Approval to Release Homebuyer Consultant Request for Proposals

Recommendation for Action: Staff recommends that the City Council take the following actions.

1. Adopt Resolution No. _____, authorizing:
 - a. the release of a Request for Proposals (RFP) for homebuyer consulting; and
 - b. authorizing the City Manager to execute a contract with the selected subcontractor, in an amount not-to-exceed \$30,000 over a three-year term, and amend the budget as necessary.

Sponsors:

Indexes:

Code sections:

Attachments: [RFP 19Aug14](#)
[CC Reso 19Aug14](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: August 19, 2014

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Staff Contact

Dan Sokolow, Senior Planner - (530) 661-5927, dan.sokolow@cityofwoodland.org

Fiscal Impact

The contract with the consultant will not have an impact on the General Fund. The City is permitted to use a portion of housing grants or repaid housing loans (program income funds) for activity delivery costs which includes costs incurred for housing consultant services. The cost of the contract is expected to not exceed

\$30,000 over a three-year term.

Background

The City has used the services of a housing consultant since at least 2006 to assist the City with its first time homebuyer program. The principal responsibilities of the consultant include income eligibility reviews and determinations, financial counseling, loan underwriting, the preparation of loan and disclosure documents, and coordination with principal lenders/home builders. The City's current consultant, NeighborWorks, was selected in 2008 to provide housing consultant services after the City went through an RFP process. The City renewed NeighborWorks contract after a second RFP process in 2011.

Discussion

This request is to maintain a service that is needed for the success of the City's affordable housing programs. The housing consultant aids staff in the day-to-day implementation of the programs. Working with potential home purchasers requires a significant amount of time and expertise. For the first time homebuyer program, the City assumes the same duties and responsibilities as a private lender.

Staff expects that the City's current consultant, NeighborWorks, will submit for the RFP. The RFP will be posted on the City website and sent to interested housing consultant firms. A three-person staff subcommittee will be formed to review the applications and make a recommendation to the City Manager. After selection, staff will engage in contract negotiations with the selected consultant. The term of the contract is one year and renewable annually for up to three years.

Public Contact

Posting of the City Council agenda.

Conclusion

Staff recommends that the City Council take the following actions.

1. Adopt Resolution No. _____, authorizing:
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Prepared by: Dan Sokolow
Senior Planner

Reviewed by: Christine Engel
CSD Director



Paul Navazio
City Manager

Attachments: Resolution No. _____
Homebuyer Consulting Request for Proposals



Request for Proposals

City of Woodland Technical Assistance and Administrative Services Inclusionary Housing and Homebuyer Assistance Programs

Proposal Specifications

The City of Woodland is seeking proposals from qualified private firms and individuals to provide technical assistance and administrative services for its Inclusionary Housing and Homebuyer Assistance Programs. Qualified consultants assigned to the position must have extensive experience working with homebuyer counseling, income certifications, and Federal, State and local homebuyer programs.

General Background

Woodland, incorporated in 1871, is a community of approximately 57,000 people located 20 miles northwest of the City of Sacramento. Woodland has instituted an Inclusionary Housing Program in the Spring Lake Specific Plan Area. When completed, this Specific Plan Area will have a build out of approximately 4,400 units of which at least ten percent are required to be affordable. The City has also been active in applying for and receiving homebuyer assistance funds through the State. In the past, the City has received BEGIN, CalHOME, and HOME funds to provide loan assistance for first time homebuyers. The City has used first time homebuyer funds to provide loans on a citywide basis for new and resale homes.

The first home under the Inclusionary Program was sold in June of 2006. Since then more than 75 units have been sold to eligible households. The City uses a "silent second" model for its program. The City expects that any firm selected to help implement the program will have sufficient staff to provide quick, thorough, and prompt responses to the City, potential buyers, and developers.

Description of Duties

The selected Consultant will provide professional and technical assistance for the Inclusionary Housing Program as well as the homebuyer assistance programs. The scope of work will include:

- Consultant shall do all work, attend all meetings, produce all reports and carry out all activities necessary for completion of the services. These may include monthly homebuyer orientations, Inclusionary Housing lotteries (often at night or on weekends), and meetings with lenders, developers, or homebuyers as needed. In addition, the consultant is responsible for administering the homebuyer income eligibility process, education and counseling in accordance with the requirements of the City's Inclusionary Housing Program and the regulations of the various funding sources.

- The Consultant will work closely with City staff as well as developer sales staff to ensure that the largest pool of potential buyers is provided in a timely manner.
- The Consultant will be expected to provide the City with a monthly report that describes the financial condition of each family that has applied to the program. The report should also include a status report for each family (i.e. ready to buy, needs to pay down debt, needs more down payment, etc). This should include important information like household income, savings for down payment, household size and other details that the City needs. This City will only need this report when units are available.
- The Consultant will provide the City with lists of buyers before and after lotteries. These lists will include, name, address, and phone numbers for all eligible buyers. The lists should track when the families were last contacted, when their income information was updated, and the response of the family to available housing units. The Consultant will work closely with City staff to continue to identify all eligible households after a lottery until all available units are in sales contracts.
- The Consultant will research other available funding sources and programs and inform City staff of potential opportunities for programs that may enhance the City's housing programs.
- The Consultant will have designated staff available during normal business hours to answer questions from the City, developers, banks, and homebuyers.
- The Consultant will provide additional assistance as needed to the City. This could include attending community meetings or providing additional reports in a format designated by City staff.

Proposal Format

Your proposal should be submitted in the following format; not to exceed five pages and exhibits:

Section 1 (Organizational Structure and Experience):

1. Please list any certifications that have you received from any Federal, State or Local Agencies.
2. Attach an organizational chart showing how the proposed Woodland program and assigned staff fit into your organization. List the positions and brief descriptions of general duties of these staff including other responsibilities. Provide resumes or information regarding education and housing experience as it relates to this program (Label this Section as Exhibit I).
3. Please also include a list of current activities of your organization include all current contracts and responsibilities and how many staff hours a week those obligations require.

4. State the reasons why your organization is qualified to carry out the proposed program successfully and on time.
5. Demonstrate that there is organizational capacity to provide the following:
 - Availability of a live person answering the phone during normal office hours. Please include a staffing plan. Please provide information on what staff and systems are already in place and/or describe plans for increasing capacity to accommodate the required services. Include how many calls a day your organization receives on average.
 - Describe ability to report tracking outcomes of clients served through post service client tracking. Samples of tracking plans, reports and documents should be labeled as Exhibit II.
 - Describe staff knowledge and experience used in preparing the reports to document race, ethnicity and economic data on clients. Provide samples of client intake forms and label these as Exhibit III.
 - List all software programs used. All applicants must have at least a proficiency in the Microsoft Office Suite. The City prefers any requested information to be provided in an Excel format unless otherwise specified.
6. Describe relationships with lenders, title companies and builders. What systems are used to coordinate all parties involved in finalizing the sale of homes. Describe how you propose your organization fits within that process as well as what participation you expect from City staff.

Section 2 (Administrative Process):

Please describe your process for accepting and reviewing applications. Include your rules, practices, and schedules for recertifying income and updating contact information for the applicants.

Section 3 (Budget):

Please submit a proposed budget to perform the necessary duties to administer the City of Woodland's program. The budget should have a breakdown of costs for:

- Initial Income certifications or applications (average cost per client)
- Income reviews performed during the month (provide estimate on average number or certifications you expect to do per month)
- Income Certification Reports (monthly summary)
- Monthly Homebuyer Orientation meeting (one per month)
- Affordable Housing Lottery (one per quarter)
- Fees charged per closed loan

Provide the hourly rate(s) for your consultant services. Also explain how you track staff hours and your billing system.

Section 4 (Additional Information):

Provide any additional information you believe will be helpful to assist in the review of your proposal. Include any attachments, exhibits or reports which you feel will help the City gain an understanding of your firm's ability to provide these services to the City of Woodland (Exhibit IV). **(PLEASE KEEP THIS CONCISE)**

To be considered, proposals must be submitted no later than **4:00 p.m., Thursday, September 4, 2014** to the City's Community Services Department, 2001 East Street, Woodland, CA 95776. **POSTMARKS WILL NOT BE ACCEPTED.** Please submit **five copies** of your proposal. **PLEASE KEEP YOUR SUBMISSIONS TO FIVE PAGES PLUS EXHIBITS.**

Selection Criteria

Selection of a consultant will be done on a competitive basis. In reviewing and evaluating the written responses to this Request for Proposals (RFP), City staff will be considering the following (not necessarily in order of priority):

- Section 1: Organizational Structure and Experience (45 Points)
- Section 2: Administrative Process (20 Points)
- Section 3: Budget (35 Points)
- Section 4: Additional Information

These criteria should not be construed so as to limit other considerations which may become apparent during the course of the review and selection process. The City reserves the right to reject any and all proposals. Staff will rate and rank all proposals on how the Consultant responded to the requested information.

Selection Committee

A three-person staff committee will be established to review the proposals and make a recommendation to the City Manager.

Selection Schedule

The following is an estimated schedule for selecting a firm and negotiating a contract:

September 4, 2014 – Proposals due

September 16, 2014 – Selection Committee recommendation

September 23, 2014 – Final selection of consultant by City Manager

September 30, 2014 – Execution of contract

September 30, 2014 – Contract begins

Term of Contract

The term of the contract is one year and renewable annually for up to three years.

All questions concerning this RFP should be directed to Dan Sokolow, Senior Planner at (530) 661-5927 or email dan.sokolow@cityofwoodland.org.

Miscellaneous Provisions

The following meanings are attached to the following defined words when used in these specifications and the contract: the word "City" means the City of Woodland. The word "Consultant," "Bidder," "Contractor," or "Firm" means the person, firm or corporation submitting a proposal to provide services to the City.

This RFP does not commit the City of Woodland to award a contract or to pay any cost incurred in the preparation of a proposal.

Any changes to the RFP requirements will be made by addendum. All addenda shall be signed by bidders and attached to the proposal. Failure to attach any addenda may render the proposal non-responsive and cause it to be eliminated from consideration.

The City may require the selected bidder(s) to participate in negotiations and to submit such prices; technical or other revisions of their proposals as may result from negotiations. Bidder(s) selected for interview may be asked to submit "best and final" cost proposals as a final step in the selection process.

The City of Woodland reserves the right to negotiate a service contract with two or more bidders to provide the service jointly for the contract period.

All responses to this RFP become the property of the City of Woodland. At such time a final award is made, all proposals submitted in response to this RFP become a matter of public record and shall be regarded as public records, with the exception of those elements in each proposal which are defined by the bidder as business or trade secrets, and marked "Trade Secret", "Confidential" or Proprietary", or if disclosure is required under the Public Record Act.

Insurance Coverage

Prior to entering into a contract, the consultant shall provide proof that is has provided for all necessary insurance in accordance with the City's Standard Professional Services Contract (a sample is available upon request).

RESOLUTION _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND
APPROVING THE RELEASE OF A REQUEST FOR PROPOSALS FOR HOMEBUYER
CONSULTING AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A
CONTRACT WITH THE SELECTED CONSULTANT**

WHEREAS, the City routinely applies for funds to assist low income households to purchase homes as part of the implementation of the City's Housing Element and overall affordable housing policies, plans, and programs contained in the Affordable Housing Ordinance (Chapter 6A of Woodland City Code) and the Spring Lake Affordable Housing Plan;

WHEREAS, the day-to-day administration of the homebuyer assistance programs require specific skills and expertise in income eligibility reviews and determinations, financial counseling, loan underwriting, the preparation of loan and disclosure documents, and coordination with principal lenders/home builders;

WHEREAS, since approximately 2006 the City has contracted for homebuyer consulting services which allows staff to focus on other aspects of the City's affordable housing efforts; and

NOW THEREFORE BE IT RESOLVED, that City staff is authorized to release a Request for Proposals for homebuyer consulting and convene a staff subcommittee to recommend a consultant; and

BE IT FURTHER RESOLVED, that the City Manager is authorized to select the consultant, enter into a contract with the selected consultant in an amount not to exceed \$30,000 for a three-year period, execute any needed documents, and amend the budget as needed to carry out this action.

PASSED AND ADOPTED this 19th day of August 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tom Stallard, Mayor

ATTEST:

Ana B. Gonzalez, City Clerk

APPROVED AS TO FORM:

Kara K. Ueda, City Attorney

Legislation Details (With Text)

11.

File #: 14-318 Version: 1 Name:

Type: Consent Item(s) Status: Agenda Ready

File created: 8/4/2014 In control: City Council

On agenda: 8/19/2014 Final action:

Title: SUBJECT: Approve Amendment #3 to Agreement with the Ferguson Group for Federal Representation and Advocacy Services for Flood Mitigation

Recommendation for Action: Staff recommends that the City Council adopt Resolution No. _____ authorizing Amendment #3 to extend the Ferguson Group agreement for an additional 12 months for an amount not to exceed \$40,000.

Sponsors:

Indexes:

Code sections:

Attachments: [Resolution auth amendment 3 with ferguson group](#)
[Contract amend 3 with scope](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: August 19, 2014

SUBJECT: Approve Amendment #3 to Agreement with the Ferguson Group for Federal Representation and Advocacy Services for Flood Mitigation

Recommendation for Action : Staff recommends that the City Council adopt Resolution No. _____ authorizing Amendment #3 to extend the Ferguson Group agreement for an additional 12 months for an amount not to exceed \$40,000.

Staff ContactLynn Johnson, Senior Management Analyst-(530) 661-5979, lynn.johnson@cityofwoodland.org**Council Goal**

This recommendation is consistent with the City's goal for Economic Development/Jobs which includes completing the Lower Cache Creek Flood Study and Implementation Plan. The advocacy provided by the Ferguson Group is in support of securing federal funding for the project.

Fiscal Impact

The City Council has authorized the expenditure of \$1.9 million to develop the Lower Cache Creek Feasibility

Study, #09-15. The cost of the advocacy services is considered part of the project budget. This will be the fourth year with The Ferguson Group at a cost of \$40,000 per year. The project is being funded by the storm drain enterprise fund through a long-term loan from the sewer enterprise fund.

Background

In September of 2011, the City Council approved an agreement with the Ferguson Group to provide federal advocacy on the City's behalf to help with the City's need to develop comprehensive federal government relations to secure federal financial assistance for solving flood problems associated with Cache Creek. The original agreement was for a 12 month period. Subsequently in July 2012 and in October 2013, the Council approved Amendments #1 and #2 to that contract whereby each extended the contract 12 months at an additional cost of \$40,000. The current contract amendment expires on August 31, 2014.

Discussion

Addressing the flood problem from Cache Creek is a complex process involving the City, County, State and Federal governments. The Ferguson Group helps the City maintain a presence in Washington D.C. to assist the City in developing and maintaining a relationship with the Senate, House of Representatives, and Army Corps of Engineers with a goal of ultimately receiving federal funding for a future Cache Creek flood mitigation project.

Conclusion

Staff recommends that the City Council adopt Resolution No. _____ authorizing Amendment #3 to extend the Ferguson Group agreement for an additional 12 months for an amount not to exceed \$40,000.

Prepared by: Lynn Johnson, Senior Management Analyst



Paul Navazio, City Manager

Attachment: Resolution authorizing Amendment #3
Amendment #3 to Professional Services Agreement between the City of Woodland and the Ferguson Group

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND
APPROVING CONTRACT AMENDMENT #3 WITH THE FERGUSON GROUP FOR
FEDERAL REPRESENTATION AND ADVOCACY SERVICES FOR FLOOD
MITIGATION**

WHEREAS, the City Council approved an agreement with the Ferguson Group in September of 2011 to provide federal advocacy on the City's behalf to help with the City's need to develop comprehensive federal government relations to secure federal financial assistance for solving flood problems associated with Cache Creek; and

WHEREAS, said agreement was amended in July 2012 to add an additional 12 months to the term of the contract at a cost of \$40,000 for the year; and

WHEREAS, said agreement was amended again in October 2013 to add an additional 12 months to the term of the contract at a cost of \$40,000 for the year; and

WHEREAS, the current contract amendment will expire on August 31, 2014; and

WHEREAS, the City desires the consultant to continue in necessary advocacy efforts with the Senate, House of Representatives, and Army Corps of Engineers with a goal of ultimately receiving federal funding for a future Cache Creek flood mitigation project; and

WHEREAS, the Ferguson Group has agreed to extend their contract through this amendment for an additional 12 months at a cost not to exceed \$40,000; and

WHEREAS, the City Council wishes to approve the Amendment to the Agreement and authorize its execution through the adoption of this Resolution.

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

Section 1. The City Council hereby authorizes the City Manager to execute the amendment with the Ferguson Group subject to City Attorney approval. The City Attorney is hereby authorized to make clarifying and confirming changes so long as the total dollar amount authorized in the amendment does not change, and

Section 2. An executed copy of the Agreement is available and on file in the City Clerk's office, and is incorporated herein by reference and made part of this Resolution.

PASSED AND ADOPTED this 19th day of August 2014, by the following vote:

AYES:

NOES:

ABSENT:
ABSTAIN:

Tom Stallard, Mayor

ATTEST:

Ana B. Gonzalez, City Clerk

ARTICLE 1. PARTIES AND DATE

This Third Amendment to the Professional Services Agreement (“Second Amendment”) dated as of September 1, 2014 is entered into by and between the City of Woodland (“City”) and The Ferguson Group, a limited Liability Company (“Consultant”).

ARTICLE 2. RECITALS

2.1 City and Consultant entered into that certain Professional Services Agreement dated September 6th, 2011 (“Agreement”), whereby Consultant agreed to provide services described in Exhibit A of the original agreement.

2.2 City and Consultant now desire to amend the Agreement to :

include additional compensation,

extend the term of the Agreement to include the period from September 1, 2014 to August 31, 2015 in accordance with the Consultant’s proposal dated August 8, 2011 attached to the original agreement. The total additional compensation for the Third Amendment shall not exceed (\$40,000.00).

ARTICLE 3. TERMS

3.1 Continuing Effect of Agreement. Except as amended by this Amendment, all provisions of the Agreement shall remain unchanged and in full force and effect. From and after the date of this Amendment, whenever the term “Agreement” appears in the Agreement, it shall mean the Agreement as amended by this Amendment.

3.2 Adequate Consideration. The Parties hereto irrevocably stipulate and agree that they have each received adequate and independent consideration for the performance of the obligations they have undertaken pursuant to this Amendment.

3.3 Counterparts. This Amendment may be executed in duplicate originals, each of which is deemed to be an original, but when taken together shall constitute but one and the same instrument.

[SIGNATURES ON FOLLOWING PAGE]

**Third Amendment To Professional Services Agreement Between The City Of Woodland
And The Ferguson Group** **CM# 000076**

City Of Woodland

The Ferguson Group, LLC

By: _____
Paul Navazio
City Manager
City of Woodland

By: _____
W. Rodger Gwinn
President
The Ferguson Group, LLC

Date: _____

Date: _____

ATTEST:

Ana B. Gonzalez, City Clerk



1130 Connecticut Avenue, NW
Suite 300
Washington, D.C. 20036
202.331.8500
202.331.1598 fax

August 6, 2014

Mr. Paul Navazio
City Manager
City of Woodland
300 First Street
Woodland, CA 95695

Dear Paul:

The Ferguson Group, LLC (TFG) is very pleased to submit a request for extension of the agreement that we have had in place for the last three years for an additional twelve-month period, from September 1, 2014 to August 31, 2015. We seek no change in the rate of compensation (\$40,000 annually, billed in monthly installments of approximately \$3,333.00) and agree to perform the task in accordance with our proposal dated August 8, 2011, which was incorporated by reference into the original agreement between the City of Woodland the TFG.

I have attached a copy of the "Second Amendment" to the original professional services agreement between TFG and the City, for your reference.

Over the last year, a great deal of progress has been made on the Lower Cache Creek Feasibility Study (LCCFS). In November of 2013, the Corps of Engineers reprogrammed \$204,978 into the LCCFS. We were pleased to have worked with the City and the City's congressional delegation to achieve congressional approval of this reprogramming request. Also, for the first time in the current iteration of the project, the LCCFS received funding in the President's budget request. The FY 2015 budget request for the Corps, which was released in early March of this year, included \$800,000 for work on the LCCFS. This is particularly noteworthy given that the budget request included only about \$30,000,000 nationwide for all new studies. The outlook for approval of the funding request in the FY 2015 appropriations process is very positive as well: both the House and Senate Committees on Appropriations have approved the full \$800,000 for the LCCFS in their respective versions of the FY 2015 Energy and Water Development Appropriations bill.

Credit for these successes goes to the City's congressional delegation, which has been consistent and vigilant in support of the LCCFS. Credit also goes to the City for its consistent and active advocacy on behalf of the LCCFS. The City's consistent and aggressive advocacy has resulted in the project being elevated to a top priority for the Corps of Engineers. During the past contract period, the City held more than 25 meetings over three separate Washington visits to advocate for the LCCFS. Looking ahead, next month, Mayor Pro Tempore William Marble and TFG will be holding meetings with the Corps of Engineers, the Office of Management and

Budget and congressional offices to advocate for continued funding for the project. We, at TFG, are very pleased to have had an opportunity to play a role in the City's success in advancing the LCCFS.

As you know, within the amount of compensation provided under the 2013-2014 agreement, TFG also prepared a draft federal funding/grants analysis that matches up the City's economic profile with federal grant eligibility criteria. Our initial effort (see attached), can be expanded upon and refined, at the City's request.

We greatly appreciate the opportunity to work with the City of Woodland, and we look forward to continuing to help you to accelerate work on, and secure federal support for, the Lower Cache Creek Feasibility Study. If you require anything more from TFG as you consider our request for an extension of our current agreement, please let me know.

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Roger Gwinn". The signature is fluid and cursive, with a long horizontal stroke at the end.

W. Roger Gwinn.
President and CEO

Legislation Details (With Text)

12.

File #: 14-319 Version: 1 Name:

Type: Consent Item(s) Status: Agenda Ready

File created: 8/7/2014 In control: City Council

On agenda: 8/19/2014 Final action:

Title: SUBJECT: Ordinance to Amend Sections 15-40, 15-41, and 15-42 of the Woodland Municipal Code Relating to Electronic Cigarettes

Recommendation for Action: Staff recommends that the City Council adopt Ordinance No. 1567 amending various sections of the Woodland Municipal Code to modify regulations related to electronic cigarettes.

Sponsors:

Indexes:

Code sections:

Attachments: [WOODLAND_E-Cigarette Ordinance-c2-c1](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: August 19, 2014

SUBJECT: Ordinance to Amend Sections 15-40, 15-41, and 15-42 of the Woodland Municipal Code Relating to Electronic Cigarettes

Recommendation for Action : Staff recommends that the City Council adopt Ordinance No. 1567 amending various sections of the Woodland Municipal Code to modify regulations related to electronic cigarettes.

Staff Contact

Dan Bellini, Public Safety Chief, dan.bellini@cityofwoodland.org

Fiscal Impact

There may be minimal costs associated with ensuring signage is updated, to be assumed in existing budgets.

Discussion

The recommended amendments to the City of Woodland's Municipal Code adds e-cigarettes to the City's smoking control regulations and treat e-cigarettes in a manner similar to conventional cigarettes and tobacco products. In addition, the smoking ordinance has been updated to reflect more accurate and up-to-date information.

Conclusion

Staff recommends that the City Council adopt Ordinance No. 1567 amending various sections of the Woodland Municipal Code to modify regulations related to electronic cigarettes.

Prepared by: Dan Bellini, Public Safety Chief

A handwritten signature in dark ink, appearing to read "Paul Navazio", is positioned above the printed name.

Paul Navazio, City Manager

Attachment: Ordinance

ORDINANCE NO. 1567

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF WOODLAND, CALIFORNIA AMENDING SECTIONS
15-40, 15-41, AND 15-42 OF THE WOODLAND MUNICIPAL
CODE RELATING TO ELECTRONIC CIGARETTES**

WHEREAS, the popularity of electronic cigarettes (“e-cigarettes”) has grown and continues to grow across the nation; and

WHEREAS, e-cigarettes are not currently regulated by the Food and Drug Administration, unless they are used for therapeutic purposes; and

WHEREAS, although e-cigarettes are too new for longitudinal studies on their health effects, current research indicates that chemicals contained in e-cigarettes may be harmful and that vaping does release contents of e-cigarettes into the air; and

WHEREAS, e-cigarettes are made to mimic conventional cigarettes, making enforcement of no-smoking rules difficult and confusing if e-cigarettes are allowed where conventional cigarettes are not allowed; and

WHEREAS, many cities, counties and organizations are putting into place laws or policies that treat e-cigarettes the same as conventional cigarettes when it comes to acceptable locations for usage in public and semi-public places; and

WHEREAS, the City of Woodland has in place strict smoking control laws, defining where smoking conventional tobacco products is prohibited; and

WHEREAS, the City Council of the City of Woodland wishes to include e-cigarettes in its smoking control laws and treat e-cigarettes in a manner similar to conventional cigarettes.

NOW THEREFORE, the City Council of the City of Woodland does hereby ordain as follows:

Section 1. Recitals. The recitals set forth above are true and correct and are incorporated as though fully set forth herein.

Section 2. Amendment to Section 15-40. Section 15-40 of the Woodland Municipal Code is hereby amended to read as follows:

“Section 15-40. Smoking.

(a) Findings of Fact.

- (1) The U.S. Environmental Protection Agency (EPA) has designated environmental tobacco smoke (ETS) a Class A carcinogen and has determined that ETS is a major source of indoor air pollution and a cause of lung cancer in nonsmokers.

- (2) While all members of the population are at increased risk due to exposure to ETS, it constitutes a special health hazard for children, the elderly, and people with chronic lung disorders, cardiovascular disease, and obstructive airway disease.
 - (3) State law prohibits the sale of tobacco products and e-cigarettes to individuals under the age of eighteen.
 - (4) It has been shown that minors have access to tobacco in vending machines. State and federal law require retail sales of cigarettes to be vendor-assisted and conducted face-to-face with few exceptions.
 - (5) While e-cigarettes are too new for longitudinal studies on their health effects, current research indicates that chemicals contained in e-cigarettes may be harmful and that vaping does release contents of e-cigarettes into the air.
- (b) Statement of Purpose. It is the purpose of this section to promote the public health, safety and general welfare and to minimize the health risk that secondhand smoke poses to citizens of the Woodland community by provisions designed to:
- (1) Regulate access to tobacco products and e-cigarettes in vending machines; ~~and~~
 - (2) Prohibit smoking in certain public places; and
 - (3) Regulate e-cigarettes in the same manner as conventional cigarettes and tobacco products.
- (c) Prohibition on Sale of Tobacco Products and E-Cigarettes from Vending Machines. No cigarette, ~~or~~ other tobacco product, or e-cigarette may be sold, offered for sale, or distributed by or from a vending machine or appliance, or any other device designed or used for vending purposes, except where minors are prohibited from entering without adult supervision.
- (d) Prohibition Against Smoking in Certain Public Places. Smoking shall be prohibited at all times in the following public places:
- (1) Areas measuring a distance of twenty feet from the main entrance of a commercial building:
 - (A) The main entrance will be determined by either building design or how the address for the business is determined.
 - (B) The posting of this entrance as “No Smoking Within Twenty Feet” is mandatory.
 - (C) Exemptions to this section:

- (i) Bars with ABC license type 40, 43, or 48 are exempt from the ordinance codified in this section between the hours of 8:00 P.M. and 4:00 A.M. of the following day, an eight-hour period.
 - (ii) Restaurants/bars with ABC license type 41, 47, 51, 52, 57, or 69 are exempt from the ordinance codified in this section after food service has ceased, but not before 8:00 P.M. of that day and lasting until 4:00 A.M. of the following day.
 - (iii) Vehicle occupants, whether the vehicle is either parked or in transit, which encroach on the twenty-foot radius to the main entrance of a commercial building are exempt from the ordinance codified in this section.
 - (iv) The twenty-foot radius established by the ordinance codified in this section does not extend into the building.
- (2) City facilities: all City-owned buildings, Buchignani Ball Park, Clark Field, Camarena Ball Park, Community Swim Center, the Municipal Swim Pool, the Woodland Public Library, and any future outdoor city park facility operated primarily for youth events, as designated by the director of parks and community services. The prohibition on smoking at these facilities includes the facility and the public property on which it is located extending to the adjacent public sidewalk. All such areas and facilities shall be posted as nonsmoking.
- (3) Outdoor locations as specified in this subsection including areas located within a distance of twenty feet from the entrances and exits to such outdoor locations:
 - (A) Public events including, but not limited to, sports events, entertainment, speaking performances, ceremonies, pageants and fairs.
- (e) Smoking Defined. For purposes of this section, “smoking” means inhaling, exhaling, burning or carrying any lighted cigarette, cigar, pipe, weed, plant, or other combustible substance in any manner or in any form. Smoking also includes the use of an e-cigarette that creates a vapor, in any manner or in any form, or the use of any oral smoking device.
- (f) E-Cigarette Defined. For purposes of this section, “e-cigarette” means any electronic oral device, such as one composed of a heating element, battery and/or electronic circuit, which provides a vapor of nicotine or any other substances, and the use or inhalation of which simulates smoking. The term shall include any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, hookah pen, or under any other product name or descriptor.

(fg) Violations and Penalties. Any person or entity which violates the prohibitions or fails to meet the requirements of this section shall be guilty of an infraction, punishable in the manner hereinafter prescribed:

- (1) Upon the first violation, shall be guilty of an infraction and, upon conviction, shall be subject to a fine not to exceed one hundred dollars;
- (2) Upon the second violation within one year, shall be guilty of an infraction and, upon conviction, shall be subject to a fine not to exceed two hundred dollars;
- (3) Upon the third and additional violations within one year of previous violation, shall be guilty of an infraction and, upon conviction, shall be subject to a fine not to exceed five hundred dollars per conviction;
- (4) These penalties are in addition to those which may be imposed pursuant to Health and Safety Code Section 25249.5 et seq.”

Section 3. Amendment to Section 15-41. Section 15-41 of the Woodland Municipal Code is hereby amended to read as follows:

“Section 15-41. Limitations to access to tobacco products and e-cigarettes.

- (a) Purpose. The purpose of this section is to reduce the ability of minors to purchase cigarettes and e-cigarettes by eliminating self-service displays in the city.
- (b) Findings.
 - (1) Each year more than four hundred thousand Americans die prematurely from tobacco-related illnesses. Tobacco use has been linked to cancer, emphysema, heart disease and a variety of other life-threatening health problems.
 - (2) These health problems create a burden for local communities, and more specifically for the city. In addition to the health care cost for these diseases, there is the lost human and economic contributions of each individual who suffers from the preventable effects of tobacco use.
 - (3) According to the 2013 State Health Officer’s Report on Tobacco Use and Promotion in California, 64 percent of California smokers start by the age of eighteen. The California Department of Public Health Tobacco Control Program, has found that while adult tobacco use has been declining, youth use, including use of new tobacco products, has been rising.
 - (4) All fifty states, and the District of Columbia, prohibit the sale of tobacco products to minors. California State Penal Code Sections 308(a) and 308(b) prohibit the sale of tobacco products and paraphernalia to minors and possession of tobacco by a minor. However, from 2010 to 2012 illegal sales of tobacco products to minors increased in California.

- (5) California Revenue and Taxation Code section 30101.7 requires retail sales of cigarettes to be vendor-assisted and conducted face-to-face, except in limited circumstances involving mail-order sales.
 - (6) In 2010, the Food and Drug Administration enacted regulations that require cigarette and smokeless tobacco retailers to verify the age of each purchaser by photographic identification, to only sell cigarettes and smokeless tobacco in a direct, face-to-face exchange, and to not use self-service displays and vending machines for cigarettes and smokeless tobacco unless they are located in a facility where no person younger than eighteen may enter.
 - (7) According to the 2013 State Health Officer's Report on Tobacco Use and Promotion in California, youth are more likely to smoke if they are exposed to tobacco product displays.
 - (8) California Health & Safety Code section 119405 prohibits the sale of e-cigarettes to minors.
 - (9) While e-cigarettes are too new for longitudinal studies on their health effects, current research indicates that chemicals contained in e-cigarettes may be harmful and that vaping does release contents of e-cigarettes into the air.
 - (10) According to the Center for Disease Control, from 2011 to 2012 e-cigarette use increased significantly among middle school and high school students.
- (c) Definitions. For the purposes of this section, unless otherwise apparent from the context, certain words and phrases used in this section are defined as follows:

“Business” means a fixed location, whether indoors or outdoors, at which merchandise is offered for sale at retail.

“E-cigarette” means any electronic oral device, such as one composed of a heating element, battery, and/or electronic circuit, which provides a vapor of nicotine or any other substances, and the use or inhalation of which simulates smoking. The term shall include any such device, whether manufactured, distributed, marketed or sold as an e-cigarette, e-cigar, e-pipe, hookah pen or under any other product name or descriptor.

“Minor” means any person under eighteen years of age.

“Self-service displays” means open displays of tobacco products and e-cigarettes and point-of-sale tobacco and e-cigarette promotional products that the public has access to without the intervention of a store employee.

“Tobacco product” means any tobacco cigarette, cigar, pipe tobacco, smokeless tobacco or any other form of tobacco or tobacco product which may be used for smoking, chewing, inhalation or other means of ingestion.

“Vendor-assisted” means only a store owner or employee shall have access to the tobacco product or e-cigarette and assist the customer by supplying the product or e-cigarette. The customer may not take possession of the product or e-cigarette until after it is purchased.

- (d) Identification Required. No retailer or vendor shall sell or permit to be sold cigarettes, ~~or~~ other tobacco products or e-cigarettes to an individual without requesting and examining photographic identification establishing the purchaser’s age as eighteen years or greater, unless the vendor or employee has a reasonable basis in fact to know the buyer is over the age of eighteen.
- (e) Vendor-Assisted Sales.
 - (1) It is unlawful for any person, business or tobacco retailer to sell, permit to be sold, offer for sale or display for sale any tobacco product or e-cigarette by means of a self-service display rack or shelf that allows self-service sales or any means other than vendor-assisted sales.
 - (2) All tobacco products and e-cigarettes shall be displayed and offered for sale exclusively by means of vendor/employee assistance, with tobacco products or e-cigarettes in a location which requires vendor or employee assistance to retrieve the tobacco product or e-cigarette.
- (f) Out-of-Package Sales. No person, business, tobacco retailer, or other establishment in the city shall sell or offer for sale cigarettes, ~~or~~ other tobacco products or e-cigarettes not in the original packaging provided by the manufacturer and with all required health warnings. This section shall not apply to cigars dispensed from bulk packaging.
- (g) Posting of Signs. Any person, business, tobacco retailer, or other establishment in the city which sells tobacco products or e-cigarettes shall post plainly visible signs at the point of purchase of tobacco products or e-cigarettes which comply with California State Business and Professions Code Section 22952 (STAKE Act). All letters of the sign shall be at least one-half inch high or larger.
- (h) Severability. If any portion of this section or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect the other provisions or applications of this section which can be given effect without the invalid provision or application, and to this end, the provisions of this section are severable.
- (i) Enforcement.
 - (1) Enforcement of this section shall be the responsibility of the Woodland police chief or his or her designee, and the Woodland code enforcement officer. Further

enforcement against a person shall not be undertaken without giving one warning to the offending business and/or offering an education session with a staff person designated by the director of the county health department.

- (2) Notice of this section shall be given to all applicants for a business license or renewal thereof.
- (3) Any citizen who wishes to register a complaint under this section may initiate enforcement by bringing the matter to the attention of the staff person designated by the director of the county health department, the Woodland police department or the Woodland code enforcement officer.

(j) Violations—Infractions.

- (1) It is unlawful for any person who owns, manages, operates or otherwise controls the use of any premises subject to this regulation of this section to refuse to comply with any of its provisions.
- (2) Any person, business, tobacco retailer, owner, manager or operator of any establishment subject to this section who violates any provision of this section shall be deemed guilty of an infraction punishable by:
 - (A) A fine not exceeding one hundred dollars for the first violation;
 - (B) A fine not exceeding two hundred dollars for a second violation within one year; and
 - (C) A fine not exceeding five hundred dollars for a third violation and for each additional violation of this section within one year.
- (3) A person who violates any provision of this section shall be deemed guilty of a separate offense for each day, or portion thereof, during which the violation continues.

(k) Public Education. The Woodland police department and the Woodland community development department shall engage in a continuing program to explain and clarify the purpose and requirements of this section to citizens and businesses affected by it, and to guide owners, operators and managers in their compliance with it. Such program may include publication of a brochure for affected businesses and individuals explaining the provisions of this section.”

Section 4. Amendment to Section 15-42. Section 15-42 of the Woodland Municipal Code is hereby amended to read as follows:

“Section. 15-42. Tobacco-free and e-cigarette-free zones at city parks and recreation facilities.

- (a) Findings and Purpose. The city council hereby declares that substantial scientific evidence exists that the use of tobacco products cause cancer, heart disease, and various other medical diseases. The surgeon general of the United States has found that tobacco-caused diseases are the leading cause of premature, preventable death and disability in the United States. While e-cigarettes are too new for longitudinal studies on their health effects, current research indicates that chemicals contained in e-cigarettes may be harmful and that vaping does release contents of e-cigarettes into the air. Accordingly, the city council finds and declares it is in the public interest to establish regulations with respect to prohibiting the use of tobacco products and e-cigarettes in public park and recreational facilities, buildings, and areas.
- (b) Definitions. For the purposes of this section, the following definitions shall apply:
 - (1) “Minor, child, or children” means any individual or individuals who is/are less than eighteen years old.
 - (2) “E-cigarette” means any electronic oral device, such as one composed of a heating element, battery and/or electronic circuit, which provides a vapor of nicotine or any other substances, and the use or inhalation of which simulates smoking. The term shall include any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, hookah pen or under any other product name or descriptor.
 - (3) “Park” means all park and recreational facilities including, but not limited to, playgrounds, skate parks, picnic areas, sports areas, parking lots, and other buildings or structures built or installed in the city for public use by children, to which the public has an unrestricted right of access and use for park or recreation purposes, and every other recreation facility owned, managed or controlled by the city, in either incorporated or unincorporated territory.
 - (4) “Person” means any natural person, individual, partnership, cooperative association, private corporation, personal representative, receiver, trustee, assignee, or any other legal entity.
 - (5) “Tobacco product” means any substance containing tobacco leaf, including but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, dipping tobacco, or any other preparation of tobacco, including Indian cigarettes called “bidis,” which may be utilized for smoking, chewing, inhaling or other manner of ingestion.
- (c) Smoking Prohibited in Park and Recreation Facilities and Areas. It is unlawful for any person to use and/or discard lighted or unlighted tobacco products or e-cigarettes in any park unless otherwise designated by clearly posted and visible signage. Any person or

entity violating any provision of this section may be issued an administrative citation pursuant to Chapter 14A, Article VIII. Any person or entity violating any provision of this section within a twelve-month period of the first violation shall be issued an additional administrative citation pursuant to Section 14A-7-3(d)(2).

- (d) Severability. If any provision, clause, sentence or paragraph of this section or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions of this section which can be given effect without the invalid provision or application, and to this end the provisions of this section are declared to be severable.”

Section 5. Severability. If any provision or clause of this Ordinance or any application of it to any person, firm, organization, partnership, or corporation is held invalid, such invalidity shall not affect other provisions of this Ordinance that can be given effect without the invalid provision or application. To this end, the provisions of this Ordinance are declared to be severable.

Section 6. Effective Date and Publication. The City Clerk shall certify to the adoption of this ordinance and shall cause a summary thereof to be published in the Daily Democrat, a newspaper of general circulation, printed and published in the City of Woodland and County of Yolo, at least five (5) days prior to the meeting at which the proposed ordinance is to be adopted and shall post a certified copy of the proposed ordinance in the office of the City Clerk, and with fifteen (15) days of its adoption, shall cause a summary of it to be published, including the vote for and against the same, and shall post a certified copy of the adopted ordinance in the office of the City Clerk, in accordance with California Government Code Section 36933. This Ordinance shall take effect thirty (30) days after its adoption.

PASSED AND ADOPTED by the City Council this 19th day of August, 2014, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Tom Stallard, Mayor

ATTEST:

APPROVED AS TO FORM:

Ana B. Gonzalez, City Clerk

Kara K. Ueda, City Attorney

Legislation Details (With Text)

13.

File #: 14-322 Version: 1 Name:
Type: Consent Item(s) Status: Agenda Ready
File created: 8/11/2014 In control: City Council
On agenda: 8/19/2014 Final action:
Title: SUBJECT: Public Safety Department (Police and Fire) Quarterly Status report for the period of April 2014 through June 2014

Recommendation for Action: Staff recommends that the City Council accept the Public Safety Department Quarterly Status Report for April 2014 through June 2014.

Sponsors:

Indexes:

Code sections:

Attachments: [Qtrly Report - Apr-June 2014](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: August 19, 2014

SUBJECT: Public Safety Department (Police and Fire) Quarterly Status report for the period of April 2014 through June 2014

Recommendation for Action : Staff recommends that the City Council accept the Public Safety Department Quarterly Status Report for April 2014 through June 2014.

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 now receives Status Reports on a quarterly basis via agenda packet.

Prepared by: Bonnie Sylva, Administrative Secretary

Reviewed by: Dan Bellini, Chief, Public Safety Dept.

A handwritten signature in dark ink, appearing to read "Paul Navazio", with a long, sweeping horizontal stroke extending to the right.

Paul Navazio, City Manager

Attachment: Public Safety Quarterly Report (Apr.-June 2014)



PUBLIC SAFETY DEPARTMENT



Quarterly Report

DATE: August 11, 2014

SUBJECT: QUARTERLY REPORT FOR APRIL-JUNE 2014

POLICE:

PATROL AND INVESTIGATIONS SIGNIFICANT CASES:

APRIL:

- April 1: officers responded to Quik Stop Market on Kentucky Avenue for report of an armed robbery. The clerk stated a masked subject came into the store with a shotgun. The suspect ordered the clerk to empty the cash drawer and left in a vehicle. Officers reviewed surveillance footage of the incident and developed a detailed description. Approximately two hours later, staff from Woodland Memorial Hospital called to report a suspicious male at the emergency room admissions desk. When officers went to WMH, they recognized the male as the suspect in the armed robbery. Detectives prepared a search warrant of his residence and retrieved a 12-gauge pump action shotgun and various items associated with the manufacture of methamphetamine. The suspect, a Woodland resident, was booked for armed robbery.
- April 12: Woodland resident arrested on felony charge of possession of child pornography. In 2012, representatives from the Department of Defense (DOD) met with Sr. Detective Towle to request assistance in the investigation of a DOD employee with child pornography on his computer. The suspect, an adult male Woodland resident, was arrested after a lengthy investigation by DOD, detectives, and Yolo County High Tech Crimes units.
- April 24: officers responded to 18 addresses, taking 20 reports – all for vandalisms to vehicles with slashed tires. On May 1, officers arrested three suspects in the crimes. All three of the suspects were Woodland residents. One suspect was a 15-year-old juvenile male who was arrested for 18 counts of vandalism and 1 count of conspiracy. The second suspect was a 17-year-old juvenile male who was arrested for 18 counts of vandalism and 1 count of conspiracy. The third suspect, an adult male, was arrested for 18 counts of vandalism, 1 count of conspiracy, and 2 counts of contributing to the delinquency of a minor. There was no specific reason for the suspects to have slashed the tires other than malicious mischief. The suspects were apprehended with the assistance of Woodland residents providing information to the police department. This is an example of the community and the police department working together to come to a successful resolution.
- April 24: officers dispatched to Matmor Road for report of brandishing a handgun. The suspect, identified as a Woodland resident and validated gang member, fled the area in a vehicle after pointing a loaded firearm at the victim. Officers located the vehicle on East Street near Gum Avenue and initiated a traffic stop. However, the suspect failed to yield to the officer's signal to stop and used evasive driving tactics to avoid capture. During the pursuit, the suspect collided into two parked vehicles located on McKinley Avenue. The suspect fled the scene of the collision on foot leaving behind a loaded firearm. A perimeter was quickly established and

officers from West Sacramento PD and the CHP assisted in a yard-to-yard search within the perimeter. The suspect was located in a side yard of a residence located on West Street. He was arrested and booked for brandishing a firearm, felony vehicle evasion, vehicle hit and run, felon in possession of a firearm, felon in possession of a firearm in a moving vehicle, felon in possession of ammunition, and resisting arrest.

- April 24: Detective Ruiz arrested a 25-year-old male for sexually assaulting a 15-year-old female family member. The victim went through an MDI interview, and a search warrant was secured for the suspect's phone, which provided indisputable evidence of the assault.
- April 27: officers and medical personnel responded to a residence on Riverside Drive for a report of a shooting. Inside the residence, officers located an adult female and an adult male with gunshot wounds. Both subjects were pronounced dead by medical personnel. Four other people inside the residence at the time of the shooting were not harmed. Officers ascertained the male and female had been in a dating relationship and this was a domestic violence related murder-suicide. The investigation, and witness statements, indicated the male killed the female before killing himself. The case was turned over to the Investigations Division.
- In April, Sr. Detective Towle completed his investigation into the suspicious shooting death that occurred in February at the cemetery. It was determined the female victim committed suicide.

MAY:

- May 5: Detective Elliott arrested the driver on charges of Assault with a Deadly Weapon on a case opened on April 26. On that date, officers were dispatched to Main Street and Elm Street for a vehicle vs. pedestrian hit and run. The victim was lying in the roadway with a serious leg injury. A vehicle description was provided by witnesses; it was believed this collision was an intentional act.
- May 8: detectives assisted patrol by writing, planning, and serving a search warrant at a residence on Beamer Street to recover stolen property from a residential burglary that occurred on Midway Drive.
- May 16: officers were dispatched to a missing person call on Cottonwood Street, but the subject was located at her apartment. During this investigation, it was discovered that someone had fired a gun into an occupied apartment at the complex. It does not appear anyone was injured.
- May 16: SRO Drobish was contacted by the principal at Woodland High regarding a report by two female students that an adult male had exposed his buttocks to them and harassed them on their way to school. SRO Drobish worked with a WPD S.E.T. officer and the parole department to identify and locate a possible suspect who is also a registered sex offender. On May 22, the suspect was in custody on a parole hold and SRO Drobish administratively booked him on charges of indecent exposure and annoying/molesting a child.
- May 16: officers received a call of a shooting at an apartment complex on Cottonwood Street. The resident had fired a round at his estranged brother and the shot struck the wall of the next apartment. Officers set up a perimeter around the suspect's apartment, detaining anyone who left. Officers confirmed the suspect was inside the apartment, and he still had the weapon. Due to the serious nature of the incident and the information gathered, a methodical and deliberate stance was taken by officers. When family members of the suspect came out of the apartment, they were contacted by officers and not allowed back into the apartment. Eventually the suspect was apprehended when he exited his apartment to locate his family. Investigators arrived on scene to

handle the shooting investigation. The suspect was claiming self-defense, so the case was forwarded to the DA's office for review.

- May 24: an officer took a report of a kidnapping and attempted rape of a juvenile that occurred on May 22 while the victim was walking on East Gum Avenue near the Hwy. 113 overpass. The case was forwarded to the Investigations Division. Detective Ruiz contacted retired WPD CSO and Sketch Artist Dale Phillips who agreed to volunteer her time to meet with the victim to complete a composite sketch of the suspect. The sketch was issued in a press release, and Detective Ruiz followed up on leads that were reported by the public.
- May 29: officers responded to shots fired call in an area of Lincoln Avenue. Several citizens reported hearing 3-4 shots fired. Officers located shell casings on Saunders Way. A suspect was identified, but he was not located in the area. No one was struck by the bullets but a basement window of one residence was struck and broken.
- May 29: officers received a report of a subject brandishing a handgun at the QuikStop market on East Main Street. Officers located the victim who identified the suspect as the same suspect in the Saunders Way shooting case. Officers searched the area and located the suspect with a female walking on Thomas Street. When officers attempted to stop the suspect, he held a gun to the female's head. Other officers arrived and unsuccessfully attempted to negotiate with the suspect. The suspect was shot and killed by an officer; the hostage was unharmed. The case was turned over to the Sheriff's Office.
- Also in May, SRO Drobish assisted in a live DUI trial presentation at a pre-prom assembly with Pioneer High School students. A detective who had arrested a suspect for DUI "testified" in the "trial" which was presided over by a Superior Court Judge. SRO Gray conducted a Stranger Danger presentation to 100 students at Whitehead Elementary School.

JUNE:

- June 2: Detective Elliott contacted Yolo County Probation to take over the investigation of a rape that was reported to a probation officer. Detective Elliott identified one of the two involved parties, and he discovered the female and male were acquaintances. He obtained a search warrant to conduct a sexual assault evidence kit on the male suspect, who was in custody at the county jail on unrelated charges. The case was forwarded to the District Attorney's office for review of the rape charges. A male witness to the crime was arrested for an outstanding warrant and possession of a switchblade knife.
- June 2: officers responded to report of robbery at a convenience store. The suspect punched the clerk as he was attempting to steal beer. Officers recognized the suspect based on the description provided by the clerk; they located and arrested him.
- June 10: officers responded to numerous complaints about drugs being sold from an apartment on College Street. A K9 unit did a parole search of the premises and discovered methamphetamine. Officers arrested a suspect for possession and sale of methamphetamine.
- June 16: officers responded to report of a person brandishing a knife near the 1200 block of Sixth Street. When officers checked the area, they located a suspect in Everman Park, recovered the knife used, and arrested the suspect.
- June 19: Sr. Detective Towle interviewed a possible suspect at the Butte County Jail regarding his possible involvement in the stabbing death that occurred on Elm Street in March. He has been a person of interest but not a suspect. He remains a witness in the case and was being held in Butte County on charges unrelated to the WPD case.
- June 25: detectives assisted patrol with an investigation into a female victim that showed up at Woodland Memorial Hospital with a possible gunshot to her head. Detectives served a search

warrant at the victim's residence, interviewed her, and found out she had not been shot in the head. She had sustained a severe cut after being pushed down by her husband. The husband was arrested for felony domestic violence and assault causing great bodily injury.

▪ June 29: officer did a traffic stop on a speeding vehicle near East and East Beamer Streets. The vehicle was occupied by four validated Norteno gang members, and the driver was identified as being on active and searchable probation. During a search of the vehicle, officers found a loaded .22 caliber semiautomatic pistol in the glove box. The driver was arrested for possession of a firearm by a felon, possession of a concealed, loaded firearm in a vehicle, possession of marijuana, criminal street gang activity, and open container. The case was forwarded to the Yolo County GTF.

A total of 246 transients were arrested for violations ranging from violation of the City's no camping ordinance, drunk in public, narcotic violations, recyclable thefts, and warrants.

POP Projects:

There were 21 new POP Projects opened, and there are still 7 open.

Special Enforcement Team (SET):

S.E.T. had the following activity: contact with 68 PRCS subjects, 8 parolees, and 37 probationers not on PRCS. They made 42 felony arrests and 9 misdemeanor arrests. They conducted 66 home searches and 9 vehicle searches.

School Resource Officers (SRO):

The SROs had the following activity: 1,296 consensual contacts. Of those contacts, 11 were for fighting, 21 for alcohol, 4 for gang activity, 7 for drugs, 5 for truancy, 1 for vandalism, and 1 for theft. They made 15 arrests, issued 39 citations, and took three juveniles to the hospital for psychological evaluations.

CRIME				Calendar Year 2014	
Category	Apr.	May	June	Reported to CA DOJ	Percent change from last year
Homicide	1	0	0	2	100%
Rape	2	0	1	5	-44%
Robbery	6	7	2	23	-15%
Aggravated Assaults	15	26	18	118	9%
Simple Assaults	17	29	37	158	-5%
Burglary	15	29	26	225	-5%
Larceny/Thefts	66	79	70	539	-13%
Auto Theft	17	20	14	111	11%
Arson	3	2	5	19	-5%
TOTAL	142	192	173	1200	33%

WORKLOAD

Calls for Service	Apr.	May	June	TOTAL
Priority 1	94	122	122	338
Priority 2	1795	1936	1874	5605
Priority 3	159	134	112	405
Other calls for service	3400	3770	3518	10688
TOTAL	5448	5962	5626	17036
Response Times				
Priority 1	6:54	6:53	6:25	
Priority 2	11:41	12:32	9:32	
Priority 3	21:07	24:38	28:30	
Reports				
Online Reports/Coplogics	9	14	7	30
Mail-in Reports (MLRs)	84	94	93	271
Other case numbers issued	496	600	514	1610
TOTAL	589	708	614	1911
Warrants				
Felony	349	336	342	1027
Misdemeanor	1123	1075	1156	3354
TOTAL	1472	1411	1498	4381
Graffiti	62	28	13	103
290 Registrant Activity	Apr.	May	June	
Total registrants	107	110	112	
<i>Other Information</i>				
Total transient registrants	10	13	13	
290 PC violation warrants issued	0	0	0	
Not compliant with annual update	0	0	0	

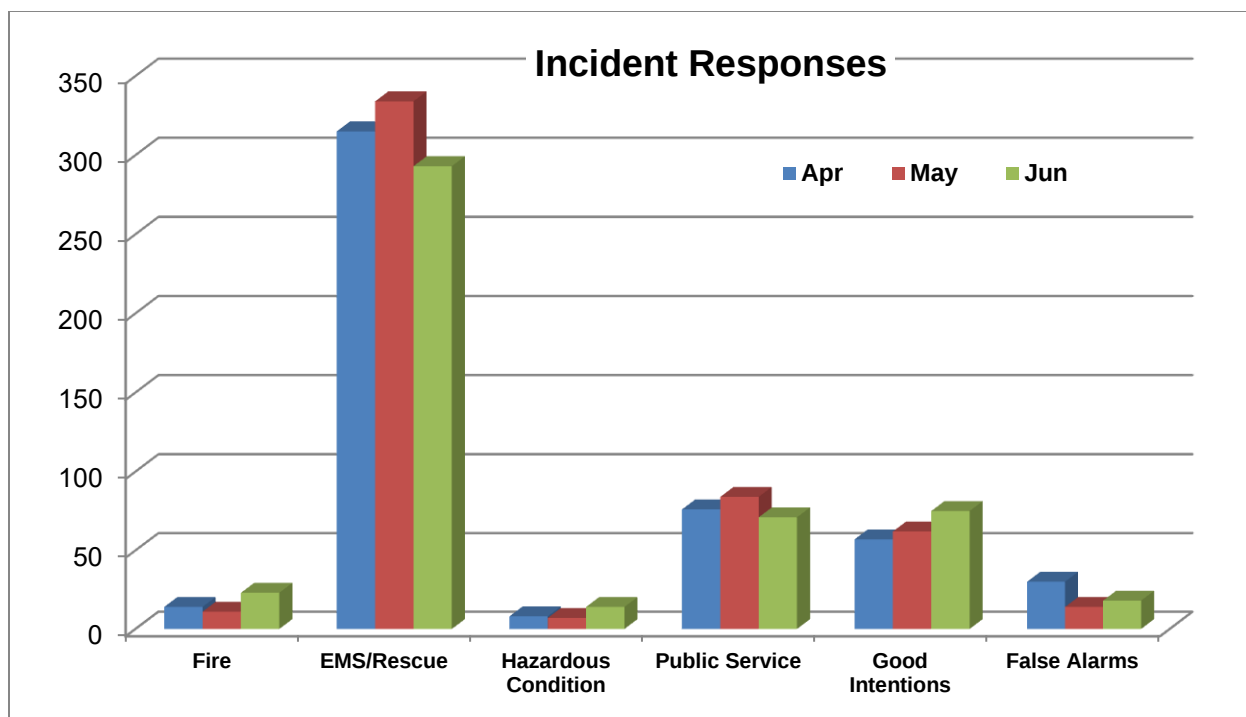
Personnel		
Apr.-June	Budgeted	Filled
Sworn	60	60
Non-sworn	14	14
Total	74	74

Volunteer/Chaplain Hours (quarter total)	470
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FIRE:

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

	Apr	May	Jun
Total Incident Responses			
Fire	14	11	23
EMS/Rescue	315	334	293
Hazardous Condition	8	7	14
Public Service	76	84	71
Good Intentions	57	62	75
False Alarms	30	14	18
TOTAL	500	512	494
Mutual/Auto-Aid	6	14	14
Concurrent Incidents	164	169	160
Fire Prevention			
Business Licenses	3	10	20
Commercial Inspections	17	20	19
Engine Company Inspections	118	35	44
Fire Annual Inspections	56	43	47
New Building Inspections	1	2	1
New Project Development	4	1	4
Plan Reviews	10	13	2
Residential Inspections	43	35	33
TOTAL	134	124	126
Weed Abatement hours	4.0	1.5	4.0
Public Education Events	2	6	3



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	Apr	May	Jun
2 companies	89	86	90
3 companies	44	65	46
4 companies	24	14	20
5 companies	5	4	4
6+ companies	2	0	0
TOTAL	164	169	160
% of Total Incident Responses	32.80%	33.01%	32.39%

Response Time Average for initial fire engine on-scene (in minutes)

Call Type	Apr	May	Jun
Fire	4:41	5:24	5:47
EMS	4:02	3:58	4:17

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.

	Apr	May	Jun
Aid Received	4	4	2
Aid Given	2	10	12
TOTAL	6	14	14

Highlights:

April	• All companies attended EMS training on Special Needs. • Annual ladder testing was completed.
May	• All companies attended EMS training on Sports Injuries. • The Department hosted a county-wide Multi-Agency Confined Space Drill at the recently completed Confined Space training site at Fire Station 3.
June	• Completed annual FIT Testing for SCBAs. • Companies participated in Hazmat Decon Training.

Legislation Details (With Text)

14.

File #: 14-328 Version: 1 Name:
Type: Consent Item(s) Status: Agenda Ready
File created: 8/14/2014 In control: City Council
On agenda: 8/19/2014 Final action:
Title: SUBJECT: Board and Commission Reappointments and Resignations

Recommendation for Action: Staff recommends that the City Council reappoint members to the Board of Building Appeals, Historical Preservation Commission, Library Board and Planning Commission and accept the resignations of Lucinda Talkington from the Commission on Aging, Keith Quigley and Bud Goding from the Library Board and Nathan Stephens from the Parks and Recreation Commission.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: August 19, 2014

SUBJECT: Board and Commission Reappointments and Resignations

Recommendation for Action : Staff recommends that the City Council reappoint members to the Board of Building Appeals, Historical Preservation Commission, Library Board and Planning Commission and accept the resignations of Lucinda Talkington from the Commission on Aging, Keith Quigley and Bud Goding from the Library Board and Nathan Stephens from the Parks and Recreation Commission.

Staff Contact

Ana Gonzalez, City Clerk - (530) 661-5806, ana.gonzalez@cityofwoodland.org

Background

Currently, the City has a total of ten standing Boards and Commissions. Of those ten, the Board of Building Appeals, Historical Preservation Commission, Library Board and Planning Commission have terms ending on June 30th. Prior to that date, staff contacted members whose terms would be ending on June 30, 2014 and asked if they would be interested in serving another term.

Staff is recommending that the City Council re-appoint the following members:

Board of Building Appeals

Edward Puccetti - 4 year term ending June 30, 2018

Historical Preservation Commission

BJ Ford - 4 year term ending June 30, 2018

Library Board

Kathy Harryman - 3 year term ending June 30, 2017

Diana Adams - 3 year term ending June 30, 2017

Planning Commission

John Murphy - 4 year term ending June 30, 2018

Staff is also recommending that the City Council accept the resignations of:

Lucinda Talkington - Commission on Aging

Keith Quigley and Bud Goding - Library Board

Nathan Stephens - Parks and Recreation Commission.

Discussion

The City currently has vacancies on various Boards and Commissions and is recruiting Woodland residents interested in serving. The vacancies are:

Board of Building Appeals - 2 vacancies

Library Board - 1 vacancy

Manufactured Home Fair Practices Commission - 3 vacancies (appointed by Council)

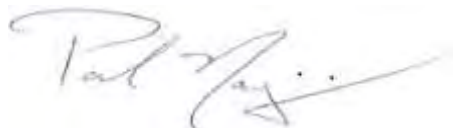
Parks & Recreation Commission - 1 vacancy

Traffic Safety Commission - 1 vacancy

Conclusion

Staff recommends that the City Council reappoint members to the Board of Building Appeals, Historical Preservation Commission, Library Board and Planning Commission and accept the resignations of Lucinda Talkington from the Commission on Aging, Keith Quigley and Bud Goding from the Library Board and Nathan Stephens from the Parks and Recreation Commission.

Prepared by: Ana B. Gonzalez, City Clerk



Paul Navazio, City Manager

Legislation Details (With Text)

15.

File #: 14-323 Version: 1 Name:
Type: Public Hearing Item Status: Agenda Ready
File created: 8/12/2014 In control: City Council
On agenda: 8/19/2014 Final action:
Title: SUBJECT: Woodland Visitor Attraction District Assessment- Ordinance Amendment

Recommendation for Action: Staff recommends that the City Council:

1. Conduct a public hearing; and
2. Waive the first reading and read by title only, an ordinance amending Section 23-92 relating to the computation of the Visitor Attraction District Assessment; and
3. Schedule the second reading and adoption of Ordinance No. _____ for the September 2, 2014 City Council meeting.

Sponsors:

Indexes:

Code sections:

Attachments: [resol 6260 intent to increase annual assessment](#)
[WOODLAND ordinance amending VAD assessment](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: August 19, 2014

SUBJECT: Woodland Visitor Attraction District Assessment- Ordinance Amendment

Recommendation for Action: Staff recommends that the City Council:

1. Conduct a public hearing; and
2. Waive the first reading and read by title only, an ordinance amending Section 23-92 relating to the computation of the Visitor Attraction District Assessment; and
3. Schedule the second reading and adoption of Ordinance No. _____ for the September 2, 2014 City Council meeting.

Staff Contact

Wendy Ross, Economic Development Manager-530 661-5921, wendy.ross@cityofwoodland.org

Council Goal

Strengthen Downtown -Revitalize the Downtown District as the Heart of the City, and the center of civic activity, while preserving its historic and cultural resources and small-town character.

Economic Development -Provide for a diversified economic base with a range of employment opportunities by supporting growth of existing businesses, and providing expanded opportunities for new businesses through targeted infrastructure investments and leverage existing community and regional assets.

Quality of Life : Maintain and enhance Woodland's quality of life by ensuring the highest level of public safety promoting a wide range and recreational facilities and activities, and provision of exceptional public services, consistent with community expectations.

Fiscal Impact

Beginning this fiscal year the hoteliers, in consultation with staff and the YCVB, have requested that the annual assessment increase from 1% to 1.5%. It is also recommended that ½ of the 1.5% assessment be retained by the City to dedicate to Woodland specific marketing of hotels, attractions and events.

To offset the reduction in revenue to the Visitor's Bureau, the recommendation is to have the City provide a contribution of an amount equivalent to restore YCVB's revenue from the Woodland Hotel Bid to the level received in FY 13/14 of \$97,000. For FY 14/15 it is estimated that this "backfill" payment will be approximately \$20,000 total. This payment is proposed to be made from one-time funding provided in the FY14/15 budget in support of Economic Development activities.

Report in Brief

At its June 17, 2014 meeting, City Council approved the Resolution of Intention to renew the Woodland Visitor Attraction District ("District or VAD"); and set a public hearing to review comments concerning the renewal of the 2014-2015 Annual Assessment; and ultimately adopt a Resolution Confirming the 2014-2015 Annual Assessment Report.

On July 15, 2014 Council approved a Resolution of the City Council Confirming the Assessment Report and Approving the Levy of a 1% Assessment for the Visitor Attraction District (VAD) for FY 2014-2015 and Authorized the City Manager to Sign an Administrative Agreement with the Yolo County Visitor's Bureau (YCVB). Staff also introduced the proposal to increase the VAD Annual Assessment from 1% to 1.5% annually of the Transient Occupancy Tax collected by hotel establishments.

Tonight's action is the next step in the process of increasing the annual assessment of the VAD.

Background

Visitor Attraction District . On July 6, 2004, the City Council unanimously supported the adoption of a Resolution of Intention to establish the District pursuant to the Parking and Business Improvement Area Law of 1989. On July 27, 2004, Council held a public hearing to approve Ordinance No. 1404 establishing the District. Ordinance No. 1404 authorized the levying of a 1% assessment on room occupancy, in addition to the TOT, upon all hotel/motels establishments in the City of Woodland. Council has annually adopted the Renewal of the District since that time.

The following hotels are currently part of the District:

America's Best Value
Budget Inn
Econolodge
Hampton Inn & Suites
Motel 6
Valley Oaks

Best Western Shadow Inn
Days Inn
Holiday Inn Express
Quality Inn & Suites

On June 17, 2014, the City Council passed Resolution No. 6259 (Intent to Levy an Assessment) and Resolution No. 6260 (Intent to Adopt an Ordinance Increasing the Assessment). The Notice of Public Hearing (to Levy an Assessment) on July 15, 2014 was published and copies sent to the hoteliers. Council adopted Resolution 6296, which renewed the Woodland Visitor Attraction District Assessment; confirmed the Assessment Report and Authorized the City Manager to Sign an Administrative Agreement with the Yolo County Visitor's Bureau. As required, notices were sent to all of the Woodland Hoteliers of the proposed increase in the Assessment. No protests or comments were received by the City. In addition, a Notice of Public Hearing (to Adopt an Ordinance Increasing the Assessment) on August 19, 2014 has also been sent to all affected parties (in this case, all hotel owners/operators).

Discussion

The Visitor's Bureau, which is governed by a Board of Directors that include hoteliers from Woodland, is a non-profit entity. It covers Woodland, Davis, and Winters, although it also highlights many attractions of interest to visitors throughout the County. It is anticipated that the annual 1% assessment will generate roughly \$105,000 for the 14/15 fiscal year, an increase of approximately 8% over FY 13/14 at \$97,000. In order to generate sufficient funds to develop and implement a targeted strategy to specifically market Woodland hotels, the Woodland hoteliers are proposing to increase the annual assessment from 1% to 1.5%. This would increase the assessment revenue from an estimated \$105,000 to \$157,500 for FY 14/15.

The proposal is to split the total assessment equally with half being passed through to the Visitor's Bureau and the second half being retained by the City of Woodland. It is anticipated that the City will see an increase in TOT and Annual Assessment by late 2015 when the two new approved hotel projects are completed, adding approximately 130 new rooms and bringing the total number of hotel rooms to over 700.

Tonight's public hearing and first reading of the Ordinance Increasing the Assessment for Improvements and Activities is the next step in amending Section 23-92 of Chapter 23 of the Woodland Municipal Code relating to the computation (increase) of the VAD Assessment. Pursuant to Parking and Business Improvement Area Law of 1989 (Streets and Highways Code Section 36500 et seq.) the city has processed the renewal and increase of the District on parallel tracks. The second reading of the Ordinance is scheduled for September 2, 2014 and the increase becomes effective 30 days later (October 2, 2014) at which time all Woodland hotels will assess their guests the additional 0.5% assessment.

Use of the District Funds . Historically, 100% of the assessment has gone to the Visitor's Bureau to promote tourism and visitor attraction in Woodland. However, after several discussions with hotelier representatives and Councilmembers, it is proposed that 50% of the annual assessment be retained by the City of Woodland to directly market and promote Woodland per Ordinance 1404 and the attached Ordinance (amendment). As was stated during the July 15, 2014 public hearing to renew the VAD, the amount forwarded to the Bureau is expected to be approximately \$78,750 or 1/2 of 1.5% assessment. In an effort to not negatively impact the Visitor's Bureau, the City has agreed to contribute general fund dollars equal to the amount equivalent to what would keep the Bureau at par with FY13-14. In FY 14/15 that amount is estimated to be approximately

\$20,000.

The Visitor Bureau's primary purposes are to market the community, assist with citywide events to attract visitors and maintain and increase overnight hotel stays in the City, thereby stabilizing and/or increasing the transient occupancy tax to the city's General Fund. The Visitor's Bureau maintains a website (www.yolocvb.net) that provides information about and links to local hotels and visitor attractions.

The Council accepted the 2014-2015 Visitor Attraction Annual Assessment Report and proposed budget on June 17, 2014 and renewed the VAD for another year per Resolution 6296. The Visitor's Bureau has developed the budget using their own estimates; projects and products will be adjusted if actual revenues differ from the proposed budget. The Visitor's Bureau Board approved their final 2014-2015 budget on June 24, 2014.

Transient Occupancy Tax (TOT). The assessment revenues parallel the city's TOT, which had declined at the onset of the economic downturn and have stabilized and even shown a modest increase beginning in FY 12/13. The TOT is based on the cost of a room night stay, so fluctuations in TOT are a combination of room rates and occupancy. It is difficult to pin point the cause for various fluctuations in TOT, but staff continues to believe the coordinated efforts and deliberate marketing products of the Bureau have been beneficial to the hotel community and Woodland as a whole.

The list below shows the transient occupancy tax received by the City for the past five years, as well as estimates for the 2014-2015 fiscal year.

2009-2010	\$776,207
2010-2011	\$835,019
2011-2012	\$830,001
2012-2013	\$894,877
2013-2014	\$966,683
2014-2015	\$1,050,000

Public Contact

On May 20, 2014 the FY14/15 Assessment Report was received. On June 17, 2014 a public hearing was set and Resolution of Intention (Resolution 6259) was approved by City Council. A copy of the June 17, 2014 public hearing notice for July 15, 2014 to confirm the levy of an Annual Assessment and adopted Resolution of Intent (6259) was sent to all Woodland Hoteliers via email and USPS. A copy of the public hearing notice and resolution (6260) to adopt an Ordinance increasing the Annual Assessment on August 19, 2014 was also sent to all Woodland Hoteliers. Resolution 6296, a resolution confirming the Assessment Report and Approving the Levy of an Assessment for the VAD for FY 14/15 was adopted by City Council on July 15, 2014 with no protest by the hoteliers.

Tonight's item has been included in the City Council Agenda and the Public Hearing has been noticed in the Daily Democrat as required.

Conclusion

Staff Recommends that the City Council:

1. Conduct a public hearing; and
2. Waive the first reading and read by title only, an ordinance amending Section 23-92 relating to the computation of the Visitor Attraction District Assessment; and
3. Schedule the second reading and adoption of Ordinance No. _____ for the September 2, 2014 City Council meeting.

Prepared by: Wendy Ross, Economic Development Manager

Reviewed by: Ken Hiatt, Community Development Director



Paul Navazio, City Manager

Attachments:

1. Ordinance No. _____ An Ordinance of the City of Woodland Amending Section 23-92 of the Woodland Municipal Code Relating to the Computation of the VAD Assessment
2. Resolution 6260-Resolution of Intention of the City Council

RESOLUTION NO. 6260

**A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF
WOODLAND TO ADOPT AN ORDINANCE INCREASING THE ASSESSMENT
FOR IMPROVEMENTS AND ACTIVITIES FOR FISCAL YEAR 2014-2015
WITHIN THE WOODLAND VISITOR ATTRACTION DISTRICT**

WHEREAS, the City of Woodland ("City") has the authority to levy assessments through a parking and business improvement area pursuant to the Parking and Business Improvement Area Law of 1989, California Streets & Highways Code section 36500 et seq.; and

WHEREAS, on September 7, 2004, the City Council adopted Ordinance No. 1404 establishing a Woodland Visitor Attraction District ("District") and levying assessments; and

WHEREAS, the District's area consists of the City in its entirety and is coextensive in its boundaries with the City; and

WHEREAS, the mission of the District is to enrich the lives of the citizens by improving the economic resilience of existing Woodland businesses through promotion of cultural, athletic and educational events and programs that build upon the strengths of the region and the quality of community life; and

WHEREAS, the District's advisory board has recommended, pursuant to Streets & Highways Code section 36540, that the basis and method of levying the assessments imposed within the District be changed to increase the amount of the assessments; and

WHEREAS, section 36541 of the Streets & Highways Code allows the City Council to modify the basis and method of levying the assessment by adopting an ordinance after holding a hearing on the proposed modification, and after adopting a resolution stating the Council's intention to consider modifying the assessment;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND DOES HEREBY RESOLVE that it intends to consider adopting an ordinance to increase the amount of the District's assessment from 1% to 1.5%, with the increase to take effect on the effective date of an ordinance increasing the assessment, and to remain in effect through the end of fiscal year 2014-2015.

BE IT FURTHER RESOLVED that the assessment to be levied for the District shall be used to fund: the general promotion of business activities and visitor-oriented programs within the District, including the development of program materials, visitor guides and the creation of linkages with event sponsors to support additional conferences and events; the promotion of and participation in conferences, activities and public events which are to take place on or in public places within the District; the furnishing of music in any public place within the District; and the decoration of any public place within the District. The Visitor Attraction District (BID) Assessment Report for Fiscal Year 2014-2015 on file with the City Clerk is hereby referenced for a full and detailed description of

the improvements and activities to be provided for fiscal year 2014-2015, the boundaries of the District and the assessments to be levied upon the businesses within the District for fiscal year 2014-2015.

BE IT FURTHER RESOLVED that the City Council will allow public comment on the proposed increase in the assessment at a City Council meeting to be held at least 10 days after the date of a notice to be sent by the City Clerk to affected business owners within the District enclosing a copy of this resolution and notice of the public meeting and hearing; the date for this public comment is tentatively scheduled for July 15, 2014.

BE IT FURTHER RESOLVED that the City Council will hold a public hearing at 6:00 p.m. on August 19, 2014 in the City Council Chambers, 300 First Street, Woodland, California, on the levying of the increased assessment for fiscal year 2014-2015. At the public hearing, written and oral protests may be made. The form and manner of protests shall comply with California Streets & Highways Code sections 36524 and 36525. If written protests are received from and not withdrawn by the owners of businesses in the District which will pay fifty percent (50%) or more of the assessments to be levied, no further proceedings to increase the assessment, as set forth in this Resolution of Intention, shall be taken for a period of one year from the date of the finding of a majority protest by the City Council.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to mail a copy of this resolution and a notice of the public meeting and the public hearing referred to herein to every business owner within the District that would be affected by the proposed increase in the assessment.

PASSED AND ADOPTED by the City Council this 17th day of June, 2014, by the following vote:

AYES:	Council Members Denny, Hilliard, Marble and Stallard and Mayor Davies
NOES:	None
ABSENT:	None
ABSTAIN:	None



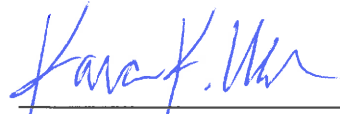
Marlin H. Davies, Mayor

ATTEST:



Ana B. Gonzalez, City Clerk

APPROVED AS TO FORM:



Kara K. Ueda, City Attorney

82093.00006\3562707.2

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WOODLAND AMENDING
SECTION 23-92 OF THE WOODLAND MUNICIPAL CODE RELATING TO THE
COMPUTATION OF THE VAD ASSESSMENT

WHEREAS, the City Council of the City of Woodland has established the Woodland Visitor Attraction District (“VAD”) pursuant to the Parking and Business Improvement Area Law of 1989, California Streets and Highways Code Section 36500, *et seq.*; and

WHEREAS, the City Council levies an assessment against all affected businesses within the VAD to promote relevant business activities and visitor-oriented programs; and

WHEREAS, Streets and Highways Code section 36541 authorizes the City Council to approve an increase in the assessment at any time by ordinance; and

WHEREAS, the City Council conducted a public hearing and completed all procedural requirements necessary to increase the assessment as set forth in this Ordinance.

The City Council of the City of Woodland does hereby ordain as follows:

Section 1. Purpose. The purpose of this Ordinance is to amend Section 23-92 of the Woodland Municipal Code.

Section 2. Authority. The City Council enacts this Ordinance under the authority granted to cities by Article XI, Section 7 of the California Constitution.

Section 3. Amendment. Section 23-92 of the Woodland Municipal Code is hereby amended to read in full as follows:

Sec. 23-92. Computation of assessments.

The assessment for each hotel shall be a percentage of the rent charged by the hotel operator as set forth in the applicable resolution of the City Council levying the assessment for that fiscal year and shall be computed in the same manner as the transient occupancy tax, as set forth in Chapter 23, Article III of the Municipal Code of the city of Woodland.

Section 4. VAD Increase. Notwithstanding Section 3 of this Ordinance, the City Council hereby increases the rate of the assessment by one-half of a percent (.5%) to one and one-half percent (1.5%) of the rent charged by the hotel operator. The assessment shall be imposed at the rate set forth in this section from the effective date of this Ordinance through the balance of the 2014-2015 Fiscal Year. All future increases and adjustments of the assessment shall be subject to Section 3 of this Ordinance, as applicable.

Section 5. Effective Date and Notice. This Ordinance shall take effect thirty (30) days after its adoption and, within fifteen (15) days after its passage, shall be published at least once in a newspaper of general circulation published and circulated within the City of Woodland.

PASSED AND ADOPTED by the City Council of the City of Woodland this ____ day of _____, 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tom Stallard, Mayor

ATTEST:

Ana Gonzalez, City Clerk

APPROVED AS TO FORM:

Kara Ueda, City Attorney

82093.00006\3562568.2

Legislation Details (With Text)

16.

File #: 14-324 Version: 1 Name:
Type: Public Hearing Item Status: Agenda Ready
File created: 8/13/2014 In control: City Council
On agenda: 8/19/2014 Final action:
Title: SUBJECT: Resolution to Invoke the City's Water Shortage Contingency Plan in Compliance with the State Emergency Regulation for Statewide Urban Water Conservation

Recommendation for Action:

Staff recommends that the City Council:

1) Adopt Resolution No. _____ proclaiming a Stage One, Water Alert, as described in Section 23C-11-4 of the City of Woodland Municipal Code, and

2) In order to comply with the full extent of the State's emergency water conservation regulations, staff recommends the City Council also:

a. prohibit the use of potable water in a fountain or other decorative water features except where the water is part of a recirculating system, and

b. require that water users meet the required mandatory 10% reduction in water use wholly or partly through reductions in outdoor irrigation of ornamental landscapes or turf with potable water during months when irrigation is being applied to outdoor landscaping.

Sponsors:

Indexes:

Code sections:

Attachments: [Resolution to invoke the water shortage contingency plan 8-19-14](#)
[Att A - Report attachment - SWBResNo.2014-0038](#)
[Att B - SWB requirements of urban suppliers](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: August 19, 2014

SUBJECT: Resolution to Invoke the City's Water Shortage Contingency Plan in Compliance with the State Emergency Regulation for Statewide Urban Water Conservation

Recommendation for Action:

Staff recommends that the City Council:

1) Adopt Resolution No. _____ proclaiming a Stage One, Water Alert, as described in Section 23C-11-4 of the City of Woodland Municipal Code, and

2) In order to comply with the full extent of the State's emergency water conservation regulations, staff recommends the City Council also:

a. prohibit the use of potable water in a fountain or other decorative water features except where

- the water is part of a recirculating system, and
- b. require that water users meet the required mandatory 10% reduction in water use wholly or partly through reductions in outdoor irrigation of ornamental landscapes or turf with potable water during months when irrigation is being applied to outdoor landscaping.

Staff Contact

Dawn Calciano, Water Conservation Coordinator
661-2067, dawn.calciano@cityofwoodland.org

Fiscal Impact

Invoking a Stage One, Water Alert, requiring a 10% reduction in water use is not expected to have a significant fiscal impact because the community is already making substantial progress in water conservation on a voluntary basis and because water conservation efforts were factored into recent water rate studies to provide stability in times of decreased revenue.

Report in Brief

In January 2014, the City reduced outdoor water use and asked the community for a voluntary 20% cutback in water use. The community has responded by significantly reducing water consumption. Although Woodland has reduced overall water use, emergency water conservation regulations adopted by the State Water Resources Control Board (State Water Board) on July 15, 2014, apply to all water users in the state and require the City, along with all other water agencies, to implement its water shortage contingency plan and restrict outdoor irrigation of ornamental landscapes or turf with potable water.

Staff recommends invoking a Stage One, Water Alert, with selected additional restrictions to meet the requirements of the State's emergency regulations. Implementation of a Stage One, Water Alert, is not expected to change the City's ongoing water conservation efforts or responses to water waste issues.

Background

The State Water Resources Control Board (State Water Board) on July 15, 2014, adopted an Emergency Regulation for Statewide Urban Water Conservation (Emergency Regulation). The Emergency Regulation prohibits the following actions, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:

- The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots or structures.
- The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle device attached to it that causes it to cease dispensing water immediately when not in use.
- The application of potable water to driveways and sidewalks.
- The use of potable water in a fountain or other decorative water feature, except where the water is part

of a recirculating system.

The Emergency Regulation also requires each urban water supplier to implement all requirements and actions of the stage of its water shortage contingency plan that imposes mandatory restrictions on outdoor irrigation of ornamental landscapes or turf with potable water.

The Emergency Regulation is to remain in effect until April 25, 2015, unless the State Water Board determines that it is no longer necessary due to changed conditions, or unless it renews the regulations due to continued drought conditions.

Failure of a water supplier (such as the City, not individual water customers) to comply with the Emergency Regulation can result in penalties of up to \$10,000 per day.

See Attachment A for State Water Board Resolution No. 2014-0038 and the Emergency Regulation.

Discussion

Stage One, Water Alert

In January 2014, the City reduced outdoor water use and asked the community for a voluntary 20% cutback in water use. The community has responded by significantly reducing water consumption. Much of the voluntary reduction has been achieved through cutbacks in outdoor use, as evidenced by “golden” lawns around town. Since February, water use in City-maintained parks and landscaped areas has been reduced by 21 percent or more per month compared with the same months in 2013.

Although, the community of Woodland - as a whole - has reduced overall water use (27% reduction in July 2014 as compared to July 2014), the Emergency Regulations adopted by the State Water Board apply to all water users in the state and require the City, like all other water agencies, to implement its water shortage contingency plan and restrict outdoor irrigation of ornamental landscapes or turf with potable water.

On July 1, 2014, the City Council adopted Ordinance 1564, which amended the City’s water shortage contingency plan in accordance with the Urban Water Management Planning Act (Division 6, Part 2.6 of the Water Code §§10610 - 10656).

In order to meet the requirements of the Emergency Regulation, the City Council would need to, at a minimum, invoke the City’s water shortage contingency plan by proclaiming a Stage One, Water Alert as described in Section 23C-11-4 of the Municipal Code.

A Stage One, Water Alert, prohibits water waste, as defined in Municipal Code Section 23C-11-3, and requires the following:

- All city water customers shall reduce water use by ten percent (10%) from their normal water demand (the average of the water use for that month during the three most recent years in which the city had a reliable water supply).
- Hosing of hardscape surfaces except for health and safety purposes shall be prohibited.
- Water hoses shall be equipped with a control nozzle capable of completely shutting of the flow of water except when positive pressure is applied.

- Restaurants shall serve water only upon request.
- All landscaping shall comply with the State Model Water Efficient Landscape Ordinance or city landscape requirements, whoever is more restrictive. (This provision applies to large landscape installations.)

Water waste is defined in Municipal Code Section 23C-11-3 to include, among other measures, causing or permitting excessive water to discharge, flow, or run to waste off of one's property and operating a water system that applies water to an impervious surface or that is in disrepair.

A Stage One, Water Alert, proclamation allows for the addition of further regulations that may be adopted by the City Council after conducting a public hearing.

To ensure that the City will meet the requirements of the Emergency Regulation and promote continued water conservation efforts consistent with the intent of the Emergency Regulation, staff recommends that the City Council add two provisions to the Stage One, Water Alert, proclamation:

(1) a prohibition on the use of potable water in a fountain or other decorative water features except where the water is part of a recirculating system, and

(2) a requirement that water users meet the required mandatory reduction wholly or partly through reductions in outdoor irrigation of ornamental landscapes or turf with potable water during months when irrigation is being applied to outdoor landscaping.

Other State Requirements

The State Water Board, in Resolution No. 2014-0038, which adopted the Emergency Regulation, also calls upon water suppliers to take actions to educate customers and employees about the urban water conservation regulations and to increase local water supplies. The City of Woodland is already implementing, or planning to implement, these actions. A list of the actions and the City's efforts to meet them is included as Attachment B to this report.

The City is also required to submit a monitoring report by the 15th of each month to the State Water Board, which will include the amount of potable water produced in the preceding calendar month and compare that amount to the amount produced in the same calendar month in 2013. Beginning October 15, 2014, the monitoring report will also be required to estimate the gallons of water per person per day used by the residential customers it serves.

Implementation of the Stage One, Water Alert

The City's goal will be to meet the 10% reduction in water use city-wide rather than on a customer by customer basis, with monthly water use being compared to average use in the same month for the past three years,. The Water Conservation Program has provided, and will continue to provide, recommendations and guidance on ways to reduce water use through the City's website, social media, e-newsletters, press releases, newspaper advertisements, utility bill inserts, flyers and brochures, and public outreach events.

Public outreach events focused on water conservation this year have included a series of four landscape water conservation workshops in March, a water-wise home landscape tour in June, and a Yolo County Fair booth focused on water conservation. Guidance includes "What Does a 20% Reduction in Water Use Look Like?" and "How to Garden in a Drought." These materials and many more resources are available on the water

conservation website at www.cityofwoodland.org/waterconservation <<http://www.cityofwoodland.org/waterconservation>>. Water Conservation Program staff also continue to respond to requests for individual assistance as time permits.

The water use of an individual account is unlikely to be evaluated except in cases of notably high or continuous use or obvious non-compliance (such as excessive outdoor irrigation), or if a water customer requests water use details. Staff is continuing to evaluate web-based programs that may be used to help water customers access their water use details on their own.

The City will continue to follow its normal procedures for addressing water waste issues. In most cases, a violation is addressed with an informational door hanger, and staff works with the property owner or water customer to remedy the situation. If a violation continues and is determined to be a nuisance, the City may then issue a notice to abate or administrative citation as deemed appropriate to the situation.

There has been a great deal of media and public attention on the provision in the Emergency Regulation that states that violating the water waste prohibitions (the four items listed in the "Background" section above) would be an infraction punishable by a fine of up to \$500 per day. The State Water Board has clarified that this is intended as a maximum fine. This level of fine is not a state requirement, and this provision does not replace other enforcement measures or fines already established by local jurisdictions. Fines imposed for administrative citations in Woodland are \$100 for first violations, \$200 for second violations, and \$500 for third violations. The City has not issued any fines or threatened fines for water waste in any recent year. In extreme cases - if an issue has not been remedied after the abatement or citation process has been followed and if the violator has failed to appeal the notice or citation - the City may take additional enforcement actions listed in Section 23C-7-10.2(c) of the Municipal Code.

Conclusion

Staff recommends that the City Council:

- 1) Adopt Resolution No. _____ proclaiming a Stage One, Water Alert, as described in Section 23C-11-4 of the City of Woodland Municipal Code, and
- 2) In order to comply with the full extent of the State's emergency water conservation regulations, staff recommends the City Council also:
 - a. prohibit the use of potable water in a fountain or other decorative water features except where the water is part of a recirculating system, and
 - b. require that water users meet the required mandatory 10% reduction in water use wholly or partly through reductions in outdoor irrigation of ornamental landscapes or turf with potable water during months when irrigation is being applied to outdoor landscaping.

Prepared by: Dawn Calciano, Water Conservation Coordinator
Reviewed by: Roberta Childers, Environmental Resource Analyst
Gregor G. Meyer, Public Works Director



Paul Navazio, City Manager

Attachments:

Resolution No. _____ invoking the City's Water Shortage Contingency Plan

Attachment A: State Water Resources Control Board Resolution No. 2014-0038

Attachment B: State Water Board Requirements of Urban Water Suppliers

RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND
TO INVOKE THE CITY'S WATER SHORTAGE CONTINGENCY PLAN
IN COMPLIANCE WITH THE STATE EMERGENCY REGULATION FOR
STATEWIDE URBAN WATER CONSERVATION**

WHEREAS, the present year in California is critically dry and has been immediately preceded by two or more consecutive below normal, dry, or critically dry years, and drought conditions will likely continue for the foreseeable future; and

WHEREAS, the State Water Resources Control Board ("State Water Board") on July 15, 2014, adopted an Emergency Regulation for Statewide Urban Water Conservation ("Emergency Regulation"); and

WHEREAS, the Emergency Regulation shall remain in effect until April 25, 2015, unless the State Water Board determines that it is no longer necessary due to changed conditions, or unless the State Water Board renews the regulations due to continued drought conditions; and

WHEREAS, the Emergency Regulation states that each of the following actions is prohibited, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:

- the application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots or structures;
- the use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle device attached to it that causes it to cease dispensing water immediately when not in use;
- the application of potable water to driveways and sidewalks; and
- the use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system; and

WHEREAS, the Emergency Regulation also requires each urban water supplier to implement all requirements and actions of the stage of its water shortage contingency plan that imposes mandatory restrictions on outdoor irrigation of ornamental landscapes or turf with potable water; and

WHEREAS, Article XI of Chapter 23C of the City of Woodland Municipal Code sets forth the City's water shortage contingency plan in accordance with the Urban Water Management Planning Act (Division 6, Part 2.6 of the Water Code §§10610 - 10656); and

WHEREAS, a Stage One, Water Alert, as described in Section 23C-11-4 of the Municipal Code mandates that all water customers reduce water use by 10%; and

WHEREAS, to ensure complete compliance with the Emergency Regulation, it is necessary to specify mandatory restrictions on outdoor irrigation of ornamental landscapes or turf with potable water; and

WHEREAS, the Municipal Code permits a Stage One, Water Alert, to include additional water conservation requirements if adopted by the City Council, including the prohibitions adopted in the Emergency Regulation, specified above; and

WHEREAS, the City council finds that adoption of this Resolution and the imposition of the water restriction regulations required under a State One, Water Alert, will promote water conservation and is consistent with the Municipal Code and the Emergency Regulation; and

WHEREAS, the City Council of the City of Woodland held a noticed public hearing on Tuesday, August 19th, 2014, to consider declaring a Stage One, Water Alert, and provided an opportunity for any interested member of the public to address the City Council concerning this Resolution.

NOW, THEREFORE, BE IT RESOLVED THAT:

The City Council of the City of Woodland hereby declares a Stage One, Water Alert, as described in Section 23C-11-4 of the City of Woodland Municipal Code and hereby adopts the following regulations for City of Woodland water users:

1. Water waste, as defined in Section 23C-11-3 of the Woodland Municipal Code, is prohibited.
2. All landscaping installed in the City of Woodland shall comply with the State Model Water Efficient Landscape Ordinance (23 Cal. Code Reg., §§ 490 *et seq*) or the City's landscape requirements (Chapter 25, Article XXII of the Woodland Municipal Code), whichever is more restrictive.
3. All city users are to reduce water use by ten percent (10%) from their normal water demand.
4. Hosing of hardscape surfaces, except for health and safety purposes, shall be prohibited.
5. Water hoses shall be equipped with a control nozzle capable of completely shutting off the flow of water except when positive pressure is applied.
6. Restaurants shall serve water only upon request.

7. Potable water may not be used in a fountain or other decorative water feature except where the water is part of a recirculating system.

8. Water users shall meet the required mandatory ten percent (10%) reduction wholly or partially through reductions in outdoor irrigation of ornamental landscapes or turf with potable water during months when irrigation is applied to outdoor landscaping.

PASSED AND ADOPTED this 19th day of August 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tom Stallard, Mayor

ATTEST:

Ana B. Gonzalez, City Clerk

ATTACHMENT A

STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2014-0038

TO ADOPT AN EMERGENCY REGULATION FOR STATEWIDE URBAN WATER CONSERVATION

WHEREAS:

1. On April 25, 2014, Governor Edmund G. Brown Jr. issued an [executive order](#) to strengthen the state's ability to manage water and habitat effectively in drought conditions and called on all Californians to redouble their efforts to conserve water. The executive order finds that the continuous severe drought conditions present urgent challenges across the state including water shortages in communities and for agricultural production, increased wildfires, degraded habitat for fish and wildlife, threat of saltwater contamination, and additional water scarcity if drought conditions continue into 2015. The [National Integrated Drought Information System](#) reported that nearly 80% of the state was reported to be under "extreme" drought conditions at the end of June;
2. The executive order refers to the [Governor's Proclamation No. 1-17-2014](#), issued on January 17, 2014, declaring a State of Emergency to exist in California due to severe drought conditions. The January Proclamation notes that the state is experiencing record dry conditions, with 2014 projected to become the driest year on record. Since January, state water officials indicate that reservoirs, rainfall totals and the snowpack remain critically low. This follows two other dry or below average years, leaving reservoir storage at alarmingly low levels. The January Proclamation highlights the State's dry conditions, lack of precipitation and the resulting effects on drinking water supplies, the cultivation of crops, and the survival of animals and plants that rely on California's rivers and streams. The January Proclamation also calls on all Californians to reduce their water usage by 20 percent;
3. There is no guarantee that winter precipitation will alleviate the drought conditions that the executive orders address, which will lead to even more severe impacts across the state if the drought wears on;
4. Water Code section 1058.5 grants the State Water Board the authority to adopt emergency regulations in certain drought years in order to: "prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation, to require curtailment of diversions when water is not available under the diverter's priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports";
5. Over 400,000 acres of farmland are expected to be fallowed, thousands of people may be out of work, communities risk running out of drinking water, and fish and wildlife will suffer.

6. Many Californians have taken bold steps over the years and in this year to reduce water use; nevertheless, the dire nature of the current drought requires additional conservation actions from residents and businesses. Some severely affected communities have implemented water rationing, limiting water use in some cases to only 50 gallons per person per day, foregoing showers, laundry, toilet flushing, and all outdoor watering.
7. Water conservation is the easiest, most efficient and most cost effective way to quickly reduce water demand and extend supplies into the next year, providing flexibility for all California communities. Water saved this summer is water available next year, giving water suppliers the flexibility to manage their systems efficiently. The more water that is conserved now, the less likely it is that a community will experience such dire circumstances that water rationing is required ;
8. Most Californians use more water outdoors than indoors. In many areas, 50 percent or more of daily water use is for lawns and outdoor landscaping. Outdoor water use is generally discretionary, and many irrigated landscapes would not suffer greatly from receiving a decreased amount of water;
9. Public information and awareness is critical to achieving conservation goals and the Save Our Water campaign, run jointly by the Department of Water Resources (DWR) and the Association of California Water Agencies, is an excellent resource for conservation information and messaging that is integral to effective drought response (<http://saveourwater.com>).
10. Enforcement against water waste is a key tool in conservation programs. When conservation becomes a social norm in a community, the need for enforcement is reduced or eliminated;
11. The emergency regulations set a minimum standard requiring only modest lifestyle changes across the state. Many communities are already doing more and have been for years. They should be commended, but can and should do more. Others are not yet doing so and should at least do this, but should do much more given the severity of the drought;
12. On July 8, 2014, the State Water Board issued public notice that the State Water Board would consider the adoption of the regulation at the Board's regularly-scheduled July 15, 2014 public meeting, in accordance with applicable State laws and regulations. The State Water Board also distributed for public review and comment a Finding of Emergency that complies with State laws and regulations;
13. On April 25, 2014, the Governor suspended the California Environmental Quality Act's application to the State Water Board's adoption of emergency regulations pursuant to Water Code section 1058.5 to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water, to promote water recycling or water conservation;
14. As discussed above, the State Water Board is adopting the emergency regulation because of emergency drought conditions, the need for prompt action, and current limitations in the existing enforcement process;

15. Disadvantaged communities may require assistance in increasing water conservation and state agencies should look for opportunities to provide assistance in promoting water conservation;
16. Nothing in the regulations or in the enforcement provisions of the regulations, preclude a local agency from exercising its authority to adopt more stringent conservation measures. Moreover, the Water Code does not impose a mandatory penalty for violations of the regulations adopted by this resolution and local agencies retain their enforcement discretion in enforcing the regulations, to the extent authorized, and may develop their own progressive enforcement practices to encourage conservation.

THEREFORE BE IT RESOLVED THAT:

1. The State Water Board adopts California Code of Regulations, title 23, sections 863, 864, and 865, as appended to this resolution as an emergency regulation;
2. The State Water Board staff will submit the regulation to the Office of Administrative Law (OAL) for final approval;
3. If, during the approval process, State Water Board staff, the State Water Board, or OAL determines that minor corrections to the language of the regulation or supporting documentation are needed for clarity or consistency, the State Water Board Executive Director or designee may make such changes;
4. These regulations shall remain in effect for 270 days after filing with the Secretary of State unless the State Water Board determines that it is no longer necessary due to changed conditions, or unless the State Water Board renews the regulations due to continued drought conditions as described in Water Code section 1058.5;
5. The State Water Board directs staff to provide the Board with monthly updates on the implementation of the emergency regulations and their effect;
6. Directs State Water Board staff to condition funding upon compliance with the emergency regulations, to the extent feasible;
7. Directs State Water Board staff to work with the Department of Water Resources and the Save Our Water campaign to disseminate information regarding the emergency regulations; and
8. Directs State Water Board staff in developing an electronic reporting portal to include data fields so that local agencies may provide monthly reporting data on (i) conservation-related implementation measures or enforcement actions taken by the local agency and (ii) substitution during the drought of potable water with recycled water to extend water supplies.

THEREFORE BE IT FURTHER RESOLVED THAT:

9. The State Water Board commends water suppliers that have increased conservation messaging and adopted innovative strategies to enhance customer awareness of water use, such as applications that let customers compare their water use to water use by others; reduce system losses, such as fixing system leaks which can deplete supplies by 10 percent or more; and establish incentives to reduce demand, such as tiered or drought rate structures. The State Water Board also commends all Californians that have already been working to maximize their conservation efforts, both at home and at work;
10. The State Water Board calls upon water suppliers to take the following actions:

Educate customers and employees

- Retail water suppliers should provide notice of the regulations in English and Spanish in one or more of the following ways: newspaper advertisements, bill inserts, website homepage, social media, notices in public libraries;
- Wholesale suppliers should include reference to the regulations in their customer communications;
- All water suppliers should train personnel on the regulations;
- All water suppliers should provide signage where recycled or reclaimed water is being used for activities that the emergency regulations prohibit with the use of potable water, such as operation of fountains and other water features;
- All water suppliers should redouble their efforts to disseminate information regarding opportunities and incentives to upgrade indoor fixtures and appliances;
- All water suppliers should use education and the tools available through the Save Our Water website (<http://saveourwater.com>); and
- All water suppliers should educate and prepare their boards and councils on the drought response actions contained in the emergency regulations and in this resolution, and to make sure that drought response items are placed on agendas as early as possible;

Increasing local supplies

- All water suppliers should accelerate the completion of projects that will conserve potable water by making use of non-potable supplies, such as recycled water, "greywater," and stormwater collection projects;
- All water suppliers should improve their leak reporting and response programs and request that police and fire departments and other local government personnel report leaks and water waste that they encounter during their routine duties/patrols;
- Smaller water suppliers – those with fewer than 3,000 service connections – should take proactive steps to secure their communities' water supplies and educate their customers about water conservation and the status of their supply reserves;
- All water suppliers should conduct water loss audits and make leak detection and repair a top priority for the duration of the drought; and
- All urban water suppliers should evaluate their rate structures and begin to implement needed changes as part of planning for another dry year. Information and assistance on setting and implementing drought rates is available from the Alliance for Water Efficiency. (<http://www.allianceforwaterefficiency.org/>).

11. The State Water Board calls on all Californians to take the following additional actions:
 - Further reduce water demand, whether by using less water in daily routines indoors and out, retrofitting appliances and installing greywater and rainwater catchment systems; and
 - Check residential and business water bills to see if there are high charges that may indicate a leak and to fix the leak, if they are able, or contact their local water utility if they need assistance.
12. The State Water Board encourages its staff, the Department of Water Resources, the Public Utilities Commission, urban water suppliers, and other local agencies to look for opportunities to encourage and promote new technologies that reduce water usage, including through timely access to water usage information and behavioral response.
13. The State Water Board encourages all state and local agencies to look for additional opportunities to minimize potable water use in outdoor spaces.
14. The State Water Board encourages investor-owned utilities to expeditiously submit applications for implementation of the regulations to the California Public Utilities Commission.

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on July 15, 2014.

AYE: Chair Felicia Marcus
Vice Chair Frances Spivy-Weber
Board Member Steven Moore
Board Member Dorene D'Adamo

NAY: None

ABSENT: Board Member Tam M. Doduc

ABSTAIN: None



Jeanine Townsend
Clerk to the Board

PROPOSED TEXT OF EMERGENCY REGULATIONS

Article 22.5. Drought Emergency Water Conservation

Sec. 863 Findings of Drought Emergency

(a) The State Water Resources Control Board finds as follows:

(1) On January 17, 2014, the Governor issued a proclamation of a state of emergency under the California Emergency Services Act based on drought conditions;

(2) On April 25, 2014, the Governor issued a proclamation of a continued state of emergency under the California Emergency Services Act based on continued drought conditions;

(3) The drought conditions that formed the basis of the Governor's emergency proclamations continue to exist;

(4) The present year is critically dry and has been immediately preceded by two or more consecutive below normal, dry, or critically dry years; and

(5) The drought conditions will likely continue for the foreseeable future and additional action by both the State Water Resources Control Board and local water suppliers will likely be necessary to further promote conservation.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105.

Sec. 864 Prohibited Activities in Promotion of Water Conservation

(a) To promote water conservation, each of the following actions is prohibited, except where necessary to address an immediate health and safety need or to comply with a term or condition in a permit issued by a state or federal agency:

(1) The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;

(2) The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;

(3) The application of potable water to driveways and sidewalks; and

(4) The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.

(b) The taking of any action prohibited in subdivision (a) of this section, in addition to any other applicable civil or criminal penalties, is an infraction, punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105.

PROPOSED TEXT OF EMERGENCY REGULATIONS

Sec. 865 Mandatory Actions by Water Suppliers

(a) The term “urban water supplier,” when used in this section, refers to a supplier that meets the definition set forth in Water Code section 10617, except it does not refer to suppliers when they are functioning solely in a wholesale capacity, but does apply to suppliers when they are functioning in a retail capacity.

(b)(1) To promote water conservation, each urban water supplier shall implement all requirements and actions of the stage of its water shortage contingency plan that imposes mandatory restrictions on outdoor irrigation of ornamental landscapes or turf with potable water.

(2) As an alternative to subdivision (b)(1), an urban water supplier may submit a request to the Executive Director for approval of an alternate plan that includes allocation-based rate structures that satisfies the requirements of chapter 3.4 (commencing with section 370) of division 1 of the Water Code, and the Executive Director may approve such an alternate plan upon determining that the rate structure, in conjunction with other measures, achieves a level of conservation that would be superior to that achieved by implementing limitations on outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week.

(c) To promote water conservation, each urban water supplier that does not have a water shortage contingency plan or has been notified by the Department of Water Resources that its water shortage contingency plan does not meet the requirements of Water Code section 10632 shall, within thirty (30) days, limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week or shall implement another mandatory conservation measure or measures intended to achieve a comparable reduction in water consumption by the persons it serves relative to the amount consumed in 2013.

(d) In furtherance of the promotion of water conservation each urban water supplier shall prepare and submit to the State Water Resources Control Board by the 15th of each month a monitoring report on forms provided by the Board. The monitoring report shall include the amount of potable water the urban water supplier produced, including water provided by a wholesaler, in the preceding calendar month and shall compare that amount to the amount produced in the same calendar month in 2013. Beginning October 15, 2014, the monitoring report shall also estimate the gallons of water per person per day used by the residential customers it serves. In its initial monitoring report, each urban water supplier shall state the number of persons it serves.

(e) To promote water conservation, each distributor of a public water supply, as defined in Water Code section 350, that is not an urban water supplier shall, within thirty (30) days, take one or more of the following actions:

(1) Limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week; or

(2) Implement another mandatory conservation measure or measures intended to achieve a comparable reduction in water consumption by the persons it serves relative to the amount consumed in 2013.

Authority: Wat. Code, § 1058.5.

References: Wat. Code, §§ 102, 104, 105; 350; 10617; 10632.

ATTACHMENT B

State Water Board Requirements of Urban Water Suppliers

The State Water Board introduced the Emergency Regulation for Statewide Urban Water conservation with its Resolution No. 2014-0038. The resolution calls upon water suppliers to take several actions in addition to those mandated by the Emergency Regulation. These actions are listed below with notes on how the City is addressing these issues.

Educate customers and employees

- Retail water suppliers should provide notice of the regulations in English and Spanish in one or more of the following ways: newspaper advertisements, bill inserts, website homepage, social media, notices in public libraries
The City has prepared bilingual information on water use restrictions for distribution, at a minimum, in the September utility bills and at City facilities. Information will also be distributed through press releases, the Drought page on the City's website, social media, e-news, and local community groups.
- Wholesale suppliers should include reference to the regulations in their customer communications
Not Applicable.
- All water suppliers should train personnel on the regulations
Information on the regulations will be sent in an all-staff e-mail by the City Manager so that all employees are aware of the restrictions. Public Works employees will receive training on the regulations at the August 28 all-hands meeting.
- All water suppliers should provide signage where recycled or reclaimed water is being used for activities that the emergency regulations prohibit with the use of potable water, such as operation of fountains and other water features
Signs have been posted at the fountain at the Community and Senior Center and the water feature at Jack Slaven Park.
- All water suppliers should redouble their efforts to disseminate information regarding opportunities and incentives to upgrade indoor fixtures and appliances;
Information on indoor appliances, Water-Sense labeled products, and indoor water conservation tips and links can be found on the City's water conservation webpages (www.cityofwoodland.org/waterconservation). The city has held Fix-a-Leak workshops in the past and a workshop is being planned for late fall.
- All water suppliers should use education and the tools available through the Save Our Water website (<http://saveourwater.com>); and
The City of Woodland regularly uses the outreach tools and campaigns available through Save Our Water in developing newspaper ads, website information, and social media messages. The City's water conservation webpage links to the Save Our Water infographics on "What Does a 20% Reduction in Water Use Look Like?" and "Gardening in a Drought."

- All water suppliers should educate and prepare their boards and councils on the drought response actions contained in the emergency regulations and in this resolution, and to make sure that drought response items are placed on agendas as early as possible

The Emergency Regulation was adopted by the State Water board on July 15. The City Council was updated on the Emergency Regulations and City staff's proposed response through the City Manager's weekly council update on July 25. The item was placed on the first City Council meeting following adoption of the Emergency Regulation, on August 19.

Increasing local supplies

- All water suppliers should accelerate the completion of projects that will conserve potable water by making use of non-potable supplies, such as recycled water, "greywater," and stormwater collection projects;

The City is actively pursuing projects to increase the use of recycled water, including a recent grant application to the 2014 Integrated Regional Water Management Drought Grant Program for a major recycled water project.

- All water suppliers should improve their leak reporting and response programs and request that police and fire departments and other local government personnel report leaks and water waste that they encounter during their routine duties/patrols

Water waste can be reported by phone or e-mail to water conservation staff. A link for reporting water waste is available in the drop-down menu of the City homepage and is listed on the City's Drought webpage. City water crews and code enforcement staff have been provided with informational door hangers to leave where leaks or water waste are encountered during their routine duties. Leaks and water waste calls are reported to water conservation staff from City crews, Public Works front desk staff, Finance staff, and others.

- Smaller water suppliers – those with fewer than 3,000 service connections – should take proactive steps to secure their communities' water supplies and educate their customers about water conservation and the status of their supply reserves

Not applicable.

- All water suppliers should conduct water loss audits and make leak detection and repair a top priority for the duration of the drought

The City recently completed a three-year system-wide water audit to locate and repair leaks in the city's infrastructure. This information was used to help determine priorities for capital improvement projects to replace water lines and other infrastructure.

- All urban water suppliers should evaluate their rate structures and begin to implement needed changes as part of planning for another dry year. Information and assistance on setting and implementing drought rates is available from the Alliance for Water Efficiency.

(<http://www.allianceforwaterefficiency.org/>)

The City has a three-tier water conservation-oriented rate structure.

Legislation Details (With Text)

17.

File #: 14-320 Version: 1 Name:
Type: Report of the City Manager Status: Agenda Ready
File created: 8/7/2014 In control: City Council
On agenda: 8/19/2014 Final action:
Title: SUBJECT: Approve application for State Revolving Fund financing of the Industrial Park Recycled Water Project and resolutions in support of application

Recommendation for Action: Staff recommends that the City Council approve the application for State Revolving Fund (SRF) financing of the Industrial Park Recycled Water Project and the following resolutions:

1. Resolution No. _____ for the City Manager to be the "Authorized Representative" or designee to sign and file, for and on behalf of the City of Woodland, a Financial Assistance Application for a financing agreement from the State Water Resources Control Board for the planning, design, and construction of the City of Woodland Industrial Park Recycled Water Project (the "Project"),
2. Resolution No. _____ for Reimbursement of the SRF Expenditures paid prior to the issuance of the Obligations or the approval by the State Water Board of the Project Funds,
3. Resolution No. _____ for the City of Woodland to dedicate and pledge Water Enterprise funds (Fund 210) to payment of any and all Clean Water State Revolving Fund Program financing for the Industrial Park Recycled Water Project.

Sponsors:

Indexes:

Code sections:

Attachments: [F6 - Woodland Recycled Water Pledged Revenues and Funds Resolution.pdf](#)
[F4 - Woodland Recycled Water SRF Authorizing Resolution \(2\).pdf](#)
[F3 - Woodland Recycled Water Reimbursement Resolution \(2\).pdf](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: August 19, 2014

SUBJECT: Approve application for State Revolving Fund financing of the Industrial Park Recycled Water Project and resolutions in support of application

Recommendation for Action: Staff recommends that the City Council approve the application for State Revolving Fund (SRF) financing of the Industrial Park Recycled Water Project and the following resolutions:

1. Resolution No. _____ for the City Manager to be the "Authorized Representative" or designee to sign and file, for and on behalf of the City of Woodland, a Financial Assistance Application for a financing agreement from the State Water Resources Control Board for the planning, design, and construction of the City of Woodland Industrial Park Recycled Water Project (the "Project"),

2. Resolution No. _____ for Reimbursement of the SRF Expenditures paid prior to the issuance of the Obligations or the approval by the State Water Board of the Project Funds,
3. Resolution No. _____ for the City of Woodland to dedicate and pledge Water Enterprise funds (Fund 210) to payment of any and all Clean Water State Revolving Fund Program financing for the Industrial Park Recycled Water Project.

Tim Busch, Principal Utilities Civil Engineer, 530-661-5963, tim.busch@cityofwoodland.org

Fiscal Impact

This project is included in the Capital Budget (Project # 15-10) with \$550,000 approved by Council on July 15, 2014 for permitting and design costs. The overall project cost is estimated at \$6,000,000 through construction of the project. The City has applied for drought grant funding for a portion of the project. The Westside IRWM grant application was submitted July 21, 2014 and includes a grant request of \$2,000,000 for the Industrial Park Recycled Water Project. The grant is anticipated to be awarded in September 2014 and includes a requirement that a construction contract be awarded in April 2015.

The State Water Resources Control Board (SWRCB) SRF loan application is for the overall estimated project cost. The recycled water SRF loan program offers loans at 1.0% interest for 30 years with a limited amount of money available for this program.

Utilizing a SRF loan to finance the project would provide for the design and construction of the Industrial Park Recycled Water Project. Staff is developing the recycled water rates and anticipates contracting for the delivery of recycled water to industrial and landscape irrigation users. The goal of obtaining SRF financing is to provide for the cash-flow needs of the City of Woodland's capital construction costs for the identified Project while minimizing existing and future financing costs. The SRF loan application is anticipated to be approximately \$6,000,000. The final amount will be dependent on receipt of the IRWM grant (\$2,000,000), actual design, and construction costs.

There is no impact to the General Fund.

Background

The City of Woodland's WPFC currently produces Title 22 tertiary treated effluent which is suitable for use for a wide variety of uses including industrial processes, landscape irrigation, and agricultural irrigation. A few large industrial and irrigation water customers have expressed interest in recycled water as a means to reduce costs. Utilizing recycled water for certain industrial and irrigation uses matches water quality to the best use of that water and reduces demands on the potable water system. As a result of the drought, the State of California is advocating for the use of recycled water and the SWRCB is working to streamline the permitting process for recycled water systems in addition to providing low interest financing.

The Industrial Park Recycled Water Project envisions providing recycled water to industrial and landscape irrigation uses. The initial project includes installing recycled water pumps at the WPFC effluent wetwell and a backbone pipeline to serve portions of the industrial area of the City. The pipeline is approximately 20,000 feet in length and will include connections to industrial customers and landscape irrigation along the alignment. Future project extensions would expand recycled water availability within the industrial area.

Project Delivery

The current Industrial Park Recycled Water Project schedule contemplates:

- SRF application, September 2, 2014
- IRWM grant notification, September 2014
- Industrial Park Recycled Water Project design and permitting, August-December 2014
- Industrial Park Recycled Water Project Contract Award, April 7, 2015
- Industrial Park Recycled Water Project construction May 2014-December 2015

Discussion

The Industrial Park Recycled Water Project will improve potable water supply sustainability and drought resilience by reducing demands on the potable water system. The availability of recycled water to the Industrial Park allows for the use of water to best match the water quality with the best use of that water and would also be an economic development tool for new businesses.

The State of California is streamlining permitting for recycled water projects this year due to the drought and to improve water supply sustainability for communities. The SWRCB allocated \$800 million for SRF loans in 2014. The SWRCB anticipates that the money will be allocated by Fall 2014, depending on receipt of acceptable SRF applications.

Staff is developing the rate structure for recycled water to be contracted to water users. The anticipation is that recycled water would be less expensive than potable water and include payment to the WPFC for water treatment, O&M of the recycled water distribution system, and repayment of the loan. The total loan amount will depend on whether the City of Woodland is awarded the \$2M IRWM grant. If awarded the grant, the total amount borrowed under SRF would be reduced.

The SRF loan process requires that the City Council commit to authorization and payment of the SRF funding and administration needs through a Council Action.

Conclusion

Staff recommends that the City Council approve the following three resolutions in support of the State Revolving Fund (SRF) financing requirements.

1. Resolution No. _____ for the City Manager to be (the “Authorized Representative”) or designee to sign and file, for and on behalf of the City of Woodland, a Financial Assistance Application for a financing agreement from the State Water Resources Control Board for the planning, design, and construction of the City of Woodland Industrial Park Recycled Water Project (the “Project”),
2. Resolution No. _____ for Reimbursement of the SRF Expenditures paid prior to the issuance of the Obligations or the approval by the State Water Board of the Project Funds,
3. Resolution No. _____ for the City of Woodland to dedicate and pledge Water Enterprise funds (Fund 210) to payment of any and all Clean Water State Revolving Fund Program financing for the Industrial Park Recycled Water Project.

Prepared by: Tim Busch, Principal Utility Civil Engineer

Reviewed by: Brent Meyer, City Engineer

Ken Hiatt, Community Development Director

A handwritten signature in blue ink, appearing to read "Paul Navazio", with a long, sweeping horizontal line extending to the right.

Paul Navazio, City Manager

Resolutions:

1. Resolution No. for the CITY MANAGER to be the “Authorized Representative”
2. Resolution No. for Reimbursement of the State Revolving Fund (SRF) Expenditures
3. Resolution No. for the City of Woodland to dedicate and pledge Water Enterprise funds (Fund 210) to payment

RESOLUTION NO. [REDACTED]**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND PLEDGING REVENUES FOR REPAYMENT OF CLEAN WATER STATE REVOLVING FUND OBLIGATIONS FOR THE RECYCLED WATER PROJECT**

WHEREAS, the State of California has established a State Revolving Fund (SRF) loan and grant program for providing financial assistance to cities for the planning, design, and construction of their wastewater infrastructure; and

WHEREAS, the City of Woodland (“Entity”) desires to participate in the SRF loan and grant program to finance the costs of constructing certain public facilities and improvements relating to its wastewater system, including certain treatment facilities, pipelines and other infrastructure which will allow for the production of recycled water which will be an additional water source for the water utility; and

WHEREAS, as a condition of receiving financial assistance through the SRF loan and grant program, Entity is required to enter into a financial assistance agreement, which sets forth certain repayment obligations.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Woodland as follows:

SECTION 1. The City of Woodland (the “Entity”) hereby dedicates and pledges funds from the **Water Enterprise Fund – Fund 210** to payment of any and all Clean Water State Revolving Fund financing for the Recycled Water Project.

SECTION 2. The Entity commits to collecting such revenues and maintaining such fund(s) throughout the term of such financing and until the Entity has satisfied its repayment obligation thereunder unless modification or change is approved in writing by the State Water Resources Control Board.

SECTION 3. So long as the financing agreement(s) are outstanding, the Entity’s pledge hereunder shall constitute a lien in favor of the State Water Resources Control Board on the foregoing fund(s) and revenue(s) without any further action necessary.

SECTION 4. So long as the financing agreement(s) are outstanding, the Entity commits to maintaining the fund(s) and revenue(s) at levels sufficient to meet its obligations under the financing agreement(s).

PASSED AND ADOPTED by the City Council on this 19th day of August, 2014, by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

APPROVED AS TO FORM:

Kara Ueda, City Attorney

Tom Stallard, Mayor

ATTEST:

Ana Gonzalez, City Clerk

CERTIFICATION

I do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the Woodland City Council held on this 19th day of August 2014.

Ana Gonzalez, City Clerk

SEAL:

RESOLUTION NO. [REDACTED]

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND AUTHORIZING
APPLICATION TO THE STATE WATER RESOURCES CONTROL BOARD AND EXECUTION OF A
FINANCING AGREEMENT FOR FINANCIAL ASSISTANCE UNDER THE STATE REVOLVING FUND
LOAN AND GRANT PROGRAM FOR THE PLANNING, DESIGN AND CONSTRUCTION OF
WASTEWATER INFRASTRUCTURE IMPROVEMENTS**

WHEREAS, the State of California has established a State Revolving Fund (SRF) loan and grant program for providing financial assistance to cities for the planning, design, and construction of their wastewater infrastructure; and

WHEREAS, the City of Woodland ("Entity") desires to participate in the loan and grant program from said SRF to finance the costs of constructing certain public facilities and improvements relating to its wastewater system, including certain treatment facilities, pipelines and other infrastructure which will allow for the production of recycled water which will be an additional water source for the water utility;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Woodland as follows:

SECTION 1. The CITY MANAGER (the "Authorized Representative"), or his or her designee, is hereby authorized and directed to sign and file, for and on behalf of the Entity, a Financial Assistance Application for a financing agreement from the State Water Resources Control Board for the planning, design, and construction of certain wastewater infrastructure improvements.

SECTION 2. The Authorized Representative, or his or her designee, is designated to provide the assurances, certifications, and commitments required for the financial assistance application, including executing a financial assistance agreement from the State Water Resources Control Board and any amendments or changes thereto.

SECTION 3. The Authorized Representative, or his or her designee, is designated to represent the Entity in carrying out the Entity's responsibilities under the financing agreement, including certifying disbursement requests on behalf of the Entity and compliance with applicable state and federal laws.

PASSED AND ADOPTED by the City Council on this 19th day of August, 2014, by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

APPROVED AS TO FORM:

Kara Ueda, City Attorney

Tom Stallard, Mayor

ATTEST:

Ana Gonzalez, City Clerk

CERTIFICATION

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Ana Gonzalez, City Clerk

SEAL:

RESOLUTION NO. [REDACTED]**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND ESTABLISHING OFFICIAL INTENT RELATING TO QUALIFICATION FOR REIMBURSEMENT OF COSTS FOR THE PLANNING, DESIGN AND CONSTRUCTION OF WASTEWATER INFRASTRUCTURE IMPROVEMENTS**

WHEREAS, the City of Woodland (the "Agency") desires to finance the costs of constructing certain public facilities and improvements relating to its wastewater system, including certain treatment facilities, pipelines and other infrastructure which will allow for the production of recycled water which will be an additional water source for the water utility (the "Project"); and .

WHEREAS, the Agency intends to finance the construction of the Project or portions of the Project with monies ("Project Funds") provided by the State of California, acting by and through the State Water Resources Control Board (State Water Board); and

WHEREAS, the State Water Board may fund the Project Funds with proceeds from the sale of obligations the interest upon which is excluded from gross income for federal income tax purposes (the "Obligations"); and

WHEREAS, prior to either the issuance of the Obligations or the approval by the State Water Board of the Project Funds, the Agency desires to incur certain capital expenditures (the "Expenditures") with respect to the Project from available monies of the Agency; and

WHEREAS, the Agency has determined that those monies to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period, and it is necessary to reimburse the Agency for the Expenditures from the proceeds of the Obligations.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodland as follows:

SECTION 1. The Agency hereby states its intention and reasonably expects to reimburse Expenditures paid prior to the issuance of the Obligations or the approval by the State Water Board of the Project Funds.

SECTION 2. The reasonably expected maximum principal amount of the Project Funds is \$6,000,000.

SECTION 3. This resolution is being adopted no later than 60 days after the date on which the Agency will expend monies for the construction portion of the Project costs to be reimbursed with Project Funds.

SECTION 4. Each Agency expenditure will be of a type properly chargeable to a capital account under general federal income tax principles.

SECTION 5. To the best of our knowledge, this Agency is not aware of the previous adoption of official intents by the Agency that have been made as a matter of course for the purpose of reimbursing expenditures and for which tax-exempt obligations have not been issued.

SECTION 6. This resolution is adopted as official intent of the Agency in order to comply with Treasury Regulation §1.150-2 and any other regulations of the Internal Revenue Service relating to the qualification for reimbursement of wastewater infrastructure improvements costs.

SECTION 7. All the recitals in this Resolution are true and correct and this Agency so finds, determines and represents.

PASSED AND ADOPTED by the City Council on this 19th day of August, 2014, by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

APPROVED AS TO FORM:

Kara Ueda, City Attorney

Tom Stallard, Mayor

ATTEST:

Ana Gonzalez, City Clerk

CERTIFICATION

I do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the Woodland City Council held on this 19th day of August 2014.

Ana Gonzalez, City Clerk

SEAL:

Legislation Details (With Text)

18.

File #:	14-312	Version:	1	Name:	
Type:	Report of the City Manager	Status:	Agenda Ready		
File created:	7/30/2014	In control:	City Council		
On agenda:	8/19/2014	Final action:			
Title:	SUBJECT: Approve Contract with Kennedy/Jenks for Industrial Park Recycled Water Project, CIP 15-10				
Recommendation for Action: Staff recommends that the City Council approve the engineering design contract with Kennedy/Jenks for the Industrial Park Recycled Water Project, CIP 15-10, and authorize the City Manager to execute the consultant services agreement for an amount not to exceed \$385,903.					
Sponsors:					
Indexes:					
Code sections:					
Attachments:	081914 Kennedy Jenks KJ Prop Industrial RW Project				
Date	Ver.	Action By	Action		Result

TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: August 19, 2014

SUBJECT: Approve Contract with Kennedy/Jenks for Industrial Park Recycled Water Project, CIP 15-10

Recommendation for Action : Staff recommends that the City Council approve the engineering design contract with Kennedy/Jenks for the Industrial Park Recycled Water Project, CIP 15-10, and authorize the City Manager to execute the consultant services agreement for an amount not to exceed \$385,903.

Staff ContactTim Busch, Principal Utilities Civil Engineer, 530-661-5963, tim.busch@cityofwoodland.org**Fiscal Impact**

This project was approved by Council on July 15, 2014 with a current budget of \$550,000 for permitting and design costs. The overall project cost is estimated at \$6,000,000 through construction of the project. The City has applied for drought grant funding for a portion of the project. The Westside IRWM grant application was submitted July 21, 2014 and includes a grant request of \$2,000,000 for the Industrial Park Recycled Water Project. The grant is anticipated to be awarded in September 2014. If the City receives the grant, we will be required to award a construction contract by April 2015.

Staff is preparing the State Water Resources Control Board (SWRCB) SRF loan application for the overall estimated project cost. The recycled water SRF loan program offers loans at 1.0% interest for 30 years. If the City is not awarded the grant, the project would be financed through the SRF loan. The project could also be financed through bonds. However, that would likely require a higher rate and delayed schedule.

There is no impact to the General Fund.

Background

The City of Woodland's WPFC currently produces Title 22 tertiary treated effluent which is suitable for use for a wide variety of uses including industrial processes, landscape irrigation, and agricultural irrigation. A few large industrial and irrigation water customers have expressed interest in recycled water as a means to reduce costs. Utilizing recycled water for certain industrial and irrigation uses matches water quality to the best use of that water and reduces demands on the potable water system. As a result of the drought, State of California is advocating for the use of recycled water and the SWRCB is working to streamline the permitting process for recycled water systems in addition to providing low interest financing.

The Industrial Park Recycled Water Project envisions providing recycled water for industrial and landscape irrigation uses. The initial project includes installing recycled water pumps at the WPFC effluent wetwell and a backbone pipeline to serve portions of the industrial area of the City. The pipeline is approximately 20,000 feet in length and will include connections to industrial customers and landscape irrigation, including parks and median strips along the alignment. Future project extensions would expand recycled water availability within the industrial area.

Kennedy/Jenks was selected through a QBS process and is on the City's list of on call engineering consultants. Kennedy/Jenks also prepared the Westside IRWM grant application which includes this project.

Discussion

The engineering design contract with Kennedy/Jenks includes the engineering design services required to prepare final plans and specification and provide assistance during bidding. In order to meet the IRWM grant requirement of awarding a construction contract in April 2015, the engineering design work needs to begin and be concurrent with the recycled water permitting work. The design services generally include:

- Preparation of the Preliminary Design Report which includes 30% design documents, pipeline alignment review, permitting support, encroachment permitting, construction cost estimating, construction schedule, and field survey work.
- Preparation of design drawings and construction specifications for the pump station and pipeline alignments including connections to the pump station at the WPFC and end users. Approximately 47 design drawings will be required for this project.
- Bidding Assistance will include responding to bidders questions, preparing addenda, and assistance with review of submitted construction bids.

Conclusion

Staff recommends that the City Council approve the engineering design contract with Kennedy/Jenks for the Industrial Park Recycled Water Project, CIP 15-10, and authorize the City Manager to execute the consultant services agreement for an amount not to exceed \$385,903.

Prepared by: Tim Busch, Principal Utilities Civil Engineer

Reviewed by: Brent Meyer, City Engineer
Ken Hiatt, Community Development Director

A handwritten signature in dark ink, appearing to read "Paul Navazio", is positioned above the name of the City Manager.

Paul Navazio, City Manager

Attachment: Resolution authorizing the contract with Kennedy/Jenks
Kennedy/Jenks scope of work

RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND
APPROVING AN AGREEMENT WITH KENNEDY/JENKS, INC. FOR ENGINEERING
CONSULTING SERVICES**

WHEREAS, the City of Woodland wishes to enter into an engineering consulting services agreement with Kennedy/Jenks, Inc. (Kennedy/Jenks) for the Industrial Park Recycled Water Project (“Agreement”); and

WHEREAS, Kennedy/Jenks is on the City’s on call list of engineering consultants and was selected through a competitive process; and

WHEREAS, Kennedy/Jenks is experienced in recycled water projects and programs; and

WHEREAS, Kennedy/Jenks will complete the design including: project management, topographic survey, preliminary design report and pipeline alignment, project plans and specifications, and bidding assistance.

WHEREAS, the City Council wishes to approve the Agreement and authorize its execution through the adoption of this Resolution.

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

Section 1. The City Council hereby approves the Agreement. The Mayor is hereby authorized and directed to execute the Agreement, subject to City Attorney approval. The City Attorney is hereby authorized to make clarifying and confirming changes so long as the total dollar amount authorized in the Agreement does not change.

Section 2. A copy of the Agreement is available and on file in the City Clerk’s office, and is incorporated herein by reference and made a part of this Resolution.

PASSED AND ADOPTED this 19th day of August 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Tom Stallard, Mayor

ATTEST:

Ana B. Gonzalez, City Clerk

15 July 2014

Mr. Tim Busch, P.E.
Principal Utilities Civil Engineer
City of Woodland
300 First Street
Woodland, CA 95695

Subject: Proposal for Professional Services for Woodland Industrial Recycled Water
Infrastructure Phase 1 Project

Dear Mr. Busch:

Kennedy/Jenks is pleased to submit this proposal for providing engineering services to design the Woodland Industrial Recycled Water Infrastructure Phase 1 Project (Project). The City of Woodland (City) has tertiary treated Title 22 effluent from the City's Water Pollution Control Facility (WPCF) and is proposing to implement the Project to reduce demands on the potable water distribution system and the groundwater aquifer. It will initially deliver approximately 2,000 acre feet per year (AFY) of recycled water as cooling water to the Woodland Biomass and for irrigation of two City parks along the recycled water pipeline alignment.

This proposal includes our understanding of the Project and outlines our proposed scope of work, schedule, estimated level of effort and fees, project team, and assumptions.

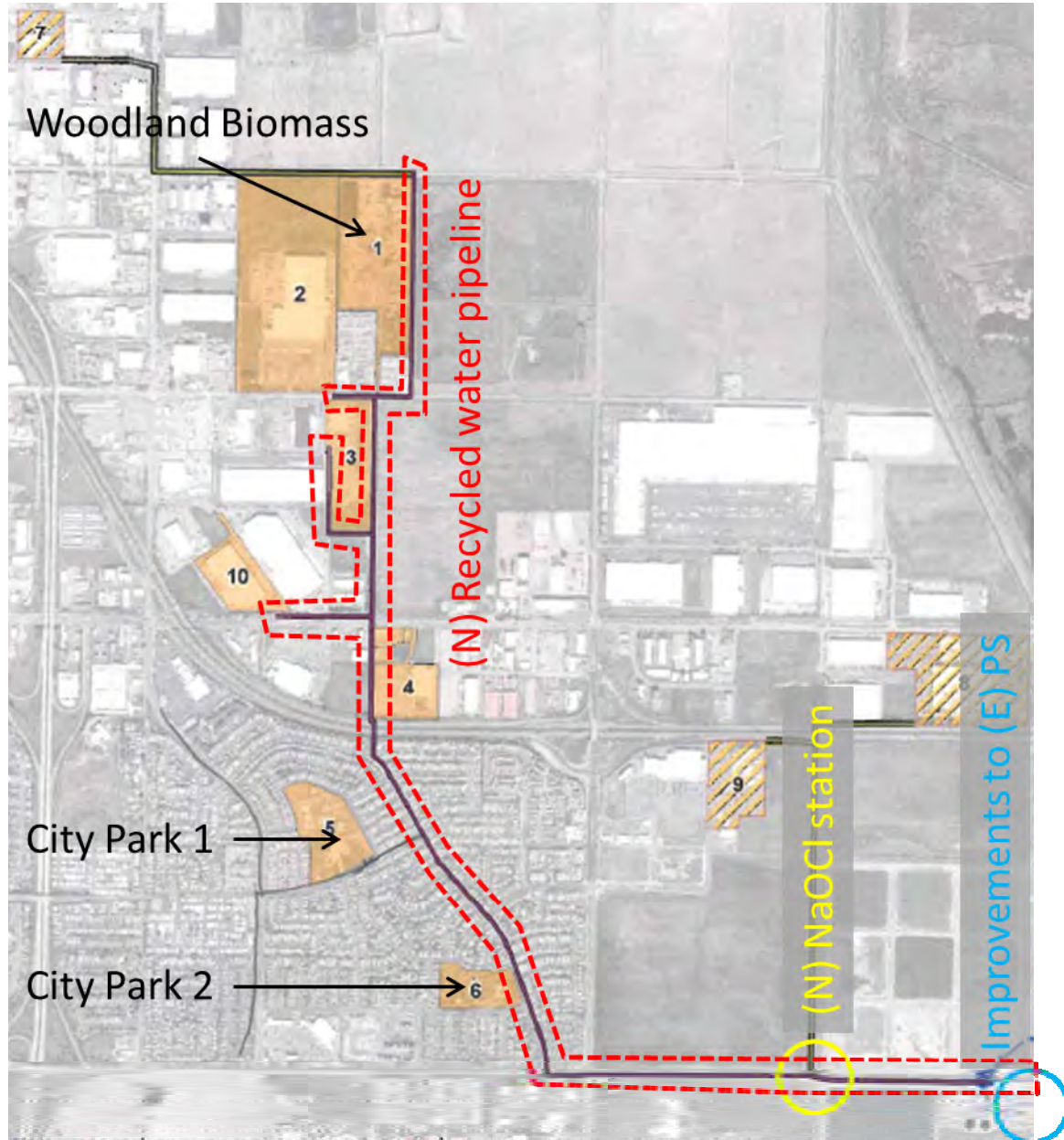
Project Description

The Project will serve the east area of the City and will include construction of approximately 20,000 feet of 12" diameter purple pipe and a pump station at the City's Wastewater Pollution Control Facility (WPCF), as shown in Figure 1. The recycled water pipeline will be constructed in the City's existing right of way and will cross Interstate 5 and Union Pacific Railroad railway across Main Street. The City has recently completed a Mitigated Negative Declaration for pipeline installation, repair, and rehabilitation throughout the City.

In addition, the Project will also require improvements at or near the WPCF. It will add two vertical pumps to the WPCF's existing effluent wet well structure plus process piping and electrical, instrumentation and control to tie-in to the City's existing SCADA and PLC system. A new sodium hypochlorite station will be needed to provide chlorine residual to the recycled water service.

Mr. Tim Busch, P.E.
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Figure 1. Planned Industrial Recycled Water Infrastructure Phase 1 Project. Pipeline extents shown in red dashed; new, offsite sodium hypochlorite station shown in yellow; improvements to the existing WPCF effluent pump station is shown in blue.



Mr. Tim Busch, P.E.
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Scope of Services

Kennedy/Jenks will complete preliminary design and design services with an in-house team of engineers based locally in our Rancho Cordova office. Additionally, we will retain Laugenour and Meikle (LM) and Staheli Trenchless Consultants (Staheli) for field survey and review of trenchless construction. Our work will be organized into the following three task orders, which is described further in the sections that follow:

- Task 1 – Project Management
- Task 2 – Preliminary Design Report
- Task 3 – Construction Documents
- Task 4 – Bid Assistance

Task 1 – Project Management

Task 1.1 – Project Management. Provide project management that will include the internal project setup by Kennedy/Jenks, manage the project team, prepare monthly invoices, and maintain communication between Kennedy/Jenks' project manager and the City's project manager through conference calls and up to three (3) project meetings for up to ten (10) months of total project duration.

Task 1.2 – Kick-off Meeting and Site Visit. Conduct a Kickoff Meeting with key Kennedy/Jenks and City staff to introduce the project team members and review their responsibilities, review the scope of work, review the schedule and discuss contact protocol. In addition, Kennedy/Jenks will provide to the City a data request list for them to provide pertinent documents to aide in the completion of this Project. A site visit will be conducted following the meeting to review the proposed alignment.

Task 1.3 – Quality Assurance/Quality Control Review. Tracie Mueller, P.E. as QA/QC Manger and Brian Davis, P.E. as Project Manager, will oversee and implement our QA/QC program that will include review by an independent senior engineer of our submittals prior to submitting them to the City for review. Kennedy/Jenks will also conduct an internal independent Concept and Criteria Review and meeting of the Project at about the 10% completion phase.

Deliverables:

- Project team directory – one hard copy and one electronic copy
- Meeting agendas and notes summarizing decisions and follow-up actions – four hard copies and one electronic copy
- List of requested data and data received – one hard copy and one electronic copy
- Monthly invoices - one hard copy and one electronic copy

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City Assistance:

- Attend meetings and review meeting notes
- Provide data from list of requested data and provide one hard copy and one electronic copy

Task 2 – Preliminary Design Report

Task 2.1 – Preliminary Design Report. Kennedy/Jenks will complete a preliminary design task that includes: development of a Preliminary Design Report (PDR) with 30% design documents; pipeline alignment review; permitting support; construction cost estimating; preliminary construction schedule; and field survey. The PDR will include:

- Design criteria summary including spacing of line valves, and air/vacuum release valves
- Recommended construction methods, including trenching type, backfilling, compaction, and utility crossings and clearance
- Pipeline materials and appurtenance selection
- Preliminary estimate of probable construction cost
- Preliminary list of project specifications and design drawings
- Anticipated construction schedule with sequencing/phasing plan
- Detailed analysis of the pipeline alignments and final alignment recommendations
- Identification of power and SCADA requirements for disinfection system and pump station, including City-obtained new power source for the sodium hypochlorite station
- Resolution approach to challenging crossings and intersections details
- List of identified permits, and permit requirements and completion schedule
- 30% design plans that show the pipeline alignment plan, points of connection, and challenging crossing plans
- Coordination with ATEEM, the City's SCADA engineer on integrating the pump station and sodium hypochlorite station with the City's existing SCADA system at the WPCF

Using City-provided aerial mapping and utility book maps, Kennedy/Jenks will prepare 1"=40' scale plan view drawings for preliminary pipeline alignments with 1"=20' scale detail drawings of potential challenging crossing alignment alternatives with potential construction methods. We will prepare a risk decision matrix and the criteria to be used to evaluate challenging crossings.

Mr. Tim Busch, P.E.
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Task 2.2 – Field Survey and Mapping. Kennedy/Jenks will retain LM as a subconsultant to conduct design level field surveys and mapping for the selected alignment. LM will provide a complete base map with one-half foot contours to a scale of 1" = 40' in AutoCAD 2013 format. The base map shall delineate curb, gutters, sidewalks, utility vaults, manholes, cleanouts, headwalls, valves, utility boxes, poles, trees, fences, etc. Pavement cut lines will delineate previous trenching and any existing utility markings shall be surveyed and identified on the base map. LM will provide invert, rim and grate elevations of storm drain and sewer manholes and drain inlets. The electronic base map shall also include all existing aboveground utilities within the five (5) critical areas. All layering shall follow the latest National CADD Standards layering system. All graphic representation shall be defined by color. The existing topographic base map shall be produced so that the image is screened when plotted.

LM will provide horizontal and vertical control. The base map shall use a Global Coordinate System datum in the state plane coordinate system. Provide NAD-1983 for the horizontal reference and NAVD-1929 or NAVD-1988 for the vertical reference.

Task 2.3 – Encroachment Permit. Kennedy/Jenks will obtain encroachment permits for construction of the recycled water transmission main. The permits that are known at this time and will be necessary are:

- Caltrans encroachment permit for crossing Interstate 5 using trenchless construction.
- UPRR encroachment permit for crossing at Main Street using trenchless construction.
- City encroachment permits for work on City streets.

Assumptions:

- The City will provide existing geotechnical report and soil boring information from a previous pipeline along the same alignment. Additional geotechnical investigations and report will not be completed as it is assumed the existing information will be adequate.
- Creek crossing along Road 24 will be aerial supported from the box culverts and not require any environmental permitting.

Deliverables:

- Encroachment permit applications for Caltrans, UPRR and the City.

City Assistance:

- Sign and pay all fees associated with permits.
- Attend permit meetings with Caltrans and UPRR.

Mr. Tim Busch, P.E.
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Task 3 – Construction Documents

Task 3.1 – Construction Drawings. Kennedy/Jenks will develop detailed design drawings and construction specifications for the preferred pipeline alignment, challenging crossings, and tie-ins at the WPCF. Kennedy/Jenks estimates 47 design drawings will be required for this project, as detailed below:

No.	Dwg. No.	Title
1	G01	TITLE SHEET
2	G02	SHEET INDEX AND GENERAL NOTES
3	G03	LEGEND AND ABBREVIATIONS
4	G04	SHEET KEYMAP
5	C01	PLAN AND PROFILE 1
6	C02	PLAN AND PROFILE 2
7	C03	PLAN AND PROFILE 3
8	C04	PLAN AND PROFILE 4
9	C05	PLAN AND PROFILE 5
10	C06	PLAN AND PROFILE 6
11	C07	PLAN AND PROFILE 7
12	C08	PLAN AND PROFILE 8
13	C09	PLAN AND PROFILE 9
14	C10	PLAN AND PROFILE 10
15	C11	PLAN AND PROFILE 11
16	C12	PLAN AND PROFILE 12
17	C13	PLAN AND PROFILE 13
18	C14	PLAN AND PROFILE 14
19	C15	PLAN AND PROFILE 15
20	C16	PLAN AND PROFILE 16
21	C17	PLAN AND PROFILE 17
22	C18	PLAN AND PROFILE 18
23	C19	PLAN AND PROFILE 19
24	C20	PLAN AND PROFILE 20

No.	Dwg. No.	Title
25	C21	PLAN AND PROFILE 21
26	C22	AERIAL CROSSING AT DRAINAGE DETAILS
27	C23	TRENCHLESS SITE LAYOUT 1 - I5
28	C24	TRENCHLESS SITE LAYOUT 1 - UPRR
29	C25	CIVIL/PAVEMENT DETAILS 1
30	C26	RECYCLED WATER DETAILS 1
31	C27	RECYCLED WATER DETAILS 2
32	C28	RECYCLED WATER DETAILS 3
33	M01	RECYCLED WATER PUMP STATION PLAN
34	M02	RECYCLED WATER PUMP STATION SECTIONS
35	M03	SODIUM HYPOCHLORITE STATION - PLAN & SECTIONS
36	M04	SODIUM HYPOCHLORITE DETAILS
37	M05	MECHANICAL DETAILS 1
38	E01	SYMBOLS, NOTES AND ABBREVIATIONS
39	E02	SINGLE LINE DIAGRAM AND PANEL BOARD SCHEDULE
40	E03	ELECTRICAL SITE PLAN AND SINGLE LINE DIAGRAM
41	E04	DETAILS, SECTIONS AND ELEVATIONS
42	E05	WIRING DIAGRAMS
43	E06	CONNECTION DIAGRAM
44	E07	ELECTRICAL DETAILS 1
45	E08	ELECTRICAL DETAILS 2
46	E09	INSTRUMENTATION DIAGRAM
47	E10	TELEMETRY BLOCK DIAGRAM

Task 3.1b – 90% Design. Kennedy/Jenks' design team will focus on completing the two challenging crossing designs first so that permitting can be completed in a timely fashion. We will provide the 90% design drawings for these two locations to the City for review and will conduct a technical review meeting with the City. We will incorporate comments that are significant to obtaining the permits and submit these to UPRR and Caltrans.

Kennedy/Jenks will continue with completing the 90% Construction document submittals for the pipeline alignments and turnout details. The 90% Construction documents will include bid, contract, general conditions, and technical specifications, design drawings, and Class 1 estimate of probable construction cost. We will incorporate the appropriate City design and construction standards and the City's standard bid forms, construction contract, and General Conditions into the 90% Construction documents.

Mr. Tim Busch, P.E.
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Kennedy/Jenks will conduct an interdisciplinary cross-check and correct any related discrepancies prior to submitting the 90% Construction documents. Kennedy/Jenks will complete QA/QC of these documents per Task 1.3.

Kennedy/Jenks will coordinate with ATEEM on the design of the SCADA system used for the recycled water infrastructure by incorporating City standard specifications and details used on the City's standard SCADA design and programming requirements as provided by the City via ATEEM.

The drawings and specifications will be provided electronically in PDF, AutoCAD and Microsoft Word. The estimate of probable construction cost will be provided in PDF and Microsoft Excel.

A 90% review meeting with the City will be conducted.

Task 3.1d – Check Set – Kennedy/Jenks will address the 90% technical review comments to prepare a check set of the bid documents (100% design submittal). The check set will be issued to the City for final review and confirmation that all comments have been addressed satisfactorily. A check set review meeting with the City will be conducted.

Task 3.1e – Bid Set – Kennedy/Jenks will address the check set technical review comments to prepare a bid set of the bid documents (100% bid ready submittal). The bid set will be issued to the City for bidding purposes.

Assumptions:

- Kennedy/Jenks will be entitled to rely upon the accuracy of data and information provided by the City or others without independent review or evaluation unless provided otherwise.
- The City is responsible for payment of all government application, permitting, municipal fees, and all other fees.

Deliverables:

- 90% design and check set will include drawings (11 x 17 half-scale size), specifications, and opinion of probable construction – four hard copies and one PDF electronic copy.
- Bid set will include half-scale size drawings (11 x 17 three hard copies), one full-scale size drawings (22 x 34 one hard copy), and one PDF and one AutoCAD electronic copies; specifications one unbound original and three bound hard copies sets, and one electronic copy in both PDF and MS Word; and opinion of probable construction cost estimate one hard copy and one electronic copy in PDF and MS Excel.

City Assistance:

- Attend review meetings.
- City provide bid and contract specification sections.

Mr. Tim Busch, P.E.
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 15 July 2014
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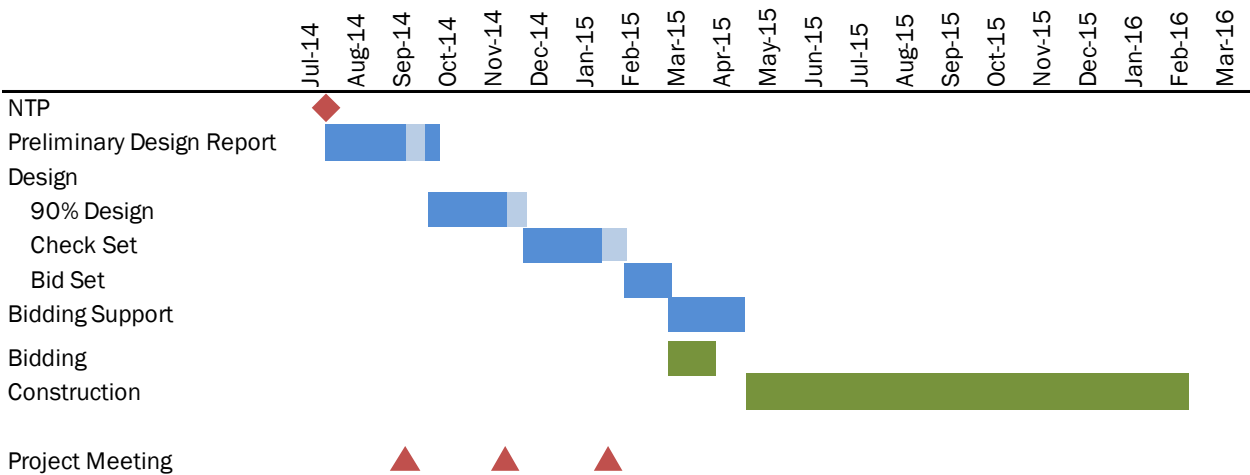
Task 4 – Bidding Assistance

Kennedy/Jenks will assist the City during the bid and award phase of the Project by providing the following bid period services:

- Respond to bidders' questions (assume 10 responses)
- Attend the pre-bid meeting
- Prepare addenda (assume 2 addenda)
- Review construction bids received and prepare a recommendation to the City regarding bid completeness/responsiveness, bidder capabilities, and contract award
- Conduct reference, license, and bonding check of the apparent low bidder
- Prepare an original reproducible set and an electronic set of conformed "issued for construction" specifications and drawings by incorporating the addenda into the conformed set

Schedule

Upon Notice to Proceed (NTP) and receipt of project information, Kennedy/Jenks anticipates the following 10-month schedule:



Project Team

Kennedy/Jenks proposes that our project team be led by Brian Davis, P.E. as our project manager and supported by Bryan Heinzelman, Project Engineer; Javier Rios, Staff Engineer; Tracie Mueller, P.E., QA/QC Manager; and Joshua De La Cruz, P.E., Electrical Engineer. They have extensive experience with design of pipelines and pump stations.

Mr. Tim Busch, P.E.
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15 July 2014
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Basis of Compensation

We propose that compensation for our services be on a time and expense reimbursement basis in accordance with our Schedule of Charges dated 10 January 2014, attached. Payments shall be made monthly based on invoices which describe services and list actual costs and expenses.

Based on our estimate of services required, we propose a budget of \$385,903, which will not be exceeded without authorization based on the following task breakdown:

- | | |
|--|-----------|
| • Task 1 – Project Management and Project Initiation | \$46,337 |
| • Task 2 – Preliminary Design Report | \$69,303 |
| • Task 3 – Construction Documents | \$243,091 |
| • Task 4 – Bidding Assistance | \$27,172 |

Terms and Conditions

This proposal is based on current projections of staff availability and costs and, therefore, is valid for 90 days following the date of this letter.

If this proposal meets with your approval please execute an agreement with consideration of the modifications to the City's standard agreement submitted as part of On-Call Engineering Services Statement of Qualifications dated 10 January 2014.

If you have any questions on our proposal please do not hesitate to contact me at (916) 858-2722 or timwilliams@kennedyjenks.com. Thank you for considering us for this work. We look forward to working with you on this very important project.

Very truly yours,

KENNEDY/JENKS CONSULTANTS



Tim Williams, P.E.
Principal

Attachments

cc: B10701061

Client/Address: City of Woodland, California

Contract/Proposal Date: 10 January 2014

Custom Schedule of Charges – 2014 to 2019

Date: January 10, 2014

PERSONNEL COMPENSATION

Classification	Hourly Rate
CAD-Technician	\$105
Designer-Senior Technician	\$135
Engineer-Scientist-Specialist 1	\$125
Engineer-Scientist-Specialist 2	\$130
Engineer-Scientist-Specialist 3	\$150
Engineer-Scientist-Specialist 4	\$165
Engineer-Scientist-Specialist 5	\$180
Engineer-Scientist-Specialist 6	\$200
Engineer-Scientist-Specialist 7	\$225
Engineer-Scientist-Specialist 8	\$235
Engineer-Scientist-Specialist 9	\$240
Project Administrator	\$95
Administrative Assistant	\$80
Aide.....	\$60

In addition to the above Hourly Rates, a four percent Communications Surcharge will be added to Personnel Compensation for normal and incidental copies, communications and postage.

DIRECT EXPENSES

Reimbursement for direct expenses, as listed below, incurred in connection with the work, will be at cost plus ten percent for items such as:

- Maps, photographs, 3rd party reproductions, 3rd party printing, equipment rental, and special supplies related to the work.
- Consultants, soils engineers, surveyors, contractors, and other outside services.
- Rented vehicles, local public transportation and taxis, travel and subsistence.
- Project specific telecommunications and delivery charges.
- Special fees, insurance, permits, and licenses applicable to the work.
- Outside computer processing, computation, and proprietary programs purchased for the work.

Reimbursement for vehicles used in connection with the work will be at the federally approved mileage rates or at a negotiated monthly rate.

Reimbursement for use of computerized drafting systems (CAD), geographical information systems (GIS), and other specialized software and hardware will be at the rate of \$12 per hour.

Rates for professional staff for legal proceedings or as expert witnesses will be at rates one and one-half times the Hourly Rates specified above.

Excise and gross receipts taxes, if any, will be added as a direct expense.

The foregoing Schedule of Charges is incorporated into the agreement for the services provided, effective 1 January, 2014 through 31 December, 2014. An annual adjustment to the Schedule of Charges will occur within six months of 1 January each successive year and shall not exceed the annual average increase in the California Consumer Price Index (CPI) for changes occurring between the current and preceding calendar years. The CPI used shall be the average of the Urban CPI (CPI-U) for the Los Angeles CMSA and the San Francisco CMSA as published by the U.S. Bureau of Labor Statistics.

Proposal Fee Estimate

Kennedy/Jenks Consultants

CLIENT Name:

City of Woodland

PROJECT Description:

Recycled Water Pump Station and Pipeline

Proposal/Job Number:

B10701061

Date:

7/15/2014

January 10, 2014 Custom Rates	Eng-Sci-9	Eng-Sci-8, B Davis, Proj Mgr	Eng-Sci-7	Eng-Sci-6, T Mueller, QA/QC	Eng-Sci-5, J Bowland	Eng-Sci-8, T Wakim, Sr Elec	Eng-Sci-3, J Dela Cruz, Staff Elec Engr	Eng-Sci-2, Bryan Heinzelman	Eng-Sci-2, Javier Rios Farias	Designer	CAD	Project Admin.	Admin. Assist.	Aide	Total	KJ Labor	KJ Escalation	KJ Comm. Charges	Sub Lagenhour & Meikle	Sub Staheli Trenchless	KJ Sub-Markup	KJ ODCs	KJ ODCs Markup	Total Labor	Total Subs	Total Expenses	Total Labor + Subs + Expenses
Classification:																											
Hourly Rate:	\$240	\$235	\$225	\$200	\$180	\$235	\$150	\$130	\$130	\$135	\$105	\$95	\$80	\$60	Hours	Fees	TBD	4%	Fees	Fees	10%	Fees	10%				Fees
Task 1 - Project Management																											
1.1 Project Management		26						9	9			18	8		70	\$10,800	\$0	\$432		\$1,030	\$103		\$0	\$10,800	\$1,133	\$432	\$12,365
1.2 Kick-off Meeting & Site Visit		8						8	12			4			32	\$4,860	\$0	\$194			\$0	\$90	\$9	\$4,860	\$0	\$293	\$5,153
1.3 QA/QC Review		6		110	16			4	4			4			144	\$27,710	\$0	\$1,108			\$0		\$0	\$27,710	\$0	\$1,108	\$28,818
Task 1 - Subtotal	0	40	0	110	16	0	0	21	25	0	0	26	8	0	246	\$43,370	\$0	\$1,735	\$0	\$1,030	\$103	\$90	\$9	\$43,370	\$1,133	\$1,834	\$46,337
Task 2 - Preliminary Design Report																											
2.1.a Draft Preliminary Design Report		16						24	24		40	16			120	\$15,720	\$0	\$629			\$0	\$75	\$8	\$15,720	\$0	\$711	\$16,431
2.1.b City PDR Review Meeting		6						8				2			16	\$2,640	\$0	\$106			\$0	\$90	\$9	\$2,640	\$0	\$205	\$2,845
2.1.c Final Preliminary Design Report		8						12	12		20	8			60	\$7,860	\$0	\$314			\$0	\$100	\$10	\$7,860	\$0	\$424	\$8,284
2.2 Fiel Surveying & Mapping		4							8						12	\$1,980	\$0	\$79	\$25,000	\$4,700	\$2,970	\$180	\$18	\$1,980	\$32,670	\$277	\$34,927
2.3 Encorachment Permit - Caltrans & UPRR		4						8	16		16	8			52	\$6,500	\$0	\$260			\$0	\$50	\$5	\$6,500	\$0	\$315	\$6,815
Task 2 - Subtotal	0	38	0	0	0	0	0	52	60	0	76	34	0	0	260	\$34,700	\$0	\$1,388	\$25,000	\$4,700	\$2,970	\$495	\$50	\$34,700	\$32,670	\$1,933	\$69,303
Phase 3 - Construction Documents																											
3.1 Bid Drawings																											
3.1.a PDR 30% Design Drawings		38				15	62	59	221		56	14			466	\$65,394	\$0	\$2,616		\$2,170	\$217	\$168	\$17	\$65,394	\$2,387	\$2,801	\$70,582
3.1.b 90% Design		50				20	82	79	294		75	14			616	\$86,736	\$0	\$3,469		\$5,952	\$595	\$423	\$42	\$86,736	\$6,547	\$3,935	\$97,218
3.1.c City Review Meeting		6				2	8								16	\$3,080	\$0	\$123			\$0	\$90	\$9	\$3,080	\$0	\$222	\$3,302
3.1.d 100% Check Set		25				10	41	40	147		38	10			310	\$43,596	\$0	\$1,744		\$2,960	\$296	\$423	\$42	\$43,596	\$3,256	\$2,209	\$49,061
3.1.e Bid Set		13				5	21	20	74		19	5			155	\$21,798	\$0	\$872			\$0	\$235	\$24	\$21,798	\$0	\$1,130	\$22,928
Task 3 - Subtotal	0	132	0	0	0	52	214	198	736	0	188	43	0	0	1563	\$220,604	\$0	\$8,824	\$0	\$11,082	\$1,108	\$1,339	\$134	\$220,604	\$12,190	\$10,297	\$243,091
Task 4 - Bid Assisatance																											
4.1 Prebid Meeting		6													6	\$1,410	\$0	\$56			\$0	\$90	\$9	\$1,410	\$0	\$155	\$1,565
4.2 Bid Addendums - 2 ea		8				2	4	8	16		16	8			62	\$8,510	\$0	\$340			\$0	\$50	\$5	\$8,510	\$0	\$395	\$8,905
4.3 Review Bids		2					3								5	\$920	\$0	\$37			\$0		\$0	\$920	\$0	\$37	\$957
4.4 Conformed Set - Construction Documents		8				2	6	12	20		64	8			120	\$14,890	\$0	\$596			\$0	\$235	\$24	\$14,890	\$0	\$854	\$15,744
Task 4 - Subtotal	0	24	0	0	0	4	13	20	36	0	80	16	0	0	193	\$25,730	\$0	\$1,029	\$0	\$0	\$0	\$375	\$38	\$25,730	\$0	\$1,442	\$27,172
All Tasks Total	0	234	0	110	16	56	227	291	857	0	344	119	8	0	2262	\$324,404	\$0	\$12,976	\$25,000	\$16,812	\$4,181	\$2,299	\$230	\$324,404	\$45,993	\$15,506	\$385,903

Legislation Details (With Text)

19.

File #: 14-331 Version: 1 Name:
Type: Report of the City Manager Status: Agenda Ready
File created: 8/14/2014 In control: City Council
On agenda: 8/19/2014 Final action:
Title: SUBJECT: \$2,902,500 City of Woodland Community Facilities District 2004-1 (Spring Lake)
Subordinate Special Tax Bonds, Series 2014C

Recommendation for Action: Staff recommends that the City Council approve Resolution No. ____
Authorizing the Execution and Delivery of a Bond Issuance Agreement, Authorizing the Issuance of
Subordinate Special Tax Bonds, and Approving Certain Other Actions Related Thereto.

Sponsors:

Indexes:

Code sections:

Attachments: [Exhibit A](#)
[Resolution Woodland Subordinate Special Tax Bonds 2014C](#)
[Bond Issuance Agreement Woodland Subordinate Special Tax Bonds 2014C](#)

Date	Ver.	Action By	Action	Result
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TO: THE HONORABLE MAYOR AND CITY COUNCIL

DATE: August 19, 2014

SUBJECT: \$2,902,500 City of Woodland Community Facilities District 2004-1 (Spring Lake)
Subordinate Special Tax Bonds, Series 2014C

Recommendation for Action: Staff recommends that the City Council approve Resolution No. ____
Authorizing the Execution and Delivery of a Bond Issuance Agreement, Authorizing the Issuance of
Subordinate Special Tax Bonds, and Approving Certain Other Actions Related Thereto.

Staff Contact

Kim McKinney, Finance Officer - (530)661-5849, kimberly.mckinney@cityofwoodland.org

Fiscal Impact

There is no direct fiscal impact to any of the City's funds, including the General Fund. Issuance of these bonds is expected to assist in allowing timely development to occur in Spring Lake.

Background

In 2012 the City, along with consultants, designed a private placement bond program to allow the City to issue bonds to either finance required infrastructure or finance the required reimbursement of first round developers for oversizing of original infrastructure within the Spring Lake District. The landowners / developers within the District purchase and hold these bonds to be taken out at some future date.

The City previously issued private placement bonds purchased and owned by the landowners / developers as follows:

May 7, 2013	Access Land Co.	\$1,506,300
July 2, 2013	Pioneer Investors	\$1,226,900
Total		<u>\$2,733,200</u>

Ms. Melanie Matthews, representative of Turn of the Century, approached the City about being the third party to utilize the private placement program. This proposed issuance in the amount of \$2,902,500 would bring the total outstanding private placements to \$5,635,700.

Discussion

Over the last couple of years the municipal market has experienced near “all-time” low interest rates and has seen an onslaught of land-secured refinancings (“refundings”). The City has taken advantage of these market conditions generating significant property owner savings on bonds issued for both Gibson Ranch and for the original series of bonds issued for Spring Lake in 2004. Since the onslaught of the great recession, the municipal market has seen very little issuance of land-secured bonds to fund new infrastructure projects.

In 2012 the City, along with consultants, designed a private placement bond program to achieve two main goals. First, to break the issuance log jam and allow those landowners / developers ready to sell or develop their property now to generate bond proceeds without having to access the municipal market. Secondly, it does not make sense for the City to issue a number of small publicly offered bonds because of the inefficiency of paying the costs of issuance associated with each series. The private placement program allows the City to pool these private placements together until such time as enough size is available to justify the costs of a public offering. The financing team is exploring the possibility of a paying off the existing private placements and if successful this proposed series would be included with that program.

The subject property is currently owned by Turn of the Century. They have a merchant builder interested in purchasing the subject property to develop a 109-unit R-4 project. The land sale is currently slated to close this month. The intent is to have the company, or their designees, purchase and own the bonds structured as 30-year level debt service. The interest rate on the bonds is currently expected to be set at 7.00% with a not-to-exceed rate of 8.00%. The interest rate on the previous two private placements was set at 7.00%.

Exhibit A, attached to this report, includes an estimated table of the Maximum Special Taxes to be generated from the subject property, the estimated debt service on the bonds and the estimated debt service coverage by the Maximum Special Taxes. This Exhibit also includes the Sources and Uses of the bonds, and the Gross and Net debt service schedules.

In keeping with the policies established by the private placement bond program, the bonds will have a reserve fund to cover debt service in the event of delinquencies, capitalized interest sufficient to cover the interest due

from the closing date through and including September 5, 2015 and a minimum debt service coverage of 1.10 times. The capitalized interest is required since the City will not be able to place the special taxes on the tax roll this year.

These bonds are subordinate to bonds originally issued for the District in 2004 and refunded earlier this year with the Series 2014 (the "2014 Bonds"), and as such, are second in line to receive the special tax revenues each year. The City will continue to receive the special taxes each year, as collected by the County, and the money will first pay debt service on the 2014 bonds in full (interest due each March 1 and principal and interest due each September 1) and then pay principal and interest on the private placement bonds each September 5.

The landowner, or their designees, will own these bonds until such time as the City can enter the public market to issue bonds to refund (take out) this and any other private placement bonds outstanding. The payment on the refunding (take out) bonds will become equal to or on parity with the 2014 Bonds having equal right to the special taxes paid each year eliminating the subordinate bonds all together.

Besides City staff, the financing team consists of:

Bond Counsel: Kronick, Moskovitz, Tiedemann & Girard
Municipal Advisor: Del Rio Advisors, LLC

The schedule, should the Council bless the issuance, would be to complete all documentation and close the transaction on August 26, 2014.

The following legal document related to the financing has been prepared in substantially final form and attached for Council review:

- The Bond Issuance Agreement

Conclusion

Staff recommends that the City Council approve Resolution No. ____ Authorizing the Execution and Delivery of a Bond Issuance Agreement, Authorizing the Issuance of Subordinate Special Tax Bonds, and Approving Certain Other Actions Related Thereto.

Prepared by: Kim McKinney, Finance Officer



Paul Navazio, City Manager

Attachments: Exhibit A
Resolution
Bond Issuance Agreement

City of Woodland
CFD No. 2004-1 (Spring Lake)
Subordinate Special Tax Bonds, Series 2014 C
Turn of the Century (109 Unit, R-4 Project)

[1]	[2]	[3]	[4]	[5]	[6]
Bond Year	Maximum Special Tax	# of Units	Available Special Tax Revenue	Net Bond Year Debt Service	Debt Service Coverage
2014	2,270.67				
2015	2,316.08	109	252,453.09	(2,423.62)	-
2016	2,362.41	109	257,502.15	234,010.49	1.100
2017	2,409.65	109	262,652.20	234,086.49	1.122
2018	2,457.85	109	267,905.24	233,994.49	1.145
2019	2,507.00	109	273,263.34	234,034.49	1.168
2020	2,557.14	109	278,728.61	233,985.49	1.191
2021	2,608.29	109	284,303.18	234,040.49	1.215
2022	2,660.45	109	289,989.25	234,078.49	1.239
2023	2,713.66	109	295,789.03	234,085.49	1.264
2024	2,767.93	109	301,704.81	234,047.49	1.289
2025	2,823.29	109	307,738.91	234,050.49	1.315
2026	2,879.76	109	313,893.69	234,073.49	1.341
2027	2,937.35	109	320,171.56	233,995.49	1.368
2028	2,996.10	109	326,574.99	234,002.49	1.396
2029	3,056.02	109	333,106.49	234,066.49	1.423
2030	3,117.14	109	339,768.62	234,059.49	1.452
2031	3,179.49	109	346,563.99	234,060.49	1.481
2032	3,243.08	109	353,495.27	234,041.49	1.510
2033	3,307.94	109	360,565.18	234,074.49	1.540
2034	3,374.10	109	367,776.48	234,024.49	1.572
2035	3,441.58	109	375,132.01	234,063.49	1.603
2036	3,510.41	109	382,634.65	234,049.49	1.635
2037	3,580.62	109	390,287.35	234,047.49	1.668
2038	3,652.23	109	398,093.09	234,015.49	1.701
2039	3,725.27	109	406,054.95	234,011.49	1.735
2040	3,799.78	109	414,176.05	234,086.49	1.769
2041	3,875.78	109	422,459.57	233,984.49	1.806
2042	3,953.29	109	430,908.77	234,063.49	1.841
2043	4,032.36	109	439,526.94	234,053.49	1.878
2044	4,113.00	109	448,317.48	(2,452.51)	-
Totals			10,241,536.98	6,548,311.59	

Notes

- [1] Bond Year Ending September 5 Each Year
[2] Escalated at 2.00% Per Year
[3] Projected Number of Units to be Developed
[4] [2] * [3]
[5] Net Debt Service (Net of Capitalized Interest and Reserve Fund Earnings at 1.00%)
[6] [4] / [5]

City of Woodland
CFD No. 2004-1 (Spring Lake)
Subordinate Special Tax Bonds, Series 2014 C

Sources and Uses of Funds

Sources of Funds

Par Amount of Bonds	2,902,500.00	
Plus: Accrued Interest	-	
Less: (OID) / Plus: OIP	-	
Less: Underwriter's Discount	-	
Net Proceeds		2,902,500.00
Other Source of Funds		-
Other Source of Funds		-

Total Sources		2,902,500.00
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Uses of Funds

Project Fund Deposit	2,422,294.63	
Less: Interest Earnings	-	
Net Funds		2,422,294.63
Capitalized Interest Fund	208,254.38	
Less: Interest Earnings	-	
Less: Reserve Fund Earnings	-	
Net Funds		208,254.38
Reserve Fund		236,451.00
Costs of Issuance		35,500.00
Surety Bond Premium	-	-
Bond Insurance	-	-
L/C Fees (Upfront)	-	-
Accrued Interest		-
Other Use of Funds		-
Other Use of Funds		-

Total Uses		2,902,500.00
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Rounding Adjustment		-
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Run Date	August 12, 2014
Run Time	5:07 AM

City of Woodland
CFD No. 2004-1 (Spring Lake)
Subordinate Special Tax Bonds, Series 2014 C

Summary Calculations

Arbitrage Yield	6.99944 %
True Interest Cost (TIC)	6.99944 %
"All-In" True Interest Cost (AIC)	7.12112 %
Average Coupon	7.00000 %
Net Interest Cost (NIC)	7.00000 %
Average Life	20.482 Years

City of Woodland
 CFD No. 2004-1 (Spring Lake)
 Subordinate Special Tax Bonds, Series 2014 C

Gross Debt Service Schedule

Date	Principal	Rate	Interest	Annual Debt Service
08/26/14				
09/05/15			208,254.38	208,254.38
09/05/16	33,200.00	7.000	203,175.00	236,375.00
09/05/17	35,600.00	7.000	200,851.00	236,451.00
09/05/18	38,000.00	7.000	198,359.00	236,359.00
09/05/19	40,700.00	7.000	195,699.00	236,399.00
09/05/20	43,500.00	7.000	192,850.00	236,350.00
09/05/21	46,600.00	7.000	189,805.00	236,405.00
09/05/22	49,900.00	7.000	186,543.00	236,443.00
09/05/23	53,400.00	7.000	183,050.00	236,450.00
09/05/24	57,100.00	7.000	179,312.00	236,412.00
09/05/25	61,100.00	7.000	175,315.00	236,415.00
09/05/26	65,400.00	7.000	171,038.00	236,438.00
09/05/27	69,900.00	7.000	166,460.00	236,360.00
09/05/28	74,800.00	7.000	161,567.00	236,367.00
09/05/29	80,100.00	7.000	156,331.00	236,431.00
09/05/30	85,700.00	7.000	150,724.00	236,424.00
09/05/31	91,700.00	7.000	144,725.00	236,425.00
09/05/32	98,100.00	7.000	138,306.00	236,406.00
09/05/33	105,000.00	7.000	131,439.00	236,439.00
09/05/34	112,300.00	7.000	124,089.00	236,389.00
09/05/35	120,200.00	7.000	116,228.00	236,428.00
09/05/36	128,600.00	7.000	107,814.00	236,414.00
09/05/37	137,600.00	7.000	98,812.00	236,412.00
09/05/38	147,200.00	7.000	89,180.00	236,380.00
09/05/39	157,500.00	7.000	78,876.00	236,376.00
09/05/40	168,600.00	7.000	67,851.00	236,451.00
09/05/41	180,300.00	7.000	56,049.00	236,349.00
09/05/42	193,000.00	7.000	43,428.00	236,428.00
09/05/43	206,500.00	7.000	29,918.00	236,418.00
09/05/44	220,900.00	7.000	15,463.00	236,363.00
Total	2,902,500.00		4,161,511.38	7,064,011.38

City of Woodland
 CFD No. 2004-1 (Spring Lake)
 Subordinate Special Tax Bonds, Series 2014 C
 Net Debt Service Schedule

		Reserve Fund	236,451.00	
		Investment Rate	1.00	
Date	Annual Debt Service	Less Capitalized Interest	Less Reserve Fund Earnings	Net Annual Debt Service
08/26/14				
09/05/15	208,254.38	(208,254.38)	(2,423.62)	(2,423.62)
09/05/16	236,375.00	-	(2,364.51)	234,010.49
09/05/17	236,451.00	-	(2,364.51)	234,086.49
09/05/18	236,359.00	-	(2,364.51)	233,994.49
09/05/19	236,399.00	-	(2,364.51)	234,034.49
09/05/20	236,350.00	-	(2,364.51)	233,985.49
09/05/21	236,405.00	-	(2,364.51)	234,040.49
09/05/22	236,443.00	-	(2,364.51)	234,078.49
09/05/23	236,450.00	-	(2,364.51)	234,085.49
09/05/24	236,412.00	-	(2,364.51)	234,047.49
09/05/25	236,415.00	-	(2,364.51)	234,050.49
09/05/26	236,438.00	-	(2,364.51)	234,073.49
09/05/27	236,360.00	-	(2,364.51)	233,995.49
09/05/28	236,367.00	-	(2,364.51)	234,002.49
09/05/29	236,431.00	-	(2,364.51)	234,066.49
09/05/30	236,424.00	-	(2,364.51)	234,059.49
09/05/31	236,425.00	-	(2,364.51)	234,060.49
09/05/32	236,406.00	-	(2,364.51)	234,041.49
09/05/33	236,439.00	-	(2,364.51)	234,074.49
09/05/34	236,389.00	-	(2,364.51)	234,024.49
09/05/35	236,428.00	-	(2,364.51)	234,063.49
09/05/36	236,414.00	-	(2,364.51)	234,049.49
09/05/37	236,412.00	-	(2,364.51)	234,047.49
09/05/38	236,380.00	-	(2,364.51)	234,015.49
09/05/39	236,376.00	-	(2,364.51)	234,011.49
09/05/40	236,451.00	-	(2,364.51)	234,086.49
09/05/41	236,349.00	-	(2,364.51)	233,984.49
09/05/42	236,428.00	-	(2,364.51)	234,063.49
09/05/43	236,418.00	-	(2,364.51)	234,053.49
09/05/44	236,363.00	-	(238,815.51)	(2,452.51)
Total	7,064,011.38	(208,254.38)	(307,445.41)	6,548,311.59

CITY OF WOODLAND
COMMUNITY FACILITIES DISTRICT NO. 2004-1
(SPRING LAKE)

RESOLUTION NO. ____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND AUTHORIZING
THE EXECUTION AND DELIVERY OF A BOND ISSUANCE AGREEMENT;
AUTHORIZING THE ISSUANCE OF SUBORDINATE SPECIAL TAX BONDS; AND
APPROVING CERTAIN OTHER ACTIONS RELATED THERETO

WHEREAS, by Resolution No. 4559, adopted on June 22, 2004, the City Council of the City of Woodland (the “City”) established the City’s Community Facilities District No. 2004-1 (Spring Lake) (the “CFD”) pursuant to the Mello-Roos Community Facilities Act of 1982 (Chapter 2.5, Part 1, Division 2, Title 5 (commencing with Section 53311) of the California Government Code) (the “Act”), for the purpose of providing for the financing of the construction and acquisition of certain public capital facilities described in the Resolution of Formation;

WHEREAS, on June 22, 2004, the qualified electors of the CFD authorized the City Council to levy special taxes upon the land within the CFD and to issue bonds in the principal amount of not to exceed \$112,500,000 (the “Bonds”), secured by the special taxes, pursuant to the terms of the Act;

WHEREAS, the City issued \$33,050,000 of its Community Facilities District No. 2004-1 (Spring Lake) Special Tax Bonds, Series 2004, on October 5, 2004, and refunded them on October 22, 2013, by issuing its Community Facilities District No. 2004-1 (Spring Lake) Special Tax Refunding Bonds, Series 2013 (the “Refunding”), pursuant to the Fiscal Agent Agreement dated October 1, 2013 (the “Fiscal Agent Agreement”), between the City and U.S. Bank National Association;

WHEREAS, the City Council has determined to issue a series of bonds that will be subordinate to the Refunding Bonds and any other bonds issued pursuant to the Fiscal Agent Agreement, to be designated as Community Facilities District No. 2004-1 (Spring Lake) Subordinate Special Tax Bonds, Series 2014C (the “Subordinate Bonds”) for the purpose of financing the payment of the cost of acquiring certain public improvements for the City that were constructed or acquired by property owners in the CFD;

WHEREAS, the Bond Issuance Agreement of the City, pursuant to which the City will issue the Subordinate Bonds, which is incorporated herein by reference, has been presented to the City Council for its review and approval;

WHEREAS, it appears to the City Council that the authorization, approval, execution, and delivery of the Bond Issuance Agreement and the agreements and documents contemplated thereby or incidental thereto and the issuance, sale, and delivery of the Subordinate Bonds in accordance with the Bond Issuance Agreement are desirable and in the best interests of the City;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodland, that:

Section 1. Recitals. The foregoing recitals are true and correct and the City Council so finds and determines.

Section 2. Authorization of Officers to Execute and Deliver the Bond Issuance Agreement. The City Council hereby authorizes the Mayor, the City Manager, the Finance Officer, and their designees (the “Designated Officers”), and each of them individually, for and in the name of the and on behalf of the City, to approve, execute, and deliver the Bond Issuance Agreement, in substantially the form presented to the City Council at this meeting, which agreement is hereby approved, with such changes, insertions, revisions, corrections, or amendments as shall be approved by the officer or officers executing the agreement for the City Council. The execution of the foregoing by a Designated Officer or Officers shall constitute conclusive evidence of such officer’s or officers’ and the City Council’s approval of any such changes, insertions, revisions, corrections, or amendments to the form of the agreement presented to the City Council at this meeting. The date, respective principal amounts of each maturity, the interest rates, interest payment dates, denominations, forms, registration privileges, place or places of payment, terms of redemption, and other terms of the Subordinate Bonds, shall be as provided in the Bond Issuance Agreement as finally executed.

Section 3. Authorization to Issue Bonds. The City Council hereby authorizes the issuance of the Subordinate Bonds in accordance with the terms of the Bond Issuance Agreement as finally executed.

Section 4. Authorization of Sale. The City Council hereby authorizes the sale, at a price equal to their principal amount, of not to exceed \$2,902,500 principal amount of Subordinate Bonds, bearing interest at a rate not to exceed 8% per annum, to the buyers designated by Turn of the Century, a Delaware limited liability company. The Designated Officers, and each of them individually, in consultation with the City’s municipal advisor, are hereby authorized to determine the actual interest rate to be borne by the Subordinate Bonds based on financial market conditions at the time of the issuance of the Subordinate Bonds.

Section 5. Retention of Professionals. Del Rio Advisors, LLC, is hereby appointed as municipal advisor to the City and Kronick, Moskovitz, Tiedemann & Girard, a Professional Corporation, is hereby appointed bond counsel to the City for the issuance and sale of the Subordinate Bonds. The terms of these engagements are as specified in the agreements presented in connection with the City Council’s approval of the Subordinate Special Tax Bonds, Series 2013C.

Section 6. General Authorization. The City Council hereby authorizes and directs the Designated Officers, and each of them individually, for and in the name of and on behalf of the City Council, to do any and all things and to execute and deliver any and all documents that they may deem necessary or advisable in order to complete the sale, issuance, and delivery of the Subordinate Bonds and otherwise to carry out, give effect to, and comply with the terms and intent of this resolution. All actions heretofore taken by such officers and agents that are in conformity with the purposes and intent of this resolution are hereby ratified, confirmed and approved in all respects.

Section 7. Effective Date. This resolution shall take effect immediately upon its passage.

APPROVED, PASSED AND ADOPTED on August 19, 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

City Clerk of the City of Woodland

BOND ISSUANCE AGREEMENT

made by the

CITY OF WOODLAND

Dated August 1, 2014

Relating to the

\$2,902,500

CITY OF WOODLAND

COMMUNITY FACILITIES DISTRICT NO. 2004-1 (SPRING LAKE)

SUBORDINATE SPECIAL TAX BONDS

SERIES 2014C

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BOND ISSUANCE AGREEMENT

This BOND ISSUANCE AGREEMENT (the “Agreement”), dated August 1, 2014, is made by the CITY OF WOODLAND (the “City”), a municipal corporation duly organized and existing under and by virtue of the Constitution and laws of the State of California, for the benefit of the owners from time to time of the bonds issued hereunder.

RECITALS

1. The City Council of the City (the “City Council”) on June 22, 2004, duly adopted its Resolution No. 4559 (i) establishing the City’s Community Facilities District No. 2004-1 (Spring Lake) (the “CFD”) for the purpose of providing for the financing of certain services and the financing of the design, construction, and acquisition of certain public facilities in and for the CFD and (ii) determining the necessity to incur a bonded indebtedness in the amount of \$112,500,000 with respect to the CFD.

2. On June 22, 2004, the qualified electors of the CFD authorized the City Council to levy special taxes upon the land within the CFD and to issue bonds in the principal amount of not to exceed \$112,500,000 (the “Bonds”), secured by the special taxes.

3. The City now is fully authorized pursuant to the Mello-Roos Community Facilities Act of 1982 (Sections 53311 et seq. of the Government Code of the State of California, as amended) (the “Law”) to issue the Bonds.

4. The City issued \$33,050,000 of its Community Facilities District No. 2004-1 (Spring Lake) Special Tax Bonds, Series 2004, on October 5, 2004, and refunded them on October 22, 2013, by issuing its Community Facilities District No. 2004-1 (Spring Lake) Special Tax Refunding Bonds, Series 2013 (the “Refunding Bonds”).

5. The City issued the Refunding Bonds pursuant to a Fiscal Agent Agreement dated October 1, 2013 (the “Fiscal Agent Agreement”), between U.S. Bank National Association and the City, under which the City will also issue additional Bonds for the purpose of financing and refinancing the design, construction, and acquisition of public facilities in and for the CFD.

6. The City has determined to enter into this Agreement in order (a) to provide for the execution and delivery of Bonds (the “Subordinate Bonds”) that will be subordinate to the Refunding Bonds and the other Bonds that are expected to be issued pursuant to the Fiscal Agent Agreement (the “Senior Bonds”), (b) to establish and declare the terms and conditions upon which the Subordinate Bonds shall be issued and secured, and (c) to secure the payment of the principal thereof and interest thereon.

7. The City intends to issue Bonds under the Fiscal Agent Agreement to retire the Subordinate Bonds at such time as the total amount of outstanding Bonds that are subordinate to the Senior Bonds is sufficient to economically support the costs of issuance of additional Senior Bonds and general bond market underwriting criteria for their issuance can be satisfied.

8. The City has found and determined that all acts, conditions and things required by law to exist, to have happened and to have been performed precedent to and in connection with the

execution and entering into of this Agreement do exist, have happened and have been performed in regular and due time, form and manner as required by law, and the parties hereto are now duly authorized to execute and enter into this Agreement.

AGREEMENT

In order to secure the payment of the Subordinate Bonds and the performance and observance by the City of all the covenants, agreements and conditions herein and in the Subordinate Bonds contained, the City hereby agrees and covenants with the owners from time to time of the Subordinate Bonds, as follows:

ARTICLE I DEFINITIONS AND GENERAL PROVISIONS

Section 1.1 Definitions. Unless the context otherwise requires, the terms defined in this Section 1.1 shall, for all purposes hereof and of any amendment hereof or supplement hereto and of the Subordinate Bonds and of any certificate, opinion, request or other document mentioned herein or therein, have the meanings defined herein, the following definitions to be equally applicable to both the singular and plural forms of any of the terms defined herein:

Administrative Expenses means any or all of the following: the fees and expenses of any fiscal agent or trustee (including any fees or expenses of its counsel) employed in connection with any Bonds, and the expenses of the City carrying out its duties with respect to the CFD and the Bonds, including, but not limited to, costs of levying and collecting the Special Taxes, the fees and expenses of legal counsel, charges levied by the County Auditor's Office, Tax Collector's Office, and/or Treasurer's Office, costs related to annexing property into the CFD, costs related to property owner inquiries regarding the Special Taxes, amounts needed to pay rebate to the federal government with respect to the Bonds, costs associated with complying with any continuing disclosure requirements for the Bonds and the Special Taxes, and all other costs and expenses of the City in any way related to the establishment or administration of the CFD.

Agreement means this agreement made by the City.

Annual Debt Service means for each Bond Year the aggregate amount of principal and interest becoming due and payable on the Subordinate Bonds.

Bonds means all of the bonds issued by the City that are payable from the Special Taxes

Bond Year means the period ending on September 5 of each year with the first Bond Year ending on September 5, 2014, and the last Bond Year ending on the date on which the Subordinate Bonds are no longer outstanding.

Business Day means any day of the week other than a Saturday or a Sunday or a day on which banks in the State are not required or authorized to remain closed and on which the New York Stock Exchange is open for business.

CFD means the City's Community Facilities District No. 2004-1 (Spring Lake), a community facilities district duly established within the geographical jurisdiction of the City pursuant to the Law.

City means the City of Woodland.

City Council means the City Council of the City.

Code means the Internal Revenue Code of 1986, as the same shall be hereafter amended, and any regulations heretofore issued or that shall be hereafter issued by the United States Department of the Treasury thereunder.

Community Facilities Fund means the fund by that name established pursuant to Section 7.4 (Allocation of Net Special Taxes) of the Fiscal Agent Agreement.

County means the County of Yolo, State of California.

Event of Default means any of the events specified in Section 5.1 (Events of Default).

Fiscal Agent means U.S. Bank National Association, a national banking association duly organized under the laws of the United States of America, or its successor as Fiscal Agent.

Fiscal Agent Agreement means the Fiscal Agent Agreement that the City expects to enter into with the Fiscal Agent in the near future for the purpose of refunding the City's Community Facilities District No. 2004-1 (Spring Lake) Special Tax Bonds, Series 2004, as such agreement is originally executed or as it may from time to time be supplemented or amended by any Supplemental Fiscal Agent Agreement delivered pursuant to the provisions thereof.

Landowner means the owner of the real property that constitutes the Project.

Law means the Mello-Roos Community Facilities Act of 1982 (Sections 53311 et seq. of the Government Code of the State of California, as amended), as now in effect and as it may from time to time hereafter be amended or supplemented.

Maximum Annual Debt Service shall mean the greatest amount of principal and interest becoming due and payable on the Subordinate Bonds in any Bond Year including the Bond Year in which the calculation is made or any subsequent Bond Year.

Net Special Taxes means the Special Taxes less, in each Fiscal Year, Administrative Expenses up to the sum of \$25,000 increased by 2% each year after Fiscal Year 2012-13.

Opinion of Counsel means a written opinion of counsel experienced in the field of law relating to municipal bonds, appointed and paid by the City.

Owner means the person in whose name any Subordinate Bond shall be registered.

Payment Date means September 5 of each year. The first Payment Date shall be September 5, 2015.

Project means [Turn of the Century 109 Unit R-4 Projects], Subdivision Map No. _____.

Rate and Method of Apportionment means the rate, method of apportionment, and manner of collection of the Special Taxes included as Exhibit B to the Resolution of Formation.

Record Date means the 1st day of the month preceding any Payment Date. The first Record Date shall be September 1, 2015.

Refunding Bonds means the City's Community Facilities District No. 2004-1 (Spring Lake) Special Tax Refunding Bonds, Series 2013.

Resolution of Formation means Resolution No. 4559 adopted by the City Council on June 22, 2004, establishing the CFD, as the same may be amended from time to time in accordance with the Law.

Senior Bonds means the Bonds issued pursuant to the Fiscal Agent Agreement.

Series 2014C Subordinate Bond Reserve Fund means the fund by that name established pursuant to Section 3.4 (Establishment and Application of Series 2014C Subordinate Bond Reserve Fund).

Series 2014C Subordinate Bond Reserve Requirement means, as of any date of calculation, the least of (i) Maximum Annual Debt Service as of such date, (ii) 125% of average Annual Debt Service on the Subordinate Bonds as of such date and (iii) 10% of the original principal amount of the Subordinate Bonds.

SLIF Credits mean the credits towards the building permit Spring Lake Infrastructure Fees in the amount of the Reimbursement Amount as defined in Section 2.2 (Application of Proceeds of the Subordinate Bonds).

Special Taxes means the special taxes authorized to be levied and collected annually on property in the CFD.

State means the State of California.

Subordinate Bonds means the City of Woodland Community Facilities District No. 2004-1 (Spring Lake) Subordinate Special Tax Bonds, Series 2014C, issued hereunder.

Tax Certificate means the Tax Certificate concerning certain matters pertaining to the use of proceeds of the Subordinate Bonds, executed and delivered by the City on the date of issuance of the Subordinate Bond, including all exhibits attached thereto, as such certificate may from time to time be modified or supplemented in accordance with the terms thereof.

Taxable Property means all property described by the definition of the term "Taxable Property" in the Rate and Method of Apportionment.

Section 1.2 Effect of Headings and Table of Contents. The headings or titles of the several Articles and Sections hereof, and any table of contents appended to copies hereof, shall be

solely for convenience of reference and shall not affect the meaning, construction, or effect of this Agreement.

Section 1.3 Successors and Assigns. Whenever in this Agreement the City is named or referred to, such reference shall be deemed to include the successors or assigns thereof, and all the covenants and agreements in this Agreement contained by or on behalf of the City shall bind and inure to the benefit of the respective successors and assigns thereof whether so expressed or not.

Section 1.4 Benefits of Agreement. Nothing in this Agreement or in the Subordinate Bonds expressed or implied is intended or shall be construed to give to any person other than the City, the Landowner, and the Owners of the Subordinate Bonds, any legal or equitable right, remedy or claim under or in respect of this Agreement or any covenant, condition or provision therein or herein contained; and all such covenants, conditions and provisions are and shall be held to be for the sole and exclusive benefit of the City, the Landowner, and the Owners of the Subordinate Bonds.

Section 1.5 Payments/Actions Otherwise Scheduled on Non-Business Days. Except as specifically set forth in a Supplemental Agreement, any payments or transfers that would otherwise become due on any day that is not a Business Day shall become due or shall be made on the next succeeding Business Day. When any other action is provided for herein to be done on a day named or within a specified time period and the day named or the last day of the specified period falls on a day other than a Business Day, such action may be performed on the next succeeding Business Day with the same effect as though performed on the appointed day or within the specified period.

Section 1.6 No Personal Liability for Debt Service. No member of the City Council, officer, agent, or employee of the City shall be individually or personally liable for the payment of the principal of or interest on the Subordinate Bonds or be subject to any personal liability or accountability by reason of the issuance thereof; but nothing herein contained shall relieve any such Council member, officer, agent, or employee of the City from the performance of any official duty provided by law or by this Agreement.

Section 1.7 Separability Clause. If any one or more of the provisions contained in this Agreement or in the Subordinate Bonds shall for any reason be held to be invalid, illegal, or unenforceable in any respect, then such provision or provisions shall be deemed severable from the remaining provisions contained in this Agreement and such invalidity, illegality, or unenforceability shall not affect any other provision of this Agreement, and this Agreement shall be construed as if such invalid or illegal or unenforceable provision had never been contained herein. The City hereby declares that it would have adopted this Agreement and each and every other section, paragraph, sentence, clause, or phrase hereof and authorized the issuance of the Subordinate Bonds pursuant thereto irrespective of the fact that any one or more sections, paragraphs, sentences, clauses, or phrases of this Agreement may be held illegal, invalid, or unenforceable.

Section 1.8 Governing Law. This Agreement shall be construed and governed in accordance with the laws of the State.

Section 1.9 Notices. Unless otherwise specified herein, all notices, statements, orders, requests or other communications hereunder shall be in writing and shall be sufficiently given and served upon the City if delivered personally or if mailed by United States registered or certified mail,

return receipt requested, postage prepaid, or if given by fax, electronically, or other means of written communication and confirmed by mail to the City of Woodland, 300 First Street, Woodland, CA 95695, Attn: Finance Director.

THE SUBORDINATE BONDS

Section 2.1 Authorization and Title. The City hereby authorizes the issuance of bonds in the aggregate principal amount of \$2,902,500. The title of the Subordinate Bonds shall be “City of Woodland Community Facilities District No. 2004-1 (Spring Lake) Subordinate Special Tax Bonds, Series 2014C.” If and when the City Council approves all final maps for the Project, the City shall execute and deliver the Subordinate Bonds to the Owners and shall concurrently transfer the SLIF Credits to the Landowner.

Section 2.2 Application of Proceeds of the Subordinate Bonds. The City shall deposit \$2,422,294.63 (the “Reimbursement Amount”) of the purchase price of the Subordinate Bonds into an account established and maintained by the City for the purpose of paying reimbursements owed by the City to property owners in the CFD or, if necessary, to pay a portion of the interest due on the Subordinate Bonds on September 5, 2015. The City shall deposit \$236,451.00 into the Series 2014C Subordinate Bond Reserve Fund created pursuant to Section 3.4 hereof, which is held by the City. The City shall deposit \$35,500 of the purchase price of the Subordinate Bonds into an account established and maintained by the City for the purpose of paying or reimbursing costs of issuance of the Subordinate Bonds. The City shall deposit \$208,254.38 of the purchase price of the Subordinate Bonds into a subaccount established and maintained by the City in the Community Facilities Fund for the purpose of paying a portion of the interest due on the Subordinate Bonds on September 5, 2015.

Section 2.3 Terms and Form of Bonds.

(A) **Form and Registration.** The Subordinate Bonds shall be issued in the form of fully-registered installment bonds in substantially the form attached hereto as Exhibit A.

(B) **Date; Interest Accrual; Interest Rates; Payments.** The Subordinate Bonds shall be dated their date of delivery, shall bear interest from their date to September 5, 2043, at the rate of 7.00% per annum. The City shall pay installments of principal and interest on the Subordinate Bonds in the following amounts on the following dates:

Date (September 5)	Principal	Interest	Total
2015	--	\$208,254.38	\$208,254.38
2016	\$33,200.00	203,175.00	236,375.00
2017	35,600.00	200,851.00	236,451.00
2018	38,000.00	198,359.00	236,359.00
2019	40,700.00	195,699.00	236,399.00
2020	43,500.00	192,850.00	236,350.00
2021	46,600.00	189,805.00	236,405.00
2022	49,900.00	186,543.00	236,443.00
2023	53,400.00	183,050.00	236,450.00
2024	57,100.00	179,312.00	236,412.00

Date (September 5)	Principal	Interest	Total
2025	61,100.00	175,315.00	236,415.00
2026	65,400.00	171,038.00	236,438.00
2027	69,900.00	166,460.00	236,360.00
2028	74,800.00	161,567.00	236,367.00
2029	80,100.00	156,331.00	236,431.00
2030	85,700.00	150,724.00	236,424.00
2031	91,700.00	144,725.00	236,425.00
2032	98,100.00	138,306.00	236,406.00
2033	105,000.00	131,439.00	236,439.00
2034	112,300.00	124,089.00	236,389.00
2035	120,200.00	116,228.00	236,428.00
2036	128,600.00	107,814.00	236,414.00
2037	137,600.00	98,812.00	236,412.00
2038	147,200.00	89,180.00	236,380.00
2039	157,500.00	78,876.00	236,376.00
2040	168,600.00	67,851.00	236,451.00
2041	180,300.00	56,049.00	236,349.00
2042	193,000.00	43,428.00	236,428.00
2043	206,500.00	29,918.00	236,418.00
2044	220,900.00	15,463.00	236,363.00

Interest on the Subordinate Bonds shall be calculated on the basis of a 360-day year comprising twelve 30-day months.

(C) Principal and Interest Payments. The City shall pay each principal and interest installment on the Subordinate Bonds in lawful money of the United States of America on each Payment Date by wire transfer to the Owners thereof as of the close of business on the Record Date.

(D) Optional Redemption. The City may redeem the Subordinate Bonds on any date at a redemption price of the unpaid principal amount thereof plus interest accrued thereon to the date specified for redemption, without premium.

(E) Cessation of Interest Accrual. Interest on any portion of the principal of the Subordinate Bonds shall cease to accrue on the Payment Date of such portion, provided that there has been irrevocably deposited with the City an amount sufficient to pay such principal, plus interest accrued thereon to such date. The Owners shall not be entitled to any other payment. Upon payment of all the principal and interest installments on the Subordinate Bonds, the Subordinate Bonds shall no longer be Outstanding and entitled to the benefits of this Agreement, except for the payment of the principal of and interest on such Bonds from moneys held by the City for such payment.

(F) Unclaimed Monies. Any money held by the City for the payment of the principal of or interest on the Subordinate Bonds and remaining unclaimed for two (2) years after all of the principal of the Subordinate Bonds has become due and payable shall be retained in the Community Facilities Fund and may be expended by the City for any purpose of the CFD.

Section 2.4 Execution of Bonds. The Subordinate Bonds shall be signed by the manual or facsimile signature of the Mayor or any member of the City Council and the City Clerk or his or her designee, provided that at least one such signature shall be manual.

In case any of the officers who shall have signed or countersigned the Subordinate Bonds shall cease to be such officer or officers of the City before the Subordinate Bonds so signed or countersigned shall have been delivered by the City, the Subordinate Bonds may nevertheless be delivered and, upon such delivery, shall be as binding upon the City as though those who signed and countersigned the same had continued to be such officers of the City. The Subordinate Bonds may be signed and countersigned on behalf of the City by such persons as at the actual date of execution of the Subordinate Bonds shall be the proper officers of the City although at the nominal date of the Subordinate Bonds any such person shall not have been such officer of the City.

Section 2.5 Transfer of Bonds. The Subordinate Bonds may, in accordance with their terms, be transferred upon the books required to be kept pursuant to the provisions of Section 2.6 (Bond Register) hereof by the person in whose name it is registered, in person or by the duly authorized attorney of such person, upon surrender of the Subordinate Bonds to the City for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the City.

Whenever a Subordinate Bond shall be surrendered for transfer, the designated City officials shall execute (as provided in Section 2.4 (Execution of Bonds) hereof) and deliver a new Subordinate Bond. The City shall require the payment by the Owner requesting any such transfer of any tax or other governmental charge required to be paid with respect to such transfer.

No transfer of the Subordinate Bonds shall be required to be made by the City during the period from the close of business on the Record Date next preceding any Payment Date to and including such Payment Date.

Section 2.6 Bond Register. The City will keep or cause to be kept a record of the registration and transfer of the Subordinate Bonds. Upon presentation for such purpose, the City shall, under such reasonable regulations as it may prescribe, register or transfer or cause to be registered or transferred, on the record, the Subordinate Bonds as hereinbefore provided.

Section 2.7 Validity of Bonds. The recital contained in the Subordinate Bonds that they are regularly issued pursuant to the Law shall be conclusive evidence of their validity and of compliance with the provisions of the Law in their issuance.

ARTICLE III PAYMENT OF THE SUBORDINATE BONDS

Section 3.1 Liability of City Limited to Special Taxes. Notwithstanding anything in this Agreement or in the Subordinate Bonds contained, the City shall not be required to advance any moneys derived from any source other than the Special Taxes and other assets pledged hereunder for any of the purposes mentioned in this Agreement, whether for the payment of the principal or Redemption Price of or interest on the Subordinate Bonds or for any other purpose of this Agreement.

Section 3.2 Pledge of Net Special Taxes. Subject only to the provisions of this Agreement permitting the application thereof for the purposes and on the terms and conditions set forth herein, all of the Net Special Taxes deposited in the Community Facilities Fund and all amounts held in the Series 2014C Subordinate Bond Reserve Fund are hereby pledged to secure the payment of the principal of and interest on the Subordinate Bonds in accordance with their terms and the provisions of this Agreement. This pledge of Net Special Taxes shall be subordinate to the pledge of the Net Special Taxes made by the City in the Fiscal Agent Agreement but on parity with any additional such subordinate pledge of the Net Special Taxes made by the City. The pledge of Net Special Taxes made herein shall be irrevocable until the Subordinate Bonds are no longer Outstanding.

Section 3.3 Application of Net Special Taxes. On each Payment Date, the City shall withdraw Net Special Taxes from the Community Facilities Fund the amounts necessary and apply them, in the following order of priority, (1) to pay the principal and interest installments due on the Subordinate Bonds on that date and (2) to deposit in the Bond Reserve Fund the amount required to restore the balance in the Series 2014C Subordinate Bond Reserve Fund to an amount equal to the Bond Reserve Requirement.

Section 3.4 Establishment and Application of Series 2014C Subordinate Bond Reserve Fund. The City shall establish and maintain a separate fund designated as the “Series 2014C Subordinate Bond Reserve Fund.” All amounts in the Series 2014C Subordinate Bond Reserve Fund shall be used and withdrawn by the City, as hereinafter provided, solely for the purpose of making up any deficiency in the amount available in the Community Facilities Fund to pay debt service on the Subordinate Bonds. Any amounts in the Series 2014C Subordinate Bond Reserve Fund in excess of the Series 2014C Subordinate Bond Reserve Requirement shall be transferred by the City on September 6 of each year for deposit into the Community Facilities Fund.

ARTICLE IV COVENANTS OF THE CITY

Section 4.1 Levy and Collection of the Special Taxes; Maintenance of Net Special Taxes.

(A) Levy and Collection of the Special Taxes. The City covenants that, so long as the Subordinate Bonds are Outstanding, and subject to the maximum rates of Special Taxes that it is authorized to levy on Taxable Property, it will annually levy and make provision for the collection of the Special Taxes in amounts that will be sufficient, after making reasonable allowances for contingencies and errors in the estimates, to yield proceeds equal to the amounts required for compliance with the agreements, conditions, covenants, and terms contained herein, and that in any event will be sufficient (1) to pay the current debt service on and to accumulate funds to pay future debt service on the Bonds as they become due and payable, (2) to replenish the any debt service reserve fund for the Bonds to its required amount, (3) to cure any delinquencies in the payment of the principal of or interest on the Bonds that have occurred in the prior Fiscal Year or are expected to occur in the Fiscal Year in which the tax will be collected, and (4) to pay all current Administrative Expenses as they become due and payable. The Special Taxes shall be collected in the same manner as ordinary ad valorem property taxes are collected and, except as otherwise provided in Section 4.4

(Covenant to Foreclose) and in the Law, shall be subject to the same penalties and the same procedure, sale, and lien priority in case of delinquency as is provided for ad valorem property taxes.

(B) Maintenance of Net Special Taxes. The City covenants and agrees to not consent to or conduct proceedings with respect to a reduction in the Special Taxes that may be levied in the CFD below an amount, for any Fiscal Year, equal to 110% of Annual Debt Service due and payable with respect to the Bonds in the Bond Year ending on the September 5 immediately following such Fiscal Year, plus 100% of the City's reasonable estimate of Administrative Expenses for such Fiscal Year; provided, however, that the City may at any time reduce the Net Special Taxes to the extent that the amount of Special Taxes that would result from levying the Special Taxes at such maximum amounts would result in an amount of Special Taxes in excess of the amount required to comply with such covenant.

Section 4.2 Punctual Payment and Performance. The City will punctually pay or cause to be paid the principal and interest installment to become due in respect of the Subordinate Bonds, in strict conformity with the terms of the Subordinate Bonds and of this Agreement, according to the true intent and meaning thereof, but in each case only out of Net Special Taxes as provided in this Agreement. The City will faithfully observe and perform all of the conditions, covenants, and terms contained herein and in the Subordinate Bonds required to be observed and performed by it.

Section 4.3 Limits on Special Tax Waivers and Bond Tenders. The City covenants not to exercise its rights under the Law to waive delinquency and redemption penalties related to or to declare an amnesty program with respect to such delinquency and redemption penalties related to the Special Taxes if to do so would materially and adversely affect the interests of the Owners of the Subordinate Bonds. The City further covenants not to permit the tender of the Subordinate Bonds in payment of any Special Taxes except upon receipt of a certificate of an independent certified public accountant that to accept such tender will not result in the City's having insufficient Special Tax revenues to pay the principal and interest installment on the Subordinate Bonds that are due following such tender.

Section 4.4 Covenant to Foreclose.

(A) Annual Review. If at any time the payment to the City by Yolo County of the Special Taxes levied by the City is not subject to the "Alternative Method of Distribution of Tax Levies and Collections and of Tax Sale Proceeds," being Revenue and Taxation Code section 4701-4717 (the "Teeter Plan"), the City will annually review the public records of Yolo County relating to the collection of the Special Taxes in order to determine, by a date not later than August 1 of each year, the amount of Special Taxes collected and the amount thereof delinquent in the prior Fiscal Year.

(B) Individual Delinquencies. If the Teeter Plan is not in effect with respect to the Special Taxes and the City determines on the basis of such review that the Special Tax with respect to any single parcel of Taxable Property is delinquent by more than two thousand five hundred dollars (\$2,500), then the City shall send a notice of delinquency and a demand for immediate payment thereof to the owner of the parcel by August 15. If the delinquency is not cured by November 1, the City will institute, prosecute, and pursue foreclosure proceedings to judgment and sale in order to enforce the lien of the delinquent installments of Special Taxes against such property owner's parcel(s).

(C) **Aggregate Delinquencies or Concentration of Ownership.** If the Teeter Plan is not in effect with respect to the Special Taxes and (1) the City determines on the basis of such review that the amount of Special Taxes received was less than ninety-five per cent (95%) of the amount of Special Taxes levied in the Fiscal Year or (2) there were ten (10) or fewer owners of Taxable Property, then, by September 5, the City shall send a notice of delinquency and a demand for immediate payment thereof to each owner of a parcel with respect to which the Special Tax is delinquent. If a delinquency with respect to a parcel is not cured by November 1, the City will institute, prosecute, and pursue foreclosure proceedings to judgment and sale in order to enforce the lien of the delinquent installments of Special Taxes against the parcel.

Section 4.5 Preservation of Rights of Owners. The City, subject to the provisions of this Agreement, shall at all times, to the extent permitted by law, defend, preserve, and protect the pledge of Net Special Taxes and other assets and all the rights of the Owners under this Agreement against all claims and demands of all persons whomsoever.

Section 4.6 Waiver of Laws. The City will not at any time insist upon or plead in any manner whatsoever, or claim or take the benefit or advantage of, any stay or extension law now or at any time hereafter in force that may affect the covenants and agreements contained in this Agreement or in the Subordinate Bonds, and all benefit or advantage of any such law or laws is hereby expressly waived by the City to the extent permitted by law.

Section 4.7 Tax Covenant. The City shall at all times do and perform all acts and things permitted by law and this Agreement that are necessary and desirable in order to assure that interest paid on the Subordinate Bonds will be excludable from gross income for federal income tax purposes and shall take no action that would result in such interest not being so excludable. Without limiting the generality of the foregoing, the City agrees to comply with the provisions of the Tax Certificate. This covenant shall survive the payment in full of the Subordinate Bonds.

Section 4.8 Accounting for Special Taxes. The City will at all times keep, or cause to be kept, proper books of record and account, prepared in accordance with generally accepted accounting principles, in which complete and accurate entries shall be made of all transactions relating to the receipt and disbursement of the Special Taxes. Such books of record and account shall be available for inspection by the Owners at reasonable hours and under reasonable circumstances.

Section 4.9 Further Assurances. The City will promptly execute and deliver or cause to be executed and delivered all such other and further instruments, documents or assurances, and promptly do or cause to be done all such other and further things, as may be necessary or reasonably required in order to further and more fully vest in the Owners all rights, interest, powers, benefits, privileges and advantages conferred or intended to be conferred upon them by this Agreement.

Section 4.10 Issuance of Senior Bonds. The City shall not issue Senior Bonds, other than the Refunding Bonds, unless the City concurrently retires the Subordinate Bonds.

ARTICLE V EVENTS OF DEFAULT AND REMEDIES OF OWNERS

Section 5.1 Events of Default. The following events shall be Events of Default:

(A) default in the due and punctual payment of any installment of the principal of interest on the Subordinate Bonds when and as the same shall become due and payable; and

(B) failure by the City to observe or perform any covenant, condition, agreement or provision in this Agreement on its part to be observed or performed, other than as referred to in subsection (a) or (b) of this Section, for a period of sixty (60) days after written notice, specifying such failure and requesting that it be remedied, has been given to the City; except that, if such failure can be remedied but not within such sixty-day period and if the City has taken all action reasonably possible to remedy such failure within such sixty-day period, such failure shall not become an Event of Default for so long as the City shall diligently proceed to remedy same.

Section 5.2 Remedies of Owners. Upon the occurrence and continuance of an Event of Default, the Owners shall have the right

(A) by mandamus or other action, suit, or proceeding at law or in equity to enforce the Owners' rights against the or any of the officers or employees of the City, and to compel the City or any such officers or employees to perform and carry out their duties under the Law and the agreements and covenants with the Owners contained herein;

(B) by suit in equity to enjoin any acts or things that are unlawful or violate the rights of the Owners; or

(C) by suit in equity upon the nonpayment of the Subordinate Bonds to require the City or its officers and employees to account as the trustee of an express trust.

Section 5.3 Restoration of Positions. In case any proceedings taken by the Owners on account of any Event of Default shall have been discontinued or abandoned for any reason or shall have been determined adversely to the Owners, then in every such case the City and the Owners, subject to any determination in such proceedings, shall be restored to their former positions and rights hereunder, severally and respectively, and all rights, remedies, powers, and duties of the City and the Owners shall continue as though no such proceedings had been taken.

Section 5.4 Rights and Remedies Cumulative. No right or remedy herein conferred upon or reserved to the Owners of the Subordinate Bonds is intended to be exclusive of any other right or remedy, and every right and remedy shall, to the extent permitted by law, be cumulative and in addition to every other right or remedy given hereunder or now or hereafter existing at law or in equity or otherwise. The assertion or employment of any right or remedy hereunder, or otherwise, shall not prevent the concurrent assertion or employment of any other appropriate right or remedy.

Section 5.5 Delay or Omission Not Waiver. No delay or omission of any Owners of the Subordinate Bonds to exercise any right or remedy accruing upon an Event of Default shall impair any such right or remedy or constitute a waiver of any such Event of Default or an acquiescence therein. Every right and remedy given by this Agreement or by law to the Owners of the Subordinate Bonds may be exercised from time to time, and as often as may be deemed expedient, by the Owners.

Section 5.6 No Acceleration. The Owners of the Subordinate Bonds have no right to declare the principal of the Subordinate Bonds immediately due and payable.

ARTICLE VI AMENDMENT OF THIS AGREEMENT

Section 6.1 Supplemental Agreements.

(A) Majority Consent. This Agreement and the rights and obligations of the City and the Owners of the Subordinate Bonds may be modified or amended from time to time and at any time by a Supplemental Agreement, which the City may enter into when the consent of the Owners of a majority in aggregate principal amount of the Subordinate Bonds then Outstanding shall have been filed with the City; provided that, if such modification or amendment will, by its terms, not take effect so long as any Subordinate Bonds of any particular maturity remain Outstanding, the consent of the Owners of such Subordinate Bonds shall not be required and such Subordinate Bonds shall not be deemed to be Outstanding for the purpose of any calculation of Subordinate Bonds Outstanding under this Section.Limitations on Amendments. No such amendment shall (1) extend the fixed maturity of any Subordinate Bond, or reduce the amount of principal thereof, or reduce the rate of interest thereon, or extend the time of payment of interest thereon, without the consent of the Owner of each Subordinate Bond so affected, or (2) reduce the aforesaid percentage of Bonds the consent of the Owners of which is required to effect any such amendment, or deprive the Owners of the Subordinate Bonds of the lien created by this Agreement on the Special Taxes and other amounts (in each case, except as expressly provided in this Agreement), without the consent of the Owners of all of the Subordinate Bonds then Outstanding.

(C) Manner of Consent. It shall not be necessary for the consent of the Owners of the Subordinate Bonds to approve the particular form of any Supplemental Agreement, but it shall be sufficient if such consent shall approve the substance thereof.

(D) Notice of Amendments. Promptly after the execution of any Supplemental Agreement pursuant to this Section, the City shall mail a notice, setting forth in general terms the substance of such Supplemental Agreement, to the Owners of the Subordinate Bonds at the addresses shown on the Bond Register. Any failure to give such notice, or any defect therein, shall not, however, in any way impair or affect the validity of any such Supplemental Agreement.

Section 6.2 Effect of Supplemental Agreement. From and after the time any Supplemental Agreement becomes effective pursuant to this Article, this Agreement shall be deemed to be modified and amended in accordance therewith, and the respective rights, duties, and obligations under this Agreement of the City and all Owners of Subordinate Bonds Outstanding shall thereafter be determined, exercised, and enforced hereunder subject in all respects to such modification and amendment, and all the terms and conditions of any such Supplemental Agreement shall be deemed to be part of the terms and conditions of this Agreement for any and all purposes.

Section 6.3 Endorsement of Bonds; Preparation of New Subordinate Bonds. Subordinate Bonds delivered after any Supplemental Agreement becomes effective pursuant to this Article may bear a notation by endorsement or otherwise as to any amendment provided for in such Supplemental Agreement, and, in that case, upon demand of the Owner of any Subordinate Bond Outstanding at the time of such execution and presentation of his Bond for such purpose, a suitable notation shall be made on such Subordinate Bond. If the Supplemental Agreement shall so provide, new Subordinate Bonds so modified as to conform, in the opinion of the City, to any amendment

contained in such Supplemental Agreement, shall be prepared and executed and, upon demand of the Owners of any Subordinate Bonds then Outstanding and upon surrender for cancellation of such Subordinate Bonds, shall be exchanged by the City, without cost to any Owner, for Subordinate Bonds then Outstanding in equal aggregate principal amounts of the same tenor and maturity.

Section 6.4 Amendment of Particular Subordinate Bonds. The provisions of this Article shall not prevent any Owner from accepting any amendment as to the particular Subordinate Bonds held by him, provided that due notation thereof is made on such Subordinate Bonds.

[Signature page follows]

IN WITNESS WHEREOF, the City has caused this Agreement to be duly executed by its officers duly authorized.

CITY OF WOODLAND

By: _____
Tom Stallard, Mayor

ATTEST:

By: _____
Ana Gonzalez, City Clerk

**EXHIBIT A
FORM OF BOND**

REGISTERED

NO. R-1

**CITY OF WOODLAND
COMMUNITY FACILITIES DISTRICT NO. 2004-1 (SPRING LAKE)
SUBORDINATE SPECIAL TAX BOND, SERIES 2014C**

Original Principal Amount

\$2,902,500

Original Issue Date

August 26, 2014

The City of Woodland, a municipal corporation duly organized and existing under and pursuant to the Constitution and laws of the State of California (the "City"), for value received, hereby promises to pay (but only out of the Net Special Taxes hereinafter referred to) to Turn of the Century, a Delaware limited liability company, or registered assigns, the installments of principal and interest in the amounts and on the dates stated below:

Date (September 5)	Principal	Interest	Total
2015	--	\$208,254.38	\$208,254.38
2016	\$33,200.00	203,175.00	236,375.00
2017	35,600.00	200,851.00	236,451.00
2018	38,000.00	198,359.00	236,359.00
2019	40,700.00	195,699.00	236,399.00
2020	43,500.00	192,850.00	236,350.00
2021	46,600.00	189,805.00	236,405.00
2022	49,900.00	186,543.00	236,443.00
2023	53,400.00	183,050.00	236,450.00
2024	57,100.00	179,312.00	236,412.00
2025	61,100.00	175,315.00	236,415.00
2026	65,400.00	171,038.00	236,438.00
2027	69,900.00	166,460.00	236,360.00
2028	74,800.00	161,567.00	236,367.00
2029	80,100.00	156,331.00	236,431.00
2030	85,700.00	150,724.00	236,424.00
2031	91,700.00	144,725.00	236,425.00
2032	98,100.00	138,306.00	236,406.00
2033	105,000.00	131,439.00	236,439.00
2034	112,300.00	124,089.00	236,389.00
2035	120,200.00	116,228.00	236,428.00
2036	128,600.00	107,814.00	236,414.00
2037	137,600.00	98,812.00	236,412.00
2038	147,200.00	89,180.00	236,380.00
2039	157,500.00	78,876.00	236,376.00
2040	168,600.00	67,851.00	236,451.00
2041	180,300.00	56,049.00	236,349.00
2042	193,000.00	43,428.00	236,428.00
2043	206,500.00	29,918.00	236,418.00

Date (September 5)	Principal	Interest	Total
2044	220,900.00	15,463.00	236,363.00

Interest on the unpaid principal amount of this Bond is calculated from the original issue date stated above at the rate of 7.000% per annum, on the basis of a 360-day year comprising twelve 30-day months. The principal and interest installments on this Bond shall be payable in lawful money of the United States of America by wire transfer on each payment date to the registered owner hereof (in accordance with the terms of the Bond Issuance Agreement described below).

This Bond is one of a duly authorized issue of bonds of the City and designated “City of Woodland Community Facilities District No. 2004-1 (Spring Lake) Subordinate Special Tax Bonds, Series 2014C” in the original principal amount stated above. This Bond is issued pursuant to a Bond Issuance Agreement dated August 1, 2014, made by the City (the “Agreement”), and in conformity with the Constitution and laws of California, including the statutory authority of the Mello-Roos Community Facilities Act of 1982 (Sections 53311 et seq. of the Government Code of the State of California, as amended) (the “Law”).

Reference is hereby made to the Agreement and to the Law for a description of the terms on which the Bond is issued and to be issued and the rights of the registered owner of the Bond. All the terms of the Agreement and the Law are hereby incorporated herein and constitute a contract between the City and the registered owner from time to time of this Bond. The registered owner of this Bond, by its acceptance hereof, consents and agrees to all the provisions of the Agreement.

Principal and interest installments on the Bond (to the extent set forth in the Agreement) are payable from, and are secured by a charge and lien on, the proceeds derived by the City from certain of the special taxes imposed pursuant to the Law within the City’s Community Facilities District No. 2004-1 (Spring Lake) (as more particularly defined in the Agreement, the “Net Special Taxes”) and deposited in the Community Facilities Fund. The pledge of Net Special Taxes securing the Bond is subordinate to the pledge of the Net Special Taxes made by the City in the Fiscal Agent Agreement dated October 1, 2013, between the City and U.S. Bank National Association.

The Bond is a limited obligation of the City and is payable, both as to principal and interest, out of the Net Special Taxes held by the City in the Community Facilities Fund and the amounts held in the Bond Reserve Fund. The general fund of the City is not liable, and the credit or taxing power (other than as described above) of the City is not pledged, for the payment of the principal and interest installments on the Bond. The Bond is not secured by a legal or equitable pledge of, or charge, lien or encumbrance upon, any of the property of the City or any of its income or receipts, except the Net Special Taxes. No registered owner of this Bond shall ever have the right to compel any exercise of the taxing power (other than as described above) of the City to pay the principal and interest installments on this Bond.

The City may redeem this Bond on any date at a redemption price of the unpaid principal amount hereof plus interest accrued hereon to the date specified for redemption, without premium.

This Bond is transferable by the registered owner hereof, in person or by its attorney duly authorized in writing, at the offices of the City, but only in the manner, subject to the limitations and upon payment of the charges provided in the Agreement, and upon surrender and cancellation of this Bond. Upon such transfer a new fully registered Bond for the same aggregate principal amount will be issued to the transferee in exchange herefor.

The City may deem and treat the registered owner hereof as the absolute owner hereof for all purposes, and the City shall not be affected by any notice to the contrary.

It is hereby certified and recited that any and all acts, conditions, and things required to exist, to happen, and to be performed, precedent to and in the incurring of the indebtedness evidenced by this Bond, and in the issuing of this Bond, do exist, have happened, and have been performed in due time, form and manner, as required by the Constitution and statutes of the State of California; that the total amount of indebtedness of the City, including the amount of this Bond, does not exceed any limit prescribed by the Constitution and the statutes of the State of California; and that this Bond is not in excess of the amount permitted to be issued under the Agreement.

IN WITNESS WHEREOF, the City Council of the City of Woodland has caused this Bond to be signed by the Mayor of the City and to be countersigned by the City Clerk, all as of the date stated above.

By: _____
Mayor

Countersigned:

City Clerk

ASSIGNMENT

For value received the undersigned do(es) hereby sell, assign and transfer unto _____ the within Bond and do(es) hereby irrevocably constitute and appoint _____ attorney, to transfer the same on the bond register of the Trustee, with full power of substitution in the premises.

Dated: _____

Note: The signature(s) to this Assignment must correspond with the name(s) on the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever.

Signature(s) Guaranteed by:

Note: Signature must be guaranteed by an eligible guarantor institution (banks, securities brokers, savings associations, credit unions, or other institutions with membership in an approved signature guarantee medallion program) pursuant to Securities and Exchange Commission Rule 17A(d)15.

Social Security Number, Tax Identification Number, or other identifying number of Assignee:

LEGAL OPINION

I hereby certify that the following is a true and correct copy of the legal opinion relating to the Bond described therein that was manually signed by Kronick, Moskovitz, Tiedemann & Girard and was dated the date of delivery and payment of said Bond.

Ana Gonzalez, City Clerk

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
A Professional Corporation
400 Capitol Mall, 27th Floor
Sacramento, CA 95814

City Council
City of Woodland
300 First Street
Woodland, CA 95695

Re: *City of Woodland*
Community Facilities District No. 2004-1 (Spring Lake)
Subordinate Special Tax Bonds, Series 2014C

Dear Council Members:

We have acted as bond counsel in connection with the issuance by the City of Woodland (the “City”) of \$2,902,500 aggregate principal amount of City of Woodland Community Facilities District No. 2004-1 (Spring Lake) Subordinate Special Tax Bonds, Series 2014C (the “Bonds”), under and pursuant to the provisions of the Mello-Roos Community Facilities Act of 1982 of the State of California (being §§53311 et seq., of the Government Code of the State of California), and pursuant to the provisions of the Bond Issuance Agreement dated August 1, 2014 (the “Agreement”), made by the City. In such capacity, we have examined such law and such certified proceedings and other documents as we have deemed necessary to render this opinion. Capitalized terms used herein have the meanings specified in the Agreement.

Regarding questions of fact material to our opinion, we have relied upon the representations of the City contained in the Agreement and in the certified proceedings and other certifications of public officials and others furnished to us without undertaking to verify the same by independent investigation.

Based upon the foregoing, we are of the opinion that, under existing law:

1. The City has duly authorized, executed and delivered the Bonds. The Bonds are valid and binding limited obligations of the City, payable solely from the proceeds of the Net Special Taxes on deposit in the Community Facilities Fund and the Series 2014C Subordinate Bond Reserve Fund to the extent specified in the Agreement.
2. The Agreement constitutes a valid and binding obligation of the City. The Agreement creates a valid lien on the Net Special Taxes and the Bond Reserve Fund for the security of the Bonds.
3. Interest on the Bonds is excludable from gross income for federal income tax purposes and is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations; however, such interest is taken into account in determining adjusted current earnings for the

purpose of computing the alternative minimum tax imposed on certain corporations. The opinion set forth in the preceding sentence is subject to the condition that the City comply with all requirements of the Internal Revenue Code of 1986, as amended, that must be satisfied subsequent to the issuance of the Bonds in order that interest thereon be, and continue to be, excludable from gross income for federal income tax purposes. The City has covenanted to comply with all such requirements. Failure to comply with certain of such requirements may cause interest on the Bonds to be included in gross income for federal income tax purposes retroactively to the date of issuance of the Bonds.

4. Interest on the Bonds is exempt from present State of California personal income taxes.

The rights of the owners of the Bonds and the enforceability of the Bonds and the Agreement are limited by bankruptcy, insolvency, reorganization, moratorium and other similar laws affecting creditors' rights generally and by equitable principles, whether considered at law or in equity.

We express no opinion regarding tax consequences arising with respect to the Bonds other than as expressly set forth herein.

This opinion is given as of the date hereof, and we assume no obligation to revise or supplement this opinion to reflect any facts or circumstances that may hereafter come to our attention or any changes in law that may hereafter occur.

Very truly yours,

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
A Professional Corporation