



City of Woodland

Meeting Agenda

City Council

City Hall
300 First Street
Woodland, CA 95695

Tuesday, September 5, 2017

6:00 PM

Council Chambers

CITY COUNCIL CLOSED SESSION

5:30 PM

A. CALL TO ORDER

B. CLOSED SESSION

**B.1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS - Pursuant to
Section 54956.8**

PROPERTY: Approximately 4.7 acres of land located at 1585 East Gibson Road, Woodland, CA 95776, known generally as the District's former Willow Spring School site

AGENCY NEGOTIATOR: City Manager, Community Development Director and City Attorney

NEGOTIATING PARTIES: Woodland Joint Unified School District (WJUSD)

UNDER NEGOTIATIONS: Price and Terms of Payment

JOINT MEETING CITY COUNCIL/WOODLAND FINANCE AUTHORITY

September 5, 2017

6:00 PM

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.

1. Long Range Calendar

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

F. MINUTES

2. City Council Meeting Minutes

Staff recommends that the City Council adopt the minutes of the Joint Special City Council/Woodland Finance Authority meeting of August 22, 2017.

G. PRESENTATIONS

3. Proclamation in Support of Prostate Cancer Awareness Month

Staff recommends that the City Council adopt a Proclamation supporting the American Cancer Society Prostate Cancer Awareness Month, September 2017, and encouraging all male citizens to actively play a part in their health by seeking early detection methods.

H. CONSENT CALENDAR

4. FY2017/18 Contract with the Yolo Emergency Communications Agency

Staff recommends that the City Council adopt Resolution No. _____, authorizing the City Manager to execute the FY2017/18 Contract with the Yolo Emergency Communications Agency in the amount of \$1,923,099 that is included in the current budget.

5. Approve Contract with Laugenour and Mickle for 2018 Water Main Replacement Project, CIP 18-09

Staff recommends that the City Council:

- 1) Adopt Resolution No. _____, authorizing the City Manager to execute the consultant services agreement with Laugenour and Mickle (L&M) for the 2018 Water Main Replacement Project, CIP 09-23, for an amount up to \$129,360; and
- 2) Authorize a contingency for design contract amendments up to an additional 10% (12,936); and
- 3) Approve the reallocation of \$200,000 of Water Enterprise Funds from Water System Maintenance Repairs, CIP 09-23 to the 2018 Water Main Replacement Project, CIP 18-09 to provide for the design budget.

6. Confidential Unit MOU and Job Description

Staff recommends that the City Council:

- 1) Adopt Resolution No. _____, ratifying a two (2) year, Memorandum of Understanding with the Woodland Confidential Employee Unit, covering the period from July 1, 2017 through June 30, 2019; and
- 2) Approve new revised Job Description that adds a Senior Human Resources Analyst to the Human Resources Analyst job series.

7. Approve the Operations & Maintenance Superintendent Job Description

Staff recommends that the City Council:

- 1) Approve the new Operations & Maintenance Superintendent job description; and
 - 2) Establish pay rate at Salary Range 137 (\$7,802.67 to \$9,484.20); and
 - 3) Approve the addition of this job classification to the Mid-Management Professional Employee Association.
8. Second Reading and Adoption of Ordinance No. 1622
- Staff recommends that the City Council adopt Ordinance No. 1622, approving the amendments to Article 21.5 of Chapter 25 of the Woodland Municipal Code related to zoning of personal cultivation of cannabis.
9. Authorize the Sole-Source Purchase of Ultraviolet (UV) Lamps and the Associated Parts for Effluent Disinfection Purposes at the Water Pollution Control Facility
- Staff recommends that the City Council adopt Resolution No. _____, adopting and approving City Manager's determination that the sole-source purchase of Ultra Violet Lamps from DC Frost Associates, Inc., in an amount not-to-exceed \$130,000.00, is in the City's best interests and approving the award of a contract to DC Frost Associates, Inc., for the same.
10. Authorize the Sole-source Purchase of Coagulants for the Water Pollution Control Facility
- Staff recommends that the City Council adopt Resolution No. _____, adopting and approving the City Manager's determination that the sole-source purchase of coagulants from Rosa Water Technology Associates, in an amount not-to-exceed \$160,000.00, is in the City's best interests and approving the award of a contract to Rosa Water Technology Associates for the same.
11. Desktop and Laptop Replacement
- Staff recommends that the City Council approve Resolution No. _____, authorizing the purchase of 20 desktops with monitors and 13 semi-rugged laptops through a Purchase Order with Dell Inc. in the amount not to exceed \$57,378.65
12. Approval of Emergency Solutions Grant Application for Fourth & Hope's Emergency Shelter Services Program
- Staff recommends that the City Council take the following actions:
- 1) Approve the submittal of a 2017 Emergency Solutions Grant funding application by Fourth and Hope; and
 - 2) Direct the City Manager to sign a Certification of Local Approval for the grant application.

I. PUBLIC HEARINGS

13. PUBLIC HEARING - Annexation of Property into the Community Facilities District 2004-1 (Spring Lake) and the Spring Lake Maintenance Community Facilities District
- Staff recommends that the City Council:
- (1) Hold a public hearing; and
 - (2) Adopt Resolution No. _____, Calling an Election to Submit the Qualified Electors the Question of Levying the Special Tax within the Proposed Annexation Area to the Community Facilities District 2004-1; and
 - (3) Adopt Resolution No. _____, Calling an Election to Submit the Qualified Electors the Question of Levying the Special Tax within the Proposed Annexation Area to the Spring Lake Maintenance Community Facilities District; and

- (4) Adopt Resolution No. _____, Declaring the Results of the Special Election for Annexation to Community Facilities District 2004-1; and
- (5) Adopt Resolution No. _____, Declaring the Results of the Special Election for Annexation to Spring Lake Maintenance Community Facilities District; and
- (6) Introduce an Ordinance Levying and Apportioning the Special Tax in the Annexed Territory to the Community Facilities District 2004-1; and
- (7) Introduce an Ordinance Levying and Apportioning the Special Tax in the Annexed Territory to the Spring Lake Maintenance Community Facilities District.

J. REPORTS OF THE CITY MANAGER

- 14. Approve Agreement with the Judicial Council of California for Sixth Street Sidewalk Funding
Staff recommends that the City Council:
 - 1) Approve Resolution No. _____, approving agreement with the Judicial Council of California and authorize the City Manager to sign the agreement; and
 - 2) Approve a capital budget augmentation of \$40,000 to Fund 501 – Capital Projects for the 2017 Road Maintenance Project , CIP #17-03; and
 - 3) Authorize a \$40,000 increase in the project contingency from \$117,149 to \$157,149 for project #17-03.
- 15. Board and Commission Reappointments
Staff recommends that the City Council review the current board and commission members whose terms expired on June 30, 2017 and determine if Council Members wish to reappoint.

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 September 5, 2017 was posted on September 1, 2017 in the outside display case at City Hall, 300 First Street, Woodland, CA, and was available to the public during normal business hours.

Ana B. Gonzalez, City Clerk

Upon request, agendas and documents in the agenda packet will be made available in appropriate alternative formats to persons with a disability, as required by law. Any such request must be made in writing to the Office of the City Clerk of the City of Woodland. Requests will be valid for the calendar year in which the request is received, and must be renewed prior to January 1st.

Persons needing disability-related modifications or accommodations in order to participate in public meetings, including persons requiring auxiliary aids or services, may request such modifications or accommodations by calling the Office of the City Clerk (530-661-5806) at least 48 hours prior to the meeting.



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: September 5, 2017
ITEM #: 1.
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 B. 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.

Paul Navazio, City Manager

ATTACHMENTS:

Description	Upload Date	Type
Long Range Calendar	9/1/2017	Backup Material

UPDATED COUNCIL LONG RANGE CALENDAR

SEPTEMBER 19th

REGULAR MEETING

Affordable Housing Workshop– Part II

Presentation

Dinner on Main

Consent Calendar

Public Works Quarterly Report

Award Construction Contract for Destroy Old Wells (Well #10, Well #17, and Well #20), CIP #11-10

Award Construction Contract for Harter Avenue Sewer Rehabilitation Project CIP 17-18

WM contract amendment to incorporate food waste collection

Approval of Bond Issuance/CPG Water Rights

Public Hearing

Spring Lake Infrastructure Fee (SLIF) and Spring Lake Specific Plan Financing Plan Update

Regular Agenda

FY 16/17 CDBG Consolidated Annual Performance and Evaluation Report (CAPER)

Food and Ag Initiative Report

OCTOBER 3rd

REGULAR MEETING

Minutes

City Council Minutes of September 5th and 19th, 2017

Presentation

County Fair Mall 2017 Annual By-Design Charrette – Sep. 29th – Oct. 3rd – Think Mall Retrofit

Fire Prevention Month

Regular

Immigration Subcommittee Recommendation

OCTOBER 17th

REGULAR MEETING

Regular Agenda

Aquatic Feasibility Study

Park & Rec Facilities Master Plan

Community and Senior Center Handicap Parking

Emergency Operation Plan

Ag Mitigation Ordinance

FUTURE TOPICS / STUDY SESSIONS (TBD):

Interim Zoning Update



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: September 5, 2017
ITEM #: 2.
SUBJECT: City Council Meeting Minutes

Recommendation for Action:

Staff recommends that the City Council adopt the minutes of the Joint Special City Council/Woodland Finance Authority meeting of August 22, 2017.

Staff Contact:

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

A handwritten signature in black ink, which appears to read "Paul Navazio".

Paul Navazio, City Manager

ATTACHMENTS:

Description	Upload Date	Type
08/22/2017 Draft CC Minutes	8/29/2017	Minutes

City of Woodland

City Hall
300 First Street
Woodland, CA 95695



Special Meeting Minutes

Tuesday, August 22, 2017

6:00 PM
Council Chambers
City Council

**CITY COUNCIL
CLOSED SESSION**

5:30 PM

A. CALL TO ORDER

B. CLOSED SESSION

**B.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Government Code Section 54956.9(d)(1))**

**Name of case: *Bobby Harris v. City of Woodland*, Yolo County Superior Court
Case No. PT-17-753**

**B.2 CONFERENCE WITH LABOR NEGOTIATORS - Pursuant to Government
Code Section 54957.6**

**Agency Designated Representatives: City Manager and Human Resources
Manager**

Employee Organization(s): Confidential Unit

JOINT MEETING CITY COUNCIL/WOODLAND FINANCE AUTHORITY

August 22, 2017

6:00 PM

A. CALL TO ORDER

Meeting was called to order at 6:05PM.

Council Members met in Closed Session. No reportable action.

B. ROLL CALL

All Council Members were present.

Present: Barajas, Davies, Fernandez, Rodriguez and Stallard

C. PLEDGE OF ALLEGIANCE

D. COMMUNICATIONS-PUBLIC COMMENT

Marie Perea spoke regarding Sanctuary city.

Amiri Rafi spoke regarding his business license for a hookah lounge.

Dana Carey spoke regarding the City's noise ordinance.

E. COMMUNICATIONS-COUNCIL/STAFF STATEMENTS AND REQUESTS

Verbal updates provided by Council Members/Staff.

F. MINUTES

1. Council Meeting Minutes

Staff recommends that the City Council adopt the minutes of the Regular City Council/Woodland Finance Authority meeting of July 6, 2017 and July 18, 2017.

Adopted the minutes of the Regular City Council/Woodland Finance Authority meeting of July 6, 2017 and July 18, 2017.

2. Commission on Aging Meeting Minutes for April 20 and June 15, 2017

Staff recommends that the City Council receive the April 20 and June 15, 2017 Commission on Aging Minutes that were approved on June 15 and July 20 (respectively).

Received the Commission on Aging Meeting Minutes of April 20, 2017 and June 15, 2017.

3. Historic Preservation Commission Meeting Minutes

Staff recommends that the City Council receive the minutes of the Historic Preservation Commission of February 15, 2017 and March 9, 2017.

Received the Historic Preservation Commission Meeting Minutes of February 15, 2017.

4. Parks & Recreation Commission Meeting Minutes for May 22, 2017

Staff recommends that the City Council receive the May 22, 2017 Parks & Recreation Commission Minutes that were approved on July 24, 2017.

Received the Parks & Recreation Commission Meeting Minutes of May 22, 2017.

5. Planning Commission Meeting Minutes

Staff recommends that the City Council receive the minutes of the Planning Commission meeting of May 18, 2017.

Received the Planning Commission Meeting Minutes of May 18, 2017.

On a motion by Council Member Davies, seconded by Mayor Pro Tem Fernandez and carried unanimously, Council Members adopted the minutes of the Regular City Council/Woodland Finance Authority meeting of July 6, 2017 and July 18, 2017; received the Commission on Aging Meeting Minutes of April 20, 2017 and June 15, 2017; the Historic Preservation Commission Meeting Minutes of February 15, 2017; the Parks & Recreation Commission Meeting Minutes of May 22, 2017 and the Planning Commission Meeting Minutes of May 18, 2017.

Ayes: Barajas, Davies, Fernandez, Rodriguez, Stallard

G. PRESENTATIONS

6. Proclamation of Appreciation Honoring Melody Parker
Staff recommends that the City Council recognize Melody Parker for her service with the Commission on Aging.

Mayor Pro Tem Fernandez and Don Campbell, Commission on Aging Chair presented a proclamation to Melody Parker for her service.

7. Planning Commission Annual Report and Work Program for Fiscal Year 2017-2018
Staff recommends that the City Council:

- 1) Receive a report from the Planning Commission; and

- 2) Approve the Planning Commission Work Program for Fiscal Year 2017-2018

Received Planning Commission Annual Report and Work Program for Fiscal Year 2017-2018 from Planning Commission Chair Kirby Wells.

H. CONSENT CALENDAR

8. Fire Department Quarterly Status Report for the Period of April 2017 - June 2017
Staff recommends that the City Council accept the Fire Department Quarterly Status Report for April 2017 through June 2017.

Accepted the Fire Department Quarterly Status Report for April 2017 through June 2017.

9. Police Department Quarterly Status Report for the period of April 2017 through June 2017

Staff recommends that the City Council accept the Police Department Quarterly Status Report for April 2017 through June 2017.

Accepted the Police Department Quarterly Status Report for April 2017 through June 2017.

10. Treasurer's Investment Report Quarter Ending June 30, 2017

Staff recommends that City Council accept the quarterly Treasurer's Investment Report for the quarter ended June 30, 2017.

Accepted the Quarterly Treasurer's Investment Report for the quarter ended June 30, 2017.

11. Final Acceptance and Notice of Completion for Well #24 and Well #26 Water Main Project, CIP #16-09

Staff recommends that the City Council adopt Resolution No. _____, accepting as complete and authorizing the City Clerk to file a Notice of Completion for Well #24 and Well #26 Water Main Project (CIP #16-09).

Adopted Resolution No. 6896, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND TO ACCEPT AS COMPLETE AND AUTHORIZE THE CITY CLERK TO FILE A NOTICE OF COMPLETION FOR WELL #24

AND WELL #26 WATER MAIN PROJECT (CIP #16-09)

12. Reject All Bids and Re-Authorize Bid Advertisement for 2017 WPCF Pond 7 Biosolids Drying and Removal Project, CIP #18-06

Staff recommends that the City Council adopt Resolution No. _____, rejecting all bids from the August 8, 2017 bid opening and reauthorizing bidding for the 2017 WPCF Pond 7 Biosolids Drying and Removal Project, CIP #18-06.

Adopted Resolution No. 6897, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND REJECTING ALL BIDS FROM THE AUGUST 8, 2017 BID OPENING AND REAUTHORIZE BIDDING FOR THE 2017 WPCF POND 7 BIOSOLIDS DRYING AND REMOVAL PROJECT, CIP #18-06

13. Approval of Final Map 5101 Calwest 2, Subdivision Improvement Agreement, and Related Reimbursement Agreements

Staff recommends that the City Council:

1) Adopt Resolution No. _____, approving Final Map 5101 Calwest 2; approving the related Subdivision Improvement Agreement and authorizing the City Manager to sign on behalf of the City; and authorizing the City Manager to approve amendments to the Subdivision Improvement Agreement for the extension of time; and

2) Adopt Resolution No. _____, approving the SLIF Reimbursement Agreement, and the Third Party Reimbursement Agreement and authorizing the City Manager to sign on behalf of the City; and authorizing the City Manager to sign amendments up to 15% of each reimbursement agreement individually.

Adopted Resolution No. 6898, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND APPROVING FINAL MAP 5101, CALWEST 2 AND A SUBDIVISION IMPROVEMENT AGREEMENT WITH LENNAR HOMES OF CALIFORNIA INC., A CALIFORNIA CORPORATION and Resolution No. 6899, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND REIMBURSEMENT AGREEMENTS ASSOCIATED WITH FINAL SUBDIVISION MAP 5101 CALWEST 2

14. Approval of Final Map 5107 Heritage Remainder Phase 2, Related Subdivision Improvement Agreement, and SLIF Reimbursement Agreement

Staff recommends that the City Council:

1) Adopt Resolution No. _____, approving Final Map 5107 Heritage Remainder 2; approving the related Subdivision Improvement Agreement and authorizing Mayor to sign on behalf of the City; and authorizing the City Manager to approve amendments to the Subdivision Improvement Agreement for the extension of time; and

2) Adopt Resolution No. _____, approving the SLIF Reimbursement Agreement; and authorizing the City Manager sign on behalf of the City and to sign amendments for up to 15% of the reimbursement agreement.

Adopted Resolution No. 6900, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND APPROVING FINAL MAP 5107 AND A SUBDIVISION IMPROVEMENT AGREEMENT WITH LENNAR HOMES OF

CALIFORNIA INC., A CALIFORNIA CORPORATION FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS and Resolution No. 6901, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND REIMBURSEMENT AGREEMENTS ASSOCIATED WITH FINAL SUBDIVISION MAP 5107 HERITAGE REMAINDER 2

15. YMCA Fitness and Wellness Center Use Agreement Amendment Related to Ownership of Exercise Equipment

Staff recommends that the City Council adopt Resolution No. _____, amending the YMCA Fitness and Wellness Center Use Agreement and authorizing the City Manager to execute a third contract amendment to the agreement.

Adopted Resolution No. 6902, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND AMENDING THE YMCA FITNESS AND WELLNESS CENTER USE AGREEMENT

16. Increase the Fiscal Year 2017/2018 Special Energy Projects Budget by \$5,851

Staff recommends that the City Council adopt Resolution No. _____, approving a \$5,851 increase to the Fiscal Year 2017/2018 Special Energy Projects Budget.

Adopted Resolution No. 6903, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND APPROVING A \$5,851 INCREASE TO THE FISCAL YEAR 2017/2018 SPECIAL ENERGY PROJECTS BUDGET

17. Increase the Fiscal Year 2017/2018 Tree Rebate Program Budget

Staff recommends that the City Council adopt Resolution No. _____, approving an increase to the Fiscal Year 2017/2018 Tree Rebate Program Budget.

Adopted Resolution No. 6904, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND APPROVING AN INCREASE TO THE FISCAL YEAR 2017/2018 TREE REBATE PROGRAM BUDGET

18. Approve Amendment #6 to Agreement with Ferguson Group for Federal Representation and Advocacy Services for Flood Mitigation

Staff recommends that the City Council adopt Resolution No. _____, authorizing Amendment #6 to extend the Ferguson Group agreement for an additional 12 months for an amount not to exceed \$40,000.

Adopted Resolution No. 6905, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND APPROVING CONTRACT AMENDMENT #6 WITH THE FERGUSON GROUP FOR FEDERAL REPRESENTATION AND ADVOCACY SERVICES FOR FLOOD MITIGATION

19. Approve Consultant Services Agreement for Sports Park Drive Pedestrian Overcrossing Project, CIP 17-22

Staff recommends that the City Council adopt Resolution No. _____, to 1) appropriate \$700,000 from the Southeast Area Infrastructure Fee (Fund 593) to the Sports Park Drive Pedestrian Overcrossing Project, CIP 17-22, 2) approve a consultant design services agreement with Mark Thomas, in an amount not to exceed \$634,000 for the Sports Park Drive Pedestrian Overcrossing Project, CIP

17-22 and 3) authorize the City Manager to execute the agreement and amendments, as necessary, up to 15% (\$95,100) of the contract amount.

Council Member Rodriguez asked that this item be pulled from the Consent Calendar. Ken Hiatt, Community Development Director/Assistant City Manager addressed concerns

On a motion by Council Member Rodriguez, seconded by Council Member Stallard and carried unanimously, adopted Resolution No. 6906, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND TO APPROVE THE CONSULTANT SERVICES AGREEMENT WITH MARK THOMAS FOR THE SPORTS PARK DRIVE PEDESTRIAN OVERCROSSING PROJECT CIP 17-22.

Ayes: Barajas, Davies, Fernandez, Rodriguez, Stallard

20. Establish Diagonal On-street Parking on Second Street between Main Street and Lincoln Avenue

Staff recommends that the City Council adopt Resolution No. _____, establishing diagonal on-street parking on Second Street between Main Street and Lincoln Avenue.

Adopted Resolution No. 6907, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND ESTABLISHING DIAGONAL ON-STREET PARKING ON SECOND STREET BETWEEN MAIN STREET AND LINCOLN AVENUE

21. Annexation of Property into the Community Facilities District 2004-1 (Spring Lake) and into the Spring Lake Maintenance Community Facilities District

Staff recommends that the City Council:

(1) Adopt Resolution No. _____, declaring its intent to annex property into Community Facilities District 2004-1 (Spring Lake) and setting a public hearing for October 3, 2017; and

(2) Adopt Resolution No. _____, declaring its intent to annex property into the Spring Lake Maintenance Community Facilities District and setting a public hearing for October 3, 2017.

Adopted Resolution No. 6908, A RESOLUTION OF INTENTION TO ANNEX TERRITORY TO COMMUNITY FACILITIES DISTRICT 2004-1 (SPRING LAKE) AND TO LEVY A SPECIAL TAX TO PAY FOR CERTAIN PUBLIC FACILITIES - Annexation No. 3 and Resolution No. 6909, A RESOLUTION OF INTENTION TO ANNEX TERRITORY TO THE SPRING LAKE MAINTENANCE COMMUNITY FACILITIES DISTRICT AND TO LEVY A SPECIAL TAX TO PAY FOR CERTAIN MAINTENANCE SERVICES - Annexation No. 3

22. Professional Services Agreement with Interwest Consulting Group for Fire

Inspection and Fire Plan Check Services

Staff recommends that the City Council adopt Resolution No. _____, authorizing the City Manager to Execute the FY2017/18 Contract with Interwest Consulting Group in the amount not to exceed \$180,000 for Fire Inspection and Fire Plan Check services.

Council Member Stallard and Davies made comments on this item related to Interwest. Adopted Resolution No. 6910, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND AUTHORIZING THE CITY MANAGER TO EXECUTE THE FY2017/18 CONTRACT WITH INTERWEST CONSULTING GROUP IN THE AMOUNT NOT TO EXCEED ONE HUNDRED EIGHTY THOUSAND DOLLARS

23. New Job Descriptions: Utilities Maintenance Series, and Selected Salary Adjustments

Staff's recommends that the City Council approves the revised Utilities Maintenance Job Series and approve new salary ranges and approve the new Underground Utility Service Locator job description and range (range 46) In addition, approve the new salary ranges for selected job classifications as a result of a Compensation Study which the City engaged in during the Fiscal Year 2016/17.

Approved revised Utilities Maintenance Job Series and approved new salary ranges; approved new Underground Utility Service Locator Job Description and salary range 46; and approved the new salary ranges for selected job classifications as a result of a Compensation Study which the City engaged in during the Fiscal Year 2016/17

24. Budget Appropriation Approval for Housing Related Parks Program Expenditures
Staff recommends that the City Council adopt Resolution No. _____, approving an appropriation of \$149,125 for the housing-related parks program grant project.

Adopted Resolution No. 6911, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND APPROVING AN APPROPRIATION FOR THE HOUSING-RELATED PARKS PROGRAM GRANT PROJECT

25. Agreement with the California Department of Transportation for the Woodland Parkway Safe Route to School and Connectivity Study, CIP 18-05

Staff recommends that the City Council adopt Resolution No. _____, authorizing the City Manager or Designee to execute an Agreement with the California Department of Transportation for the Woodland Parkway Safe Route to School and Connectivity Study, CIP 18-05.

Adopted Resolution No. 6912, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR THE WOODLAND PARKWAY SAFE ROUTES TO SCHOOL AND CONNECTIVITY STUDY; CIP 18-05

26. Authorize Contracts for 2016/2017 Urban and Community Forestry California Climate Investment Grants Project

Staff recommends that the City Council adopt Resolution No. _____, authorizing the

City Manager to execute agreements related to funding from the Urban Forestry Grant Program entitled "California Climate Investments Grant 2016/2017", as provided through the California Greenhouse Gas Reduction Fund.

Adopted Resolution No. 6913, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS RELATED TO FUNDING FROM THE URBAN FORESTRY GRANT PROGRAM ENTITLED, "CALIFORNIA CLIMATE INVESTMENTS GRANT 2016/2017", AS PROVIDED THROUGH the CALIFORNIA GREENHOUSE GAS REDUCTION FUND

27. Woodland Regional Park Site - State Parks Outdoor Environmental Education Facilities Grant Application

Authorize Submittal of State Parks Outdoor Environmental Education Facilities Grant Application for the Woodland Regional Park Outdoor Education Trail Project.

Adopted Resolution No. 6914, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND OF YOLO COUNTY APPROVING THE APPLICATION FOR OUTDOOR ENVIRONMENTAL EDUCATION FACILITIES GRANT FUNDS

28. League of California Cities 2017 Annual Conference - Resolutions for Consideration
Staff recommends that Council receive this informational report on resolutions to be considered by member cities at the annual business meeting of the League of California Cities, to be held on September 13, 2017.

Received informational report on resolutions to be considered by member cities at the annual business meeting of the League of California Cities to be held September 13, 2017.

29. Continuation of Public Hearing

Staff is recommending that the public hearings noticed for Tuesday, August 22, 2017, concerning the annexation of territory to each of Community Facilities District No. 2004-1 (Spring Lake) and Spring Lake Maintenance Community Facilities District be continued to Tuesday, September 5, 2017.

Approved public hearings noticed for Tuesday, August 22, 2017 concerning the annexation of territory to each of Community Facilities District No. 2004-1 (Spring Lake) and Spring Lake Maintenance Community Facilities District to be continued to Tuesday, September 5, 2017. Consent Calendar Items No. 8 through 29, minus Item No. 19 were approved. After Consent Calendar was approved, Community Development Director Ken Hiatt and City Engineer Brent Meyer addressed concerns.

On a motion by Council Member Davies, seconded by Council Member Rodriguez and carried unanimously, Approved public hearings noticed for Tuesday, August 22, 2017 concerning the annexation of territory to each of Community Facilities District No. 2004-1 (Spring Lake) and Spring Lake Maintenance Community Facilities District to be continued to Tuesday, September 5, 2017. Consent Calendar Items No. 8 through 29, minus Item No. 19 were approved. After Consent Calendar was approved, Community Development Director Ken Hiatt and City Engineer Brent Meyer addressed

concerns..

Ayes: Barajas, Davies, Fernandez, Rodriguez, Stallard

I. PUBLIC HEARINGS

30. PUBLIC HEARING - Cannabis Cultivation Ordinance to Conform to State Law Regarding Personal Cultivation of Cannabis

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 Article 21.5 of Chapter 25 of the Woodland Municipal Code related to Zoning of Personal Cultivation of Cannabis.

On a motion by Council Member Davies, seconded by Council Member Rodriguez and carried unanimously, Council Members waived the first reading and read by title only an Ordinance amending Article 21.5 of Chapter 25 of the Woodland Municipal Code related to Zoning of Personal Cultivation of Cannabis..

Ayes: Barajas, Davies, Fernandez, Rodriguez, Stallard

J. REPORTS OF THE CITY MANAGER

31. Discussion Concerning Commercial Cannabis Options

Staff recommends that the City Council receive an update on options under consideration related to permitting commercial cannabis uses in the City of Woodland.

Council Members received an update on options under consideration related to permitting commercial cannabis uses in the City of Woodland.

32. Homeless Update - Homeless Action Plan

Staff recommends that the City Council receive a report from staff and the Councils Homeless Subcommittee related to development of a comprehensive Homeless Action Plan, and provide feedback on framework and preliminary recommendations.

Received report from staff and the Councils Homeless Subcommittee related to development of comprehensive Homeless Action Plan and provided feedback on framework and preliminary recommendations.

33. Authorize the Sole-Source Purchase of Ultraviolet (UV) Lamps and the Associated Parts for Effluent Disinfection Purposes at the Water Pollution Control Facility

Staff recommends that the City Council adopt Resolution No. _____, authorizing the sole-source purchase of Ultra Violet Lamps from DC Frost Associates, Inc. with an amount not-to-exceed \$130,000.

This item was pulled and moved to the September 5, 2017 Council meeting.

34. Authorize the Sole-source Purchase of Coagulants for the Water Pollution Control Facility

Staff recommends that the City Council adopt Resolution No. _____, authorizing City Manager to execute the FY 18 Sole Source Contract with Rosa Water Technology Associates in an amount not-to-exceed \$160,000.

This item was pulled and moved to the September 5, 2017 Council meeting.

K. ADJOURN

Meeting adjourned at 8:52PM.

Respectfully submitted,

Ana B. Gonzalez, City Clerk



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: September 5, 2017
ITEM #: 3.
SUBJECT: Proclamation in Support of Prostate Cancer Awareness Month

Recommendation for Action:

Staff recommends that the City Council adopt a Proclamation supporting the American Cancer Society Prostate Cancer Awareness Month, September 2017, and encouraging all male citizens to actively play a part in their health by seeking early detection methods.

Staff Contact:

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

Background:

As has been customary for the last several years, Council has been asked to proclaim their support for September 2016 as the American Cancer Society "Prostate Cancer Awareness Month". Council has shown their support in the past by proclaiming the month of September as the specific month to raise the awareness of this disease affecting men primarily over the age of 40.

Discussion:

The American Cancer Society has actively supported many efforts to eradicate and eliminate the various forms of cancer in our society. The cancer survival rate has steadily increased due to earlier detection and methods. Encouraging citizens to take an active part in their health by providing methods and information to raise the awareness of the need for early detection has been a large part of that survival rate. Some little known facts are attached regarding the disease and statistics regarding this and other forms of cancer.

Prepared By: Ana B. Gonzalez, City Clerk

Paul Navazio, City Manager

ATTACHMENTS:

Description	Upload Date	Type
Prostate Cancer Proclamation	9/1/2017	Backup Material

PROCLAMATION

Prostate Cancer Awareness Month – September 2017

WHEREAS, prostate cancer is the most frequently diagnosed cancer in men aside from skin cancer, and it is estimated 1 in 8 men will develop this disease in their lifetime; and

WHEREAS, the American Cancer Society estimates there will be 161,360 new cases of prostate cancer in the USA in 2017, resulting in an estimated 26,730 deaths; and

WHEREAS, it is estimated 14,520 men in California will be diagnosed with prostate cancer this year and it is estimated 3,130 California men will die from this disease; and

WHEREAS, men of African American descent have the highest prostate cancer incident rates in the world and their death rate is twice as high as any other ethnic group; and

WHEREAS, early prostate cancer usually has no symptoms and studies suggest strong familial predisposition may be responsible for 5% to 10% of the disease cases; and

WHEREAS, advanced prostate cancer commonly spreads to the bones, which can cause pain in the hips, spine, ribs, or other areas in the body, and

WHEREAS, the 5-year survival rate approaches 100% when prostate cancer is diagnosed and treated early, but drops to 29% when it spreads to the other parts of the body; and

WHEREAS, treatment options for prostate cancer vary depending on a man's age, stage and grade of his cancer, as well as his other existing medical conditions; and

WHEREAS, the American Cancer Society recommends that men should have an opportunity to make an informed decision about whether to be tested for prostate cancer based on their personal values and preferences; and

WHEREAS, the Woodland City Council joins communities across our nation to increase the awareness about the importance for men to make an informed decision with their health care provider about early detection and testing for prostate cancer.

NOW, THEREFORE, BE IT RESOLVED, that the Woodland City Council proclaims September 2017 as Prostate Cancer Awareness Month.

Dated this 5th day of September, 2017.

Angel Barajas, Mayor

Enrique Fernandez, Mayor Pro Tem

Marlin "Skip" Davies, Council Member

Xochitl Rodriguez, Council Member



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: September 5, 2017
ITEM #: 4.
SUBJECT: FY2017/18 Contract with the Yolo Emergency Communications Agency

Recommendation for Action:

Staff recommends that the City Council adopt Resolution No. _____, authorizing the City Manager to execute the FY2017/18 Contract with the Yolo Emergency Communications Agency in the amount of \$1,923,099 that is included in the current budget.

Staff Contact:

Luis Soler, Police Chief, (530) 661-7865, luis.soler@cityofwoodland.org

Fiscal Impact:

The proposed contract results in an annual cost of \$1,923,099 for dispatch services provided to the City of Woodland through a contract with the Yolo Emergency Communication Agency. The contract amount has already been approved by Council as part of the FY17/18 budget.

Background:

The Yolo Emergency Communication Agency (YECA) is a Joint Powers Authority established in 1988. YECA is the 9-1-1 Public Safety Answering Point (PSAP) for approximately 80% of Yolo County. Member agencies consist of Yolo County, City of Woodland, City of West Sacramento, City of Winters, and Yocha Dehe Wintun Nation.

As part of the 2010-2020 Capital Budget, the City Council approved two Capital Projects to be managed through YECA. The first project was the first phase upgrade to the regional emergency radio communications infrastructure and the second project was replacement of the computer aided dispatch software and hardware. Both projects have been completed with the most recent being completion of the replacement of the computer aided dispatch system which went live in September 2014. These Capital Projects account for \$96,945 of the current YECA contract.

Discussion:

YECA provides dispatch services to four law enforcement agencies, 17 fire agencies, as well as Animal Control, Public Works, County Maintenance, District Attorney's Office, Environmental Health, Mental Health, Probation Department, and Social Services Department. Costs are allocated based on the percentage of calls for service attributed to the member agency over the previous calendar year. In 2016, the City (Police, Public Works and Fire Departments) experienced an 5.45% increase in calls for service over the previous year.

Prepared By: Elle Murphy, Police Senior Management Analyst

Reviewed By: Derrek Kaff, Police Captain

Paul Navazio, City Manager

ATTACHMENTS:

Description

Resolution - FY18 YECA Contract 2017-09-05

Upload Date

8/25/2017

Type

Cover Memo

RESOLUTION NO. _____
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND
AUTHORIZING THE CITY MANAGER TO EXECUTE THE FY2017/18 CONTRACT
WITH THE YOLO EMERGENCY COMMUNICATION AGENCY IN THE AMOUNT
OF \$1,923,099

WHEREAS, the Yolo Emergency Communication Agency (YECA), a Joint Powers Authority, serves as the 9-1-1 Public Safety Answering Point (PSAP) for Yolo County, the Cities of Woodland, West Sacramento and Winters, and Yocha Dehe Wintun Nation.

WHEREAS, the annual cost for dispatch services by YECA is based on the percentage of calls for service attributed to the member agency over the previous calendar year.

WHEREAS, the proposed contract results in an annual cost of \$1,923,099 for dispatch services provided to the City of Woodland.

WHEREAS, the FY2017/18 annual budget previously approved by the Council includes the full contract amount.

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

SECTION 1. That the City Council hereby authorizes the City Manager to execute the FY18 contract with the Yolo Emergency Communication Agency in the amount of \$1,923,099 which is already included in the FY2017-18 budget previously approved by Council.

PASSED AND ADOPTED by the City Council this 5th day of September, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Angel Barajas, Mayor

ATTEST:

APPROVED AS TO FORM:

Ana B. Gonzales, City Clerk

Kara K. Ueda, City Attorney



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: September 5, 2017
ITEM #: 5.
SUBJECT: Approve Contract with Laugenour and Mickle for 2018 Water Main Replacement Project, CIP 18-09

Recommendation for Action:

Staff recommends that the City Council:

- 1) Adopt Resolution No. _____, authorizing the City Manager to execute the consultant services agreement with Laugenour and Mickle (L&M) for the 2018 Water Main Replacement Project, CIP 09-23, for an amount up to \$129,360; and
- 2) Authorize a contingency for design contract amendments up to an additional 10% (12,936); and
- 3) Approve the reallocation of \$200,000 of Water Enterprise Funds from Water System Maintenance Repairs, CIP 09-23 to the 2018 Water Main Replacement Project, CIP 18-09 to provide for the design budget.

Staff Contact:

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

Fiscal Impact:

The funding for CIP # 09-23, Water System Leak Detection Maintenance and Repair is included in the Capital Budget approved by City Council on June 20, 2017. The funding source is the Water Enterprise Fund. The budget includes funding for the annual program of the replacement of aging water infrastructure. CIP # 09-23 has a budget of \$2,636,832 in FY 17/18.

As individual projects are scoped for design and construction, a new project number is created and funding transferred from CIP #09-23 to the new project number with Council approval. Therefore, staff is requesting reallocation of \$200,000 of Water Enterprise Funds from Water System Maintenance Repairs, CIP 09-23 to the 2018 Water Main Replacement Project, CIP 18-09 to provide for the design budget including the consultant contract, contingency, and staff time. Authorization to Bid and Construction Contract Award will be presented to Council for approval at a future date.

There is no impact to the General Fund.

Background:

City Engineering and Operations staff identified several locations in the City that have the greatest occurrence of water main and lateral breaks and leaks, and prioritized the areas for repair and replacement. The areas prioritized for replacement are streets with two-inch (2") cast iron water mains located behind sidewalks. The majority of these water mains were constructed between 1917 and 1954 and are in need of replacement. The 2" water mains have been experiencing an increasing number of breaks in recent years. The City has approximately 130,000 lineal feet of streets with 2" diameter cast iron pipe that were installed prior to 1965. This is the third phase of a multi-year project which will annually identify locations for water and sewer repair and replacement.

Discussion:

Based on the prioritization, this project was designed to repair and replace water mains and laterals in a residential area east and south of Christensen Park; along portions of Walnut St., Clover St., Locust St., Elm St., College St., Grand Ave., and part of Beamer St. A map showing the streets is included in Attachment B. This is an area with two-inch (2") cast iron water mains located behind sidewalks. These mains are notorious for problems such as breaks and leaks. The

project will also continue the replacement of aging mains in proximity to the ASR well to minimize the potential for increased breaks and water quality issues. The project will construct new eight-inch (8") mains in the street and connect the residences with new polyethylene services. Approximately 7,800 lineal feet of water main will be replaced. Minor repairs to the sewers in these streets will also be included in the final design. Sewer work will generally include rehabilitation of sewer laterals and failing sections of sewer lines.

L&M was selected for the project through a quality based selection process and is on the City's on call list for engineering design firms. The engineering design contract with L&M includes the engineering design services required to prepare final plans and specifications and bidding services. The design services generally include:

- Project Management which includes coordination with City Staff and other City consultants and quality assurance and control.
- Conduct topographic survey and base mapping.
- Prepare public improvement plans for water main replacement, which includes 65%, 90%, and final design documents, construction cost estimating, and construction schedule.
- Assistance with the bidding process.

Conclusion:

Staff recommends that the City Council:

- 1) Adopt Resolution No. _____, authorizing the City Manager to execute the consultant services agreement with Laugenour and Mickle (L&M) for the 2018 Water Main Replacement Project, CIP 09-23, for an amount up to \$129,360; and
- 2) Authorize a contingency for design contract amendments up to an additional 10% (12,936); and
- 3) Approve the reallocation of \$200,000 of Water Enterprise Funds from Water System Maintenance Repairs, CIP 09-23 to the 2018 Water Main Replacement Project, CIP 18-09 to provide for the design budget.

Prepared By: Tim Busch, Principal Utilities Engineer

Reviewed By: Brent Meyer, City Engineer



Paul Navazio, City Manager

ATTACHMENTS:

Description	Upload Date	Type
Resolution	8/24/2017	Resolution
Scope of Work	8/24/2017	Cover Memo

RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND
APPROVING AN AGREEMENT WITH LAUGENOUR & MIEKLE FOR
ENGINEERING CONSULTING SERVICES**

WHEREAS, the City of Woodland wishes to enter into an engineering consulting services agreement with Laugenour and Miekle. (L&M) for the 2018 Water Main Replacement Project, CIP 09-23 (“Agreement”); and

WHEREAS, the City Council wishes to approve a design contract in the amount of \$129,360; and

WHEREAS, the City Council wishes to approve a contract contingency of up to 10% (\$12,936); and

WHEREAS, L&M was selected through a quality based selection process; and

WHEREAS, L&M is experienced in the design and construction of water main replacement projects and

WHEREAS, L&M will complete the design including: project management, topographic survey, 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 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 does not change.

Section 2. Copies of the Consultant Agreement for Design Services are available and on file in the City Clerk’s office, and are incorporated herein by reference and made a part of this Resolution.

PASSED AND ADOPTED this 5th day of September 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Angel Barajas, Mayor

ATTEST:

Ana B. Gonzalez, City Clerk

August 4, 2017

Mr. Tim Busch
City of Woodland
Community Development Department
300 First Street
Woodland, California 95695
E-mail: Tim.Busch@cityofwoodland.org

Re: **Proposal for 2018 Water Main Replacement Project, Woodland, California**

Dear Mr. Busch:

Laugenour and Meikle is pleased to present this proposal for civil engineering and land surveying services for the above referenced project. A detailed description of the services to be provided is included in the attached Exhibit "A", Scope of Services & Compensation, which reflects the standard items of work required for this type of project.

If you have any questions or comments, please call.

Sincerely,

LAUGENOUR AND MEIKLE



Todd C. Tommeraason, Principal, P.E.

Enclosure

EXHIBIT “A”

SCOPE OF SERVICES & COMPENSATION

I. SCOPE OF SERVICES:

A. PROJECT MANAGEMENT & MEETINGS:

- Manage the contract scope, schedule and budget for all project activities.
- Coordination calls with Client.
- Periodic project reviews with Client.
- Provide monthly invoices to Client.
- Assumes 24 hours of engineering time, any additional time will be charged on a time and materials basis

B. TOPOGRAPHIC SURVEY & BASE MAPPING:

- Horizontal and vertical control, including boundary ties, per Agency Control Data.
- Have site marked for USA utility locations.
- Topographic survey for 7,800± LF water line replacement design, including setting project control and benchmarks for sites as indicated on the City of Woodland Pipeline Water Pipe Replacement Draft (Exhibit “C”).
- Determine additional utility inverts for design (based on being able to physically determine inverts, does not include potholing).
- Create a topographic base map showing right-of-way lines and easements created from the record data and the topographic survey. This base map will be used in our analysis and design.
- Assumes no potholing will be required for design (allowance noted in Item C, if required).
- Supply Client with electronic file (AutoCAD).

C. POTHOLING (ALLOWANCE):

- Potholing for existing utilities for new water line crossing.
- Allowance for one (1) full day of potholing.

D. PUBLIC IMPROVEMENT PLANS FOR WATER MAIN RELOCATIONS:

- Review Client requirements and City Standards.
- Prepare water line replacement improvement plans per City Design and Construction Standards. Plans will only be prepared for the 7,800 LF indicated as first year priority in Water Pipe Replacement Draft (Exhibit “C”).
- Improvement plans for sewer lateral replacement based on City provided video data and recommendations.
- Modify plans per City review comments.
- Prepare cost estimate, special provisions for project specifications and unit price schedules for construction items. Coordinate front-end contract documents by others.

E. BIDDING & CONSTRUCTION ADMINISTRATION:

- Bidding assistance including written clarification of plans and specifications, preparation of addendums and attend pre-construction meeting.
- Attend meeting (progress and coordination meeting at owner’s request).
- Site visit during construction (per Owner’s request).
- Review and comment on project submittals related to civil design items.
- Conduct final project review of site improvements and assist in preparation of punch list.
- Prepare as-constructed record plans and specifications (electronic and hard copy) based on Contractor’s mark-ups (no field survey time).
- Construction administration estimate is for 56 hours of work for Engineer.

F. STORM WATER POLLUTION PREVENTION PLAN (SWPPP):

- Prepare Storm Water Pollution Prevention Plan (SWPPP) for Construction Activities.
- Prepare erosion and sedimentation control plan.
- Complete Notice of Intent (NOI) for filing by Owner.
- A single SWPPP to be developed for both onsite and offsite improvements.
- Excludes Qualified SWPPP Practitioner (QSP) services which are required for implementation and monitoring of SWPPP.

II. COMPENSATION:

Consultant shall be compensated on a “Fixed-Fee” basis per project total shown below. New tasks not associated with the above Scope of Services will be negotiated prior to starting any work on any additional new task:

A. Project Management & Meetings	\$ 4,560.00
B. Topographic Survey/Base Mapping	\$ 29,060.00
C. Potholing	\$ 9,860.00
D. Public Improvement Plans for Water Main	\$ 72,160.00
E. Bidding & Construction Administration.....	\$ 9,360.00
F. Storm Water Pollution Prevention Plan.....	\$ 4,360.00

PROJECT TOTAL.....\$129,360.00

These costs are based on the following Laugenour and Meikle Prevailing Wage Rate Schedule (Exhibit B). Government agency fees are not included in this cost proposal.

III. EXCLUSIONS AND/OR RESPONSIBILITIES OF CLIENT OR OTHERS:

1. Client agrees consultant will not perform on-site construction review, construction management, supervision of construction of engineering structures, or other construction supervision for this project unless specifically provided for in another Agreement.
2. All work pertaining to environmental impact report mitigation monitoring, if required.
3. Client agrees to assume complete responsibility and liability for changes in design, construction quantities, project cost, etc., whenever Client uses unsigned or unapproved survey maps or construction drawings for bidding or construction purposes.
4. All submittals of plans/reports for Agency approval are the responsibility of the Client.
5. Any regulatory agency related fees for submitting, checking, filing, inspection, performance of services, etc. are the responsibility of the Client.

EXHIBIT “B”
RATE SCHEDULE

PERSONNEL CLASSIFICATION

RATE PER HOUR

Principal Engineer	\$190.00
Principal Surveyor	\$190.00
Senior Engineer/Project Manager	\$180.00
Senior Engineer	\$170.00
Senior Surveyor	\$165.00
Associate Engineer	\$165.00
Surveyor	\$150.00
Assistant Surveyor	\$135.00
Assistant Engineer	\$135.00
Junior Engineer	\$110.00
Senior Engineering Technician	\$110.00
Engineering Technician	\$ 80.00
Survey Technician	\$ 80.00
Technician	\$ 60.00
Clerical	\$ 60.00
Survey Party, 1-Man*	\$175.00
Survey Party, 2-Man*	\$270.00

EQUIPMENT CLASSIFICATION:

Field Materials	—	Charged at cost plus 10%
Reproduction Items	—	Charged at cost plus 10%
Subconsultants	—	Charged at cost plus 10%

* Public Works Prevailing Wage Rate



GRAND: BEAMER → CLOVER 800'
 CLOVER: WEST → WALNUT 1,650'
 BEAMER: WALNUT 650'
 WALNUT: BEAMER → COURT 3,150'

CLOVER: BEAMER → CLOVER 750'
 LOCUST: " " 750'
 ELM: " " 750'
 PARK @ WALNUT 300'

$300' + 7,500' = 7,800'$

EXHIBIT "C"

EXHIBIT “D”
ESTIMATED SCHEDULE OF SERVICES
FOR
CITY OF WOODLAND
2018 WATER MAIN REPLACEMENT PROJECT

DESCRIPTION OF SERVICES	DURATION	START DATE
Topographic Survey	5 WEEKS	From Returned Signed Contract
Topographic Base Map	2 WEEKS	
65% Public Improvement Plans	8 WEEKS	
City Review	2 WEEKS	
90% Public Improvement Plans & Specifications	2 WEEKS	
City Review	2 WEEKS	
100% Public Improvement Plans & Specifications for Bidding	1 WEEK	



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: September 5, 2017
ITEM #: 6.
SUBJECT: Confidential Unit MOU and Job Description

Recommendation for Action:

Staff recommends that the City Council:

- 1) Adopt Resolution No. _____, ratifying a two (2) year, Memorandum of Understanding with the Woodland Confidential Employee Unit, covering the period from July 1, 2017 through June 30, 2019; and
- 2) Approve new revised Job Description that adds a Senior Human Resources Analyst to the Human Resources Analyst job series.

Staff Contact:

Sheila McShane, Human Resources Manager, (530) 661-5807, sheila.mcshane@cityofwoodland.org

Fiscal Impact:

The City of Woodland and the Confidential Employees Unit has reached a two year agreement. As part of the City's budget process, the City had budgeted for specific increases for this Unit due to potential PERS increases and potential Health increases. The new terms of this agreement adds approximately 1.25% to the cost of the contract. This can be absorbed within the current budget.

Background:

The previous agreement between the City of Woodland and the Confidential Employees expires on June 30, 2017. Negotiations began with the Confidential Unit in June 2017. This new MOU implemented includes structural changes specific to health insurance to assist the City in mitigating exposure to future health increases, added a Step F to some of the job classifications, address work load issues as well as equity issues.

The tentative agreement was discussed with the City Council and was ratified by membership. Tonight's City Council action would formally ratify the terms of the new two-year agreement with the Confidential Unit.

Discussion:

The new two-year labor agreement between the City and the Confidential Unit represents a successor contract to the prior agreement that expired June 30, 2017. Both parties negotiated in good-faith starting with a discussion of goals and objectives, followed by an exchange of specific proposals.

Staff believes that the resulting labor agreement reached with the Confidential Unit is consistent with direction and authority provided by the City Council in terms of both overall budget impacts and, significantly, maintaining and building upon the structural reforms identified as necessary to advance the Council's goal related to long-term fiscal stability. At the same time, the agreement has been structured to assist with the recruitment and retention of personnel charged with providing essential functions within the City Manager's Office.

The following summarizes the major terms of the negotiated agreement:

COLA's

Effective July 1, 2017 3.00%

Effective July 1, 2018 3.00%

Step F

Implementation of Step F: Employees in the classifications of Human Resources Clerk, Human Resources Technician I/II and Secretary to the City Manager, who have been at Step E for at least one (1) year will be eligible for a Step increase on their anniversary/evaluation date, moving the employee to Step F.

- Effective July 1, 2017: Establish Step F at 2.5% above Step E
- Effective January 1, 2018: Increase Step F by 2.5% (total of 5% above Step E)

Establish a new job classification within the Unit, the Senior Human Resources Analyst and set the range at 15% above the Human Resources Analyst II.

Health Insurance

Change from a formula to a set rate as follows for the City contribution to Health Insurance.

Effective	Employee Only	Employee Plus One	Family
January 1, 2018	\$721.92	\$1,443.82	\$1,876.97
January 1, 2019	\$779.67	\$1,559.33	\$2,027.13

Other

Establish a new job classification within the Unit, the Senior Human Resources Analyst and set the range at 15% above the Human Resources Analyst II.

Effective January 1, 2018 maintain spread between the Human Resources Technician II and the Human Resources Analyst I.

Bilingual Pay: Increase the \$150 per month to \$200 per month in line with the City Policy.

Equity Increase for the Human Resources Manager

- Effective July 1, 2017 5.0%
- Effective July 1, 2018 2.5%

Job Description

The changes to the current job description for the Human Resources Analyst job series include the addition of a Senior Human Resources Analyst to assist with training, updating policies as appropriate, serve on committees, etc. The current job descriptions does not allow for succession planning, nor does it allow for growth within the Department. The new job description employees to continue to grow in the position. In the event that the City needs to recruit, this allows for a greater recruitment pool.

The ADA Compliance language has been added as well.

Conclusion:

Staff recommends that the City Council:

- 1) Adopt Resolution No. _____, ratifying a two (2) year, Memorandum of Understanding with the Woodland Confidential Employee Unit, covering the period from July 1, 2017 through June 30, 2019; and
- 2) Approve new revised Job Description that adds a Senior Human Resources Analyst to the Human Resources Analyst job series.

Prepared By: Sheila McShane, Human Resources Manager



Paul Navazio, City Manager

ATTACHMENTS:

Description

Upload Date

Type

Human Resources Analyst Job Description

8/17/2017

Backup Material

Confidential MOU

8/31/2017

Resolution



**HUMAN RESOURCES ANALYST I
HUMAN RESOURCES ANALYST II
SENIOR HUMAN RESOURCES ANALYST**

DEFINITION

To provide analytical support to the Human Resources Department involving recruitment and selection, benefits administration, classification and compensation, training and development, employee and labor relations.

SUPERVISION RECEIVED AND EXERCISED

General direction is provided by the Human Resources Manager. Responsibilities may include supervision of Human Resources staff. Exercises discretion and independent judgment with respect to assigned duties. The Human Resources Analyst I is an entry-level position and will perform basic analytical assignments to assist the department. The Human Resources Analyst II is a journey level position and will perform more complex assignments in support of the department. The Senior Human Resources Analyst performs the most complex assignments with minimal detailed instructions or guidance.

EXAMPLES OF DUTIES

The following are typical illustrations of duties encompassed by the job class, not an all inclusive or limiting list:

ESSENTIAL JOB FUNCTIONS

Researches, analyzes and prepares reports on a broad range of human resources issues, including salary and benefit surveys, personnel practices, statistical data and other projects. Plans and coordinates all facets of recruitment and selection activities, ensuring fair employment practices are followed. Develops, evaluates and validates selection instruments such as written, oral, and performance examinations. Conduct compensation and classification studies and provide written reports with recommendations. Provide information and assistance to City departments, staff, and the general public on human resources laws, policies, and practices. May analyze legislation and regulations related to personnel programs and recommend a course of action. Assist with the management of City self-insured plans. Assist with the resolution of employee complaints. May assist with disciplinary and other such investigations. May prepare background materials for labor negotiations. May assist with departmental policy development. May serve as staff to the City's Personnel Board, in the absence of the Human Resources Manager. Regular, predictable, consistent and timely attendance is an essential function of the position, in that Employee must be present.

Human Resources Analyst I/II/Sr.
Rev 8/22/2017

OTHER JOB FUNCTIONS

May represent the department before the City Council, community, outside agencies and at professional meetings as requested. Assist with the development and administration of the Human Resources budget. Assist with the coordination and development of citywide employee training programs. Perform other duties as assigned.

QUALIFICATIONS

Human Resources Analyst I/II

Knowledge of:

Principles, methods and practices of human resources management, local government organization, and administration, including recruitment/selection, classification/compensation, and employee/labor relations. Organizational and management practices as applied to the analysis and evaluation of programs, policies, and operational needs, in the area of human resources. Codes, ordinances, resolutions, employment laws, recent developments, current literature and sources of information. English grammar, spelling, punctuation, and vocabulary.

Skill to:

Conduct research and analyze projects and programs. Prepare complete and accurate reports while applying a high degree of independent judgment. Delegate responsibility; schedule and program work on a long-term basis. Communicate effectively, orally and in writing; make effective public presentations efficiently operate a personal computer. Establish and maintain effective working relationships with employees and the public.

Ability to:

Collect, compile, and analyze information and data and prepare reports with recommendations. Exercise sound and independent judgment in the solution of personnel problems; understand, interpret and apply personnel rules and regulations. Tactfully and effectively, interact with all people regardless of race, ethnicity, sex, age or economic status. Deal patiently and tactfully with other employees, department directors, bargaining groups, elected officials, outside agencies, and citizens.

Minimum Experience and Education

Human Resources Analyst I Experience:

One year of technical human resources, work experience or closely related field is preferred.

Human Resources Analyst II Experience:

Two years of Human Resource Analyst, I experience.

Education:

Bachelor's degree from an accredited college or university with major work in personnel management, public administration, business, psychology or a related field.

Human Resources Analyst I/II/Sr.
Rev 8/22/2017

Senior Human Resources Analyst

In addition to the Human Resources Analyst I/II

Ability to:

Review job classification and desk audits to ensure that employees are working in the appropriate level.

Develops, analyzes, evaluates and administers written and oral performance examination and other selection instructions.

Conducts in service training.

Serves as the City representative on committees such as the safety committee, etc.

Analyses the effect of new or administrative laws that effect employees

Provides professional and technical advice and assistance to line departments on human resources issues.

Knowledge of:

Principles and practices of collecting and comparing data and benefit information.

Method for establishing valid written/oral examination

Federal, state and local legislation that affect employment.

Principles of supervisor and training.

Ability to:

Strong Communication skills, both oral and written

Strong written and oral communication

Meet time deadlines

Work under pressure.

Exercise independent judgment

Minimum Experience and Education

Senior Human Resources Analyst

Education:

Bachelor's degree from an accredited college or university with major work in personnel management, public administration, business, psychology or a related field.

Experience

Six (6) years of experience as a Human Resources Analyst II or comparable position with at least two (2) of these years with the City of Woodland as a Human Resources Analyst II. Direct supervisory responsibility may substitute for two (2) year of the six years of required experience.

Council Action: August 22, 2017

ADA COMPLIANCE

Human Resources Analyst I/II/Sr.
Rev 8/22/2017

Physical Ability: Positions in this class typically require climbing, balancing, stooping, kneeling, crouching, reaching, standing, walking, pushing, pulling, lifting, fingering, grasping, talking, hearing, seeing, and repetitive motions.

Heavy Work: Exerting in excess of 25 pounds of force occasionally, and/or in excess of 50 pounds of force constantly to move objects.

Other Requirements:

Sensory Requirements: Requires the ability to recognize and identify similarities and differences between shade, degree or value of colors, shapes, sounds, forms, textures or physical appearance associated with objects and people.

Environmental Factors: May be subjected to moving mechanical parts, electrical currents, vibrations, fumes, odors, dusts, gases, poor ventilation, chemicals, oils, extreme temperatures, work space restrictions, intense noises, and environmental dangers.

RESOLUTION NO. ____.

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF WOODLAND APPROVING CERTAIN TERMS AND CONDITIONS
FOR
CONFIDENTIAL EMPLOYEES**

1	GENERAL PROVISIONS	1
1.1	Application	1
1.2	Term	1
2	COMPENSATION	2
2.1	Salary.....	2
2.2	Longevity Pay	2
2.3	Administrative Leave	3
2.4	Overtime	3
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ARTICLE I

1 GENERAL PROVISIONS

1.1 Application

1.1.1 This Resolution applies to confidential employees in the following classifications:

HUMAN RESOURCES CLERK
HUMAN RESOURCES TECHNICIAN I/II
HUMAN RESOURCES ANALYST I/II
SENIOR HUMAN RESOURCES ANALYST
HUMAN RESOURCES MANAGER
SECRETARY TO THE CITY MANAGER

1.2 Term

1.2.1 Except where the context otherwise determines or otherwise provides, the provisions of this Resolution shall apply for a period of six years from July 1, 2017 to June 30, 2019.

1.2.2 During the term of this Resolution, upon mutual agreement of the City and employees covered by this Resolution, any provisions contained in this Resolution may be reopened to discussions. The primary purpose to reopen discussions would stem from the conclusion of negotiations with the Woodland Mid-Management Association and the Woodland City Employees Association.

ARTICLE II

2 COMPENSATION

2.1 Salary

2.1.1

During the term of this agreement, represented unit employees shall receive the following increase:

- Effective July 1, 2017, 3 % increase (Exhibit A)
- Effective July 1, 2018, 3 % increase (Exhibit A)

2.1.2

Implementation of Step F: Employees in the classifications of Human Resources Clerk, Human Resources Technician I/II and Secretary to the City Manager, who have been at Step E for at least one (1) year will be eligible for a Step increase on their anniversary/evaluation date, moving the employee to Step F.

- Effective July 1, 2017: Establish Step F at 2.5% above Step E
- Effective January 1, 2018: Increase Step F by 2.5% (total of 5%above Step E)

2.1.3

Effective January 1, 2018, the salary for the Human Resources Analyst Series shall be adjusted to maintain the current salary differential (%) above the Human Resources Technician II classification.

2.1.4

Effective immediately upon ratification of this Resolution, the salary for the Senior Human Resources Analyst shall be established at a salary fifteen percent (15.0%) above the Human Resources Analyst II classification.

2.1.5

The classification of Human Resources Manager shall receive an equity increase as follows:

- Effective July 1, 2017: 5.0%
- Effective July 1, 2018: 2.5%

2.2 Longevity Pay

2.2.1

The City shall pay longevity pay according to the following schedule on the last payday before Christmas each year:

<u>Length of Service</u>	<u>Amount</u>
10 years	\$300 per year
15 years	\$350 per year

20 years

\$400 per year

2.2.2 If at any time during the term of this Resolution the Mid-Management Association receives a change to the terms of Longevity Pay that is favorable to the employees, the City agrees that this Resolution may be re-opened to discuss a similar change for the employees included within the Confidential Unit.

2.3 Administrative Leave

2.3.1 The Human Resources Manager, Senior Human Resources Analyst, Human Resources Analyst I/II, and the Secretary to the City Manager shall receive an annual bank of ninety-six (96) hours administrative leave on July 1 each year. This administrative leave shall be in addition to accrued vacation leave and other leaves provided by the City. Administrative leave shall be subject to the same rules for usage and accounting as vacation leave with the following exceptions:

Each employee may, at his/her request, have up to forty (40) unused hours of the bank paid directly to him/her at their regular hourly rate of pay at the time of the request.

No employee may carry over any administrative leave bank balance past June 30 each year.

Employees terminating prior to January 1 of any fiscal year shall be responsible for repaying a prorated share of administrative leave. For example, an employee working 25% of the year would be responsible for repaying the City 75% of their administrative leave upon termination.

2.4 Overtime

2.4.1 The Human Resources Technician I/II and Clerk shall receive overtime compensation at the rate of time and one-half for all hours worked in excess of forty hours per work week. Paid time off shall be counted as time worked for overtime calculation purposes. Employees handling City business at home on the telephone shall be eligible for overtime compensation in accordance with the Fair Labor Standards Act (time paid to the nearest 12-minute increment).

2.4.2 These employees shall have the option of choosing either paid overtime or compensatory time off. Paid time shall be calculated using the FLSA rate of pay. Compensatory time off may be accrued to a maximum of sixty (60) hours of any one time. Compensatory time off maximums may be waived for employees working alternative work schedules by mutual consent. Upon

termination, employees shall be paid for any accrued compensatory time. Compensatory time accrued after sixty (60) hours will be paid in accordance with Section 2.4.1.

2.5 Bilingual Pay

2.5.1 Bilingual employees designated by the City Manager to perform such services on a regular basis shall receive additional compensation above their regular salary at a rate consistent with the City's Bilingual Policy.

2.6 Deferred Compensation

2.6.1 Effective July 1, 2001, the City of Woodland will match an individual's deferred compensation contribution up to two percent (2%) of the individual's base salary as reflected in Exhibit A. Only plans approved by the City in its deferred compensation program will be eligible for City contribution. At the time of this contract ratification, the City offers three deferred compensation providers from which employees may select. Individual employees will be responsible to ensure their contribution and the City's matching contribution meet Internal Revenue Code Section 457 deferred compensation program requirements. In addition, as their salary is adjusted, individual employees will be responsible to make periodic changes to the amounts of compensation deferred.

2.6.2 If at any time during the term of this Resolution the Mid-Management Association receives an increase in the Deferred Compensation match by the City, the City agrees that the employees within the Confidential Unit will be entitled to the same increase.

2.7 Out of Class Work

2.7.1 Assignment to perform work of a higher level classification: Employees assigned by their supervisors to perform the essential duties of a higher level classification shall receive an additional five percent (5%) of base pay as out of class compensation. Payment shall continue for the term of the assignment to the higher level classification duties. Assignments shall be limited to six (6) months, which may be extended on approval of the City Manager.

2.7.2 Assignment as Acting Department Head: In the case of assignment as an acting department head, the minimum period of time to be eligible for acting pay must be twenty-four (24) consecutive work hours (3 days). The compensation shall be an additional ten percent (10%) of the base pay. Payment shall continue for the term of the assignment to the higher level classification duties. Acting assignments shall be limited to six (6) months, which may be extended on approval of the City Manager.

2.7.3 Assignment of duties beyond the scope of employee's classification: Employees assigned to perform significant and additional duties outside the scope of their job description shall receive an additional five percent (5%) of base pay as special assignment pay.

2.7.4 It is recognized that in some instances unit employees may be required to work extraordinarily long hours on special projects or unique circumstances. Should such an extraordinary occasion arise, the Human Resources Manager may recommend to the City Manager that the employee be granted additional Administrative Leave in addition to the 96 hours already provided subject to the following provisions:

Additional Administrative Leave hours granted cannot exceed 24 hours in any Fiscal Year.

Additional Administrative Leave hours must be approved by the Personnel Officer and specifically authorized by the City Manager.

Additional Administrative Leave shall not be construed to constitute overtime compensation nor be applied on an hour for hour basis.

ARTICLE III

3 PROFESSIONAL GROWTH INCENTIVE

3.1 Professional Growth Incentive

- 3.1.1 Employees covered by this Resolution are eligible to participate in the Professional Growth Incentive Program. Employees may receive a reimbursement for professional memberships (including licenses, applications and renewal fees), subscriptions, professional training, attainment of academic degrees, and equipment limited to desktop computers or components (memory, hard drives, video cards, power supplies, mother boards), keyboards, monitors, computer mouse(s)/pointing devices, laptop/notebook/tablet computers, printers, City standard suite of office productivity software (currently Microsoft Office Suite), Security Software programs and personal digital assistants (PDA), cell phones and accessories, unless used mostly for personal entertainment. All such requests require advance approval by the City.
- 3.1.2 Additionally, with prior approval, employees may be reimbursed for applicable technology that is directly related to the employee's job and/or professional growth.
- 3.1.3 Maximum reimbursement per fiscal year per employee shall be \$625.00.
- 3.1.4 Employees terminating prior to January 1 of any fiscal year shall be responsible for repaying a prorated share of Professional Reimbursement they have spent. For example, an employee working 25% of the year would be entitled to a Professional Reimbursement not to exceed, \$156.25. If employee received a reimbursement of greater than \$156.25, at the time of termination, the employee would be responsible for payment of the difference. This will be taken out of the employee's final check. If there is not enough funds to cover this amount, the City will invoice the employee for the difference.

ARTICLE IV

4 MEDICAL AND RELATED BENEFITS

4.1 Medical Insurance

4.1.1 The City shall make available to all unit employees, the CalPERS medical insurance program. Employees shall have the option of enrolling in any of the plans provided by CalPERS.

4.1.2 For Employees hired before July 1, 2006, the City provides a two tier medical benefits program:

- Tier One: Employee Only and Employee plus One
- Tier Two: Employee plus Family

4.1.3 Employees hired before July 1, 2006 who provide proof of dual coverage under PERS or other medical insurance programs may decline to accept medical coverage. These employees shall be eligible for a payment of \$405 per month.

4.1.4 Effective January 1, 2018, the City's maximum contribution shall be based on a flat dollar amount instead of a formula amount. Effective January 1, 2019 the City's maximum contribution towards the cost of medical insurance shall increase by an additional eight percent (8%).

City's contribution for 2018 and 2019 are as follows:

	Employee Only	Employee & Employee Plus One	Family
January 1, 2018	\$1,443.82	\$1,443.82	\$1,876.97
January 1, 2019	\$1,559.33	\$1,559.33	\$2,202.13

4.1.5 For Employees hired on or after July 1, 2006, the City provides a three tier medical benefits program:

- Tier One: Employee Only
- Tier Two: Employee plus One

- Tier Three: Employee plus Family

4.1.6 Employees hired after July 1, 2006 who provide proof of dual coverage under PERS or other medical insurance programs may decline to accept medical coverage. These employees shall be eligible for a payment of \$405 per month.

4.1.7 Effective January 1, 2018, the City's maximum contribution shall be based on a flat dollar amount instead of a formula amount. Effective January 1, 2019 the City's maximum contribution towards the cost of medical insurance shall increase by an additional eight percent (8%).

City's contribution for 2018 and 2019 are as follows:

		Employee Only	Employee & Employee Plus One	Family
January 1, 2018		\$721.92	\$1,443.82	\$1,876.97
January 1, 2019		\$779.67	\$1,559.33	\$2,202.13

7 The City shall contribute up to the following amounts towards employee medical insurance coverage and cafeteria plan benefit:

Effective January 1, 2018, the City shall contribute the following amounts towards employee medical insurance coverage and cafeteria plan benefit:

Tier	Medical Benefit	Cafeteria Plan Benefit	Total Benefit
Employee only	\$133.00	Note 3	\$670.90
Employee plus one	\$133.00	Note 3	\$1,474.80
Employee plus family	\$133.00	Note 3	\$1,957.15

- Note 1: Per paragraph 4.1.2 above, employees hired before July 1, 2006 who qualify for the "Employee only" tier shall receive medical insurance coverage and cafeteria plan benefit equal to the "Employee plus one" tier.
- Note 2: The Medical Benefit will be equal to the minimum established by the CalPERS Board (\$133.00 from the January 2018 table). It is anticipated that this amount will be adjusted annually based on changes to the medical component of the CPI.
- Note 3: Cafeteria Plan benefit will be equal to the difference between the Medical Benefit and the Total Benefit.

4.2 Medical Insurance Upon Retirement

- 4.2.1 Employees who retire from the City may be eligible for Medical Insurance in accordance with the CalPERS Medical Plan. Dental, Vision and Long Term Disability Insurance is not provided to retirees.
- 4.2.2 The parties agree to meet and confer to impasse and imposition on restructuring the retiree medical program.
- 4.2.3 For employees who were **hired before July 1, 2006**, with ten (10) or more years of service who either retire and are eligible to receive benefits under the City's PERS plan or retire for disability under PERS shall be eligible for continued health and life insurance coverage subject to the following terms and conditions:

Employees 50 years old or older who separate from City service but postpone application to receive PERS retirement benefits must pay the premiums for any continued insurance coverage until the application for benefits is approved;

Insurance benefits levels to retirees will be equal to the schedule reflected in paragraph 4.1.3 above. Retirees who were hired before July 1, 2006, will receive a benefit equal to the "Total Benefit" reflected in 4.1.3 above.

Retirees who were hired prior to July 1, 2006 have a vested right to receive full medical insurance benefits in retirement equal to the total medical benefit provided to active employees. In the immediate

case, such retirees shall receive the combined value of the medical benefit and the cafeteria plan benefit to equal the total benefit. In future cases, should the City again restructure its health care benefits, such retirees shall continue to receive the full value provided to active employees for health benefits irrespective of how they may subsequently be structured.

- 4.2.4 Life Insurance will be continued with the same benefit level and conditions as active employees except as adjusted according to the schedule outlined in the City's "Life Insurance Outline of Benefits" or in any modifications or other plans that replace the current plan;
- 4.2.5 Health Insurance coverage will be coordinated with Medicare when retirees become eligible.
- 4.2.6 Dental, Vision and Long Term Disability Benefits will not be offered or provided to retirees.
- 4.2.7 Employees who were **hired on or after July 1, 2006**, will receive medical insurance benefits in retirement as follows:

Insurance benefits levels to retirees who were hired after July 1, 2006, will receive a benefit equal only to the "Medical Benefit" reflected in 4.1.3 above.

Retirement Health Savings Plan: The City of Woodland has established a program in which employees participate to save, on a tax deferred basis, money to help pay the cost of healthcare once an individual retires. The Retirement Health Savings Plan (RHSP) may be used for medical, dental and vision care as well as other healthcare expenses.

For employees hired on or after July 1, 2006, participation in the City's RHSP is mandatory.

Contributions: The City shall contribute \$50 per month to the employee's RHSP account; likewise, the employee shall contribute \$50 per month to their RHSP account. These contributions shall start after an employee has successfully completed their initial probationary period.

Initial Probationary Period: During an employee's initial probationary period with the City, neither the employee nor the City shall contribute to the employee's RHSP account. The initial probationary period is that probationary period when an employee is first hired. A probationary period is also in effect when an individual changes classification or is promoted to a higher classification; City and employee contributions to

RHSP accounts will continue during such promotional probationary periods.

Conversion of Sick Leave: Once an employee has accrued 500 hours of sick leave, the City shall convert 50% of additional sick leave earned to a cash contribution to an employee's RHSP account. This results in all sick leave earned above 500 hours being changed to 4 hours per month (versus 8 hours) with the value of 4 hours of salary being contributed to the employee's RHSP account.

4.3 Dental Insurance

- 4.3.1 For all employees covered by this Resolution, the City shall provide coverage in the City's dental insurance program for the employee and any eligible dependents. The benefit shall be paid by the City except when the plan requires the employee to pay a deductible or co-pay.

4.4 Long Term Disability Insurance

- 4.4.1 The City shall provide to all active employees covered by this Resolution coverage in the long term and short term disability insurance plans.

4.5 Vision Insurance

- 4.5.1 The City shall provide to all employees covered by this Resolution vision insurance.

4.6 Life Insurance

- 4.6.1 The City shall maintain in effect a \$50,000 life insurance policy for all employees covered by this Resolution.

4.7 Flexible Spending Account

- 4.7.1 The City shall establish a provision allowed by Section 125 of the Internal Revenue Code. Such account shall provide for pre-tax treatment of employee obligations for medical and dependent care costs.

ARTICLE V

5 LEAVES

5.1 Holidays

5.1.1 City holidays to be observed by employees covered under this Resolution shall be:

January 1st
Third Monday in January (Martin Luther King's Birthday)
Third Monday in February (Presidents Day)
Fourth Monday in May (Memorial Day)
July 4th
First Monday in September (Labor Day)
November 11th (Veteran's Day)
Thanksgiving Day
The Day after Thanksgiving Day
Christmas Eve – ½ day (observed last work day before Christmas)
December 25th (Christmas Day)

In addition, each employee covered by this Resolution shall have 16 hours added to his/her vacation total as of July 1 of each year.

Employees in permanent part-time positions shall receive pay for City holidays on a pro-rata basis regardless of whether they are scheduled to work holiday or not. The pro-rata holiday benefit to be received shall be equal to the employee's average daily work hours, regardless of the time they would have otherwise been scheduled to work.

5.2 Vacation Leave

5.2.1 Each employee covered by this Resolution shall earn vacation leave at the rate noted below based on the employee's years of service with the City of Woodland:

<u>Years of Service</u>	<u>Vacation Leave Earned Per Month</u>
0 to 3 years	7.0 hours
4 to 5 years	9.0 hours
6 to 10 years	11.3 hours
11 to 15 years	13.3 hours
16 to 20 years	15.3 hours
Over 20 years	16.6 hours

5.2.2 Employees with less than ten (10) years of service with the City may carry an unused vacation leave balance of no more than thirty-four (34) days (272 hours) past January 1st of each year. Employees with ten (10) years of service or more may carry an unused vacation leave balance of no more than forty-four (44) days (352 hours) past January 1st of each year.

5.2.3 Employees may cash out accrued vacation leave once they have three or more years of service, based on the chart below. Eligible employees, may request to have up to eighty (80) accrued hours of vacation paid directly to him/her at their regular hourly rate of pay at the time of the request in lieu of time off providing the employee has previously taken at least one (1) week (40 hours) of vacation time off in the same year and has worked the required years of service.

<u>Years of Service</u>	<u>Annual Maximum Vacation Leave Cash out</u>
0 to 3 years	0 hours
3 to 5 years	40 hours
5 + years	80 hours

5.3 Sick Leave

5.3.1 Each employee covered by this Resolution shall accrue sick leave at the rate of one (1) day (8 hours) per month.

5.4 Catastrophic Illness or Injury

5.4.1 Each employee covered by this Resolution may donate portions of their accrued but unused vacation or administrative leave balances to other City employees who have suffered catastrophic illness or injury. Employees receiving donations of time from other employees must first exhaust all available vacation, compensatory, administrative and sick leave.

ARTICLE VI

6 RETIREMENT

6.1 Retirement

6.1.1 The City will continue its participation in the Public Employee's Retirement System during the term of this agreement.

6.1.2 Permanent Employees of the City of Woodland fall under one of the three CalPERS Pension formulas as follows:

Tier 1: Employees hired by the City of Woodland on or before December 4, 2012 for the 2.7%@55 CalPERS retirement pension program calculated at the single highest year pensionable compensation formula.

Tier 2: Employees hired by the City of Woodland on or after December 5, 2012 and before January 1, 2013 or who are new hires to the City of Woodland but are legacy/classic members determined by CalPERS are eligible for the 2%@60 CalPERS retirement pension program calculated at the three-year average pensionable compensation formula.

Tier 3: Public Employees' Pension Reform Act (PEPRA) Employees hired on or after January 1, 2013 and who are not CalPERS legacy/classic members are eligible for the 2%@62 CalPERS retirement pension program calculated at the three-year average pensionable compensation formula.

6.1.3 PERS Employee Contribution towards Employee's Share of Retirement cost.

Tier 1 employees: Effective November 1, 2014, employees shall pay the 5% of pensionable salary of the employee share towards the 2.7%@55 CalPERS retirement pension program.

Effective July 1, 2015, the employee will pay an additional 3% of pensionable salary of the employee share towards the 2.7%@55 CalPERS retirement pension program for a total of 8%.

Tier 2 employees: Effective the first full pay period upon ratification shall continue to pay 5% of pensionable salary of the employee share towards the 2%@60 CalPERS retirement pension program.

Effective July 1, 2015 the employee will pay an additional 2% of pensionable salary of the employee share towards the 2.0% CalPERS retirement pension program for a total of 7%.

Tier 3 (PEPRA): Employees shall pay 50% of the normal cost as determined by CalPERS towards the 2.0% CalPERS retirement pension program.

- 6.1.4 The City shall report the Employer's portion of the employees' retirement contribution as special compensation as follows:

Tier 1 employees: Effective first full pay period upon ratification 3%.
Effective July 1, 2015 0%

Tier 2 employees: Effective first full pay period upon ratification 2%.
Effective July 1, 2015 0%.

- 6.1.5 Pursuant to Section 20023 (c)(4) of the Public Employees Retirement Law, this retirement contribution shall then be considered compensation for retirement purposes.
- 6.1.6 The City provides the 1959 Survivor's Security Benefit as specified in the Government Code, Section 20862.8.
- 6.1.7 The City provides the sick leave conversion benefit as specified in the Government Code, Section 20862.8

ARTICLE VII

7 OTHER COMPENSABLE ITEMS NOT SET FORTH HEREIN

7.1 Other Compensable Items Not Set Forth Herein

7.1.1 Other items not set forth herein which are compensable as terms and conditions of employment of the employees covered by this Resolution shall continue to be compensated by the City of Woodland at the rate applicable on June 30, 2014, unless determined otherwise by the Woodland City Council in accordance with law or required otherwise by law.

PASSED this _ _ day of August 2017, by the following votes:

AYES:

NOES:

ABSENT:

Angel Barajas, Mayor

ATTEST:

Ana Gonzalez, City Clerk

Exhibit A City of Woodland CONFIDENTIAL EMPLOYEES Salary Schedule

Current Salary 07/01/2017 (before new MOU)		Step A	Step B	Step C	Step D	Step E	Step F
Secretary to City Manager	C	\$4,072.36	\$4,275.99	\$4,489.79	\$4,714.28	\$4,949.99	
Human Resources Clerk	C	\$3,049.99	\$3,202.49	\$3,362.62	\$3,530.75	\$3,707.29	
Human Resources Technician I	C	\$3,625.47	\$3,806.74	\$3,997.07	\$4,196.93	\$4,406.77	
Human Resources Technician II	C	\$4,042.34	\$4,244.46	\$4,456.68	\$4,679.51	\$4,913.49	
Human Resources Analyst I	C	\$4,598.37	\$4,828.29	\$5,069.71	\$5,323.20	\$5,589.36	
Human Resources Analyst II	C	\$5,202.64	\$5,462.77	\$5,735.90	\$6,022.69	\$6,323.83	
Senior Human Resources Analyst	C	-	-	-	-	-	
Human Resources Manager	C	\$7,171.89	\$7,530.49	\$7,907.01	\$8,302.36	\$8,717.48	
Salary 07/01/2017 (Retro adjustment)		Step A	Step B	Step C	Step D	Step E	Step F
Secretary to City Manager	C	\$4,194.54	\$4,404.27	\$4,624.48	\$4,855.71	\$5,098.49	\$5,225.96
Human Resources Clerk	C	\$3,141.49	\$3,298.57	\$3,463.50	\$3,636.67	\$3,818.51	\$3,913.97
Human Resources Technician I	C	\$3,734.23	\$3,920.95	\$4,116.98	\$4,322.84	\$4,538.98	\$4,652.45
Human Resources Technician II	C	\$4,163.61	\$4,371.79	\$4,590.38	\$4,819.90	\$5,060.89	\$5,187.42
Human Resources Analyst I	C	\$4,736.32	\$4,973.14	\$5,221.80	\$5,482.90	\$5,757.04	
Human Resources Analyst II	C	\$5,358.71	\$5,626.65	\$5,907.98	\$6,203.38	\$6,513.55	
Senior Human Resources Analyst	C	\$6,162.52	\$6,470.65	\$6,794.18	\$7,133.88	\$7,490.58	
Human Resources Manager	C	\$7,756.40	\$8,144.23	\$8,551.43	\$8,979.00	\$9,427.96	
Salary 01/01/2018		Step A	Step B	Step C	Step D	Step E	Step F
Secretary to City Manager	C	\$4,194.54	\$4,404.27	\$4,624.48	\$4,855.71	\$5,098.49	\$5,353.42
Human Resources Clerk	C	\$3,141.49	\$3,298.57	\$3,463.50	\$3,636.67	\$3,818.51	\$4,009.43
Human Resources Technician I	C	\$3,734.23	\$3,920.95	\$4,116.98	\$4,322.84	\$4,538.98	\$4,765.92
Human Resources Technician II	C	\$4,163.61	\$4,371.79	\$4,590.38	\$4,819.90	\$5,060.89	\$5,313.94
Human Resources Analyst I	C	\$4,976.10	\$5,224.91	\$5,486.15	\$5,760.46	\$6,048.48	
Human Resources Analyst II	C	\$5,630.00	\$5,911.50	\$6,207.07	\$6,517.43	\$6,843.30	
Senior Human Resources Analyst	C	\$6,474.50	\$6,798.22	\$7,138.13	\$7,495.04	\$7,869.79	
Human Resources Manager	C	\$7,756.40	\$8,144.23	\$8,551.43	\$8,979.00	\$9,427.96	
Salary 07/01/2018		Step A	Step B	Step C	Step D	Step E	Step F
Secretary to City Manager	C	\$4,320.37	\$4,536.40	\$4,763.22	\$5,001.38	\$5,251.45	\$5,514.02
Human Resources Clerk	C	\$3,235.73	\$3,397.52	\$3,567.40	\$3,745.77	\$3,933.06	\$4,129.71
Human Resources Technician I	C	\$3,846.26	\$4,038.57	\$4,240.49	\$4,452.52	\$4,675.14	\$4,908.90
Human Resources Technician II	C	\$4,288.52	\$4,502.95	\$4,728.09	\$4,964.50	\$5,212.72	\$5,473.36
Human Resources Analyst I	C	\$5,125.38	\$5,381.65	\$5,650.73	\$5,933.27	\$6,229.94	
Human Resources Analyst II	C	\$5,798.90	\$6,088.84	\$6,393.29	\$6,712.95	\$7,048.60	
Senior Human Resources Analyst	C	\$6,668.73	\$7,002.17	\$7,352.28	\$7,719.89	\$8,105.89	
Human Resources Manager	C	\$8,188.82	\$8,598.27	\$9,028.17	\$9,479.58	\$9,953.57	

City of Woodland
Confidential Employee Compensation
July 1, 2017 to June 30, 2019

City of Woodland							
Confidential Employees Memorandum of Understanding							
July 1, 2017 to June 30, 2019							
Exhibit A							
Salary Schedule							
Current Salary 07/01/2017 (before new MOU)		Step A	Step B	Step C	Step D	Step E	Step F
Secretary to City Manager	C	\$4,072.36	\$4,275.99	\$4,489.79	\$4,714.28	\$4,949.99	
Human Resources Clerk	C	\$3,049.99	\$3,202.49	\$3,362.62	\$3,530.75	\$3,707.29	
Human Resources Technician I	C	\$3,625.47	\$3,806.74	\$3,997.07	\$4,196.93	\$4,406.77	
Human Resources Technician II	C	\$4,042.34	\$4,244.46	\$4,456.68	\$4,679.51	\$4,913.49	
Human Resources Analyst I	C	\$4,598.37	\$4,828.29	\$5,069.71	\$5,323.20	\$5,589.36	
Human Resources Analyst II	C	\$5,202.64	\$5,462.77	\$5,735.90	\$6,022.69	\$6,323.83	
Senior Human Resources Analyst	C	-	-	-	-	-	
Human Resources Manager	C	\$7,171.89	\$7,530.49	\$7,907.01	\$8,302.36	\$8,717.48	
Salary 07/01/2017 (Retro adjustment)		Step A	Step B	Step C	Step D	Step E	Step F
Secretary to City Manager	C	\$4,194.54	\$4,404.27	\$4,624.48	\$4,855.71	\$5,098.49	\$5,225.96
Human Resources Clerk	C	\$3,141.49	\$3,298.57	\$3,463.50	\$3,636.67	\$3,818.51	\$3,913.97
Human Resources Technician I	C	\$3,734.23	\$3,920.95	\$4,116.98	\$4,322.84	\$4,538.98	\$4,652.45
Human Resources Technician II	C	\$4,163.61	\$4,371.79	\$4,590.38	\$4,819.90	\$5,060.89	\$5,187.42
Human Resources Analyst I	C	\$4,736.32	\$4,973.14	\$5,221.80	\$5,482.90	\$5,757.04	
Human Resources Analyst II	C	\$5,358.71	\$5,626.65	\$5,907.98	\$6,203.38	\$6,513.55	
Senior Human Resources Analyst	C	\$6,162.52	\$6,470.65	\$6,794.18	\$7,133.88	\$7,490.58	
Human Resources Manager	C	\$7,756.40	\$8,144.23	\$8,551.43	\$8,979.00	\$9,427.96	
Salary 01/01/2018		Step A	Step B	Step C	Step D	Step E	Step F
Secretary to City Manager	C	\$4,194.54	\$4,404.27	\$4,624.48	\$4,855.71	\$5,098.49	\$5,353.42
Human Resources Clerk	C	\$3,141.49	\$3,298.57	\$3,463.50	\$3,636.67	\$3,818.51	\$4,009.43
Human Resources Technician I	C	\$3,734.23	\$3,920.95	\$4,116.98	\$4,322.84	\$4,538.98	\$4,765.92
Human Resources Technician II	C	\$4,163.61	\$4,371.79	\$4,590.38	\$4,819.90	\$5,060.89	\$5,313.94
Human Resources Analyst I	C	\$4,976.10	\$5,224.91	\$5,486.15	\$5,760.46	\$6,048.48	
Human Resources Analyst II	C	\$5,630.00	\$5,911.50	\$6,207.07	\$6,517.43	\$6,843.30	
Senior Human Resources Analyst	C	\$6,474.50	\$6,798.22	\$7,138.13	\$7,495.04	\$7,869.79	
Human Resources Manager	C	\$7,756.40	\$8,144.23	\$8,551.43	\$8,979.00	\$9,427.96	
Salary 07/01/2018		Step A	Step B	Step C	Step D	Step E	Step F
Secretary to City Manager	C	\$4,320.37	\$4,536.40	\$4,763.22	\$5,001.38	\$5,251.45	\$5,514.02
Human Resources Clerk	C	\$3,235.73	\$3,397.52	\$3,567.40	\$3,745.77	\$3,933.06	\$4,129.71
Human Resources Technician I	C	\$3,846.26	\$4,038.57	\$4,240.49	\$4,452.52	\$4,675.14	\$4,908.90
Human Resources Technician II	C	\$4,288.52	\$4,502.95	\$4,728.09	\$4,964.50	\$5,212.72	\$5,473.36
Human Resources Analyst I	C	\$5,125.38	\$5,381.65	\$5,650.73	\$5,933.27	\$6,229.94	
Human Resources Analyst II	C	\$5,798.90	\$6,088.84	\$6,393.29	\$6,712.95	\$7,048.60	
Senior Human Resources Analyst	C	\$6,668.73	\$7,002.17	\$7,352.28	\$7,719.89	\$8,105.89	
Human Resources Manager	C	\$8,188.82	\$8,598.27	\$9,028.17	\$9,479.58	\$9,953.57	



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: September 5, 2017
ITEM #: 7.
SUBJECT: Approve the Operations & Maintenance Superintendent Job Description

Recommendation for Action:

Staff recommends that the City Council:

- 1) Approve the new Operations & Maintenance Superintendent job description; and
- 2) Establish pay rate at Salary Range 137 (\$7,802.67 to \$9,484.20); and
- 3) Approve the addition of this job classification to the Mid-Management Professional Employee Association.

Staff Contact:

Sheila McShane, Human Resources Manager, (530) 661-5807, sheila.mcshane@cityofwoodland.org

Fiscal Impact:

This action to adopt the revised job description does not result in any additional budget implications and they have already been addressed in the fiscal year 2017/18 budget, therefore, there is no fiscal impact.

Report in Brief:

Based on recommendations from an Organization Review which the City commissioned in 2016 and the recent retirement of the Deputy Director of Public Works, Operations and Maintenance, the City is creating a new job classification. The position will be located in Public Works, and is titled Operations and Maintenance Superintendent.

The Mid-Management Professional Association has reviewed and accepted the addition of this job classification and description.

Discussion:

Paid at salary range of \$7,802.67 to \$9,484.20 (salary range 137). This new position will be the Superintendent over the Operations and Maintenance Division of the City. This includes, Street Maintenance, Electric, Signs and Marking, and Fleet and Facilities. The creation of this position allows the City to better manage the infrastructure within the City.

As a result of the 2016 Study the City engaged in, Public Works has created two divisions, one over Operations and Maintenance and the other over Utilities. The previous incumbent, the Deputy Director of Public Works, Operations and Maintenance, retired at the end of July, thus creating a vacancy. The decision was made to create a Superintendent position over the City infrastructure. Some of the duties that the previous Deputy Director of Public Works, Operations and Maintenance have been dispersed.

Conclusion:

Staff recommends that the City Council:

- 1) Approve the new Operations & Maintenance Superintendent job description; and
- 2) Establish pay rate at Salary Range 137 (\$7,802.67 to \$9,484.20); and
- 3) Approve the addition of this job classification to the Mid-Management Professional Employee Association.

Prepared By: Sheila McShane, Human Resources Manager



Paul Navazio, City Manager

ATTACHMENTS:

Description	Upload Date	Type
Job Description Operations and Maitenance Superintendent	8/17/2017	Backup Material



OPERATIONS & MAINTENANCE SUPERINTENDENT

DEFINITION

To plan, direct, and supervise field and internal service maintenance division activities including streets, electrical, sign and markings, fleet, and facility maintenance.

SUPERVISION RECEIVED AND EXERCISED

General direction is provided by the Public Works Director. Responsibilities include direct and indirect supervision of staff. Exercises discretion and independent judgment with respect to assigned duties. The work of this class involves substantial leadership, responsibility and decision-making.

EXAMPLES OF DUTIES

The following are typical illustrations of duties encompassed by the job class, but are not an all-inclusive or limiting list:

ESSENTIAL JOB FUNCTIONS

Plan, organize and direct activities of the Public Works Operations and Maintenance Divisions providing the public works maintenance and operations functional oversight pertaining to streets, electrical services, signs and markings, and fleet and facility maintenance; as assigned.

- Participate in the planning, organizing, coordinating, supervising, and evaluating of programs, plans, services, staffing, equipment, and infrastructure of the Public Works Department.
- Assist in the development and implementation of goals, objectives, policies, procedures, schedules, and work standards for various operating groups within the Public Works Department.
- Participate in the preparation and administration of the annual Operations and Maintenance Budget for assigned program areas.
- Participate in the development and implementation of an efficient Capital Improvement Program; provide input for project budget requirements and recommendations to adequately fund said program.
- Participate in the selection, negotiation and administration of consultant contracts to implement the Capital Improvement Program and other work as needed to maintain quality streets, fleet, facility, and associated systems.
- Research and analyze complex problems, evaluate varied information and data, and exercise sound independent judgment within established guidelines.
- Coordinate maintenance service programs with other City Departments and with

outside agencies.

- May serve as staff liaison on a variety of boards, commissions, and committees; prepares and presents staff reports and other necessary correspondence.
- May attend and participate in professional group meetings; stay abreast of new trends and innovations in the field of assigned responsibilities.
- Oversee and participate in providing customer service to internal and external customers; respond to and resolve difficult and sensitive citizen inquiries and complaints.
- Establish and maintain effective working relationships while providing for the evaluation, training, and professional development of assigned staff. Work cooperatively with others.
- Regular, predictable, consistent and timely attendance is an essential function of the position, in that employee must be present to work on staffing, facilities and equipment impacting the public's health and safety.

OTHER JOB FUNCTIONS

- Interpret City policies and procedures, draft City policies and procedures as appropriate
- Update Department policies and procedures as assigned
- Lead assigned teams to ensure consistency, results and accountability.
- Prepare Council reports and departmental studies in areas of responsibility. May make presentations before the City Council, the public, and/or Boards and Commissions related to areas of responsibility
- Plan and direct safety and training programs for the various work activities assigned.
- Ensure the adherence to safe work practices by assigned staff. Performs roles/duties 'Working Out of Class' as needed/assigned.
- Coordinate and schedule work to be performed with other divisions and departments.
- Perform related duties as assigned.

QUALIFICATIONS

Knowledge of:

- Administrative principles and methods, including goal setting, program development, scheduling and implementation, budget preparation and administration, employee supervision, and contract evaluation and administration.
- Current principles, practices, methodology, equipment, tools, materials, and techniques of municipal public works maintenance and operations, including streets, fleet maintenance, building maintenance, electrical, signs and markings, and basic

underground utilities/wastewater treatment.

- Applicable local, State, and Federal laws and regulations related to streets, fleet maintenance, building maintenance, electrical, signs and markings, and underground utility services location.
- Principles and practices related to the activities and functions of municipal government.
- Principles and practices of project management, administration, and coordination.
- Principles and practices of leadership, motivation, team building, conflict resolution, training, and performance evaluation.
- Safety principles, practices, and procedures.
- Operation and programs of a personal computer.

Skill to:

- Plan, organize and administer comprehensive public works office and field activities with in-house and contract personnel.
- Develop, interpret and implement applicable Department policies in fields of responsibility.
- Analyze complex problems, evaluate alternatives, and implement creative but sound alternatives.
- Manage, direct, coordinate, and evaluate the work of assigned personnel.
- Prepare and present clear, concise, and competent reports, both orally and in writing.
- Establish and maintain cooperative working relationships with co-workers and those contacted in the course of work.

Ability to:

- Oversee and participate in the management of multiple Divisions, work groups, and/or service areas within a comprehensive Public Works Department.
- Oversee, direct, and coordinate the work of lower level staff.
- Select, supervise, train, and evaluate staff.
- Participate in the development and administration of goals, objectives, and procedures for assigned areas of responsibility.
- Research, analyze, and evaluate new service delivery methods and techniques.
- Participate in the preparation of, and administer, program budgets.
- Analyze problems, identify alternative solutions, project consequences of proposed actions and make/implement recommendations in support of City/Council/Departmental goals.
- Analyze and take appropriate action to correct construction and functional faults in

equipment, buildings, streets and incidental fittings and attachments in all assigned areas of responsibility.

- Learn and apply computer hardware and software, including SCADA systems, to enhance electrical and field operation and maintenance.
- Oversee and participate in the compilation of data, maintenance of records and files, and the preparation of clear and concise administrative and financial reports.
- Interpret and apply federal, state, and local policies, laws, and regulations.
- Understand the organization, operation, and services of the City and of outside agencies as necessary to assume assigned responsibilities.
- Ensure adherence to established safety rules, regulations and guidelines.
- Oversee and participate in the provision of a high level of customer service to internal and external customers.
- Respond to requests and inquiries from the general public; tactfully and courteously represent Public Works and assigned areas of responsibilities during public contacts.
- Communicate clearly and concisely, both orally and in writing.
- Establish and maintain effective working relationships with those contacted in the course of work.
- Work flexible hours to attend Council meetings, citizen groups, and other meetings/events/presentations/training/conferences as needed.

Minimum Education and Experience:

Any combination of education and experience that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Education:

A Bachelor's (BA/BS) degree from an accredited college or university with major course work in construction technology, engineering, business or public administration, or a related field is desirable. An Associate of Arts (AA) with at least two years of experience in management/leadership position in appropriate disciplines will be considered.

Experience:

Six (6) years of verifiable administrative experience including four (4) years of verifiable mid-management or supervisory experience in Public Works activities related to street maintenance, electrical maintenance, signs and markings, fleet and facility operations and maintenance, and/or utility infrastructure maintenance.

License or Certificate:

Required upon hire, possession of a valid California Driver's License.

SPECIAL CONDITIONS

Incumbents of this class may be required to work unusual hours in emergency situations

and to be available on an "on call" basis.

ADA COMPLIANCE

Physical Ability: Positions in this class typically require climbing, balancing, stooping, kneeling, crouching, reaching, standing, walking, pushing, pulling, lifting, fingering, grasping, talking, hearing, seeing, and repetitive motions.

Heavy Work: Exerting in excess of 50 pounds of force very occasionally, and/or in excess of 20 pounds of force frequently, and/or in excess of 10 pounds of force constantly to move objects.

Other Requirements:

Sensory Requirements: Requires the ability to recognize and identify similarities and differences between shade, degree or value of colors, shapes, sounds, forms, textures or physical appearance associated with objects and people.

Environmental Factors: May be subjected to moving mechanical parts, electrical currents, vibrations, fumes, odors, dusts, gases, poor ventilation, chemicals, oils, extreme temperatures, work space restrictions, intense noises, and environmental dangers.



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: September 5, 2017
ITEM #: 8.
SUBJECT: Second Reading and Adoption of Ordinance No. 1622

Recommendation for Action:

Staff recommends that the City Council adopt Ordinance No. 1622, approving the amendments to Article 21.5 of Chapter 25 of the Woodland Municipal Code related to zoning of personal cultivation of cannabis.

Staff Contact:

Cindy A. Norris, Principal Planner, (530) 661-5911, cindy.norris@cityofwoodland.org

Fiscal Impact:

Utilization of City Attorney and staff time to research, analyze and evaluate options and recommendations relating to cannabis uses within the city.

Background:

At its August 22, 2017 meeting, the City Council introduced and waived the first reading of Ordinance No.1622, approving the proposed amendments to Article 21.5 of Chapter 25 as follows:

1. Rename the Article Personal Cultivation of Cannabis; and
2. Amend Article 21.5 to (a) provide that any person within the City of Woodland may cultivate cannabis inside of any residence or enclosed and secure secondary structure that meets certain requirements specified in the ordinance, consistent with state law that permits indoor cultivation of cannabis for medical and non-medical purposes, and (b) prohibit all outdoor cultivation of cannabis; and
3. Change all use of the word "marijuana" to "cannabis" to be consistent with state law.

Conclusion:

Staff recommends that the City Council adopt Ordinance No. 1622, approving the amendments to Article 21.5 of Chapter 25 of the Woodland Municipal Code related to zoning of personal cultivation of cannabis.

Prepared By: Cindy A. Norris, Principal Planner

Reviewed By: Ken Hiatt, Assistant City Manager, Community and Economic Development

A handwritten signature in black ink, appearing to read "Paul Navazio".

Paul Navazio, City Manager

ATTACHMENTS:

Description	Upload Date	Type
Ordinance Amending Article 21.5 of Chapter 25	8/23/2017	Cover Memo

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WOODLAND AMENDING ARTICLE 21.5 OF CHAPTER 25 OF THE
WOODLAND MUNICIPAL CODE RELATED TO ZONING OF
PERSONAL CULTIVATION OF CANNABIS**

WHEREAS, the City of Woodland Municipal Code currently permits indoor personal cultivation of medical marijuana in residential zones by qualified patients and primary caregivers for medical purposes, subject to certain registration requirements and performance standards; and

WHEREAS, the City's Municipal Code prohibits commercial cultivation of medical marijuana, cultivation of marijuana for non-medical purposes, and outdoor cultivation within any residential zone and within 600 feet of any child care center, park, school or residential use; and

WHEREAS, at the November 1, 2016 City Council meeting, the City Council adopted Ordinance No. 1602, an urgency interim zoning ordinance establishing a moratorium in all zoning districts on the outdoor cultivation of marijuana for non-medical purposes, in anticipation of Proposition 64 passing at the November 8, 2016 election; and

WHEREAS, at the November 8, 2016 election, California voters adopted Proposition 64, the Adult Use of Marijuana Act ("AUMA"), which took effect the day after the election on November 9, 2016, and authorized certain personal cultivation of marijuana for non-medical purposes; and

WHEREAS, at the November 15, 2016 City Council meeting, the City Council adopted Ordinance No. 1607 to extend the moratorium established by the previous urgency ordinance until October 1, 2017, in order to provide staff time to consider and develop recommendations for personal cultivation of marijuana in light of AUMA; and

WHEREAS, the City Council has determined that certain revisions to the City's Zoning Ordinance regarding the personal cultivation of marijuana for medical and non-medical purposes are necessary in light of AUMA; and

WHEREAS, the City Council has determined that the reasonable regulations regarding personal cultivation contained in this Ordinance balance individuals' rights to cultivate marijuana pursuant to State law with the public health and safety concerns of the City posed by cultivation of marijuana; and

WHEREAS, the City Council further finds that this Ordinance merely clarifies existing zoning regulations and prohibitions regarding cultivation of marijuana in light of State law and does not authorize new or more intensive land uses, and therefore it can be seen with reasonable certainty that this Ordinance does not have the potential for causing a significant effect on the environment; and

WHEREAS, to ensure consistency with State law, this Ordinance changes the word "marijuana" to "cannabis," but the meaning of the word is the same; and

WHEREAS, it is the City Council’s intent that the moratorium on all outdoor cultivation of marijuana for non-medical purposes, as set forth in Ordinances Nos. 1602 and 1607, shall be repealed upon the effective date of this Ordinance.

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

Section 1. **Recitals.** The above recitals are hereby adopted by the City Council and incorporated as though set forth in this section.

Section 2. **Findings.** Pursuant to Chapter 25, Article 29 of the Woodland Municipal Code, the City Council makes the following additional findings in support of the zoning amendments contained in this Ordinance:

A. The amendments contained in this Ordinance are necessary to clarify and maintain existing prohibitions and zoning regulations regarding personal cultivation of cannabis in light of State law amendments. Specifically, this Ordinance ensures that the zoning regulations and performance standards imposed on personal cultivation of cannabis apply to both medical and non-medical uses of cannabis, and clarifies that all outdoor cultivation of cannabis is prohibited in the City. Accordingly, pursuant to Section 25-29-01 of the Woodland Municipal Code, the City Council finds that this Ordinance is necessary for the public necessity, convenience, and general welfare of the City, its residents, and visitors.

B. The Planning Commission, after a duly noticed public hearing on August 3, 2017, determined that the proposed amendments in this Ordinance conform to the General Plan of the City and recommended adoption of this Ordinance.

Section 3. **Amendment.** Article 21.5 of Chapter 25 of the Woodland Municipal Code is hereby amended to read as follows:

Article 21.5. - Personal Cultivation of Cannabis.

Sec. 25-21.5-10. - Purpose.

The purpose and intent of this article is to regulate the personal cultivation of cannabis in a manner that protects the health, safety, and welfare of the community. This article is not intended to interfere with a patient's right to medical cannabis, as provided for in California Health and Safety Code Section 11362.5, as it may be amended, nor does it criminalize medical cannabis possession or cultivation by specifically defined classifications of persons, pursuant to state law. This article is not intended to give any person independent legal authority to grow cannabis; it is intended simply to impose zoning restrictions on the cultivation of cannabis when it is authorized by California state law for medical or other purposes.

Sec. 25-21.5-20. - Applicability.

- (a) Applicability. This article is adopted notwithstanding the provisions of Section 25-2-40 concerning compliance with state and federal laws. No part of this article shall be deemed to conflict with federal law as contained in the Controlled Substances Act, 21 U.S.C. § 800 et seq., nor to otherwise permit any activity that is prohibited under that Act or any other local, state or federal law, statute, rule, or regulation.
- (b) Nothing in this article shall be construed to allow any conduct or activity relating to the cultivation, distribution, dispensing, sale, or consumption of cannabis. No provision of this article shall be deemed a defense or immunity to any action brought against any person by the Yolo County District Attorney's Office, the Attorney General of the State of California, or the United States of America.

Sec. 25-21.5-30. - Definitions.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section.

“Cannabis” means all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin, including cannabis products derived therefrom. For purposes of this Article, “cannabis” shall mean and include both cannabis for medical purposes and non-medical cannabis, unless otherwise specified. No distinction is made in this article between cannabis used for medical purposes and cannabis used for non-medical purposes.

“Cultivation” means any activity involving the planting, growing, harvesting, drying, curing, grading, trimming, or processing of cannabis or any part thereof.

“Marijuana” has the same meaning as “cannabis.”

“Personal Cultivation” means any activity involving the planting, growing, harvesting, drying, curing, grading, trimming, or processing of cannabis or any part thereof, conducted by an individual for personal use, and not intended or conducted for sale, resale, or other commercial activity.

“Primary caregiver” shall have the same definition as set forth in California Health and Safety Code Section 11362.7(d), as it may be amended.

“Qualified patient” shall mean a person identified in California Health and Safety Code Section 11362.7(c) or (f), as they may be amended.

Sec. 25-21.5-40. - Prohibited locations.

- (a) Personal cultivation of cannabis, including by a qualified patient or primary caregiver, is prohibited outdoors.
- (b) No person shall cultivate cannabis indoors in the city, except within a detached, fully-enclosed and secure secondary structure or primary residential structure that meets the requirements set forth in Section 25-21.5-50.

Sec. 25-21.5-50. - Indoor cultivation.

- (a) The indoor personal cultivation of cannabis shall only be conducted within a primary residential structure or within a detached, fully-enclosed and secure secondary structure.
- (b) All indoor personal cultivation of cannabis shall conform to the following minimum standards:
 - (1) The cannabis is cultivated by either:
 - (A) a qualified patient exclusively for his or her own personal medical use;
 - (B) a primary caregiver who cultivates, possesses, stores, manufactures, transports, donates, or provides medical cannabis exclusively for the personal medical purposes of no more than five specified qualified patients for whom he or she is the primary caregiver, but who does not receive remuneration for these activities except for compensation in full compliance with California Health and Safety Code Section 11362.765(c); or
 - (C) a person 21 years of age or older for that person's personal use, possession, processing, transporting, or giving away without any compensation whatsoever in accordance with this Article and state law, as applicable.
 - (2) Indoor grow lights in any structure shall not exceed an aggregate of one thousand two hundred watts (1,200 W) and shall comply with all applicable building code regulations. Gas products (including, without limitation, CO₂, butane, propane, and natural gas) or generators shall not be used within any detached structure used for the cultivation of cannabis.
 - (3) Any detached, fully-enclosed and secure secondary structure or residential structure used for the personal cultivation of cannabis must have a ventilation and filtration system installed that shall mitigate cannabis plant odors from exiting the interior of the structure and that shall comply with all applicable building code regulations, including obtaining all required permits and approvals. The ventilation and filtration system must be approved by the city and installed prior to commencing cultivation within the detached, fully-enclosed and secure structure or residential structure.
 - (4) A detached, fully-enclosed and secure secondary structure used for the personal cultivation of cannabis shall be located in the rear yard area of a parcel, maintain a minimum ten-foot setback from the rear yard property line and a side yard setback that is equal to the same side yard setback required for the residential lot on which the home sits,

and the area surrounding the structure or yard must be enclosed by a solid fence at least six feet in height.

- (5) Cannabis cultivation occurring within a residence and/or detached structure shall not exceed more than a cumulative total of six living plants at one time, and shall occur in a cumulative area totaling no larger than fifty square feet, regardless of how many persons are residing at the premises.
- (6) Personal cultivation of cannabis shall not inhibit the occupancy of the residence or take place in the kitchen or bathrooms of any structure.
- (7) Personal cultivation of cannabis shall not take place on any carpeted surface.
- (8) Cannabis cultivation areas, whether in a detached structure or inside a residence, shall not be readily accessible to persons under 21 years of age.
- (9) No exterior evidence of cannabis cultivation occurring at the property shall be visible from the public right of way.

Sec. 25-21.5-60. - Reserved.

Sec. 25-21.5-70. - Public nuisance.

Any violation of this article is declared to a public nuisance and may be abated by the city pursuant to Chapter 14A of this code.

Sec. 25-21.5-80. - Penalty.

A violation of this article shall either be a misdemeanor or an infraction at the discretion of the prosecuting attorney. However, notwithstanding anything in this code to the contrary, persons violating this article shall not be subject to criminal liability under this code solely to the extent such conduct or condition is immune from criminal liability pursuant to the Compassionate Use Act of 1996 (Health and Safety Code Section 11362.5) and/or the Medical Marijuana Program (Health and Safety Code Section 11362.7 et seq.) as they may be amended. This section does not prohibit the city from abating violations of this article by any administrative, civil or other non-criminal means. In such cases, a violation of this article may be considered the civil or administrative equivalent of an infraction or misdemeanor as applicable.

Section 4. **Severability.** If any provision or clause of this Ordinance or any application of it to any person, firm, organization, partnership or corporation is held invalid, such invalidity shall not affect other provisions of this Ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this Ordinance are declared to be severable.

Section 5. **CEQA.** The City Council hereby finds that this Ordinance is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the CEQA Guidelines (14 Cal. Code Regs. 15061(b)(3)) because this Ordinance is not a project and does not have the

potential for causing a significant effect on the environment. This Ordinance is intended only to clarify existing prohibitions regarding personal cultivation of marijuana, and to impose reasonable zoning regulations and performance standards related to indoor, personal cultivation of marijuana consistent with State law.

Section 6. **Effective Date.** 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.

PASSED AND ADOPTED by the City Council this ____ day of _____ 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Angel Barajas, Mayor

ATTEST:

Ana B. Gonzalez, City Clerk

APPROVED AS TO FORM:

Kara K. Ueda, City Attorney

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
WOODLAND AMENDING ARTICLE 21.5 OF CHAPTER 25 OF THE
WOODLAND MUNICIPAL CODE RELATED TO ZONING OF
PERSONAL CULTIVATION OF CANNABIS**

WHEREAS, the City of Woodland Municipal Code currently permits indoor personal cultivation of medical marijuana in residential zones by qualified patients and primary caregivers for medical purposes, subject to certain registration requirements and performance standards; and

WHEREAS, the City's Municipal Code prohibits commercial cultivation of medical marijuana, cultivation of marijuana for non-medical purposes, and outdoor cultivation within any residential zone and within 600 feet of any child care center, park, school or residential use; and

WHEREAS, at the November 1, 2016 City Council meeting, the City Council adopted Ordinance No. 1602, an urgency interim zoning ordinance establishing a moratorium in all zoning districts on the outdoor cultivation of marijuana for non-medical purposes, in anticipation of Proposition 64 passing at the November 8, 2016 election; and

WHEREAS, at the November 8, 2016 election, California voters adopted Proposition 64, the Adult Use of Marijuana Act ("AUMA"), which took effect the day after the election on November 9, 2016, and authorized certain personal cultivation of marijuana for non-medical purposes; and

WHEREAS, at the November 15, 2016 City Council meeting, the City Council adopted Ordinance No. 1607 to extend the moratorium established by the previous urgency ordinance until October 1, 2017, in order to provide staff time to consider and develop recommendations for personal cultivation of marijuana in light of AUMA; and

WHEREAS, the City Council has determined that certain revisions to the City's Zoning Ordinance regarding the personal cultivation of marijuana for medical and non-medical purposes are necessary in light of AUMA; and

WHEREAS, the City Council has determined that the reasonable regulations regarding personal cultivation contained in this Ordinance balance individuals' rights to cultivate marijuana pursuant to State law with the public health and safety concerns of the City posed by cultivation of marijuana; and

WHEREAS, the City Council further finds that this Ordinance merely clarifies existing zoning regulations and prohibitions regarding cultivation of marijuana in light of State law and does not authorize new or more intensive land uses, and therefore it can be seen with reasonable certainty that this Ordinance does not have the potential for causing a significant effect on the environment; and

WHEREAS, to ensure consistency with State law, this Ordinance changes the word "marijuana" to "cannabis," but the meaning of the word is the same; and

WHEREAS, it is the City Council's intent that the moratorium on all outdoor cultivation of marijuana for non-medical purposes, as set forth in Ordinances Nos. 1602 and 1607, shall be repealed upon the effective date of this Ordinance.

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

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Section 2. **Findings.** Pursuant to Chapter 25, Article 29 of the Woodland Municipal Code, the City Council makes the following additional findings in support of the zoning amendments contained in this Ordinance:

A. The amendments contained in this Ordinance are necessary to clarify and maintain existing prohibitions and zoning regulations regarding personal cultivation of cannabis in light of State law amendments. Specifically, this Ordinance ensures that the zoning regulations and performance standards imposed on personal cultivation of cannabis apply to both medical and non-medical uses of cannabis, and clarifies that all outdoor cultivation of cannabis is prohibited in the City. Accordingly, pursuant to Section 25-29-01 of the Woodland Municipal Code, the City Council finds that this Ordinance is necessary for the public necessity, convenience, and general welfare of the City, its residents, and visitors.

B. The Planning Commission, after a duly noticed public hearing on August 3, 2017, determined that the proposed amendments in this Ordinance conform to the General Plan of the City and recommended adoption of this Ordinance.

Section 3. **Amendment.** Article 21.5 of Chapter 25 of the Woodland Municipal Code is hereby amended to read as follows:

Article 21.5. - Personal Cultivation of Cannabis.

Sec. 25-21.5-10. - Purpose.

The purpose and intent of this article is to regulate the personal cultivation of cannabis in a manner that protects the health, safety, and welfare of the community. This article is not intended to interfere with a patient's right to medical cannabis, as provided for in California Health and Safety Code Section 11362.5, as it may be amended, nor does it criminalize medical cannabis possession or cultivation by specifically defined classifications of persons, pursuant to state law. This article is not intended to give any person independent legal authority to grow cannabis; it is intended simply to impose zoning restrictions on the cultivation of cannabis when it is authorized by California state law for medical or other purposes.

Sec. 25-21.5-20. - Applicability.

(a) Applicability. This article is adopted notwithstanding the provisions of Section 25-2-40 concerning compliance with state and federal laws. No part of this article shall be deemed to

conflict with federal law as contained in the Controlled Substances Act, 21 U.S.C. § 800 et seq., nor to otherwise permit any activity that is prohibited under that Act or any other local, state or federal law, statute, rule, or regulation.

- (b) Nothing in this article shall be construed to allow any conduct or activity relating to the cultivation, distribution, dispensing, sale, or consumption of cannabis. No provision of this article shall be deemed a defense or immunity to any action brought against any person by the Yolo County District Attorney's Office, the Attorney General of the State of California, or the United States of America.

Sec. 25-21.5-30. - Definitions.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section.

“Cannabis” means all parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin, including cannabis products derived therefrom. For purposes of this Article, “cannabis” shall mean and include both cannabis for medical purposes and non-medical cannabis, unless otherwise specified. No distinction is made in this article between cannabis used for medical purposes and cannabis used for non-medical purposes.

“Cultivation” means any activity involving the planting, growing, harvesting, drying, curing, grading, trimming, or processing of cannabis or any part thereof.

“Marijuana” has the same meaning as “cannabis.”

“Personal Cultivation” means any activity involving the planting, growing, harvesting, drying, curing, grading, trimming, or processing of cannabis or any part thereof, conducted by an individual for personal use, and not intended or conducted for sale, resale, or other commercial activity.

“Primary caregiver” shall have the same definition as set forth in California Health and Safety Code Section 11362.7(d), as it may be amended.

“Qualified patient” shall mean a person identified in California Health and Safety Code Section 11362.7(c) or (f), as they may be amended.

Sec. 25-21.5-40. - Prohibited locations.

- (a) Personal cultivation of cannabis, including by a qualified patient or primary caregiver, is prohibited outdoors.
- (b) No person shall cultivate cannabis indoors in the city, except within a detached, fully-enclosed and secure secondary structure or primary residential structure that meets the requirements set forth in Section 25-21.5-50.

Sec. 25-21.5-50. - Indoor cultivation.

- (a) The indoor personal cultivation of cannabis shall only be conducted within a primary residential structure or within a detached, fully-enclosed and secure secondary structure.
- (b) All indoor personal cultivation of cannabis shall conform to the following minimum standards:
 - (1) The cannabis is cultivated by either:
 - (A) a qualified patient exclusively for his or her own personal medical use;
 - (B) a primary caregiver who cultivates, possesses, stores, manufactures, transports, donates, or provides medical cannabis exclusively for the personal medical purposes of no more than five specified qualified patients for whom he or she is the primary caregiver, but who does not receive remuneration for these activities except for compensation in full compliance with California Health and Safety Code Section 11362.765(c); or
 - (C) a person 21 years of age or older for that person's personal use, possession, processing, transporting, or giving away without any compensation whatsoever in accordance with this Article and state law, as applicable.
 - (2) Indoor grow lights in any structure shall not exceed an aggregate of one thousand two hundred watts (1,200 W) and shall comply with all applicable building code regulations. Gas products (including, without limitation, CO₂, butane, propane, and natural gas) or generators shall not be used within any detached structure used for the cultivation of cannabis.
 - (3) Any detached, fully-enclosed and secure secondary structure or residential structure used for the personal cultivation of cannabis must have a ventilation and filtration system installed that shall mitigate cannabis plant odors from exiting the interior of the structure and that shall comply with all applicable building code regulations, including obtaining all required permits and approvals. The ventilation and filtration system must be approved by the city and installed prior to commencing cultivation within the detached, fully-enclosed and secure structure or residential structure.
 - (4) A detached, fully-enclosed and secure secondary structure used for the personal cultivation of cannabis shall be located in the rear yard area of a parcel, maintain a minimum ten-foot setback from the rear yard property line and a side yard setback that is equal to the same side yard setback required for the residential lot on which the home sits,

and the area surrounding the structure or yard must be enclosed by a solid fence at least six feet in height.

- (5) Cannabis cultivation occurring within a residence and/or detached structure shall not exceed more than a cumulative total of six living plants at one time, and shall occur in a cumulative area totaling no larger than fifty square feet, regardless of how many persons are residing at the premises.
- (6) Personal cultivation of cannabis shall not inhibit the occupancy of the residence or take place in the kitchen or bathrooms of any structure.
- (7) Personal cultivation of cannabis shall not take place on any carpeted surface.
- (8) Cannabis cultivation areas, whether in a detached structure or inside a residence, shall not be readily accessible to persons under 21 years of age.
- (9) No exterior evidence of cannabis cultivation occurring at the property shall be visible from the public right of way.

Sec. 25-21.5-60. - Reserved.

Sec. 25-21.5-70. - Public nuisance.

Any violation of this article is declared to a public nuisance and may be abated by the city pursuant to Chapter 14A of this code.

Sec. 25-21.5-80. - Penalty.

A violation of this article shall either be a misdemeanor or an infraction at the discretion of the prosecuting attorney. However, notwithstanding anything in this code to the contrary, persons violating this article shall not be subject to criminal liability under this code solely to the extent such conduct or condition is immune from criminal liability pursuant to the Compassionate Use Act of 1996 (Health and Safety Code Section 11362.5) and/or the Medical Marijuana Program (Health and Safety Code Section 11362.7 et seq.) as they may be amended. This section does not prohibit the city from abating violations of this article by any administrative, civil or other non-criminal means. In such cases, a violation of this article may be considered the civil or administrative equivalent of an infraction or misdemeanor as applicable.

Section 4. **Severability.** If any provision or clause of this Ordinance or any application of it to any person, firm, organization, partnership or corporation is held invalid, such invalidity shall not affect other provisions of this Ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this Ordinance are declared to be severable.

Section 5. **CEQA.** The City Council hereby finds that this Ordinance is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the CEQA Guidelines (14 Cal. Code Regs. 15061(b)(3)) because this Ordinance is not a project and does not have the

potential for causing a significant effect on the environment. This Ordinance is intended only to clarify existing prohibitions regarding personal cultivation of marijuana, and to impose reasonable zoning regulations and performance standards related to indoor, personal cultivation of marijuana consistent with State law.

Section 6. **Effective Date.** 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.

PASSED AND ADOPTED by the City Council this ____ day of _____ 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Angel Barajas, Mayor

ATTEST:

Ana B. Gonzalez, City Clerk

APPROVED AS TO FORM:

Kara K. Ueda, City Attorney



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: September 5, 2017
ITEM #: 9.
SUBJECT: Authorize the Sole-Source Purchase of Ultraviolet (UV) Lamps and the Associated Parts for Effluent Disinfection Purposes at the Water Pollution Control Facility

Recommendation for Action:

Staff recommends that the City Council adopt Resolution No. _____, adopting and approving City Manager's determination that the sole-source purchase of Ultra Violet Lamps from DC Frost Associates, Inc., in an amount not-to-exceed \$130,000.00, is in the City's best interests and approving the award of a contract to DC Frost Associates, Inc., for the same.

Staff Contact:

Craig Locke, Deputy Public Works Director Utilities, (530) 661-5899, craig.locke@cityofwoodland.org

Fiscal Impact:

There are no additional funds requested for this procurement. Council previously approved an amount of \$130,000 for the purchase of UV lamps in the FY18 Water Pollution Control Facility (WPCF) budget.

Background:

UV lamps are a part of the wastewater disinfection system/treatment process at the WPCF. Disinfection is the final treatment procedure and inactivates any remaining pathogens prior to discharge of the final effluent. Given the importance of final disinfection in the treatment process, it is critical to maintain a functionally reliable disinfection system. In addition, this process is a required element of the City's National Pollutant Discharge Elimination System (NPDES) permit which is regulated by the Regional Water Quality Control Board (RWQCB).

There are multiple manufacturers of UV lamps; each producing lamps of differing qualities, i.e., UV intensity and duration of effective operation. The effectiveness of a given lamp can vary greatly from plant to plant depending upon design and treatment processes. As such, the NPDES permit is conditioned to the type of lamp that was Title 22 bioassay tested and the lamp type is specifically approved by California Department of Health Services (CDPH) at the time of initial disinfection system installation. Currently, the WPCF is using the permitted Trojan brand UV disinfection system utilizing lamps approved and validated by Trojan Technologies and distributed by DC Frost Associates, Inc.

Discussion:

At the WPCF there are 10 banks of UV lights, each containing 168 lamps. This purchase is for 4- banks. These lamps are designed to provide a useful operating life of 12,000 hours. Our experience indicates they start losing intensity (their ability to disinfect) at about 10,000 hours. As such, they are replaced when their operating hours fall between 10,000 and 12,000 hours. Exceeding the 12,000 hours places the lamps outside of the manufacturer's recommended replacement time frame which, in turn, places the plant in violation of its NPDES permit.

Due to the success the City has experienced with lamps approved and validated by Trojan Technologies, to maintain compliance with our NPDES permit and to match the existing lamps in use, the City wishes to sole-source the purchase of the UV lamps from DC Frost Associates, Inc. Moreover, the vendor's staff has shown themselves to be dedicated in supporting the City's needs and offer assistance with testing, evaluating, parts and repair of the UV system. If the City were to change lamp manufacturers, a Title 22 bioassay test would need to be performed and the results approved by CDPH. The testing process is expensive (approximately \$45,000) and does not ensure CDPH approval.

Woodland Municipal Code section 17B-140(e) provides that the City Manager may approve of the waiver of competitive bidding when a determination is made that it is in the best interest of the City and its administrative

operations to dispense with public bidding. Further, competitive bidding is not required when the City determines it would produce no advantage for the City, or the advertising for bids is futile, undesirable, impractical or impossible. (*Graydon v. Pasadena Redevelopment Agency* (1980) 104 Cal.App.3d 631; see also *Los Angeles Dredging Co. v. City of Long Beach* (1930) 210 Cal. 348; *Los Angeles Gas & Electric Corp. v. City of Los Angeles* (1922) 188 Cal. 307, 319.) Here, the sole source of UV lamps from Trojan Technologies is supported by a determination by the City Manager that a waiver of competitive bidding requirements is in the City's best interests in light of the discussion above.

Conclusion:

Staff recommends that the City Council adopt Resolution No. _____, adopting and approving City Manager's determination that the sole-source purchase of Ultra Violet Lamps from DC Frost Associates, Inc., in an amount not-to-exceed \$130,000.00, is in the City's best interests and approving the award of a contract to DC Frost Associates, Inc., for the same.

Prepared By: Crag Locke, Deputy Public Works Director Utilities

Reviewed By: Greg Meyer, Public Works Director



Paul Navazio, City Manager

ATTACHMENTS:

Description	Upload Date	Type
Resolution Ultra Violet Lamps	9/1/2017	Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND ADOPTING AND APPROVING THE CITY MANAGER'S DETERMINATION THAT THE SOLE-SOURCE PURCHASE OF ULTRA VIOLET LAMPS FROM DC FROST ASSOCIATES, INC., IN AN AMOUNT NOT-TO-EXCEED \$130,000.00, IS IN THE CITY'S BEST INTERESTS AND APPROVING THE AWARD OF A CONTRACT TO DC FROST ASSOCIATES, INC., FOR THE SAME

WHEREAS, there are multiple manufacturers of UV lamps; each producing lamps of differing qualities. The effectiveness of a given lamp can vary greatly from plant to plant depending upon design and treatment processes. As such, the NPDES permit is conditioned to the type of lamp that was Title 22 bioassay tested and the lamp type is specifically approved by California Department of Health Services (CDPH) at the time of initial disinfection system installation; and

WHEREAS, the City's Water Pollution Control Facility (WPCF) is using the permitted Trojan brand UV disinfection system utilizing lamps approved and validated by Trojan Technologies and distributed by DC Frost Associates, Inc.; and

WHEREAS, at the WPCF there are 10 banks of UV lights, each containing 168 lamps. This purchase is for 4-banks. These lamps are designed to provide a useful operating life of 12,000 hours. Our experience indicates they start losing intensity (their ability to disinfect) at about 10,000 hours. As such, they are replaced when their operating hours fall between 10,000 and 12,000 hours. Exceeding the 12,000 hours places the lamps outside of the manufacturer's recommended replacement time frame which, in turn, places the plant in violation of its NPDES permit; and

WHEREAS, due to the success the City has experienced with lamps approved and validated by Trojan Technologies, to maintain compliance with our NPDES permit and to match the existing lamps in use, the City wishes to sole-source the purchase of the UV lamps from DC Frost Associates, Inc. Moreover, the vendor's staff has shown themselves to be dedicated in supporting the City's needs and offer assistance with testing, evaluating, parts and repair of the UV system. If the City were to change lamp manufacturers, a Title 22 bioassay test would need to be performed and the results approved by CDPH. The testing process is expensive (approximately \$45,000) and does not ensure CDPH approval; and

WHEREAS, Woodland Municipal Code section 17B-140(e) provides that the City Manager may approve of the waiver of competitive bidding when a determination is made that it is in the best interest of the City and its administrative operations to dispense with public bidding; and

WHEREAS, the City Manager has determined that the waiver of competitive bidding for ultra violet (UV) lamps from DC Frost Associates, Inc., used in the disinfection/treatment of wastewater is in the best interests of the City and its administrative operations based on the foregoing facts; and

WHEREAS, California case law excuses compliance with competitive bidding requirements in exceptional circumstances such as where requests for competitive bids would be futile, unavailing, or would produce an advantage, including when there is only one contracting party who can complete the work (*Los Angeles Dredging Co. v. Long Beach* (1930) 210 Cal. 348; *Graydon v. Pasadena Redevelopment Agency* (1980) 104 Cal. App. 3d 631); and

WHEREAS, the UV system at the WPCF was designed and manufactured by Trojan Technologies; and

WHEREAS, DC Frost Associates, Inc. is the authorized representative of Trojan Technologies for the State of California and provides UV lamps that are approved and validated by Trojan Technologies; and

WHEREAS, this product is necessary to comply with requirements dictated by the wastewater treatment plant's NPDES permit; and

WHEREAS, this authorization shall be for FY 17 and is in an amount not-to-exceed \$130,000.00; and

WHEREAS, funding for these lamps has been previously approved in the current FY17 budget, and no additional funds are being requested.

NOW, THEREFORE, BE IT RESOLVED

SECTION 1. The above recitals are true and correct and adopted herein by this reference.

SECTION 2. That the City Council hereby approves and adopts the City Manager's determination that the sole-source purchase of UV lamps from DC Frost Associates, Inc. in an amount not-to-exceed \$130,000.00 is in the best interests of the City and approves award of a contract to DC Frost Associates, Inc., for the same.

SECTION 3. That the City Council hereby authorizes the City Manager to execute a sole source contract with DC Frost Associates, Inc., in an amount not-to-exceed \$130,000.00, for the purchase of UV lamps.

PASSED AND ADOPTED this 5th day of September, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Angel Barajas, Mayor

APPROVED AS TO FORM:

Kara K. Ueda, City Attorney

ATTEST: _____

Ana Gonzalez, City Clerk



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: September 5, 2017
ITEM #: 10.
SUBJECT: Authorize the Sole-source Purchase of Coagulants for the Water Pollution Control Facility

Recommendation for Action:

Staff recommends that the City Council adopt Resolution No. _____, adopting and approving the City Manager's determination that the sole-source purchase of coagulants from Rosa Water Technology Associates, in an amount not-to-exceed \$160,000.00, is in the City's best interests and approving the award of a contract to Rosa Water Technology Associates for the same.

Staff Contact:

Craig Locke, Deputy Director of Public Works - Utilities, (530) 661-5899, craig.locke@cityofwoodland.org

Fiscal Impact:

An amount of \$160,000 was approved in the FY18 Water Pollution Control Facility (WPCF) budget for the purchase of coagulants. We are not requesting additional funds for this procurement. The average annual cost for coagulants is \$70,500 with a peak expenditure of \$128,200 in 2013 due to an extended plant upset. The purchase amount represents approximately twice the annual average as recent history has shown the usage has gone up due to the changes in surface water chemistry. It may be necessary to purchase above average amounts of coagulant should the plant experience multiple or extended periods of upset.

Background:

The use of coagulant chemicals as part of the wastewater treatment process at the WPCF is a required element of the City's National Pollutant Discharge Elimination System (NPDES) permit and is regulated by the Regional Water Quality Control Board. Coagulants act to increase the efficiency of the filtration system at the WPCF and are especially important in maintaining acceptable final effluent quality during treatment process upsets. Given their importance in the treatment process, it is critical to maintain a consistent and reliable source of coagulants.

There are dozens of coagulant manufacturers; each produces proprietary formulations of these chemicals. The effectiveness of a given product can vary greatly from plant to plant dependent upon influent constituents and plant treatment processes.

Discussion:

At the WPCF, we have completed extensive testing and used coagulants from Rosa Water Technology Associates with great success. Changing manufacturers would require duplication of this work without any assurance of a successful outcome. In addition, changing products creates the very real risk of treatment process upsets and discharge violations.

The City has experienced success with coagulants provided by Rosa Water Technology Associates. City staff has determined that their products are similar in cost to other chemical vendors. Rosa Water Technology Associates staff have been dedicated in supporting the City's needs and offer assistance with testing and evaluating their coagulants to ensure the City is using the right products in the most cost-effective manner.

Woodland Municipal Code section 17B-140(e) provides that the City Manager may approve of the waiver of competitive bidding when a determination is made that it is in the best interest of the City and its administrative operations to dispense with public bidding. Further, competitive bidding is not required when the City determines it would produce no advantage for the City, or the advertising for bids is futile, undesirable, impractical or impossible. (*Graydon v. Pasadena Redevelopment Agency* (1980) 104 Cal.App.3d 631; see also *Los Angeles Dredging Co. v. City of Long Beach* (1930) 210 Cal. 348; *Los Angeles Gas & Electric Corp. v. City of Los Angeles* (1922) 188 Cal.

307, 319.) Here, the sole source of coagulants from Rosa Water Technology Associates is supported by a determination by the City Manager that a waiver of competitive bidding requirements is in the City's best interests in light of the discussion above.

Conclusion:

Staff recommends that the City Council adopt Resolution No. _____, adopting and approving the City Manager's determination that the sole-source purchase of coagulants from Rosa Water Technology Associates, in an amount not-to-exceed \$160,000.00, is in the City's best interests and approving the award of a contract to Rosa Water Technology Associates for the same.

Prepared By: Craig Locke, Deputy Director of Public Works Utilities

Reviewed By: Gregor G. Meyer, Director of Public Works



Paul Navazio, City Manager

ATTACHMENTS:

Description	Upload Date	Type
Resolution Coagulants Rosa Water	9/1/2017	Resolution

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND ADOPTING
AND APPROVING THE CITY MANAGER'S DETERMINATION THAT THE SOLE-SOURCE
PURCHASE OF COAGULANTS FROM ROSA WATER TECHNOLOGY ASSOCIATES, IN
AN AMOUNT NOT-TO-EXCEED \$160,000.00, IS IN THE CITY'S BEST INTERESTS AND
APPROVING THE AWARD OF A CONTRACT TO ROSA WATER TECHNOLOGY
ASSOCIATES FOR THE SAME**

WHEREAS, there are dozens of coagulant manufacturers; each produces proprietary formulations of these chemicals. The effectiveness of a given product can vary greatly from plant to plant dependent upon influent constituents and plant treatment processes; and

WHEREAS, the use of coagulant chemicals as part of the wastewater treatment process at the City's Water Pollution Control Facility (WPCF) is a required element of the City's National Pollutant Discharge Elimination System (NPDES) permit and is regulated by the Regional Water Quality Control Board. Coagulants act to increase the efficiency of the filtration system at the WPCF and are especially important in maintaining acceptable final effluent quality during treatment process upsets. Given their importance in the treatment process, it is critical to maintain a consistent and reliable source of coagulants; and

WHEREAS, at the WPCF, the City has completed extensive testing and used coagulants from Rosa Water Technology Associates with great success. Changing manufacturers would require duplication of this work without any assurance of a successful outcome. In addition, changing products creates the very real risk of treatment process upsets and discharge violations; and

WHEREAS, the City has experienced success with coagulants provided by Rosa Water Technology Associates. City staff has determined that their products are similar in cost to other chemical vendors. Rosa Water Technology Associates staff have been dedicated in supporting the City's needs and offer assistance with testing and evaluating their coagulants to ensure the City is using the right products in the most cost-effective manner; and

WHEREAS, Woodland Municipal Code section 17B-140(e) provides that the City Manager may approve of the waiver of competitive bidding when a determination is made that it is in the best interest of the City and its administrative operations to dispense with public bidding; and

WHEREAS, the City Manager has determined that the waiver of competitive bidding for coagulants produced by Rosa Water Technology Associates used in the treatment of wastewater is in the best interests of the City and its administrative operations based on the foregoing facts; and

WHEREAS, California case law excuses compliance with competitive bidding requirements in exceptional circumstances such as where requests for competitive bids would be futile, unavailing, or would produce an advantage, including when there is only one contracting party who can complete the work (*Los Angeles Dredging Co. v. Long Beach* (1930) 210 Cal. 348; *Graydon v. Pasadena Redevelopment Agency* (1980) 104 Cal. App. 3d 631); and

WHEREAS, this product is necessary to comply with requirements dictated by the wastewater treatment plant's NPDES permit; and

WHEREAS, this authorization shall be for FY 17 and is in an amount not-to-exceed \$160,000.00; and

WHEREAS, funding for these chemicals has been previously approved in the current FY17 budget and, no additional funds are being requested.

NOW, THEREFORE, BE IT RESOLVED

SECTION 1. The above recitals are true and correct and adopted herein by this reference.

SECTION 2. That the City Council hereby approves and adopts the City Manager's determination that the sole-source purchase of coagulants from Rosa Water Technology Associates, in an amount not-to-exceed \$160,000.00, is in the best interests of the City and approves award of a contract to Rosa Water Technology Associates for the same.

SECTION 3. That the City Council hereby authorizes The City Manager to execute a sole source contract with Rosa Water Technology Associates, in an amount not-to-exceed \$160,000.00, for the purchase of coagulants.

PASSED AND ADOPTED this 5th day of September, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Angel Barajas, Mayor

APPROVED AS TO FORM:

Kara K. Ueda, City Attorney

ATTEST: _____

Ana Gonzalez, City Clerk



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: September 5, 2017
ITEM #: 11.
SUBJECT: Desktop and Laptop Replacement

Recommendation for Action:

Staff recommends that the City Council approve Resolution No. _____, authorizing the purchase of 20 desktops with monitors and 13 semi-rugged laptops through a Purchase Order with Dell Inc. in the amount not to exceed \$57,378.65

Staff Contact:

Jack Chang, Senior Systems Analyst, (530) 661-7824, jack.chang@cityofwoodland.org

Fiscal Impact:

City staff have obtained three competitive quotes for 20 desktops with monitors for \$23,392.19 and three competitive quotes for 13 semi-rugged laptops for \$33,986.46 for a combined total of \$57,378.65. Funding has been allocated from the technology services fund in the 2018 budget.

Background:

To ensure a reliable, robust, and update-to-date technology, best practices encourages timely replacement of end user hardware. As computing hardware ages, it becomes less reliable and require frequent maintenance, thus IT maintains a five-year replacement cycle for all end user desktop and laptops.

In accordance with the City's purchasing policy the IT department researched various desktop and laptop manufactures and vendors to establish the optimal end user computing equipment. Dell offers the most competitive pricing as well as compatibility with existing peripherals. By using Dell hardware, the City extends the life of the peripheral devices such as docks, chargers and adapters.

Conclusion:

Staff recommends that the City Council approve Resolution No. _____, authorizing the purchase of 20 desktops with monitors and 13 semi-rugged laptops through a Purchase Order with Dell Inc. in the amount not to exceed \$57,378.65.

Prepared By: Jack Chang, Senior Systems Analyst

Reviewed By: Scott Sawin, IT Manager

Paul Navazio, City Manager

ATTACHMENTS:

Description	Upload Date	Type
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RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND
AUTHORIZING THE PURCHASE OF DELL SERVERS THROUGH A PURCHASE
ORDER WITH DELL, INC.**

WHEREAS, the City of Woodland wishes to enter into a purchase agreement with Dell, Inc in an amount not to exceed \$57,378.65; 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:**

Section 1. 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 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 _____ day of _____ 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Angel Barajas, Mayor

ATTEST:

Ana B. Gonzalez, City Clerk



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: September 5, 2017
ITEM #: 12.
SUBJECT: Approval of Emergency Solutions Grant Application for Fourth & Hope's Emergency Shelter Services Program

Recommendation for Action:

Staff recommends that the City Council take the following actions:

- 1) Approve the submittal of a 2017 Emergency Solutions Grant funding application by Fourth and Hope; and
- 2) Direct the City Manager to sign a Certification of Local Approval for the grant application.

Staff Contact:

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

Fiscal Impact:

There is no impact to the City.

Background:

The State Department of Housing and Community Development (HCD) administers the funding for the Emergency Solutions Grant (ESG) program in California. ESG is funded at the Federal level through the McKinney-Vento Homeless Assistance Act. Previously known as the Emergency Shelter Grants Program, the program's name was changed in 2009 to reflect the program's focus and the Federal goal of ensuring that individuals and families who become homeless return to permanent housing. ESG funds may be used for the following homeless-related activities: street outreach, emergency shelters, homeless prevention, rapid re-housing assistance, homeless management information systems, and administrative activities (local grant administration).

Fourth and Hope received a 2016 ESG award in the amount of \$200,000 for its Emergency Shelter Services (ESS) Program. The City is providing Fourth and Hope with \$11,000 in CDBG funds (FY 2017/18) for its ESS Program and \$10,000 from separate funds for the winter component of the same program (FY 2017/18) through the City's participation in the Countywide Homeless Coordination Project. In addition, the City is funding improvements to the emergency shelter's courtyard area to assist Fourth & Hope in establishing a day shelter operation with a \$42,000 CDBG allocation (FY 2017/18).

Discussion:

Fourth and Hope plans to apply for \$200,000 in 2017 ESG funds for its ESS Program over a two-year period. The ESS Program offers dormitory style shelter for up to 73 individuals daily (including families). The 90-day program requires accountability and offers daily breakfasts, packed lunches, dinner meals, counseling, mailbox services, showers, laundry facilities, employment training, a literacy program, substance abuse education groups and case management, including access to benefits and job and housing search assistance. Guests are required to attend life skills, health, employment and housing readiness classes and make progress on their personal development plan to stay in the shelter.

One of the submittal requirements for ESG applicants includes a "Certification of Local Approval" which must be completed by a city (or county if the proposed ESG project is located in an unincorporated area).

Conclusion:

Staff recommends that the City Council take the following actions:

- 1) Approve the submittal of a 2017 Emergency Solutions Grant funding application by Fourth and Hope; and
- 2) Direct the City Manager to sign a Certification of Local Approval for the grant application.

Prepared By: Dan Sokolow, Senior Planner

Reviewed By: Christine Engel, Community Services Director

A handwritten signature in cursive script, appearing to read "Paul Navazio".

Paul Navazio, City Manager



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: September 5, 2017
ITEM #: 13.
SUBJECT: PUBLIC HEARING - Annexation of Property into the
Community Facilities District 2004-1 (Spring Lake) and the
Spring Lake Maintenance Community Facilities District

Recommendation for Action:

Staff recommends that the City Council:

- (1) Hold a public hearing; and
- (2) Adopt Resolution No. _____, Calling an Election to Submit the Qualified Electors the Question of Levying the Special Tax within the Proposed Annexation Area to the Community Facilities District 2004-1; and
- (3) Adopt Resolution No. _____, Calling an Election to Submit the Qualified Electors the Question of Levying the Special Tax within the Proposed Annexation Area to the Spring Lake Maintenance Community Facilities District; and
- (4) Adopt Resolution No. _____, Declaring the Results of the Special Election for Annexation to Community Facilities District 2004-1; and
- (5) Adopt Resolution No. _____, Declaring the Results of the Special Election for Annexation to Spring Lake Maintenance Community Facilities District; and
- (6) Introduce an Ordinance Levying and Apportioning the Special Tax in the Annexed Territory to the Community Facilities District 2004-1; and
- (7) Introduce an Ordinance Levying and Apportioning the Special Tax in the Annexed Territory to the Spring Lake Maintenance Community Facilities District.

Staff Contact:

Adam Devlin, Senior Accountant, (530)661-5835, adam.devlin@cityofwoodland.org

Fiscal Impact:

No direct fiscal impact results from this action. Once the property is annexed into the Community Facilities District 2004-1 (Spring Lake) and receives Building Unit Allocations, it will generate additional special tax revenue to be used to pay for debt service on outstanding Mello Roos bonds in Spring Lake. Annexation into the Spring Lake Maintenance Community Facilities District will generate additional revenues that contribute to maintenance of the Sports Park.

Background:

On July 18, 2017 the City Council approved the first part of the process to annex the tentative map for BHKKS, LLC (owner of the property known as “Oyang North”) into the boundaries of both the Community Facilities District (CFD) 2004-1 and Spring Lake Maintenance CFD. This process called for a public hearing on August 22, 2017.

Discussion:

The tentative map for BHKKS, LLC (owner of the property known as “Oyang North”) included conditions of approval that require the property to annex into both the CFD 2004-1 and the Spring Lake Maintenance CFD. The property owner has requested to proceed with annexation.

Following the public hearing, the property owner being annexed into the two CFDs will vote to approve the annexations. Because there is only one property owner, they are permitted to, and have, waived the statutory time limits on the election steps so that it may occur immediately following the public hearing where the elections ballots will have been received. Upon approval of the annexation, introduction and first reading of two ordinances is required to levy and collect the special taxes for each of the CFDs in accordance with their originating documents and formulas.

Conclusion:

Staff recommends that the City Council:

- (1) Hold a public hearing; and
- (2) Adopt Resolution No. _____, Calling an Election to Submit the Qualified Electors the Question of Levying the Special Tax within the Proposed Annexation Area to the Community Facilities District 2004-1; and
- (3) Adopt Resolution No. _____, Calling an Election to Submit the Qualified Electors the Question of Levying the Special Tax within the Proposed Annexation Area to the Spring Lake Maintenance Community Facilities District; and
- (4) Adopt Resolution No. _____, Declaring the Results of the Special Election for Annexation to Community Facilities District 2004-1; and
- (5) Adopt Resolution No. _____, Declaring the Results of the Special Election for Annexation to Spring Lake Maintenance Community Facilities District; and
- (6) Introduce an Ordinance Levying and Apportioning the Special Tax in the Annexed Territory to the Community Facilities District 2004-1; and
- (7) Introduce an Ordinance Levying and Apportioning the Special Tax in the Annexed Territory to the Spring Lake Maintenance Community Facilities District.

Prepared By: Adam Devlin, Senior Accountant

Reviewed By: Kimberly McKinney, Finance Officer/Treasurer



Paul Navazio, City Manager

ATTACHMENTS:

Description	Upload Date	Type
Resolution Calling Election for CFD 2004-1 (Facilities)	8/31/2017	Resolution
Resolution Calling Election for the Maintenance CFD	8/31/2017	Resolution
Resolution Declaring Election Results for CFD 2004-1 (Facilities)	8/31/2017	Resolution
Resolution Declaring Election Results for the Maintenance CFD	8/31/2017	Resolution
Ordinance Levying and Apportioning Special Tax Spring Lake CFD 2004-1 (Facilities)	8/31/2017	Ordinance
Ordinance Levying and Apportioning Special Tax Spring Lake Maintenance CFD	8/31/2017	Ordinance

CITY OF WOODLAND

RESOLUTION NO. _____

**A RESOLUTION CALLING AN ELECTION TO SUBMIT TO THE QUALIFIED
ELECTORS THE QUESTION OF LEVYING A SPECIAL TAX
WITHIN THE AREA PROPOSED TO BE ANNEXED TO
COMMUNITY FACILITIES DISTRICT NO. 2004-1 (SPRING LAKE)**

Annexation No. 2

WHEREAS, on June 22, 2004, the City Council (the “City Council”) of the City of Woodland (the “City”), approved Resolution No. 4559 establishing Community Facilities District No. 2004-1 (Spring Lake) (the “CFD”) pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the “Act”), being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California, for the purpose of providing for the financing of certain public facilities (the “Facilities”) described in Exhibit A hereto;

WHEREAS, at a special election held on June 22, 2004, more than two-thirds of the votes cast were in favor of the levy of a special tax, the establishment of an appropriations limit, and the incurrence of a bonded indebtedness of the CFD, all as determined by the City Council in Resolution No. 4560, duly adopted on June 22, 2004;

WHEREAS, the City Council on July 18, 2017, duly adopted Resolution No. 6889 (the “Resolution of Intention”) declaring its intention to annex certain territory to the CFD and to levy a special tax within that territory to pay for the Facilities and setting a public hearing on the proposed annexation for September 5, 2017;

WHEREAS, the territory proposed to be annexed is identified in a map entitled “Proposed Annexation Map No. 2 of Community Facilities District No. 2004-1 (Spring Lake), City of Woodland, Yolo County, California,” a copy of which was recorded on July 28, 2017, in Book 2017 of Maps of Assessment and Community Facilities Districts at Page 68 in the office of the Yolo County Recorder;

WHEREAS, the City Council convened a public hearing on Tuesday, September 5, 2017, at the regular meeting place of the City Council, 300 First Street, Woodland, California, at which hearing all persons interested, including all taxpayers, property owners and registered voters within the CFD and the territory proposed to be annexed, were given an opportunity to appear and be heard on the proposed annexation of territory to the CFD and the levy of special taxes within the territory proposed to be annexed;

WHEREAS, written protests have not been filed by fifty percent (50%) or more of the registered voters residing within the CFD, or by fifty percent (50%) or more of the registered voters residing within the territory to be annexed, or by the owners of one-half (1/2) or more of the area within the CFD, or by the owners of one-half (1/2) or more of the territory to be annexed;

WHEREAS, the City Council has determined that there are no registered voters residing in the territory proposed to be annexed to the CFD and that the qualified electors in such territory are the landowners;

WHEREAS, on the basis of all of the foregoing, the City Council has determined to call an election to authorize the annexation of territory to the CFD and the levying of a special tax as described in Exhibit B hereto; and

WHEREAS, the City Council has received a written instrument from each landowner in the territory proposed to be annexed to the CFD consenting to the shortening of election time requirements, waiving analysis and arguments, and waiving all notice requirements relating to the conduct of the election;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodland that:

Section 1. Recitals. All of the above recitals are true and correct, and the City Council so finds and determines.

Section 2. Confirmation of Findings in Resolution of Intention. The City Council reconfirms all of its findings and determinations as set forth in the Resolution of Intention.

Section 3. Finding Regarding Protests. The City Council finds and determines that written protests to the proposed annexation of territory to the CFD and the levy of the special tax within such territory are insufficient in number and in amount under the Act, and the City Council hereby further orders and determines that all such protests are hereby overruled.

Section 4. Finding Regarding Prior Proceedings. The City Council finds and determines that all prior proceedings had and taken by the City Council with respect to the annexation of territory to the CFD are valid and in conformity with the requirements of the Act.

Section 5. Tax Lien. Upon recordation of an amended notice of special tax lien pursuant to Sections 3117.5 and 3114.5 of the Streets and Highways Code, a continuing lien to secure each levy of the special tax shall attach to all non-exempt real property in the territory proposed to be annexed and this lien shall continue in force and effect until the collection of the tax is terminated by the City Council.

Section 6. Finding Regarding Election Procedures. The City Council finds and determines that the landowners of the territory proposed to be annexed to the CFD have unanimously waived the provision of Government Code Section 53326(a) requiring a minimum of 90 days to elapse between the adoption of this Resolution and the election; the requirements of Government Code Section 53327(a) and the provisions of the Elections Code cited therein relating to the preparation and delivery of an impartial analysis and the affording of opportunity for argument and rebuttal; and all other time limits and procedural requirements in the Elections Code or elsewhere pertaining to the conduct of the election.

Section 7. Call and Order of Election. The City Council hereby calls and orders a special election to be held on Tuesday, September 5, 2017 (“election day”), at which election the question of levying the special tax within the territory proposed to be annexed shall be submitted to

the qualified electors of the territory proposed to be annexed. The terms of the measure are described in this Resolution. The abbreviated form of the statement of the ballot measure is set forth in Exhibit C hereto and is incorporated herein by reference.

Section 8. Vote Required. If the proposition on the question of levying the special tax within the territory proposed to be annexed receives the approval of more than two-thirds (2/3) of the votes cast on the proposition, then the territory proposed to be annexed will be added to and become part of the CFD with full legal effect and the City Council will be authorized to levy the special tax within the annexed territory.

Section 9. Submission of Ballot Proposition. The City Council hereby submits to the landowners within the territory proposed to be annexed to the CFD at the special election the ballot proposition set forth in Section 6 of this resolution. The City Council hereby authorizes the City Clerk to conduct the election.

Section 10. Conduct of Election. The special election shall be held and conducted, the returns canvassed, and the results ascertained and determined, as herein provided:

(a) All owners of land within the territory proposed to be annexed to the CFD upon the date of the special election shall be qualified to vote upon the measure submitted at the special election. Each landowner shall have one vote for each acre or portion thereof that she, he, or it owns within the territory proposed to be annexed to the CFD, as provided in Government Code section 53326(b).

(b) Pursuant to Government Code section 53327, the special election shall be conducted as a mailed ballot election, in accordance with the provisions of Sections 4100-4108 of the Elections Code. There shall be no polling places for the special election.

(c) The City Clerk is authorized to mail to each landowner in the territory proposed to be annexed to the CFD a ballot in the form set forth in Exhibit C hereto.

(d) Each voter desiring to vote in favor of the measure to levy a special tax shall mark an "X" or a check mark in the voting square opposite the word "YES." To vote against the measure, the voter shall mark an "X" or a check mark in the voting square opposite the word "NO."

(e) The City Clerk shall accept the ballots of the landowners up to five minutes following the adoption of this resolution by the Board. The City Clerk shall have available ballots that may be marked at the City Clerk's office on the election day by voters. Once all qualified electors have voted, the City Clerk may close the election.

(f) The City Clerk shall commence the canvass of the returns of the special election as soon as the election is closed at the City Clerk's office. At the conclusion of the canvass, the City Clerk shall declare the results of the election.

(g) The City Council shall declare the results of the special election following the completion of the canvass of the returns and shall cause to be inserted into its minutes a statement of the results of the special election as ascertained by the canvass of the returns.

(h) The City Council ratifies the City Clerk's mailing of the ballots in advance of the call of the election.

Section 11. General Authorization with Respect to the Election. The members of the City Council, the City Clerk, and the other officers of the City are hereby authorized and directed, individually and collectively, to do any and all things and to execute, deliver, and perform any and all agreements and documents that they deem necessary or advisable in order to effectuate the purposes of this Resolution. All actions heretofore taken by the officers and agents of the City that are in conformity with the purposes and intent of this Resolution are hereby ratified, confirmed, and approved in all respects.

Section 12. Accountability Measures. Pursuant to Section 50075.1 of the California Government Code, the City has created a separate account into which the special tax proceeds shall be deposited; and the City shall prepare a report, as required, pursuant to the requirements of Section 53343.1.

Section 13. CEQA Compliance. The City Council hereby determines that the annexation of territory to the CFD is not a project as defined under the provisions of the California Environmental Quality Act ("C.E.Q.A.") pursuant to Section 15378 of the C.E.Q.A. guidelines and directs the City staff to file a notice of exemption with Yolo County.

Section 14. Effective Date. This resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED by the City Council on this 5th day of September 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Angel Barajas, Mayor

ATTEST:

APPROVED AS TO FORM:

Ana B. Gonzalez, City Clerk

Kara K. Ueda, City Attorney

EXHIBIT A
CITY OF WOODLAND
COMMUNITY FACILITIES DISTRICT NO. 2004-1
(Spring Lake)

LIST OF AUTHORIZED FACILITIES

A. PUBLIC IMPROVEMENTS

The following improvements represent the primary facilities that are authorized to be constructed with Mello-Roos CFD Special Tax proceeds. These facilities are representative of the authorized local infrastructure required for development of the Spring Lake Specific Plan area.

(1) Sewer System Improvements

Authorized facilities include any and all sewer system improvements designed to serve the development needs of the Spring Lake area. These facilities may include major collection system, sewer lines (gravity lines and force main), lift station, water wells (for the flushing of sewer lines), maintenance roads, and all other appurtenances related to sewer system improvements.

(2) Water System Improvements

Authorized facilities include any and all water transmission main improvements designed to serve the development needs of the Spring Lake area. These facilities may include water wells, pumping systems, transmission mains, and any other appurtenances related to water system improvements.

(3) Drainage Improvements

Authorized facilities include any or all off-site drainage and storm water conveyance improvements designed to serve the needs of development within the CFD. These facilities include, but are not limited to: pipeline and appurtenances; drainage channels; detention basins/ponds; temporary drainage facilities; water quality improvements (including basins); and related drainage system improvements.

(4) Park Improvements

Authorized facilities include any and all park improvements designed to serve the needs of the Spring Lake area. These facilities may include neighborhood and sports parks, including the development of parks, parkways, bike trails, paths, open space, playing facilities, and any other appurtenances related to park improvements.

(5) Transportation Improvements

Authorized facilities include, but may not be limited to, the following transportation-related improvements:

- Portions of Gibson Road
- Portions of County Road 102
- Portions of Pioneer Avenue
- Parkway Drive
- Portions of East Street
- Portions of County Road 25A
- Portions of County Road 101
- County Road 24C
- Farmer's Central Road

Eligible transportation-related facility improvements include, but are not limited to: grading and paving; existing pavement removal; joint trenches; utility relocations and underground utilities; curbs; gutters; bridge and/or box culvert crossings; street lights and signalization; signage and striping; and median landscaping related thereto.

B. OTHER EXPENSE

In addition to the above facilities, other incidental expenses as authorized by the Mello-Roos Community Facilities Act of 1982, including, but not limited to: the cost of planning, permitting, and designing the facilities (including the cost of environmental evaluation and environmental remediation/mitigation); land acquisition for authorized CFD facilities; project management; construction staking, utility relocation and demolition cost incident to the construction of the public facilities; cost associated with the creation of the Mello-Roos CFD; issuance of bonds; determination of the amount of taxes; collection of taxes; payment of taxes; or costs otherwise incurred in order to carry out the authorized purposes of the CFD; reimbursements to parties funding infrastructure facilities serving development within the CFD; and, any other expenses incidental to the construction, completion, and inspection of the facilities.

EXHIBIT B
CITY OF WOODLAND
COMMUNITY FACILITIES DISTRICT No. 2004-1
(Spring Lake)
RATE, METHOD OF APPORTIONMENT,
AND MANNER OF COLLECTION OF SPECIAL TAX

A Special Tax applicable to each Assessor's Parcel in Community Facilities District No. 2004-1 (Spring Lake) [herein "CFD No. 2004-1"] shall be levied and collected according to the tax liability determined by the City Council, through the application of the appropriate amount or rate for Taxable Property, as described below. All of the property in CFD No. 2004-1, unless exempted by law or by the provisions of Section F below, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed to CFD No. 2004-1 unless a separate Rate, Method of Apportionment, and Manner of Collection of Special Tax is adopted for the annexation area.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre or Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Final Map, parcel map or other map recorded in the County Recorder's Office.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, (commencing with Section 53311), Part 1, Division 2 of Title 5 of the Government Code of the State of California.

"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 CFD No. 2004-1 and the Bonds, including, but not limited to, costs of levying and collecting the Special Tax, 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 CFD No. 2004-1, costs related to property owner inquiries regarding the Special Tax, 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 Tax, and all other costs and expenses of the City in any way related to the establishment or administration of CFD No. 2004-1.

"Administrator" shall mean the person or firm designated by the City to administer the Special Tax according to this Rate and Method.

“Affordable Cluster Unit” means a residential unit that is smaller and built at a higher density than indicated by the Specific Plan Land Use Designation for the Parcel in order to meet the City’s affordable housing requirements. The City shall determine, in its sole discretion, whether Affordable Cluster Units are included in each Final Map that is submitted to the City for approval.

“Affordable Multi-Family Property” means a Parcel of Multi-Family Property that is either deed-restricted to maintain the affordability of the residential units within the building or, in the City’s sole discretion, otherwise qualifies as affordable housing.

“Assessor’s Parcel” or **“Parcel”** means a lot or parcel shown on an Assessor’s Parcel Map with an assigned Assessor’s Parcel number.

“Assessor’s Parcel Map” means an official map of the County Assessor designating parcels by Assessor’s Parcel number.

“Attachment 1” means Attachment 1 to this Rate and Method, which will be updated regularly by the Administrator as Successor Parcels are created within CFD No. 2004-1, Expected Units/Acres are transferred among Parcels, and additional BUAs are assigned to Parcels above the amount assigned as of CFD Formation.

“Base Maximum Special Tax” means the Maximum Special Tax for each Specific Plan Land Use Designation, as shown in Section C.1 below, that was used to assign the Maximum Special Tax to each Original Parcel at CFD Formation. The Base Maximum Special Tax for Residential Units shown in Section C.1 is also intended to be the final Maximum Special Tax that will be in effect when a Residential Unit is sold to a homeowner, although the actual Maximum Special Tax per Residential Unit may be higher if a mandatory prepayment is not received to offset a Unit/Acre Deficit, as set forth in Section C.3a below.

“Bonds” means any bonds or other debt (as defined in Section 53317(d) of the Act), whether in one or more series, issued by the City for CFD No. 2004-1 under the Act.

“BUA” means the single family residential building unit allocations assigned by the City to Parcels within CFD No. 2004-1 pursuant to Chapter 26 of the City of Woodland Municipal Code.

“BUA Release” means that the City has allocated additional BUAs to Parcels in CFD No. 2004-1 and, because of the BUA Release, additional Residential Units or High Density Acres can be developed on such Parcels.

“Capitalized Interest” means funds in any capitalized interest account available to pay debt service on Bonds.

“CFD Formation” means the date on which the Resolution of Formation to form CFD No. 2004-1 was adopted by the City Council.

“City” means the City of Woodland.

“City Council” means the city council of the City of Woodland, acting as the legislative body for CFD No. 2004-1.

“County” means the County of Yolo.

“Developed Property” means, in any Fiscal Year, any Parcel of Taxable Property in CFD No. 2004-1 for which a building permit was issued prior to January 1 of the preceding Fiscal Year.

“Development Rights” means, for any Parcel within CFD No. 2004-1, either of the following (i) that BUAs have been assigned to the Parcel based on a BUA Release that has already taken place, (ii) on which single family detached or single family attached affordable units can be built without BUAs being assigned for such units, or (iii) that the Parcel, or a portion thereof, is High-Density Property pursuant to the definition set forth below.

“Duplex/Half-Plex Property” means, in any Fiscal Year, any Parcel of Developed Property for which a building permit was issued for construction of a residential dwelling unit that shares a common wall with one other residential unit.

“Expected Units/Acres” means the number of Residential Units or High-Density Acres within each Specific Plan Land Use Designation that are expected on an Original Parcel in CFD No. 2004-1. The Expected Units/Acres for each Original Parcel as of CFD Formation are shown in Attachment 1 of this Rate and Method. In relation to Successor Parcels, “Expected Units/Acres” means the number of Residential Units or High Density Acres within each Specific Plan Land Use Designation that was assigned by the Administrator to the Successor Parcel when the Original Parcel was subdivided.

“Expected Maximum Special Tax Revenues” means the amount of revenue that would be available in any Fiscal Year if the Maximum Special Tax were levied on the Expected Units/Acres. The Expected Maximum Special Tax Revenues for each Original Parcel as of CFD Formation are shown in Attachment 1 of this Rate and Method. The Administrator shall update the Expected Maximum Special Tax Revenues for each Parcel within the CFD after each BUA Release, and the Administrator shall update Attachment 1 to keep a current record of the Expected Maximum Special Tax Revenues within the CFD.

“Final Map” means a final map, or portion thereof, approved by the County pursuant to the Subdivision Map Act (California Government Code Sections 66410 *et seq.*) that creates Residential Lots. The term “Final Map” shall not include any Assessor’s Parcel Map or subdivision map or portion thereof that does not create Residential Lots, including Assessor’s Parcels that are designated as remainder parcels.

“Fiscal Year” means the period starting July 1 and ending on the following June 30.

“High Density Acres” means the Acreage of High Density Property.

“High-Density Property” means property with a Specific Plan Land Use Designation of R-15, R-20 or R-25.

“Maximum Special Tax” means the maximum Special Tax, determined in accordance with Section C, that can be levied in any Fiscal Year.

“Multi-Family Property” means, in any Fiscal Year, any Parcel of Developed Property for which a building permit was issued for construction of a residential structure with three or more residential units that share common walls, all of which are offered for rent to the general public.

“Original Parcel” means an Assessor’s Parcel in CFD No. 2004-1 at the time of CFD Formation or added to the CFD upon annexation, as identified in Attachment 1 (which shall be updated after each annexation). A Successor Parcel that is being further subdivided shall also be considered an Original Parcel for purposes of determining the Maximum Special Taxes pursuant to Section C below.

“Proportionately” means that the ratio of the actual Special Tax levied in a Fiscal Year to the Maximum Special Tax authorized to be levied in that Fiscal Year is equal for all Assessor’s Parcels within a class of property (Developed Property, Small Lot Tentative Map Property or Undeveloped Property).

“Public Property” means any property within the boundaries of CFD No. 2004-1 that is owned by the federal government, State of California, City, County or other public agency.

“Rate and Method” means this Rate, Method of Apportionment, and Manner of Collection of Special Tax.

“Residential Lot” means a Parcel within a Final Map on which an individual Residential Unit, single family attached building, condominium unit, or multi-family building can be constructed without further subdivision of the Parcel.

“Residential Unit” means a single family detached residential dwelling unit or, for Duplex/Half-Plex Property, an individual residential dwelling unit that shares a common wall with another unit.

“Small Lot Tentative Map” means a map that is made for the purpose of showing the design of a proposed subdivision, including the individual Residential Lots that are expected within the subdivision, as well as the conditions pertaining thereto. A Small Lot Tentative Map is not based on a detailed survey of the property within the map and is not recorded at the County Recorder’s Office to create legal lots.

“Small Lot Tentative Map Property” means, in any Fiscal Year, all Parcels which are included within a Small Lot Tentative Map that was approved by June 30 of the prior Fiscal Year (including any such maps that have subsequently expired), and which have not yet become Developed Property.

“Special Tax” means any tax levied pursuant to the Act on property within CFD No. 2004-1.

“Special Tax Requirement” means the amount necessary in any Fiscal Year to: (i) pay the principal of and interest on Bonds that is due in the calendar year that begins in such Fiscal Year; (ii) create and/or replenish reserve funds for the Bonds; (iii) cure any delinquencies in the payment of the principal of or interest on Bonds that have occurred in the prior Fiscal Year or, based on existing delinquencies in the payment of Special Taxes, are expected to occur in the Fiscal Year in which the tax will be collected; (iv) pay Administrative Expenses; and (v) pay the costs of public improvements and public infrastructure authorized to be financed by CFD No. 2004-1. The amounts referred to in clauses (i) and (ii) of the preceding sentence may be reduced in any Fiscal Year by: (i) interest earnings on or surplus balances in funds and accounts for the Bonds to the extent that such earnings or balances are available to apply against debt service pursuant to a Bond indenture, Bond resolution, or other legal document that sets forth these terms; (ii) proceeds from the collection of penalties associated with delinquent Special Taxes; and (iii) any other revenues available to pay debt service on the Bonds as determined by the Administrator.

“Specific Plan Land Use Designation” means the land use designation dictated by the Spring Lake Specific Plan, as determined in the sole discretion of the City. For purposes of designating the Expected Land Uses in Attachment 1, Duplex/Half-Plex Property and Affordable Cluster Units shall also be considered a Specific Plan Land Use Designation.

“Successor Parcel” means a Parcel of Taxable Property created from an Original Parcel or another Successor Parcel by subdivision or lot line adjustment.

“Taxable Non-Residential Property” means, in any Fiscal Year, any Assessor’s Parcel of Developed Property that: (i) had a building permit issued prior to January 1 of the prior Fiscal Year for construction of a commercial or industrial building, and (ii) had, in prior Fiscal Years, been developed and taxed as residential property or designated for Residential Units or High-Density Acres in the Spring Lake Specific Plan. If a Parcel that had been designated for Residential Units or High-Density Acres is subsequently designated for non-residential development, the Parcel will not become Taxable Non-Residential Property if, in the City’s sole discretion, the Expected Units/Acres from that Parcel were shifted to another Parcel with no resulting decrease in the Expected Maximum Special Tax Revenues associated with those Expected Units/Acres.

“Taxable Property” means any Assessor’s Parcel within the boundaries of CFD No. 2004-1 that is not exempt from the Special Tax pursuant to law or Section F below.

“Undeveloped Property” means, in any Fiscal Year, any Parcel of Taxable Property within CFD No. 2004-1 that is not Developed Property or Small Lot Tentative Map Property, as defined above.

“Unit/Acre Deficit” means the difference between the Expected Units/Acres within each Specific Plan Land Use Designation for a particular Parcel and the number of Residential Units

and High-Density Acres within each Specific Plan Land Use Designation indicated on a Final Map for the Parcel to the extent such Unit/Acre Deficit is not offset by a Residential Unit or High-Density Acre transfer pursuant to Section C.5 of this Rate and Method. The City shall determine, in its sole discretion, whether a Unit/Acre Deficit exists pursuant to the steps set forth in Section C below.

B. DATA FOR ANNUAL ADMINISTRATION OF SPECIAL TAX

On or about July 1 of each Fiscal Year, the Administrator shall identify the current Assessor's Parcel numbers for Taxable Property within CFD No. 2004-1. Each Fiscal Year, the Administrator shall also (i) categorize each Parcel of Taxable Property as Developed Property, Small Lot Tentative Map Property or Undeveloped Property, (ii) determine if Parcels of Multi-Family Property are Affordable Multi-Family Property, (iii) determine if there are Parcels of Taxable Non-Residential Property in CFD No. 2004-1, and (iv) calculate the Special Tax Requirement for the Fiscal Year.

In addition, on an ongoing basis, the Administrator shall track the subdivision of Original Parcels and Successor Parcels within CFD 2004-1, meet with the City to determine how the Expected Units/Acres should be allocated among Successor Parcels, determine if there has been an additional BUA Release, determine whether transfers of Expected Units/Acres have occurred pursuant to Section C.5 below, and update Attachment 1 to reflect new Parcel numbers and the current allocation of Expected Units/Acres among the Parcels.

In any Fiscal Year, if it is determined that (i) a parcel map for a portion of property in CFD No. 2004-1 was recorded after January 1 of the prior Fiscal Year (or any other date after which the Assessor will not incorporate the newly-created Parcels into the then current tax roll), (ii) because of the date the parcel map was recorded, the Assessor does not yet recognize the new Parcels created by the parcel map, and (iii) one or more of the newly-created Parcels meets the definition of Developed Property, the Administrator shall calculate the Special Tax for the property affected by recordation of the parcel map by determining the Special Tax that applies separately to each newly-created Parcel, then applying the sum of the individual Special Taxes to the Original Parcel or Successor Parcel that was subdivided by recordation of the parcel map. Similarly, if a portion of a Parcel is included in an approved Small Lot Tentative Map while the remainder of the Parcel is Undeveloped Property, the Administrator shall separately calculate the Special Tax that applies to the Small Lot Tentative Map Property and the Undeveloped Property within the Parcel, and the Special Tax levied on the Parcel shall be the sum of the two figures.

C. MAXIMUM SPECIAL TAX

1. Base Maximum Special Tax

The Fiscal Year 2004-05 Base Maximum Special Taxes shown in Table 1 below were used to determine the Expected Maximum Special Tax Revenues from each Original Parcel as of CFD

Formation and shall be used to allocate the Maximum Special Tax to Successor Parcels as explained below in this Section C.

TABLE 1	
Zoning Designation	Base Maximum Special Tax (Fiscal Year 2004-05)*
R-3	\$1,975 per Residential Unit
R-4	\$1,900 per Residential Unit
R-5	\$1,700 per Residential Unit
R-8	\$1,400 per Residential Unit
Duplex/Half-Plex Property	\$1,400 per Residential Unit
Affordable Cluster Units	\$667 per Residential Unit
R-15	\$10,000 per Acre
R-20	\$9,200 per Acre
R-25	\$9,200 per Acre

****On July 1, 2005 and on each July 1 thereafter, the Maximum Special Taxes shown in Table 1 shall be increased by an amount equal to 2.0% of the amount in effect for the prior Fiscal Year.***

Once a Special Tax has been levied on a Parcel of Developed Property, the Maximum Special Tax applicable to that Parcel shall not be reduced in future Fiscal Years regardless of changes in land use on the Parcel. Notwithstanding the foregoing, the actual Special Tax levied on a Parcel of Developed Property in any Fiscal Year may be less than the Maximum Special Tax if a lower Special Tax is calculated pursuant to Step 1 in Section D below.

2. *Original Parcels*

The Maximum Special Tax as of CFD Formation for each Original Parcel in CFD No. 2004-1 is identified in Attachment 1. Thereafter, the Parcels and Expected Units/Acres within each Specific Plan Land Use Designation and the Maximum Special Tax assigned to each Original Parcel may be revised due to lot line adjustments, tentative map revisions, changes in BUA assignments, rezonings, an additional BUA Release or Expected Unit/Acre transfers (as discussed in Section C.5 below) as long as such revisions do not reduce the Expected Maximum Special Tax Revenues available within

the CFD. Revisions to the number of Expected Units/Acres shall be allowed at the City's discretion after receipt of a written request from the owners of Parcels affected by the revision.

3. *Successor Parcels*

When a Final Map is submitted to the City that will result in the subdivision of an Original Parcel, the Administrator shall compare the land uses proposed for the Successor Parcels to the land uses that had been expected for the Original Parcel, based on reference to Attachment 1. ***Prior to approval of the Final Map***, the Maximum Special Tax shall be determined for each Successor Parcel as follows:

a. **All Successor Parcels are Residential Lots**

If all Successor Parcels are Residential Lots, the Maximum Special Tax for each Successor Parcel shall be determined as follows:

- (i) If the total number of Residential Units and High-Density Acres within each Specific Plan Land Use Designation proposed on the Successor Parcels is ***greater than or equal to*** the Expected Units/Acres for that Original Parcel (as shown in Attachment 1), the Maximum Special Tax for each Successor Parcel shall be determined by multiplying the Base Maximum Special Tax for each Specific Plan Land Use Designation from Table 1 above by the number of Residential Units and High-Density Acres within each Specific Plan Land Use Designation expected on each Successor Parcel.
- (ii) If the total number of Residential Units and High-Density Acres within each Specific Plan Land Use Designation proposed on the Successor Parcels is ***less than*** the Expected Units/Acres within each Specific Plan Land Use Designation for that Original Parcel (as shown in Attachment 1), the Maximum Special Tax for each Successor Parcel shall be determined by multiplying the Base Maximum Special Tax for each Specific Plan Land Use Designation from Table 1 above by the number of Residential Units and High-Density Acres within each Specific Plan Land Use Designation expected on each Successor Parcel. In addition, the Administrator shall identify the Unit/Acre Deficit and, prior to recordation of the Final Map, the landowner shall be required to prepay the Maximum Special Tax associated with the Unit/Acre Deficit per the formula provided in Section G.

Notwithstanding the above, if there was not a Unit/Acre Deficit based on the proposed Final Map, but the number of Residential Units or High-Density Acres within each Specific Plan Land Use Designation shifted resulting in a reduction in the Expected Maximum Special Tax Revenues, a mandatory prepayment shall still be required to make up for the loss in revenues. In such case, the Maximum Special Tax to be used in Step 1 of the prepayment formula set forth in Section G

below shall be the dollar amount by which the Expected Maximum Special Tax Revenues were reduced due to the change in Specific Plan Land Use Designation.

If, for any reason, a Final Map is recorded that will result in a reduction in the Expected Maximum Special Tax Revenues, and the mandatory prepayment was not collected prior to the recordation, the amount of the prepayment that should have been collected may be spread on a per-acre basis and included on the next property tax bill for all Assessor's Parcels within the Final Map. Alternatively, the Maximum Special Tax on Residential Lots within the Final Map that have not yet been sold to individual homebuyers may be increased until the amount that can be collected from all property within the Final Map is equal to the Expected Maximum Special Tax Revenues for that area.

b. Some, But Not All, Successor Parcels are Residential Lots

If some, but not all, Successor Parcels are Residential Lots, the Administrator shall apply the following steps to determine Maximum Special Tax for each Successor Parcel:

- (i) Determine the Expected Units/Acres within each Specific Plan Land Use Designation for the portion of the Original Parcel that is being subdivided into Residential Lots and apply steps (i) and (ii) from Section C.3.a above to calculate the Maximum Special Tax for the Successor Parcels created from that portion of the Original Parcel. The Administrator shall also determine whether a Unit/Acre Deficit exists based on the number of Expected Units/Acres within each Specific Plan Land Use Designation for the portion of the Original Parcel compared to the number of Residential Units and High-Density Acres within each Specific Plan Land Use Designation that would result from the proposed Final Map. If a Unit/Acre Deficit or change in Specific Plan Land Use Designation is proposed that would reduce the Expected Maximum Special Tax Revenues from that portion of the Original Parcel, a mandatory prepayment will be required to offset such reduction. Alternatively, the Maximum Special Tax on Residential Lots within the Final Map that have not yet been sold to individual homebuyers may be increased until the amount that can be collected from all property within the Final Map is equal to the Expected Maximum Special Tax Revenues for that area.
- (ii) Determine the Expected Units/Acres within each Specific Plan Land Use Designation for the other Successor Parcels created from the subdivision of the Original Parcel, and apply the direction set forth in Sections C.3.c or C.3.d, as appropriate.

c. Taxable Non-Residential Property and Public Property

If a Successor Parcel that had been assigned Expected Units/Acres becomes Taxable Non-Residential Property or Public Property, and the Expected Units/Acres have not been transferred to another Parcel of Taxable Property, the Administrator shall determine the Maximum Special Tax for the Parcel as follows:

- (i) Determine the Expected Units/Acres within each Specific Plan Land Use Designation for the Successor Parcel.

- (ii) Multiply the Base Maximum Special Tax from Section C.1 by the number of Expected Units/Acres within each Specific Plan Land Use Designation for the Parcel.

d. Property Subject to Further Subdivision or Future BUA Release

If a Successor Parcel will be further subdivided prior to issuance of building permits, the Maximum Special Tax assigned to the Successor Parcel shall be determined by multiplying the number of Expected Units/Acres within each Specific Plan Land Use Designation for the Successor Parcel by the Base Maximum Special Tax for each Specific Plan Land Use Designation as set forth in Section C.1. Notwithstanding the foregoing, if the City determines that a Successor Parcel has no Development Rights until there is an additional BUA Release, such Successor Parcel shall not have a Maximum Special Tax assigned to it and shall not be subject to a Special Tax levy until such BUA Release takes effect. Notwithstanding the foregoing, if only a portion of a Successor Parcel cannot be developed until a future BUA Release, the full Parcel shall be subject to the Special Tax levy based on the Development Rights that are already assigned to the Parcel.

In determining the Maximum Special Tax for any Successor Parcel, the City shall make the final determination of the Expected Units/Acres within each Specific Plan Land Use Designation. In no event shall a transfer of Expected Units/Acres among Parcels result in a reduction in the total Expected Maximum Special Tax Revenues for CFD No. 2004-1, as identified in Attachment 1.

4. Parcels Annexed into CFD No. 2004-1

Any Parcel annexed into CFD No. 2004-1 shall be assigned a number of Expected Units/Acres and a corresponding Maximum Special Tax in accordance with the annexation documents adopted by the City Council. The Parcel shall thereafter be treated as an Original Parcel for purposes of this Rate and Method, and the Administrator shall update Attachment 1 to include the new Parcel(s).

5. Unit/Acre Transfers

If a landowner proposes reducing the number of Expected Units/Acres on one Parcel and increasing the Expected Units/Acres on another Parcel, the City may allow such a transfer of Expected Units/Acres and the corresponding Expected Maximum Special Tax Revenues if both of the following conditions are met: (i) any decrease in one Parcel's Expected Maximum Special Tax Revenues is offset by an equal increase in the Expected Maximum Special Tax Revenues assigned to other Parcels, and (ii) written consent has been received by the City from all owners of Parcels affected by the transfers. After the transfers have been approved by the City, the

Administrator shall update Attachment 1 to reflect the new assignments. This Section C.5 does not relate to the transfer of BUAs among property owners, which will be handled separately by the City.

D. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Each Fiscal Year, the Administrator shall determine the Special Tax Requirement to be collected in that Fiscal Year, and a Special Tax shall be levied according to the following steps:

- Step 1:** The Special Tax shall be levied Proportionately on each Parcel of Developed Property within CFD No. 2004-1 up to 100% of the Maximum Special Tax for such Fiscal Year determined pursuant to Section C until the amount levied on Developed Property is equal to the Special Tax Requirement prior to applying any Capitalized Interest that is available in the CFD accounts.
- Step 2:** If additional revenue is needed after applying Step 1, and after applying Capitalized Interest to the Special Tax Requirement, the Special Tax shall be levied Proportionately on each Parcel of Small Lot Tentative Map Property within CFD No. 2004-1 up to 100% of the Maximum Special Tax for such Small Lot Tentative Map Property determined pursuant to Section C.
- Step 3:** If additional revenue is needed after applying Step 2, the Special Tax shall be levied Proportionately on each Parcel of Undeveloped Property within CFD No. 2004-1 up to 100% of the Maximum Special Tax for such Undeveloped Property determined pursuant to Section C.

E. MANNER OF COLLECTION OF THE SPECIAL TAX

The Special Taxes for CFD No. 2004-1 shall be collected in the same manner and at the same time as ordinary ad valorem property taxes provided, however, that prepayments are permitted as set forth in Section G below and provided further that the City may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner, and may collect delinquent Special Taxes through foreclosure or other available methods.

The Special Tax shall be levied and collected until the principal of and interest on Bonds have been repaid and authorized facilities to be constructed directly from Special Taxes proceeds have been completed. However, in no event shall Special Taxes be levied after Fiscal Year 2049-2050. Under no circumstances may the Special Tax on one Parcel be increased by more than ten percent (10%) as a consequence of delinquency or default in payment of the Special Tax levied on another Parcel or Parcels.

F. EXEMPTIONS

Notwithstanding any other provisions of the Rate and Method, no Special Tax shall be levied on: (i) Public Property, except as otherwise provided in the Act and in Section C.3.c of this Rate and Method, (ii) Parcels that have prepaid the Special Tax obligation and had a Release of Special Tax Lien recorded against the property, (iii) Parcels developed with non-residential land uses if such Parcels are not determined to be Taxable Non-Residential Property, (iv) Parcels of Affordable Multi-Family Property, and (v) Parcels that, in the City's sole discretion, do not have Development Rights and, because of this lack of Development Rights, are not able to develop until a future BUA Release takes place.

G. PREPAYMENT OF SPECIAL TAX

The following definitions apply to this Section G:

"Future Facilities Costs" means the Public Facilities Requirement (as defined below) minus public facility costs funded by Previously Issued Bonds (as defined below), interest earnings on the construction fund actually earned prior to the date of prepayment, Special Taxes collected to directly fund authorized facilities, developer equity, and/or any other source of funding.

"Outstanding Bonds" means all Previously Issued Bonds that remain outstanding, with the following exception: if a Special Tax has been levied against, or already paid by, an Assessor's Parcel making a prepayment, and a portion of the Special Tax will be used to pay a portion of the next principal payment on the Bonds that remain outstanding, that next principal payment shall be subtracted from the total Bond principal that remains outstanding, and the difference shall be used as the amount of **"Outstanding Bonds"** for purposes of the prepayment formula.

"Previously Issued Bonds" means all Bonds that have been issued with respect to CFD No. 2004-1 prior to the date of prepayment.

"Public Facilities Requirement" means either \$30,500,000 in 2004 dollars, which shall increase by the greater of (i) the percentage increase, if any, in the construction cost index for the San Francisco region for the prior twelve (12) month period as published in the Engineering News Record or other comparable source if the Engineering News Record is discontinued or otherwise not available, or (ii) three percent (3%) on January 1, 2004, and on each January 1 thereafter, or such other number as shall be determined by the City as sufficient to fund public facilities to be provided by CFD No. 2004-1 under the authorized bonding program for CFD No. 2004-1. Notwithstanding the foregoing, after each BUA Release, the Administrator shall recalculate the Public Facilities Requirement to include the estimated public facilities costs that will be funded by the increased Expected Maximum Special Tax Revenue that is generated from the Residential Units and High Density Acres that were added to the Expected Land Uses by the BUA Release. In addition, a separate

Public Facilities Requirement shall be identified by the City for property that annexes into CFD No. 2004-1 in future years.

The Special Tax obligation applicable to an Assessor's Parcel in CFD No. 2004-1 may be prepaid and the obligation of the Assessor's Parcel to pay the Special Tax permanently satisfied as described herein, provided that (i) a prepayment may be made only if there are no delinquent Special Taxes with respect to such Assessor's Parcel at the time of prepayment, and (ii) the Special Tax obligation shall not be fully released from a Parcel if such Parcel is expected to be subject to a Special Tax levy after a future BUA Release. An owner of an Assessor's Parcel intending to prepay the Special Tax obligation shall provide the City with written notice of intent to prepay. Within 30 days of receipt of such written notice, the City shall notify such owner of the prepayment amount for such Assessor's Parcel. Prepayment must be made not less than 60 days prior to any interest payment date for Bonds to be redeemed with the proceeds of such prepaid Special Taxes.

The Prepayment Amount shall be calculated as follows (capitalized terms as defined below):

Bond Redemption Amount	
plus:	Future Facilities Amount
plus:	Redemption Premium
plus:	Defeasance Requirement
plus:	Administrative Fees and Expenses
<u>plus:</u>	<u>Reserve Fund Credit</u>
equals	Prepayment Amount

As of the proposed date of prepayment, the Prepayment Amount shall be determined by application of the following steps:

Step 1. Compute the total Maximum Special Tax that could be collected from the Assessor's Parcel prepaying the Special Tax in the Fiscal Year in which prepayment would be received by the District. The Maximum Special Tax for the Parcel shall include the Expected Units/Acres assigned to the Parcel from all BUA Releases that have taken place as of the date the prepayment is calculated.

If this Section G is being applied to effect a mandatory prepayment pursuant to Section C above, use, for purposes of this Step 1, the amount by which the Expected Maximum Special Tax Revenues have been reduced due to the Unit Deficit or change in Specific Plan Land Use Designation that required the mandatory prepayment.

Step 2. Divide the Maximum Special Tax computed pursuant to Step 1 for such Assessor's Parcel by the then-current Expected Maximum Special Tax Revenues for the entire CFD, which shall take into account the Maximum Special Tax Revenues that can be collected from the Expected Units/Acres from all BUA Releases that have taken place as of the date the prepayment is calculated.

Step 3. Multiply the quotient computed pursuant to Step 2 by the Outstanding Bonds to compute the amount of Outstanding Bonds to be retired and prepaid (the "*Bond Redemption Amount*").

- Step 4.** Compute the current Future Facilities Costs.
- Step 5.** Multiply the quotient computed pursuant to Step 2 by the amount determined pursuant to Step 4 to compute the amount of Future Facilities Costs to be prepaid (the “*Future Facilities Amount*”).
- Step 6.** Multiply the Bond Redemption Amount computed pursuant to Step 3 by the applicable redemption premium, if any, on the Outstanding Bonds to be redeemed (the “*Redemption Premium*”).
- Step 7.** Compute the amount needed to pay interest on the Bond Redemption Amount starting with the first Bond interest payment date after which the prepayment has been received until the earliest redemption date for the Outstanding Bonds, which, depending on the Bond offering document, may be as early as the next interest payment date.
- Step 8.** Compute the amount of interest the City reasonably expects to derive from the reinvestment of the Bond Redemption Amount plus the Redemption Premium from the first Bond interest payment date after which the prepayment has been received until the redemption date for the Outstanding Bonds.
- Step 9.** Take the amount computed pursuant to Step 7 and subtract the amount computed pursuant to Step 8 (the “*Defeasance Requirement*”).
- Step 10.** The administration fees and expenses of CFD No. 2004-1 are as calculated by the City and include the costs of computing the prepayment, the costs of redeeming Bonds, and the costs of recording any notices to evidence the prepayment and the redemption (the “*Administrative Fees and Expenses*”).
- Step 11.** A reserve fund credit shall be calculated equal to the amount of the reduction, if any, in the applicable reserve fund for the Outstanding Bonds to be made as a result of the redemption of Bonds pursuant to the prepayment (the “*Reserve Fund Credit*”).
- Step 12.** The Special Tax prepayment is equal to the sum of the amounts computed pursuant to Steps 3, 5, 6, 9, and 10, less the amount computed pursuant to Step 11 (the “*Prepayment Amount*”).

H. INTERPRETATION OF SPECIAL TAX FORMULA

The City reserves the right to make minor administrative and technical changes to this document that do not materially affect the rate and method of apportioning Special Taxes. In addition, the interpretation and application of any section of this document shall be left to the City's discretion. Interpretations may be made by the City by ordinance or resolution for purposes of clarifying any vagueness or ambiguity in this Rate and Method.

ATTACHMENT 1

Expected Units/Acres and Expected Maximum Special Tax Revenues For Original Parcels

Developer or Owner as of CFD Formation	Assessor's Parcel Number for Original Parcel	Land Use Designation	Expected Residential Units or High-Density Acres as of 3/6/2015	Base Maximum Special Tax (FY 2014-15) /1	Ex Ma Spe Re (FY 2
Prudler Sievers	041-070-43	R-5 Duplex/Halfplex R-15	136 units 18 units 2.1 acres	\$2,072 per unit \$1,707 per unit \$12,190 per acre	
Merritt	042-010-51	R-5 Duplex/Halfplex R-20	42 units 4 units 2.8 acres	\$2,072 per unit \$1,707 per unit \$11,215 per acre	
Heidrick	042-010-05	R-5 R-8 Duplex/Halfplex R-25	127 units 14 units 14 units 0 acres	\$2,072 per unit \$1,707 per unit \$1,707 per unit \$11,215 per acre	
TOC-160 (East)	042-010-58	R-5 R-8 Duplex/Halfplex Affordable Cluster	220 units 103 units 45 units 10 units	\$2,072 per unit \$1,707 per unit \$1,707 per unit \$813 per unit	
TOC-160 (West)	042-010-59	R-5 R-8 Duplex/Halfplex R-20	113 units 187 units 26 units 0 acres	\$2,072 per unit \$1,707 per unit \$1,707 per unit \$11,215 per acre	
Beeghly	042-010-44	R-4 R-5 R-8 Duplex/Halfplex Affordable Cluster R-15	75 units 194 units 5 units 28 units 10 units 3.5 acres	\$2,316 per unit \$2,072 per unit \$1,707 per unit \$1,707 per unit \$813 per unit \$12,190 per acre	
Russell	042-030-14	R-3 R-4 Affordable Cluster R-15	67 units 270 units 26 units 4.69 acres	\$2,408 per unit \$2,316 per unit \$813 per unit \$12,190 per acre	
Hollman	042-010-18	R-20	4.38 acres	\$11,215 per acre	
Hollman	042-010-17	R-15	4.2 acres	\$12,190 per acre	
Total Expected Maximum Special Tax Revenues					

/1 Includes expected land use changes as of January 1, 2014.

EXHIBIT C

OFFICIAL BALLOT

**SPECIAL TAX ELECTION
CITY OF WOODLAND
ANNEXATION OF TERRITORY TO
COMMUNITY FACILITIES DISTRICT NO. 2004-1 (SPRING LAKE)
(September 5, 2017)**

Number of votes entitled to cast: ____

INSTRUCTIONS TO VOTERS: To vote on the measure, mark an (X) or a check mark in the voting square after the word “YES” or after the word “NO.” All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void.

If you wrongly mark, tear or deface this ballot, return it to the City Clerk, 300 First Street, Woodland, California 95695, to obtain another.

MEASURE SUBMITTED TO VOTE OF VOTERS

Ballot Measure: “Shall the City of Woodland Community Facilities District No. 2004-1 (Spring Lake) be authorized to levy a special tax for the purpose and at the rate and apportioned as described in Exhibits A and B to Resolution No. 6889 adopted by the City Council of the City of Woodland on July 18, 2017, which resolution is incorporated herein by reference, within the territory identified on a map entitled “Proposed Annexation Map No. 2 Community Facilities District No. 2004-1 (Spring Lake), City of Woodland, Yolo County, California”?

YES: ☐

NO: ☐

NOTE: This is a special landowner election. You must return this ballot to the City Clerk, City of Woodland, to her office at 300 First Street, Woodland, California 95695, by 4:00 p.m. on September 5, 2017.

CITY OF WOODLAND

RESOLUTION NO. _____

**A RESOLUTION CALLING AN ELECTION TO SUBMIT TO THE QUALIFIED
ELECTORS THE QUESTION OF LEVYING A SPECIAL TAX
WITHIN THE AREA PROPOSED TO BE ANNEXED TO
SPRING LAKE MAINTENANCE COMMUNITY FACILITIES DISTRICT**

Annexation No. 2

WHEREAS, on March 22, 2005, the City Council (the “City Council”) of the City of Woodland (the “City”), approved Resolution No. 4622 establishing the Spring Lake Maintenance Community Facilities District (the “CFD”) pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the “Act”), being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California, for the purpose of providing for the financing of certain public services (the “Services”) described in Exhibit A hereto;

WHEREAS, at a special election held on March 22, 2005, more than two-thirds of the votes cast were in favor of the levy of a special tax and the establishment of an appropriations limit of the CFD, all as determined by the City Council in Resolution No. 4524, duly adopted on March 22, 2005;

WHEREAS, the City Council on July 18, 2017, duly adopted Resolution No. 6890 (the “Resolution of Intention”) declaring its intention to annex certain territory to the CFD and to levy a special tax within that territory to pay for the Services and setting a public hearing on the proposed annexation for September 5, 2017;

WHEREAS, the territory proposed to be annexed is identified in a map entitled “Proposed Annexation Map No. 2 of Spring Lake Maintenance Community Facilities District, City of Woodland, Yolo County, California,” a copy of which was recorded on July 28, 2017, in Book 2017 of Maps of Assessment and Community Facilities Districts at Page 69 in the office of the Yolo County Recorder;

WHEREAS, the City Council convened a public hearing on Tuesday, September 5, 2017, at the regular meeting place of the City Council, 300 First Street, Woodland, California, at which hearing all persons interested, including all taxpayers, property owners and registered voters within the CFD and the territory proposed to be annexed, were given an opportunity to appear and be heard on the proposed annexation of territory to the CFD and the levy of special taxes within the territory proposed to be annexed;

WHEREAS, written protests have not been filed by fifty percent (50%) or more of the registered voters residing within the CFD, or by fifty percent (50%) or more of the registered voters residing within the territory to be annexed, or by the owners of one-half (1/2) or more of the area within the CFD, or by the owners of one-half (1/2) or more of the territory to be annexed;

WHEREAS, the City Council has determined that there are no registered voters residing in the territory proposed to be annexed to the CFD and that the qualified electors in such territory are the landowners;

WHEREAS, on the basis of all of the foregoing, the City Council has determined to call an election to authorize the annexation of territory to the CFD and the levying of a special tax as described in Exhibit B hereto; and

WHEREAS, the City Council has received a written instrument from each landowner in the territory proposed to be annexed to the CFD consenting to the shortening of election time requirements, waiving analysis and arguments, and waiving all notice requirements relating to the conduct of the election;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodland that:

Section 1. Recitals. All of the above recitals are true and correct, and the City Council so finds and determines.

Section 2. Confirmation of Findings in Resolution of Intention. The City Council reconfirms all of its findings and determinations as set forth in the Resolution of Intention.

Section 3. Finding Regarding Protests. The City Council finds and determines that written protests to the proposed annexation of territory to the CFD and the levy of the special tax within such territory are insufficient in number and in amount under the Act, and the City Council hereby further orders and determines that all such protests are hereby overruled.

Section 4. Finding Regarding Prior Proceedings. The City Council finds and determines that all prior proceedings had and taken by the City Council with respect to the annexation of territory to the CFD are valid and in conformity with the requirements of the Act.

Section 5. Tax Lien. Upon recordation of an amended notice of special tax lien pursuant to Sections 3117.5 and 3114.5 of the Streets and Highways Code, a continuing lien to secure each levy of the special tax shall attach to all non-exempt real property in the territory proposed to be annexed and this lien shall continue in force and effect until the collection of the tax is terminated by the City Council.

Section 6. Finding Regarding Election Procedures. The City Council finds and determines that the landowners of the territory proposed to be annexed to the CFD have unanimously waived the provision of Government Code Section 53326(a) requiring a minimum of 90 days to elapse between the adoption of this Resolution and the election; the requirements of Government Code Section 53327(a) and the provisions of the Elections Code cited therein relating to the preparation and delivery of an impartial analysis and the affording of opportunity for argument and rebuttal; and all other time limits and procedural requirements in the Elections Code or elsewhere pertaining to the conduct of the election.

Section 7. Call and Order of Election. The City Council hereby calls and orders a special election to be held on Tuesday, September 5, 2017 (“election day”), at which election the question of levying the special tax within the territory proposed to be annexed shall be submitted to

the qualified electors of the territory proposed to be annexed. The terms of the measure are described in this Resolution. The abbreviated form of the statement of the ballot measure is set forth in Exhibit C hereto and is incorporated herein by reference.

Section 8. Vote Required. If the proposition on the question of levying the special tax within the territory proposed to be annexed receives the approval of more than two-thirds (2/3) of the votes cast on the proposition, then the territory proposed to be annexed will be added to and become part of the CFD with full legal effect and the City Council will be authorized to levy the special tax within the annexed territory.

Section 9. Submission of Ballot Proposition. The City Council hereby submits to the landowners within the territory proposed to be annexed to the CFD at the special election the ballot proposition set forth in Section 6 of this resolution. The City Council hereby authorizes the City Clerk to conduct the election.

Section 10. Conduct of Election. The special election shall be held and conducted, the returns canvassed, and the results ascertained and determined, as herein provided:

(a) All owners of land within the territory proposed to be annexed to the CFD upon the date of the special election shall be qualified to vote upon the measure submitted at the special election. Each landowner shall have one vote for each acre or portion thereof that she, he, or it owns within the territory proposed to be annexed to the CFD, as provided in Government Code section 53326(b).

(b) Pursuant to Government Code section 53327, the special election shall be conducted as a mailed ballot election, in accordance with the provisions of Sections 4100-4108 of the Elections Code. There shall be no polling places for the special election.

(c) The City Clerk is authorized to mail to each landowner in the territory proposed to be annexed to the CFD a ballot in the form set forth in Exhibit C hereto.

(d) Each voter desiring to vote in favor of the measure to levy a special tax shall mark an "X" or a check mark in the voting square opposite the word "YES." To vote against the measure, the voter shall mark an "X" or a check mark in the voting square opposite the word "NO."

(e) The City Clerk shall accept the ballots of the landowners up to five minutes following the adoption of this resolution by the Board. The City Clerk shall have available ballots that may be marked at the City Clerk's office on the election day by voters. Once all qualified electors have voted, the City Clerk may close the election.

(f) The City Clerk shall commence the canvass of the returns of the special election as soon as the election is closed at the City Clerk's office. At the conclusion of the canvass, the City Clerk shall declare the results of the election.

(g) The City Council shall declare the results of the special election following the completion of the canvass of the returns and shall cause to be inserted into its minutes a statement of the results of the special election as ascertained by the canvass of the returns.

(h) The City Council ratifies the City Clerk's mailing of the ballots in advance of the call of the election.

Section 11. General Authorization with Respect to the Election. The members of the City Council, the City Clerk, and the other officers of the City are hereby authorized and directed, individually and collectively, to do any and all things and to execute, deliver, and perform any and all agreements and documents that they deem necessary or advisable in order to effectuate the purposes of this Resolution. All actions heretofore taken by the officers and agents of the City that are in conformity with the purposes and intent of this Resolution are hereby ratified, confirmed, and approved in all respects.

Section 12. Accountability Measures. Pursuant to Section 50075.1 of the California Government Code, the City has created a separate account into which the special tax proceeds shall be deposited; and the City shall prepare a report, as required, pursuant to the requirements of Section 53343.1.

Section 13. CEQA Compliance. The City Council hereby determines that the annexation of territory to the CFD is not a project as defined under the provisions of the California Environmental Quality Act ("C.E.Q.A.") pursuant to Section 15378 of the C.E.Q.A. guidelines and directs the City staff to file a notice of exemption with Yolo County.

Section 14. Effective Date. This resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED by the City Council on this 5th day of September 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Angel Barajas, Mayor

ATTEST:

APPROVED AS TO FORM:

Ana B. Gonzalez, City Clerk

Kara K. Ueda, City Attorney

EXHIBIT A

CITY OF WOODLAND SPRING LAKE MAINTENANCE COMMUNITY FACILITIES DISTRICT

Description of Services

The services (the “Services”) described below are proposed to be financed by the City of Woodland Spring Lake Maintenance Community Facilities District (the “District”) of the City of Woodland (the “City”). The cost of the Services shall include incidental expenses, including costs associated with forming the District, determination of the amount of the Special Tax, collection of the Special Tax, payment of the Special Tax, and costs incurred in order to carry out the authorized purposes of the District.

Services

The Services to be financed are the maintenance of the Facilities. Maintenance services include, but are not limited to, sports park maintenance, including but not limited to athletic fields, snack bars, restrooms, multi-use paths, parking lot and park roadway. The costs of Services shall include the costs of labor, material, administration, personnel, equipment, and utilities.

E)

**CITY C
SPRINGLAKE MAINTENANCE
RATE AND METHOD OF AI**

A Special Tax of the City of Wood Facilities District ("CFD") shall be lev collected each Fiscal Year comm determined through the application the Special Tax set forth below. exempted by law or by the provisor the extent and in the manner herein

A. DEFINITIONS

The terms hereinafter set forth

"Acre or Acreage" means
shown on an Assessor's Map

"Assessor's Parcel" means
Map with an assigned assess

"Assessor's Parcel Map" n
County designating parcels b

"CFD Administrator" mean
responsible for determining th
the levy and collection of the

"CFD" means the City of Wo
Facilities District.

"City" means the City of Woc

"Council" means the city co
legislative body of the CFD.

"County" means the County

"Developed Property" mea
permit was issued prior to Jan

"Land Use Class" means an

"Maximum Special Tax" means the maximum special tax rate in accordance with Section C on any Assessor's Parcel of T

"Mixed Use Property" means property classified by the County to Residential Property uses on any Assessor's Parcel of Mixed Use subject to taxation pursuant to the geographic orientation of the Parcel.

"Multi-Family Property" means Property for which a building structure consisting of two or more walls, including, but not limited to condominiums, and apartment

"Non-Residential Property" means Property for which a building

"Proportionately" means in Special Tax levy to the Maximum of Taxable Property within the City of Woodland.

"Public Property" means an interest in real property at the time of the CFD form and is owned by the State, the County, the City or the City of Woodland.

"Reserve Fund" means a fund established by the City of Woodland each Fiscal Year to provide for the City of Woodland each Fiscal Year, reserve for the City of Woodland repair cost overruns and delinquent taxes and a reasonable buffer to provide for the City of Woodland levies.

"Reserve Fund Requirements" means the Operating Fund Requirements of the City of Woodland.

"Residential Property" means a building or structure for which a building permit has been issued for the construction of one residential dwelling unit.

Association Property within the
from the Special Tax pursuant

"Tax-Exempt Property" means
Special Tax. Tax-Exempt Property
Property Owner Association
public or utility easements made
the purposes set forth in the e

"Taxable Property Owner Association"
Property which is not exempt
below.

"Undeveloped Property" means
Property not classified as C
Taxable Property Owners Association

B. ASSIGNMENT TO LAND USE

Each Fiscal Year using the data
the CFD shall be classified as
Undeveloped Property or Tax

Multiple Land Use Class

In some instances an
may contain more than
Tax that may be levied
the Maximum Special T
Classes located on
Administrator's shall d
Class.

2. Approved Property, Property Owner Asso

The Maximum Special
Property and Taxable
be \$823.00 per Acre.

3. Annual Escalation of

The Maximum Special
be levied on each Asse
each Fiscal Year begin

Fourth: If additional money Requirement after the first th Tax shall be levied proportion Property Owner Association Special Tax for Taxable Propri

Notwithstanding the above, u levied against any Assessor's occupancy permit for private i by more than ten percent and consequence of delinquency Assessor's Parcel within the C

E. EXEMPTIONS

The CFD Administrator shall Parcels defined as Public Pro or utility easements making i purposes set forth in the ease

The CFD Administrator shall r

manner if necessary to meet
otherwise determined appropriate

H: TERM OF SPECIAL TAX
Taxable Property in the CFD
Perpetuity.

EXHIBIT C

OFFICIAL BALLOT

**SPECIAL TAX ELECTION
CITY OF WOODLAND
ANNEXATION OF TERRITORY TO
SPRING LAKE MAINTENANCE COMMUNITY FACILITIES DISTRICT
(September 5, 2017)**

Number of votes entitled to cast: 28

INSTRUCTIONS TO VOTERS: To vote on the measure, mark an (X) or a check mark in the voting square after the word “YES” or after the word “NO.” All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void.

If you wrongly mark, tear or deface this ballot, return it to the City Clerk, 300 First Street, Woodland, California 95695, to obtain another.

MEASURE SUBMITTED TO VOTE OF VOTERS

Ballot Measure: “Shall the City of Woodland Spring Lake Maintenance Community Facilities District be authorized to levy a special tax for the purpose and at the rate and apportioned as described in Exhibits A and B to Resolution No. 6890 adopted by the City Council of the City of Woodland on July 18, 2017, which resolution is incorporated herein by reference, within the territory identified on a map entitled “Proposed Annexation Map No. 2 of Spring Lake Maintenance Community Facilities District, City of Woodland, Yolo County, California”?

YES: ☐

NO: ☐

NOTE: This is a special landowner election. You must return this ballot to the City Clerk, City of Woodland, to her office at 300 First Street, Woodland, California 95695, by 4:00 p.m. on September 5, 2017.

CITY OF WOODLAND

RESOLUTION NO. _____

**A RESOLUTION DECLARING THE RESULTS OF THE SPECIAL ELECTION
HELD ON TUESDAY, SEPTEMBER 5, 2017, AND ORDERING THE
ANNEXATION OF TERRITORY TO
COMMUNITY FACILITIES DISTRICT NO. 2004-1 (SPRING LAKE)**

Annexation No. 2

WHEREAS, in proceedings heretofore conducted by the City Council (the “City Council”) of the City of Woodland (the “City”), pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the “Act”), the City Council on September 5, 2017, adopted Resolution No. _____, which resolution called a special election within the territory proposed to be annexed to the City’s Community Facilities District No. 2004-1 (Spring Lake) (the “CFD”);

WHEREAS, pursuant to the terms of the resolution, the special election was held on September 5, 2017, and the City Clerk has duly canvassed the returns of the election and has filed with the City Council a statement of all votes cast at the election showing the whole number of votes cast within such territory and the whole number of votes cast for and against the measure in such territory and also filed, attached to the statement, her certificate as to the correctness of the statement (the “Statement of Election Results”), a copy of which is attached hereto as Exhibit A;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodland that:

Section 1. Approval of Canvass. The canvass by the City Clerk, as shown by the Statement of Election Results is hereby ratified, confirmed, approved, and entered upon the minutes of this meeting.

Section 2. Statement of the Measure. At the election, the following measure was submitted to the qualified electors of the territory proposed to be annexed to the CFD and the number of votes cast for and against the measure was as follows:

Ballot Measure: “Shall the City of Woodland Community Facilities District No. 2004-1 (Spring Lake) be authorized to levy a special tax for the purpose and at the rate and apportioned as described in Exhibits A and B to Resolution No. 6889 adopted by the City Council of the City of Woodland on July 18, 2017, which resolution is incorporated herein by reference, within the territory identified on a map entitled “Proposed Annexation Map No. 2 Community Facilities District No. 2004-1 (Spring Lake), City of Woodland, Yolo County, California”?

YES: ☐

NO: ☐

Section 3. Votes Cast. The total number of votes cast in the territory proposed to be annexed to the CFD at the election was 28.

Section 4. Measure Passed. More than two-thirds of all the votes cast at the election on the measure were in favor of the measure and the measure passed.

Section 5. Validity of Procedures. The City Council hereby finds and determines that all prior proceedings and actions taken by the City Council pursuant to the Act were and are valid and in conformity with the Act.

Section 6. Order of Annexation. The City Council hereby determines and orders that the territory proposed to be annexed to the CFD is added to and part of the CFD with full legal effect.

Section 7. Amendment to Notice of Special Tax Lien. The City Clerk is hereby directed to record an amendment to the Notice of Special Tax Lien with the Yolo County Recorder, in accordance with the provisions of Sections 3114.5 and 3117.5 of the California Streets and Highways Code within fifteen (15) days of the adoption of this resolution.

PASSED AND ADOPTED by the City Council on this 5th day of September 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Angel Barajas, Mayor

ATTEST:

APPROVED AS TO FORM:

Ana B. Gonzalez, City Clerk

Kara K. Ueda, City Attorney

EXHIBIT A

STATEMENT OF ELECTION RESULTS

I, Ana B. Gonzalez, City Clerk of the City of Woodland (the “City”), hereby certify that:

1. On September 5, 2017, at 300 First Street, Woodland, California, I canvassed the returns of the election called for September 5, 2017, in the territory proposed to be annexed to Community Facilities District No. 2004-1 (Spring Lake) on the following measure:

“Shall the City of Woodland Community Facilities District No. 2004-1 (Spring Lake) be authorized to levy a special tax for the purpose and at the rate and apportioned as described in Exhibits A and B to Resolution No. 6889 adopted by the City Council of the City of Woodland on July 18, 2017, which resolution is incorporated herein by reference, within the territory identified on a map entitled “Proposed Annexation Map No. 2 Community Facilities District No. 2004-1 (Spring Lake), City of Woodland, Yolo County, California”?

2. The total number of qualified landowner votes eligible to be cast, the total number of votes actually cast at the election, and the total number of votes cast for and against the measure are set forth below. The totals as shown for and against the measure are full, true, and correct. More than two-thirds of all the votes cast at the election on the measure were in favor of the measure and the measure passed.

Qualified Landowner Votes	Votes Cast	YES	NO
28	28		

Dated: September 5, 2017

City Clerk

CITY OF WOODLAND

RESOLUTION NO. _____

**A RESOLUTION DECLARING THE RESULTS OF THE SPECIAL ELECTION
HELD ON TUESDAY, SEPTEMBER 5, 2017, AND ORDERING THE
ANNEXATION OF TERRITORY TO
SPRING LAKE MAINTENANCE COMMUNITY FACILITIES DISTRICT**

Annexation No. 2

WHEREAS, in proceedings heretofore conducted by the City Council (the “City Council”) of the City of Woodland (the “City”), pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (the “Act”), the City Council on September 5, 2017, adopted Resolution No. _____, which resolution called a special election within the territory proposed to be annexed to the City’s Spring Lake Maintenance Community Facilities District (the “CFD”);

WHEREAS, pursuant to the terms of the resolution, the special election was held on September 5, 2017, and the City Clerk has duly canvassed the returns of the election and has filed with the City Council a statement of all votes cast at the election showing the whole number of votes cast within such territory and the whole number of votes cast for and against the measure in such territory and also filed, attached to the statement, her certificate as to the correctness of the statement (the “Statement of Election Results”), a copy of which is attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodland that:

Section 1. Approval of Canvass. The canvass by the City Clerk, as shown by the Statement of Election Results is hereby ratified, confirmed, approved, and entered upon the minutes of this meeting.

Section 2. Statement of the Measure. At the election, the following measure was submitted to the qualified electors of the territory proposed to be annexed to the CFD and the number of votes cast for and against the measure was as follows:

Ballot Measure: “Shall the City of Woodland Spring Lake Maintenance Community Facilities District be authorized to levy a special tax for the purpose and at the rate and apportioned as described in Exhibits A and B to Resolution No. 6890 adopted by the City Council of the City of Woodland on July 18, 2017, which resolution is incorporated herein by reference, within the territory identified on a map entitled “Proposed Annexation Map No. 2 of Spring Lake Maintenance Community Facilities District, City of Woodland, Yolo County, California”?

YES: ☐

NO: ☐

Section 3. Votes Cast. The total number of votes cast in the territory proposed to be annexed to the CFD at the election was 28.

Section 4. Measure Passed. More than two-thirds of all the votes cast at the election on the measure were in favor of the measure and the measure passed.

Section 5. Validity of Procedures. The City Council hereby finds and determines that all prior proceedings and actions taken by the City Council pursuant to the Act were and are valid and in conformity with the Act.

Section 6. Order of Annexation. The City Council hereby determines and orders that the territory proposed to be annexed to the CFD is added to and part of the CFD with full legal effect.

Section 7. Amendment to Notice of Special Tax Lien. The City Clerk is hereby directed to record an amendment to the Notice of Special Tax Lien with the Yolo County Recorder, in accordance with the provisions of Sections 3114.5 and 3117.5 of the California Streets and Highways Code within fifteen (15) days of the adoption of this resolution.

PASSED AND ADOPTED by the City Council on this 5th day of September 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Angel Barajas, Mayor

ATTEST:

APPROVED AS TO FORM:

Ana B. Gonzalez, City Clerk

Kara K. Ueda, City Attorney

EXHIBIT A

STATEMENT OF ELECTION RESULTS

I, Ana B. Gonzalez, City Clerk of the City of Woodland (the “City”), hereby certify that:

1. On September 5, 2017, at 300 First Street, Woodland, California, I canvassed the returns of the election called for September 5, 2017, in the territory proposed to be annexed to the Spring Lake Maintenance Community Facilities District on the following measure:

“Shall the City of Woodland Spring Lake Maintenance Community Facilities District be authorized to levy a special tax for the purpose and at the rate and apportioned as described in Exhibits A and B to Resolution No. 6890 adopted by the City Council of the City of Woodland on July 18, 2017, which resolution is incorporated herein by reference, within the territory identified on a map entitled “Proposed Annexation Map No. 2 of Spring Lake Maintenance Community Facilities District, City of Woodland, Yolo County, California”?

2. The total number of qualified landowner votes eligible to be cast, the total number of votes actually cast at the election, and the total number of votes cast for and against the measure are set forth below. The totals as shown for and against the measure are full, true, and correct. More than two-thirds of all the votes cast at the election on the measure were in favor of the measure and the measure passed.

Qualified Landowner Votes	Votes Cast	YES	NO
28	28		

Dated: September 5, 2017

City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODLAND
LEVYING AND APPORTIONING THE SPECIAL TAX IN
TERRITORY ANNEXED TO THE
CITY OF WOODLAND COMMUNITY FACILITIES DISTRICT
NO. 2004-1 (SPRING LAKE)

Annexation No. 2

WHEREAS, City Council (the “City Council”) of the City of Woodland (the “City”) has established Community Facilities District No. 2004-1 (Spring Lake) (the “CFD”) pursuant to Resolution No. 4559, duly adopted on June 22, 2004, for the purpose of providing financing for the design, construction, and acquisition costs of certain public facilities in and for the City;

WHEREAS, the City Council duly adopted Resolution No. _____ (the “Resolution”) on September 5, 2017, wherein the City Council submitted the question of levying a special tax in territory proposed to be annexed to the CFD at the rate and according to the method of apportionment described therein;

WHEREAS, at an election held in the territory proposed to be annexed to the CFD on September 5, 2017, the qualified electors of such territory authorized the levy of the special tax described in the Resolution;

WHEREAS, the City Council duly adopted Resolution No. ____ on September 5, 2017, wherein the City Council determined that the territory proposed to be annexed was added to the CFD.

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

Section 1. Recitals. The foregoing recitals are true and correct.

Section 2. Levy of Special Tax. Pursuant to Section 53340 of the California Government Code, the special tax is hereby levied at the maximum rates and apportioned in the manner specified in the Resolution.

Section 3. Collection of Special Tax. Pursuant to Section 53340 of the California Government Code and the Resolution, the special tax shall be collected in the same manner as ordinary *ad valorem* property taxes are collected and shall be subject to the same procedure, sale, and lien priority in case of delinquency as is provided for *ad valorem* taxes; provided, however, that the City may directly bill the special tax, may collect special taxes at a different time or in a different manner if necessary to meet the financial obligations of the CFD or as otherwise determined appropriate by the City.

Section 4. Claims for Refund. Claims for refund of the tax shall comply with the following and any additional procedures as established by the City Council:

(a) All claims shall be filed, in writing, with the Finance Director during the Fiscal Year in which the error is believed to have occurred. The claimant shall file the claim

within this time period and the claim shall be finally acted upon by the City Council as a prerequisite to bringing suit thereon.

(b) Pursuant to Government Code section 935(b), the claim shall be subject to the provisions of Government Code sections 945.6 and 946.

(c) The City Council shall act on a timely claim within the time period required by Government Code section 912.4.

(d) The procedure described in this Ordinance, and any additional procedures established by the City Council, shall be the exclusive claims procedure for claimants seeking a refund of the tax. The decision of the City Council shall be final.

Section 5. No Mandatory Duty of Care. This Ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 6. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance that can be given effect without the invalid provision or application and, to this end, the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

Section 7. Effective Date and Publication. This Ordinance shall take effect thirty (30) days after its adoption. The City Council hereby directs the City Clerk to publish the full text of the ordinance within 15 days after its passage, with the names of the City Council members voting for and against the ordinance, within fifteen days after adoption by the City Council, pursuant to Government Code section 36933(a).

PASSED AND ADOPTED by the City Council on this _____ day of _____ 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Angel Barajas, Mayor

ATTEST:

APPROVED AS TO FORM:

Ana B. Gonzalez, City Clerk

Kara K. Ueda, City Attorney

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODLAND
LEVYING AND APPORTIONING THE SPECIAL TAX IN
TERRITORY ANNEXED TO THE
CITY OF WOODLAND
SPRING LAKE MAINTENANCE COMMUNITY FACILITIES DISTRICT

Annexation No. 2

WHEREAS, City Council (the “City Council”) of the City of Woodland (the “City”) has established the Spring Lake Maintenance Community Facilities District (the “CFD”) pursuant to Resolution No. 4622, duly adopted on March 22, 2005, for the purpose of funding maintenance services for the sports park that serves the area of the CFD;

WHEREAS, the City Council duly adopted Resolution No. ____ (the “Resolution”) on September 5, 2017, wherein the City Council submitted the question of levying a special tax in territory proposed to be annexed to the CFD at the rate and according to the method of apportionment described therein;

WHEREAS, at an election held in the territory proposed to be annexed to the CFD on September 5, 2017, the qualified electors of such territory authorized the levy of the special tax described in the Resolution;

WHEREAS, the City Council duly adopted Resolution No. ____ on September 5, 2017, wherein the City Council determined that the territory proposed to be annexed was added to the CFD;

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

Section 1. Recitals. The foregoing recitals are true and correct.

Section 2. Levy of Special Tax. Pursuant to Section 53340 of the California Government Code, the special tax is hereby levied at the maximum rates and apportioned in the manner specified in the Resolution.

Section 3. Collection of Special Tax. Pursuant to Section 53340 of the California Government Code and the Resolution, the special tax shall be collected in the same manner as ordinary *ad valorem* property taxes are collected and shall be subject to the same procedure, sale, and lien priority in case of delinquency as is provided for *ad valorem* taxes; provided, however, that the City may directly bill the special tax, may collect special taxes at a different time or in a different manner if necessary to meet the financial obligations of the CFD or as otherwise determined appropriate by the City.

Section 4. Claims for Refund. Claims for refund of the tax shall comply with the following and any additional procedures as established by the City Council:

(a) All claims shall be filed, in writing, with the Finance Director during the Fiscal Year in which the error is believed to have occurred. The claimant shall file the claim

within this time period and the claim shall be finally acted upon by the City Council as a prerequisite to bringing suit thereon.

(b) Pursuant to Government Code section 935(b), the claim shall be subject to the provisions of Government Code sections 945.6 and 946.

(c) The City Council shall act on a timely claim within the time period required by Government Code section 912.4.

(d) The procedure described in this Ordinance, and any additional procedures established by the City Council, shall be the exclusive claims procedure for claimants seeking a refund of the tax. The decision of the City Council shall be final.

Section 5. No Mandatory Duty of Care. This Ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 6. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance that can be given effect without the invalid provision or application and, to this end, the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

Section 7. Effective Date and Publication. This Ordinance shall take effect thirty (30) days after its adoption. The City Council hereby directs the City Clerk to publish the full text of the ordinance within 15 days after its passage, with the names of the City Council members voting for and against the ordinance, within fifteen days after adoption by the City Council, pursuant to Government Code section 36933(a).

PASSED AND ADOPTED by the City Council on this _____ day of _____ 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Angel Barajas, Mayor

ATTEST:

APPROVED AS TO FORM:

Ana B. Gonzalez, City Clerk

Kara K. Ueda, City Attorney



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: September 5, 2017
ITEM #: 14.
SUBJECT: Approve Agreement with the Judicial Council of California for Sixth Street Sidewalk Funding

Recommendation for Action:

Staff recommends that the City Council:

- 1) Approve Resolution No. _____, approving agreement with the Judicial Council of California and authorize the City Manager to sign the agreement; and
- 2) Approve a capital budget augmentation of \$40,000 to Fund 501 – Capital Projects for the 2017 Road Maintenance Project, CIP #17-03; and
- 3) Authorize a \$40,000 increase in the project contingency from \$117,149 to \$157,149 for project #17-03.

Staff Contact:

Brent Meyer, City Engineer, (530) 661-5947, brent.meyer@cityofwoodland.org

Fiscal Impact:

The City has received a commitment from the State to fund \$40,000 towards the construction of sidewalk improvements along Sixth Street in front of the Sacramento Valley Historical Railroad site. Staff has received a quote for \$43,421 from the contractor for the 2017 Road Maintenance Project, California Pavement Maintenance Company. The City will perform the work as part of the Project and then receive reimbursement from the State after the work is complete. Any amount over \$40,000 will be paid for by project #17-03. Fund 501 – Capital Projects is a pass through account that is typically used for project funding provided through reimbursement agreements or advance funding. The project contingency will need to increase by \$40,000 in order to accommodate this action. The total project budget is now \$1,364,688.

Background:

In 2015 the Administrative Office of the Courts (AOC) constructed the new Yolo County Courthouse along with two parking lots on Sixth Street. Despite concerns expressed by City staff, the plans for the Courthouse only included sidewalk improvements adjacent to their parking lots with the assumption that parking lot patrons would use the existing sidewalk on the west side of the street, despite the out of direction travel. After the courthouse was built, engineering staff began receiving complaints from the Police Department that a large number of pedestrians were crossing Sixth Street in front their driveway. PD staff expressed concerns that police officers responding to emergency calls used this driveway.

Staff has spent a significant amount of time following up with AOC staff to come to this agreement. Yolo County Courthouse executive staff have also advocated for the funding of this project with the AOC.

The work includes construction of approximately 215 feet of sidewalk and a driveway along the Sixth Street frontage of the Sacramento Valley Historical Railroad site at 1120 Lincoln Avenue. It is anticipated that this work will be completed by the end of September with reimbursement from the State coming by the end of the calendar year.

The City asked three contractors for bids for this work. The California Pavement Maintenance Company was the only one that responded to the bid opportunity. Staff has determined that their bid is fair and reasonable given the size of the project.

Conclusion:

Staff recommends that the City Council:

- 1) Approve Resolution No. _____, approving agreement with the Judicial Council of California and authorize the City Manager to sign the agreement; and
- 2) Approve a capital budget augmentation of \$40,000 to Fund 501 – Capital Projects for the 2017 Road Maintenance Project , CIP #17-03; and
- 3) Authorize a \$40,000 increase in the project contingency from \$117,149 to \$157,149 for project #17-03.

Prepared By: Brent Meyer, City Engineer

Reviewed By: Ken Hiatt, Assistant City Manager - Economic and Community Development



Paul Navazio, City Manager

ATTACHMENTS:

Description	Upload Date	Type
Attachment 1 - Resolution	8/31/2017	Resolution
Attachment 2 - Agreement and Aerial Map	8/31/2017	Agreement

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND
APPROVING AN AGREEMENT WITH THE JUDICIAL COUNCIL OF CALIFORNIA
FOR SIXTH STREET SIDEWALK FUNDING**

WHEREAS, the City of Woodland wishes to enter into an Agreement for the payment of funding to the City for construction of a sidewalk on Sixth Street at 1022 Lincoln Avenue; and

WHEREAS, the Yolo County Courthouse was constructed by the Administrative Office of the Courts (AOC) in 2015; and

WHEREAS, a portion of the Sixth Street sidewalk was left out of the project; and

WHEREAS, the AOC and the City would like to partner together to construct this facility with the Judicial Council contributing \$40,000; and

WHEREAS, City staff approached three contractors with the opportunity to bid and received one bid for \$43,421. Staff has determined that their bid is fair and reasonable ; 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:

Section 1. 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 does not change.

Section 2. Copies of the Agreement are available and on file in the City Clerk's office and are attached to this staff report and made a part of this Resolution.

Section 3. The City Council hereby approves a capital budget augmentation of \$40,000 to Fund 501 – Capital Projects for the 2017 Road Maintenance Project , CIP #17-03.

Section 4. The City Council hereby authorize a \$40,000 increase in the project contingency from \$117,149 to \$157,149 for project #17-03.

PASSED AND ADOPTED this 5th day of September 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Angel Barajas, Mayor

ATTEST:

Ana B. Gonzalez, City Clerk

**AGREEMENT
BETWEEN THE JUDICIAL COUNCIL OF CALIFORNIA
AND THE CITY OF WOODLAND REGARDING
SIDEWALK EXTENSION PROJECT NEAR
THE NEW WOODLAND COURTHOUSE**

This Agreement Regarding Sidewalk Extension Project near the New Woodland Courthouse (“**Agreement**”) is made and entered into as of _____, 2017 (“**Effective Date**”), by and between the Judicial Council of California (“**Judicial Council**”) and the City of Woodland (“**City**”). The Judicial Council and City may be individually referred to as a “**Party**” and collectively referred to as the “**Parties.**”

RECITALS TO AND PURPOSE OF AGREEMENT

A. The State of California, acting by and through the Judicial Council, is record owner of those certain parcels of property located at 1000 Main Street, 445 Fifth Street, 1011 Lincoln Avenue, 1021 Lincoln Avenue, 525 Sixth Street, and 625 Sixth Street, in the City of Woodland, County of Yolo, State of California, and the building and public parking lots collectively located thereon, commonly known as the New Woodland Courthouse (“**Courthouse**”), which is occupied and used by the Superior Court of California, County of Yolo (“**Court**”).

B. Sacramento Valley Historical Railways, a non-profit corporation, is owner of that certain parcel of property located at 526 Sixth Street, in the City of Woodland, County of Yolo, State of California, APN 006-143-004 (“**Property**”), as depicted in **Exhibit “A”** attached hereto and incorporated herein.

C. There is an incomplete path of travel for pedestrians along the Property’s edge on the eastside of Sixth Street, between Lincoln Avenue and Oak Street, due to a lack of continuation of the sidewalk on the Sixth Street-side of the Property from the middle of Sixth Street to Lincoln Avenue (“**Sixth Street Path of Travel**”), as depicted in **Exhibit “A”** attached hereto and incorporated herein.

D. The Judicial Council and the City desire to improve the convenience of the Sixth Street Path of Travel for Courthouse visitors and the public in general by extending the sidewalk along the Sixth Street Path of Travel to Lincoln Avenue, as further described herein (“**Sidewalk Extension Project**”).

E. The City possesses an easement for the public right of way along the Sixth Street Path of Travel entitling it to perform the work necessary for the Sidewalk Extension Project.

F. The Judicial Council and the City desire to enter into this Agreement to

provide for the Judicial Council's contribution toward the costs incurred in the performance of the Sidewalk Extension Project for which the City shall be responsible, as further set forth herein.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto mutually agree as follows:

1. **Incorporation of Recitals.** The Parties agree the foregoing Recitals are true and correct and are hereby incorporated into this Agreement by this reference.

2. **Sidewalk Extension Project.**

2.1. Description of Work. The Sidewalk Extension Project shall consist of the construction of a sidewalk on the Sixth Street Path of Travel with an approximate width of seven and a half feet (7.5') and an approximate length of two hundred forty feet (240'). City agrees to follow the design of the existing sidewalk adjacent to the Sixth Street Path of Travel in that four feet (4') will be a broom finish, and three and a half feet (3.5') shall be exposed aggregate.

2.2. Performance. Notwithstanding any other provision of this Agreement, the performance of the Sidewalk Extension Project shall be the sole responsibility of City including, but not limited to, design, procurement, construction management, timing and scheduling of construction, and inspection. City acknowledges and agrees that Judicial Council will have no role in the performance of the Sidewalk Extension Project. City shall not perform any work on the Courthouse or other property owned by the Judicial Council. City shall cause the Sidewalk Extension Project to be constructed in a good and workmanlike manner by qualified City personnel or contractors, free from design, material, and workmanship defects in accordance with all applicable Federal, State, and local laws, regulations, ordinances, codes, and orders including, without limitation, the Americans with Disabilities Act and applicable prevailing wage requirements set forth in Labor Code section 1720 et seq. Notwithstanding anything to the contrary in this Agreement, Judicial Council's actions, including its monetary contribution towards the Sidewalk Extension Project, shall not be deemed a waiver of the warranties set forth herein, and City shall promptly remedy all violations of any warranty at its sole cost and expense.

3. **Judicial Council Contribution.**

3.1. Contribution. Judicial Council shall contribute an amount not-to-exceed FORTY THOUSAND DOLLARS (\$40,000.00) to the City for City's actual costs incurred in the performance of the Sidewalk Extension Project ("**Judicial Council Contribution**"). Regardless of the total cost of the Sidewalk Extension Project or any

other expenses incurred by the City therefor, Judicial Council shall only be responsible for the actual costs of the Sidewalk Extension Project up to the Judicial Council Contribution and City shall be responsible for any amounts it incurs beyond the Judicial Council Contribution.

3.2. Payment. Upon the City's completion of the Sidewalk Extension Project to the City's standards and satisfaction, City shall submit evidence of completion to Judicial Council and an invoice for the lesser of either the actual costs incurred for the Sidewalk Extension Project or the total amount of the Judicial Council Contribution. Judicial Council shall issue payment to City within sixty (60) days of the Judicial Council's receipt of the City's invoice. Upon Judicial Council's request, the City shall provide proof, to the Judicial Council's reasonable satisfaction, of the amounts actually expended by City on the Sidewalk Extension Project.

3.3. No Warranty. The Judicial Council Contribution shall not be interpreted or construed as a warranty of the Sidewalk Extension Project for any purpose whatsoever including, without limitation, the constructability of the Sidewalk Extension Project or the compliance thereof with the requirements of any disability accessibility laws which shall be the responsibility of the City as set forth in this Agreement.

4. **Maintenance & Repairs.** The Parties hereby acknowledge and agree that Judicial Council shall not be responsible for the maintenance or repair of the Sixth Street Path of Travel or the Sidewalk Extension Project including, but not limited to, the performance, cost, inspection, or upkeep of such maintenance and repairs as may be needed on a regular, on-going, or future basis. The Parties also agree that the determination regarding whether, when, and how to maintain and repair the Sidewalk Extension Project shall be solely determined by City, in its absolute discretion.

5. **Indemnification.** City agrees, to the fullest extent permitted by law, to indemnify, defend (with counsel satisfactory to the Judicial Council), and hold harmless the Judicial Council, the State, the Court, and their respective officers, judicial officers, agents, contractors, representatives, volunteers, and employees, in both individual and official capacities ("**Indemnitees**"), against all suits, claims, damages, losses, and expenses, including but not limited to attorney's fees, caused by, arising out of, resulting from, or incidental to the performance of the Sidewalk Extension Project by City, its contractors, subcontractors, vendors, or suppliers, except to the extent caused by the sole negligence, active negligence, or willful misconduct of the Indemnitees. City's defense and indemnification obligations hereunder shall survive the expiration or any earlier termination of this Agreement until all claims against the Indemnitees involving any of the indemnified matters are either concluded or fully, finally, and absolutely barred by the applicable statutes of limitations.

6. **Term.** This Agreement shall begin on the date the last Party executes it and

shall terminate upon City's receipt of the payment of the Judicial Council Contribution as set forth herein.

7. **Termination.** This Agreement may only be terminated for cause upon a Party's default of the terms of this Agreement. The Party alleging default shall timely inform the other Party of its alleged default, via written notice, and provide for thirty (30) days to cure or correct the default from receipt of said notice. If, following the thirty (30) days, the defaulting Party has not cured or corrected the default, or demonstrated reasonable progress towards the same, the Party alleging default may terminate this Agreement. In the event of termination, the City shall cease all work on the Sidewalk Extension Project. If the Judicial Council is the terminating Party, the City may submit an invoice to Judicial Council for all actual work expended on the Sidewalk Extension Project not to exceed the Judicial Council Contribution.

8. **General Provisions.**

8.1. Entire Agreement. This Agreement contains the entire and complete agreement of the Parties with respect to the subject matter of this Agreement, and supersedes any and all other previous or concurrent understandings, arrangements, or agreements, oral or written. No promises, representations, warranties, or inducements of any kind exist between any of the Parties to this Agreement except as expressly set forth in this Agreement.

8.2. Notice. Any notices required or permitted to be given under the terms of this Agreement must be in writing and may be: (i) personally delivered; (ii) mailed by depositing such notice in the United States mail, first class postage prepaid; or (iii) sent by reputable overnight delivery service, addressed as follows or to such other place as each Party hereto may designate by subsequent written notice to the other Party:

If to the Judicial Council: Judicial Council of California
Facilities Services
Attention: Director
2860 Gateway Oaks, 4th Floor
Sacramento, CA 95833
Voice: 916-263-2981

With a copy to: Judicial Council of California
Facilities Services
Attention: Manager, Real Estate
455 Golden Gate Avenue, 8th Floor
San Francisco, CA 94102
Voice: 415-865-4048

In addition, all notices by City relating to termination of this Agreement or an alleged breach or default by the Judicial Council of this Agreement must also be sent to:

Judicial Council of California
Branch Accounting & Procurement
Attention: Manager, Contracts
455 Golden Gate Avenue
San Francisco, CA 94102
Voice: 415-865-7989

If to City: City of Woodland
Attention: Brent Meyer, City Engineer
300 First Street
Woodland, CA 95695
Voice: 530 661-5947
E-mail: brent.meyer@cityofwoodland.org

With a copy to: Best Best & Krieger
Attention: Kara Ueda
500 Capitol Mall, Suite 1700
Sacramento, CA 95814
Voice: 916-325-4000
E-mail: kara.ueda@bbklaw.com

8.3. Amendment. No addition to or modification of the terms of this Agreement shall be valid unless made in a written amendment to this Agreement, which is formally approved and signed by each of the Parties to this Agreement.

8.4. Authority. City and Judicial Council each certifies that it is duly authorized and empowered to execute, enter into, and perform its obligations set forth in this Agreement, and each further certifies that the individual signing this Agreement on its behalf has been duly authorized to execute this Agreement on behalf of the Party and may legally bind the Party to the terms and conditions of this Agreement.

8.5. Non-Assignability. Neither Party may assign this Agreement to any third party without the prior, written consent of the other Party.

8.6. Headings. The section headings of this Agreement are for convenience of reference only and shall not be deemed to modify, explain, restrict, alter, or affect the meaning or interpretation of any provision hereof.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Parties hereto execute this Agreement as of the day and year written below.

CITY OF WOODLAND

JUDICIAL COUNCIL OF CALIFORNIA

By: _____
Name: Paul Navazio
Title: City Manager
Date: _____

By: _____
Name: Stephen Saddler
Title: Manager, Contracts
Date: _____

ATTEST:

APPROVED AS TO FORM:
Judicial Council of California,
Legal Services

By: _____
Name: Ana B. Gonazlez
Title: City Clerk
Date: _____

By: _____
Name: Jeremy P. Ehrlich
Title: Attorney
Date: _____

APPROVED AS TO FORM:

By: _____
Name: Kara K. Ueda
Title: City Attorney
Date: _____

Exhibit “A”

Sixth Street Path of Travel





TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: September 5, 2017
ITEM #: 15.
SUBJECT: Board and Commission Reappointments

Recommendation for Action:

Staff recommends that the City Council review the current board and commission members whose terms expired on June 30, 2017 and determine if Council Members wish to reappoint.

Staff Contact:

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

Background:

The City has ten standing Boards and Commissions. Four of those Boards and Commission have members whose terms expired on June 30, 2017. They are the Board of Building Appeals, Historical Preservation Commission, Library Board and Planning Commission.

Staff solicited applications for vacancies on Boards and Commissions and received applications for the Planning Commission and Commission on Aging. As is customary, staff contacted current members whose terms would be ending on June 30, 2017 to determine if they would be interested in serving another term.

The following members were contacted and are interested in serving another term in their respective Board/Commission:

REAPPOINTMENTS:

Board of Building Appeals

Jim Heffernan – 4-year term ending June 30, 2021

Historical Preservation Commission

Mark Aulman – 4-year term ending June 30, 2021

Library Board

Kathy Harryman – 3-year term ending June 30, 2020

Ellen Burris – 3-year term ending June 30, 2020

Diana Adams – 3-year term ending June 30, 2020

Defer Appointments Pending Candidate Interviews:

Planning Commission & Commission on Aging

Terms for two Planning commissioners expired on June 30th. (Fred Lopez and Chris Holt), and a resignation has created a vacancy on the Commission on Aging. Since staff has applications from individuals interested in serving on the Planning Commission and Commission on Aging, it is recommended that the next (rotating) ad hoc Council sub-committee interview interested applicants prior to filling these commission appointments.

Conclusion:

Staff recommends that the City Council review the current board and commission members whose terms expired on June 30, 2017 and determine if Council Members wish to reappoint.

Prepared By: Ana B. Gonzalez, City Clerk

A handwritten signature in cursive script, reading "Paul Navazio". The signature is written in dark ink and is positioned above a horizontal line.

Paul Navazio, City Manager