



Winters City Council Meeting  
City Council Chambers  
318 First Street  
Tuesday, August 21, 2007  
7:30 p.m.  
**AGENDA**

*Members of the City Council*

*Woody Fridae, Mayor  
Michael Martin, Mayor Pro Tempore  
Harold Anderson  
Cecilia Aguiar-Curry  
Tom Stone*

*John W. Donlevy, Jr., City Manager  
John Wallace, City Attorney  
Nanci Mills, City Clerk*

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PLEASE NOTE – The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon request of the Mayor or Councilmembers. Public comments time may be limited and speakers will be asked to state their name.

Roll Call

Pledge of Allegiance

Approval of Agenda

**PUBLIC COMMENTS**

At this time, any member of the public may address the City Council on matters, which are not listed on this agenda. Citizens should reserve their comments for matter listed on this agenda at the time the item is considered by the Council. An exception is made for members of the public for whom it would create a hardship to stay until their item is heard. Those individuals may address the item after the public has spoken on issues that are not listed on the agenda. Presentations may be limited to accommodate all speakers within the time available. Public comments may also be continued to later in the meeting should the time allotted for public comment expire.

**CONSENT CALENDAR**

All matters listed under the consent calendar are considered routine and non-controversial, require no discussion and are expected to have unanimous Council support and may be enacted by the City Council in one motion in the form listed below. There will be no separate discussion of these items. However, before the City Council votes on the motion to adopt, members of the City Council, staff, or the public may request that specific items be removed from

the Consent Calendar for separate discussion and action. Items(s) removed will be discussed later in the meeting as time permits.

- A. Minutes of the Regular Meeting of the Winters City Council held on August 7, 2007 (pp 1-6)
- B. Request for Street Closure August 24, 2007 - Earthquake Festival - Chamber of Commerce (pp 7-9)
- C. Additional Expenditure Authorization – Jackson/McArthur Reconstruction, Roadway Phase Project No. 06-01 (pp 10-11)

## PRESENTATIONS

## DISCUSSION ITEMS

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### COMMUNITY DEVELOPMENT AGENCY

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## CITY MANAGER REPORT

## COUNCIL/STAFF COMMENTS

## INFORMATION ONLY

## EXECUTIVE SESSION

1. Executive Session regarding public employment- Assistant City Attorney  
Per Government Code Section 54957

## ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the August 21, 2007, regular meeting of the Winters City Council was personally delivered to each Councilmember's mail boxes in City Hall and posted on the outside public bulletin board at City Hall, 318 First Street on August 16, 2007, and made available to the public during normal business hours.

*Jenny Jensen Admin. Asst. for Nanci G. Mills, City Clerk*  
Nanci G. Mills, City Clerk

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*Staff recommendations are guidelines to the City Council. On any item, the Council may take action, which varies from that recommended by staff.*

*The city does not transcribe its proceedings. Anyone who desires a verbatim record of this meeting should arrange for attendance by a court reporter or for other acceptable means of recordation. Such arrangements will be at the sole expense of the individual requesting the recordation.*

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Winters Library – 201 First Street

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During Council meetings – Right side as you enter the Council Chambers

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Wednesday at 10:00 a.m.

Videotapes of City Council meetings are available for review at the Winters Branch of the Yolo County Library.



Minutes of the Regular Meeting of the  
Winters City Council  
Held on Tuesday, August 7, 2007

Mayor Fridae called the meeting to order at 7:30 p.m.

Those present were Council Members Cecilia Aguiar-Curry, Harold Anderson, Michael Martin, Tom Stone and Mayor Woody Fridae. Also present were City Manager John Donlevy, City Attorney John Wallace, Police Chief Bruce Muramoto, Director of Financial Management Shelly Gunby, Community Development Director Dan Sokolow, Management Analyst Carol Scianna, and City Clerk Nanci Mills.

Approval of Agenda: City Manager requested that Presentation Item #2, Update from ECO Resources, Inc. V.P. Tom O'Neill and Consultant Rick Harris, be continued to the 8/21/07 City Council meeting. He also requested that Community Development Agency Item #2 regarding the Rotary Park restroom facility be continued to the 8/21/07 City Council meeting.

**PUBLIC COMMENTS**

Ed Dawkins, 4048 Central Lane, Winters, spoke in support of Theresa Sackett, the Margaret Parsons Trust Fund trustee, his efforts to revitalize the vision of Margaret Parsons, and to request that input be received from the public regarding various aspects of the library. He would like to see visual arts inside and out, a community room (named after Margaret Parsons), cozy nooks with comfortable furniture, and to be children-friendly. Margaret Parsons had hoped the library could be constructed near the Community Center/Putah Creek/Railroad Bridge area. Mr. Dawkins would also like to see more importance placed on volunteers. City Attorney confirmed the property on which the library will be built is owned by the Winters Joint Unified School District, and not Yolo County.

Joe Tramontana, 208 Main Street, Winters, spoke regarding bocce ball, which is currently being played on Friday nights at its' present location. In the future, he would like to see additional courts constructed, possibly near the gazebo in Rotary Park, in order to hold tournaments.

## **CONSENT CALENDAR**

- A. Minutes of the Regular Meeting of the Winters City Council held on July 17, 2007

City Manager Donlevy gave a brief overview. Council Member Aguiar-Curry made a motion to approve the consent calendar item. Seconded by Council Member Anderson. Motion carried unanimously.

## **PRESENTATIONS**

### **1. Public Safety Facility Update**

Chief of Police Bruce Muramoto provided a detailed diagram and gave a current status report of the proposed Public Safety Facility. He fielded various questions from the City Council members regarding a "Good Neighbor Policy", direct access to Highway 128, warning lights on Main Street, and a sound wall. Mayor Fridae indicated the newly constructed Police facility in Santa Rosa won several awards for energy efficiency. He would like to see a heavy emphasis placed on energy efficiency as well. Chief Muramoto responded that PG&E rebates are being looked into, and he thanked the City Council for their continued support of this project.

### **2. Update from ECO Resources, Inc. V.P. Tom O'Neill and Consultant Rick Harris.**

This item has been continued to the August 21, 2007 City Council meeting.

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## **COMMUNITY DEVELOPMENT AGENCY**

Agency Chairman Michael Martin opened the meeting of the Community Development Agency at 8:12 p.m. Agency Member Harold Anderson recused himself due to a possible conflict of interest.

### **1. Approval of Consultant Contract with Rick Engineering Company for Public Streetscape Design Guidelines and Preliminary Plans for Downtown Streetscape Improvements, Phase 1**

Asa Utterback of Ponticello Enterprises was present to request approval and obtain authorization to sign the consultant contract with the Rick Engineering

Company consulting team to provide design services for the Downtown Streetscape Improvements, Phase I. Three proposals were received, all from well-qualified consulting teams, but Rick Engineering Company stood out as the top candidate.

Agency Member Aguiar-Curry indicated she would have liked to have seen a representative from the Rick Engineering Company. She wants to be sure that the firm is experienced and knowledgeable regarding historical artifacts and that they proceed carefully with the fragile foundations of many downtown buildings. Asa Utterback indicated that he had not requested that Rick Engineering be present at tonight's meeting. He did indicate that the structural engineer will survey the area and make an assessment and an environmental consultant will be available in the event any artifacts are located. Agency Member Aguiar-Curry indicated many of the current building owners in the downtown business area have received previous assessments. She asked if Rick Engineering could use these previous assessments, and if a meeting could be scheduled between Rick Engineering and the downtown property owners, including Hispanic owners.

City Manager Donlevy replied that the Downtown Master Plan Committee, consisting of 18 members, will be re-constructed to be brought in at the onset of the project and that this is the implementation stage of the plan. Agency Chairman Martin confirmed that all businesses will be consulted, included Hispanic businesses. At this time, Agency Member Fridae, on the advice of City Attorney Wallace, stepped down due to a possible conflict of interest.

Agency Member Aguiar-Curry inquired if the infrastructure maps were current. City Manager Donlevy indicated the utility master plans have been updated.

Agency Member Aguiar-Curry made a motion to approve the consultant contract with Rick Engineering Company for Public Streetscape Design Guidelines and Preliminary Plans for Downtown Streetscape Improvements, Phase I. Seconded by Agency Member Stone. Motion carried unanimously, with Agency Members Anderson and Fridae abstaining.

**2. Receive Staff Report on bids received for extending utilities to the building pad for the Rotary Park restroom facility and authorize expenditure of funds from the existing Capital Improvements Plan, Rotary Park Improvements budget**

This item has been continued to the August 21, 2007 City Council meeting.

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Agency Chairman Martin adjourned the CDA meeting at 8:30 p.m. Mayor Fridae re-convened the City Council meeting at 8:30 p.m.

## **DISCUSSION ITEMS**

### **1. Public Hearing and consideration of Master Plan for Sports Park Facility.**

This item has been continued to the August 21, 2007 City Council meeting.

### **2. Approval of Winters Putah Creek Committee (WPCC) recommendation to remove the Percolation Dam and improve access, flood plains and beach area**

Management Analyst Carol Scianna gave an overview. Council Member Aguiar-Curry wanted to thank the members of the WPCC for the time and effort spent in arriving at their recommendation. Mayor Fridae indicated it was a unanimous recommendation.

Dave Springer, 200 Madrone Ct., Winters, wanted to acknowledge the efforts of Jeff Tenpas.

Mayor Fridae also wanted to congratulate Streamkeeper Rich Marovich for the receipt of a \$500,000 grant to restore, enhance and beautify Lower Putah Creek, and to control erosion and make riparian improvements on Dry Creek. The CEQA process and timeline were discussed.

Jeff Tenpas, 24 E. Main Street, Winters, asked that the CEQA process be entered into with an open mind.

Joseph Castro, 104 Third Street, Winters, spoke regarding the removal of the perc dam and the CEQA process. He would like to see the restoration and enhancement of the habitat and to restore Putah Creek to its' natural flow. Public and expert input was received, and safety and liability issues were discussed. With the removal of the perc dam, can a park-like atmosphere be achieved? He would like to continue having swimming available at this location. He would also like to see the slopes re-structured, trails to allow waters edge access to the water for the handicapped and the habitat in the area cleaned.

Council Member Martin made a motion to accept staff recommendation and approve the Winters Putah Creek Committee's (WPCC) recommendation to remove the Percolation Dam and improve access flood plains/beach area. Seconded by Council Member Stone. Motion carried unanimously.

### **3. Resolution 2007-37 A Resolution of the City Council of the City of Winters Confirming Delinquent Utility Bills**

Director of Financial Management Shelly Gunby gave an overview. Council Member Martin asked how some of the amounts had gotten to be so large. Shelly responded that this process can be done only once a year where the delinquent utility balances can be placed on the property tax bills. Mayor Fridae asked if concessions can be made for residents in an emergency situations. Shelly responded that residents may contact the finance department to make arrangements.

Council Member Stone made a motion to adopt Resolution 2007-37, a Resolution of the City Council of the City of Winters Confirming Delinquent Utility Bills. Seconded by Council Member Aguiar-Curry. Motion carried with the following roll call:

**AYES:** Council Members Aguiar-Curry, Anderson, Martin, Stone and Mayor Fridae  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**CITY MANAGER REPORT:** City Manager Donlevy complimented Streamkeeper Rich Marovich for the receipt of the River Parkway Grant. This is phenomenal for Winters. Responding to Council Member Martin's question, an additional round of grants will take place at the end of October. Any grant applications will be run by the WPCC. City Manager Donlevy indicated to Mayor Fridae that he will contact the Police Department regarding recent dumping at Putah Creek.

**COUNCIL/STAFF COMMENTS:** Council Member Aguiar-Curry inquired about a possible ordinance regarding homes in foreclosure and left unattended, where yards are overgrown and swimming pools may attract mosquitos. City Manager Donlevy responded that he would look into various options and bring back to Council. Council Member Aguiar-Curry also inquired about night lighting/sensor lighting and was disappointed that these had not yet been installed.

Council Member Stone mentioned that vehicles are being moved into back yards in response to the recent Ordinance passed restricting street parking.

Council Member Anderson said he is "OK" with any vehicles legally parked in side yards. He also asked about the top soil being removed from the restroom project at Rotary Park. City Manager Donlevy indicated the top soil from any construction projects is being retained and taken to the Sports Park location.

Council Member Martin stated he was proud of the Winters Putah Creek Committee for their hard work. It has been a tough process and he personally appreciates all of their effort.

**INFORMATION ONLY:** None

**EXECUTIVE SESSION:** None

**ADJOURNMENT**

The meeting was adjourned at 9:21 p.m.

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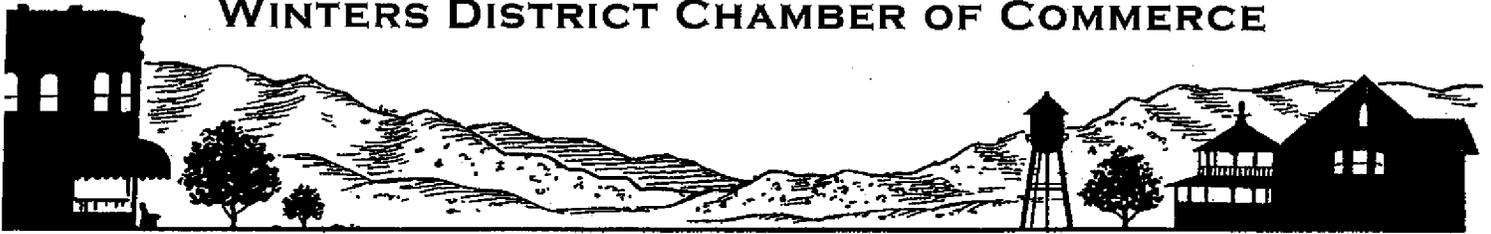
Woody Fridae, Mayor

**ATTEST:**

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Nanci G. Mills, City Clerk

# WINTERS DISTRICT CHAMBER OF COMMERCE



## HISTORIC DOWNTOWN WINTERS, CA

201 RAILROAD AVENUE • WINTERS, CALIFORNIA 95694

PHONE (530) 795-2329 • FAX (530) 795-3202

July 24, 2007

Nanci Mills  
City Clerk  
City of Winters  
318 1st Street  
Winters, CA 95694

Dear Nanci:

This letter is to request the City Council approve a temporary street closure as has been allowed in previous years in conjunction with the Chamber of Commerce Earthquake Street Festival. This year's event is scheduled for Friday, August 24th, from 5pm to 11pm. As has been the case in recent years, we would ask to be allowed to close Main Street from Railroad Avenue to First Street from 3pm to 11pm.

Please contact me if you have any questions. Thank you!

Sincerely,

A handwritten signature in black ink, appearing to be 'Bob Adams', written over a horizontal line.

Bob Adams  
Executive Director

cc: Bruce Muramoto  
Scott Dozier

Winters District  
Chamber of Commerce

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Salli Becker

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Eric Doud

Dave Fleming

Howard Hupe

Edmund Lis

Debra Lo Guercio

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Charley Wallace



### City of Winters Request for Street Closure

This application is for citizens or groups that have occasion to request that streets be temporarily closed for such things as bicycle races, running contests, block parties and other such events requiring the re-routing of traffic. For a parade or amplified sound an additional permit is required.

A request to close streets shall be filed with the Police and Public Works Departments at least ten (10) business days prior to the date the street would be closed.

There shall be no closure of the following streets without Council approval:

1. Main Street
2. Railroad Street
3. Grant Avenue
4. Valley Oak Drive
5. Abbey Street

Request to close these streets shall be processed in much the same manner except that the request shall be submitted to the City Council by the Police Department. Requests to close the streets herein listed shall be submitted at least thirty (30) business days prior to the street closure.

Requests for street closures that are not submitted by the minimum time lines may be granted only by the Winters City Council.

Name: <u>Bob Adams</u>	Organization: <u>Winters Chamber</u>
Address: <u>201 Railroad Ave</u>	Mailing Address: <u>P.O. Box 423</u>
Telephone: <u>530 795 2329</u>	Today's Date: <u>7/24/2007</u>
Streets Requested: <u>Main Street between Railroad Ave &amp; 1st Street</u>	
Date of Street Closure: <u>8/24/2007</u>	Time of Street Closure: <u>3 PM - 12 AM</u>
Description of Activity: <u>Earthquake Street Festival</u>	
Services Requested of City: <u>barricades, no parking signs</u>	
APPROVED: _____	Police Department _____ Public Works Department

### City of Winters Request for Street Closure

Please provide a listing of the names and signatures of people living on the street (s) to be closed and acknowledging that they know why the closure is requested and that they agree to the closure. Attach additional sheets if necessary.

Stephanie Woolley

Christine Zarate

Lakee Hendrick

John Mearns

~~Teresa Delicados~~

~~John Mearns~~

John Mearns

John Mearns

John Mearns

Van F. Volney

John Mearns

John Mearns

David Hominy

Aura

Chris' Florist

Ireland's

La Bodega

~~John Mearns~~

1st Northern Bank  
Buckhorn Restaurant

Putah Creek

Buckhorn Cafe

Kathy Wald-Cametta

Velo City

Recalax

The Palms



## STAFF REPORT

**TO:** Honorable Mayor and Council Members  
**DATE:** August 21, 2007  
**THROUGH:** John W. Donlevy, Jr., City Manager  
**FROM:** Nick Ponticello, City Engineer n97  
**SUBJECT:** Additional Expenditure Authorization  
Jackson/McArthur Reconstruction, Roadway Phase  
Project No. 06-01.2

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**RECOMMENDATION:** Staff recommends the City Council increase the authorized expenditures for the construction of the Jackson/McArthur - Roadway Phase by \$46,401, from Three Hundred Fifty Five Thousand Seven-Hundred Forty-One Dollars (\$355,741) to Four-Hundred-Two-Thousand One-Hundred Forty-Two Dollars (\$402,142).

**BACKGROUND:** On June 5, 2007, Council awarded a construction contract to Hutchins Paving and Engineering for construction of the Jackson/McArthur Reconstruction Roadway Phase. The roadway phase includes reconstruction of McArthur Avenue and Jackson Street, new ADA-compliant access ramps, and replacement of broken curb, gutter, and sidewalk.

The original expenditure amount authorized included a contingency for unforeseen field conditions and changes to the scope of work. Unfortunately, two major changes have resulted in the construction contract amount exceeding what was authorized. Those items are as follows:

1. Additional curb, gutter, and sidewalk repairs were identified and deemed necessary to address deficiencies, and concerns from the local residents. The construction contract includes a work item and unit price for such repairs, at a competitive price, and staff believed it prudent to make the repairs under the contract. The additional work resulted in additional costs within the authorized amount, and the repairs were authorized in the field.
2. The roadway sub-base was found to be unstable, requiring over-excavation and lime treatment to ensure strength and extended life of the roadway. The additional work resulted in a cost increase to the construction contract in excess of the authorized amount. The change was identified between council meetings. In order to avoid a potential delay claim and additional costs associated with remobilization, staff authorized the work to proceed, with the understanding that Council authorization would be requested at the next council meeting. This approach is not typical or desired, however the work was necessary and delaying the contractor would have resulted in unwarranted costs and time extensions. The intent was to keep the extra work within the expenditure authorization, but the field-conditions warranted additional work, and timeliness was prudent.

The resultant product will provide the neighborhood with a long-awaited, safe and durable roadway.

**ALTERNATIVES:** None recommended by staff.

**FISCAL IMPACT:** The overall project, which includes the Utility and Roadway phases, is funded by Redevelopment funds, Community Development Block Grant (CDBG) funds, and City Utility Enterprise funds. The total approved budget is \$1,044,100. Due to favorable bid results, the construction contracts for the two phases resulted in a project balance of over \$180,000. The Utility phase project is completed and has come in under the authorized amount.

The requested action will increase the authorization for construction expenditures, for the Roadway phase only, and will result in no net increase to the overall project budget.