



Winters City Council Meeting  
City Council Chambers  
318 First Street  
Tuesday, January 15, 2008  
7:30 p.m.  
**AGENDA**

*Members of the City Council*

*Woody Fridae, Mayor  
Michael Martin, Mayor Pro Tempore  
Harold Anderson  
Cecilia Aguilar-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

*Winters City Council Agenda  
Meeting of January 15, 2008*

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 December 18, 2007 (pp 1-10)
- B. Purchase of Ford F250 Utility Service Truck. Funding source is the Work Force Housing Grant in the amount of \$23, 699.44 (pp 11-22)
- C. Purchase of 80 Hp Flygt pump for East Street Lift Station in the amount of \$31,715 plus tax (pp 23-28)
- D. Request for street closure on 2/19/2008 for Tour of California Bike Race (pp 29-35)
- E. Letter of Support for North Valley Sponsoring Committee, Brian Heller de Leon (pp 36-38)

PRESENTATIONS

Proclamations to be presented to AFS Foreign Exchange Students Tatiana Carillo, Helene Martinsen, Anja Sperling, and Khachonyot Yaempradit.

DISCUSSION ITEMS

- 1. Second reading and adoption of Ordinance 2008-03 to approve a rezone (Planned Development Overlay) and Planned Development (PD) Permit No. 2008-01 for the Casitas at Winters Tentative Subdivision Map project (APNs 003-450-15, 003-450-16, and 003-450-17) (pp 39-44)
- 2. Continued Public Hearing and approval of Ordinance No. 2008-02 to adopt provisions of Title 15 (Buildings and Construction) of the Winters Municipal Code and to adopt amendments and appendixes to the California Building Codes (pp 45-58)
- 3. Public Hearing and First Reading of Fees Project Ordinance (pp 59)
- 4. Second Reading and Adoption of Ordinance 2008-01, an Ordinance of the City of Winters, Eliminating the Existing Time Limit on Incurring Debt and Amending Certain Time Limitations with Respect to the Redevelopment Plan for the Winters Community Development Agency Project Area (pp 60-64)
- 5. Alternative timelines available for installation of water meters (pp 65-67)

COMMUNITY DEVELOPMENT AGENCY

1. Resolution 2008-01 Authorizing Agreement Between Golden Capital Network, Yolo County, the City of Davis, the City of West Sacramento, the City of Winters, and the City of Woodland regarding joint participation in a Local/Regional Angel Investment Fund Network (pp 68-73)
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CITY MANAGER REPORT

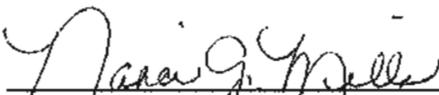
COUNCIL/STAFF COMMENTS

INFORMATION ONLY

EXECUTIVE SESSION

ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the January 15, 2008, 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 January 10, 2008, and made available to the public during normal business hours.

  
\_\_\_\_\_  
Nancy G. Mills, City Clerk

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General Notes: Meeting facilities are accessible to persons with disabilities. To arrange aid or services to modify or accommodate persons with disability to participate in a public meeting, contact the City Clerk.

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 City Council Agenda  
Meeting of January 15, 2008*

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Winters Library -- 201 First Street  
City Clerk's Office -- City Hall -- 318 First Street  
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, December 18, 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, Chief of Police Bruce Muramoto, City Engineer Nick Ponticello, Community Development Director Dan Sokolow, Housing Manager Dan Maguire, Economic Development Director/Asst. Executive Director-CDA Cas Ellena, Planning Manager Kate Kelly, Director of Financial Management Shelly Gunby, Management Analyst Dawn Van Dyke, Chief Building Official Gene Ashdown and City Clerk Nanci Mills.

Eagle Scout Clinton Freed led the Pledge of Allegiance.

Community Development Agency Chairman Martin briefly convened the Community Development Agency at 7:31 p.m. as per City Manager Donlevy's request in order for City Council Consent Item C and Community Development Agency Consent Item 1 to be heard concurrently.

**CONSENT CALENDAR**

- A. Minutes of the Regular Meeting of the Winters City Council held on November 20, 2007
- B. EARTH Project – Challenges and Opportunities for the Winters Community Related to Climate Change Issues
- C. Resolution 2007-58, A Resolution of the City Council Receiving from the Community Development Agency the Annual Redevelopment Report to Legislative Body, State Controllers Office and State Housing & Community Development Department for Fiscal Year Ending June 30, 2007 and Authorizing its Submittal
- D. Letter of support for Sacramento Area Council of Governments Community Design Grant Application
- E. Facility Use Agreement between the City of Winters and the Winters Joint Unified School District

City Manager Donlevy gave an overview. Council Member Anderson requested Consent Item D be removed and approved under separate action. Council Member Aguiar-Curry made a motion to approve City Council Consent Items A,

B, C, and E concurrently with CDA Consent Item #1. Seconded by Council Member Stone. Motion carried unanimously.

Council Member Stone made a motion to approve Consent Item D. Seconded by Council Member Martin. Motion carried 4-1, with Council Member Anderson abstaining.

### **PRESENTATIONS**

Mayor Fridae presented a Proclamation of the City Council of the City of Winters honoring Eagle Scout Clinton Freed.

Sergeant Sergio Gutierrez introduced Michael Gomez, a member of the P.O.S.T. (Police Officer Standard Training) Commission, who presented a P.O.S.T. Executive Certificate to Chief of Police Bruce Muramoto. Since 1951, only 1,054 P.O.S.T. Executive Certificates, the highest honor given by P.O.S.T., have been presented to law enforcement officials.

### **DISCUSSION ITEMS**

**1. Public Hearing and Adoption of Ordinance 2007-08 regarding the addition of Chapter 17.112 to the Winters Municipal Code to establish provisions for Commercial Condominium Conversion**

City Manager Donlevy gave an overview. Mayor Fridae opened the public hearing at 7:45 p.m. and closed the public hearing at 7:45 p.m. Council Member Martin inquired about the number of residents who might be displaced based on the conversion provisions. City Manager Donlevy responded 3 or 4 that he was aware of.

Council Member Martin made a motion to approve the adoption of Ordinance 2007-08 regarding the addition of Chapter 17.112 to the Winters Municipal Code to establish provisions for Commercial Condominiums. Seconded by Council Member Aguiar-Curry. Motion carried with the following roll call vote:

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

**2. Public Hearing and consideration of Street Closure and Encroachment Permit for the GBH Commercial Project. The project**

**located at the southeast corner of East Grant Avenue (SR 128) and East Street, west of the Subway Sandwich Shop, and north of the Winters II apartment complex. APNs 003-370-28 (1.274 acres), 003-370-29 (1.01 acres), and 003-370-30 (2.238 acres). Applicant: Larry J. John and/or D. Rick Cheney**

Planning Manager Kate Kelly gave an overview. Mayor Fridae opened the public hearing at 7:50 p.m. Tyler Wade, Development Manager for GBH Commercial Project, thanked the Council, expressed enthusiasm that the project was moving forward and was proud to be part of the economic development in the City of Winters. Mayor Fridae closed the public hearing at 8:52 p.m.

Council Member Stone inquired about moving the crosswalk from Edwards & East to Baker & East. Mayor Fridae inquired whether the crosswalk would be moved or added. City Engineer Ponticello indicated he would review the possibility. Council Member Anderson inquired whether there would be a pedestrian/bicycle pass through, City Engineer Ponticello replied there would be a pass through.

Council Member Stone made a motion to approve Street Closure and the Encroachment Permit for the GBH Commercial Project. Seconded by Council Member Aguiar-Curry. Motion carried unanimously.

- 3. Approval of Resolution No. 2007-59 Approving, Authorizing, and Directing execution of an Amended and Restated Joint Exercise of Powers Agreement Relating to the California Statewide Communities Development Authority; and Public Hearing and Adoption of Resolution 2007-56 authorizing the issuance of tax-exempt revenue bonds by California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$5.0 million, to assist in financing the acquisition and rehabilitation of the Almondwood Apartments**

City Manager Donlevy gave an overview. Mayor Fridae opened the public hearing at 8:01 p.m. and closed the public hearing at 8:01 p.m. Council Member Aguiar-Curry made a motion to approve Resolution No. 2007-59 Approving, Authorizing, and Directing execution of an Amended and Restated Joint Exercise of Powers Agreement Relating to the California Statewide Communities Development Authority and to approve Resolution 2007-56 authorizing the issuance of tax-exempt revenue bonds by California Statewide Communities Development Authority in an aggregate principal amount not to exceed \$5.0 million, to assist in financing the acquisition and rehabilitation of the Almondwood Apartments. Seconded by Council Member Martin. Motion carried with the following roll call vote:

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

**4. Public Hearing and First Reading of Ordinance 2008-01, an Ordinance of the City of Winters, Eliminating the Existing Time Limit on Incurring Debt and Amending Certain Time Limitations with Respect to the Redevelopment Plan for the Winters Community Development Agency Project Area and Approval of Resolution 2007-57, a Resolution of the City Council of the City of Winters, Electing to Receive a Portion of the Tax Increments Pursuant to Health and Safety Code Sections 33607.7 and 33607.5**

Economic Development Director/Asst. Executive Director-CDA Cas Ellena gave an overview and introduced Ordinance 2008-01, an Ordinance of the City of Winters, Eliminating the Existing Time Limit on Incurring Debt and Amending Certain Time Limitations with Respect to the Redevelopment Plan for the Winters Community Development Agency Project Area. Mayor Fridae opened the public hearing at 8:07 p.m. and closed the public hearing at 8:07 p.m.

Council Member Martin made a motion to introduce and proceed with the first reading of Ordinance 2008-01, an Ordinance of the City of Winters, Eliminating the Existing Time Limit on Incurring Debt and Amending Certain Time Limitations with Respect to the Redevelopment Plan for the Winters Community Development Agency Project Area and Approve Resolution 2007-57, a Resolution of the City Council of the City of Winters, Electing to Receive a Portion of the Tax Increments Pursuant to Health and Safety Code Sections 33607.7 and 33607.5. Seconded by Council Member Aguiar-Curry. Motion carried with the following roll call vote:

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

**5. Public Hearing and consideration of the Casitas at Winters Tentative Subdivision Map. The project is a proposed rezoning and subdivision of 1.2742 acres to create 5 lots at a location on the north side of West Grant Avenue (SR 128) and east of the Tomaf's restaurant (1123 West Grant). APNs 003-450-15 (0.551 acres), 003-450-16 (0.4591 acres), and 003-450-17 (0.2641 acres). Applicant: Mark**

**R. Power. Entitlements include Rezoning from Neighborhood Commercial (C-1) to Neighborhood Commercial Planned Development Overlay (C-1 PD), Planned Development Permit for PD Overlay, and Tentative Subdivision Map**

Community Development Director Sokolow gave an overview. Mayor Fridae opened the public hearing at 8:20 p.m.

Joe Castro, 104 Third Street, had concerns regarding the lot sizes, the possibility of boxed-in parking, a single entry/exit area, and potential residential use. He urged the City Council to keep the property along Hwy. 128 as commercial.

Jeffrey Redding, who attended the meeting on behalf of the property owner, stated that no residential project is being proposed at this time.

Council Member Stone indicated the City Council is not in the position to give assurances. The City's current sales tax position is dismal, and although the property in question is prime commercial property, the City Council must look at any project, whether it be residential or commercial, and could not guarantee one entry/exit if property is developed as separate projects.

Mayor Fridae closed the public hearing at 8:40 p.m.

Council Member Anderson made a motion to approve Resolution 2007-62, Finalizing and Approving the Mitigated Negative Declaration for the Casitas at Winters Subdivision, and Resolution 2007-63, approving the Casitas at Winters Tentative Subdivision Map. Seconded by Council Member Aguiar-Curry. Motion carried 4-1, with the following roll call vote:

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

**6. Public Hearing and first reading of Ordinance No. 2008-02 to adopt selected provisions of Title 15 (Buildings and Construction) of the Winters Municipal Code and to adopt amendments and appendixes to the California Building Codes**

Community Development Director Dan Sokolow gave an overview. He requested that the public hearing be continued to the January 15, 2008 City Council meeting where a findings resolution will be introduced to accompany the ordinance, and to waive the first reading of Ordinance No. 2008-02. Council Member Anderson asked if this Ordinance wasn't being rushed. Chief Building Official Ashdown indicated the state mandates the City adopt the new codes;

otherwise, the amendments in the Municipal Code will not be enforceable if this Ordinance isn't adopted.

Council Member Stone made a motion to continue the public hearing to the January 15, 2008 City Council meeting and waive the first reading of Ordinance 2008-02. Seconded by Council Member Martin. Motion carried with the following roll call vote:

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

#### **6. County Development Impact Fees**

City Manager Donlevy gave an overview. Council Member Aguiar-Curry made a motion to authorize the Mayor to sign the Agreement regarding the application of county development impact fees in incorporated cities, as soon as the other cities in Yolo County have approved the Agreement. Seconded by Council Member Martin. Motion carried unanimously.

#### **7. Revised Project Budget Sheet for the 2007/08 Water and Sewer Improvements, Project No. 08-01**

City Manager Donlevy gave an overview. Council Member Aguiar-Curry inquired about an education program for residents regarding the types of waste being deposited in the drain. City Manager Donlevy confirmed an education program would be implemented. Council Member Martin made a motion to approve staff recommendation and approve the revised Project Budget Sheet (PBS) in the amount of \$3,601,000 for the 2007/08 Water and Sewer Improvements, Project No. 08-01, and authorize the City Engineer to commence with design. Seconded by Council Member Stone. Motion carried unanimously.

#### **8. Introduction and First Reading of Ordinance 2008-04, an Ordinance of the City Council of the City of Winters, California, adding Chapter 2.68 to Title 2 of the Winters Municipal Code Regarding Claims Against the City**

City Manager Donlevy gave an overview. Council Member Anderson made a motion to introduce Ordinance 2008-04, waive the first reading, and bring back to the January 15, 2008 meeting for adoption. Seconded by Council Member Aguiar-Curry. Motion carried with the following roll call vote:

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

#### **9. Fiscal Year 2007-08 Budget Financial Adjustments**

City Manager John Donlevy gave an overview, requesting two Council Members be appointed to a two-member subcommittee to work with the City Staff on recommendations for budget adjustments for Fiscal Year 2007-08. Meetings will be held a maximum of 2 times, 2-3 hours per meeting, with meetings to commence after the second week in January, 2008. Council Members Stone and Martin agreed to be appointed to the two-member subcommittee.

#### **10. Continued Public Hearing and consideration of Master Plan for Sports Park Facility and consideration of Master Plan for Linear Park**

Community Development Director Dan Sokolow gave an overview. Council Member Aguiar-Curry inquired about public meetings regarding the amenities to be included at each site, and inquired specifically about Bocce ball courts. Community Development Director Dan Sokolow indicated the amenities shown on the master plan are not set in stone. Council Member Anderson indicated bocce ball courts would be better suited in the Linear Park.

Mayor Fridae opened the public hearing at 9:32 p.m. and closed the public hearing at 9:32 p.m. Council Member Anderson made a motion to approve staff recommendation and approve the Sports Park Master Plan Project Negative Declaration, adopt the Mitigation Monitoring and Reporting Program, and make several findings pursuant to the California Environmental Quality Act (CEQA), approve a General Rule Exception 15061(b)(3) under CEQA for the Winters Linear Park Master Plan, and approve the Winters Sports Park Master Plan and Winters Linear Park Master Plan. Seconded by Council Member Aguiar-Curry. Motion carried unanimously.

#### **11. Presentation of building, planning, and public works/engineering fees project**

Community Development Director Dan Sokolow gave an overview. City Manager Donlevy indicated this item would come back before the Council and will reflect reasonable fees. In the meantime, Director of Financial Management Shelly Gunby will review each type of fee included on the Building Fee Analysis.

**12. Approval of Vegetation Management Plan for the Winters Putah Creek Nature Park as presented by Winters Putah Creek Committee**

Management Analyst Carol Scianna gave an overview. Council Member Martin commended the Winters Putah Creek Committee for their hard work on the Vegetation Management Plan. Council Member Anderson requested that specific verbiage within the Vegetation Management Plan draft be amended, ie: "will" to "should" or "may." Management Analyst Carol Scianna agreed to make these changes.

Council Member Anderson made a motion to approve the Vegetation Management Plan for the Winters Putah Creek Nature Park. Seconded by Council member Martin. Motion carried unanimously.

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**COMMUNITY DEVELOPMENT AGENCY**

**CONSENT CALENDAR**

1. Resolution No. 2007-64 of the Community Development Agency Submitting the Annual Redevelopment Report to Legislative Body, State Controllers Office and State Housing & Community Development Department for Fiscal Year Ending June 30, 2007 to the City Council

This item was opened concurrently with City Council Consent Item C and was unanimously approved by the City Council.

**DISCUSSION ITEMS**

**1. Direction Regarding Housing Funding Priorities**

Economic Development Director/Asst. Executive Director-CDA Cas Ellena gave an overview. Agency Member Fridae made a motion to forward an outline of the funds available to the Affordable Housing Steering Committee, including Almondwood Apartments, for prioritization. Seconded by Agency Member Anderson. Motion carried unanimously.

2. **Authorization to enter into professional services contract with PMC to prepare a hybrid Form Based Code for the Downtown Master Plan area**

Agency Members Anderson and Fridae recused themselves due to a possible conflict of interest.

City Manager Donlevy gave an overview. Agency Member Aguiar-Curry made a motion to authorize staff to enter into a contract, not to exceed \$55,000, with PMC for the preparation of a hybrid Form Based Code for the Downtown Master Plan area. Seconded by Agency Member Stone. Motion carried unanimously, with Agency Members Anderson and Fridae absent.

Agency Chairman Martin closed the Community Development Agency at 10:44 p.m.

Agency Members Anderson and Fridae returned to the dais at this time.

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**CITY MANAGER REPORT:** City Hall will be closed next week, December 24-January 1, 2008. The Winters U12 Boys soccer team recently won the Northern California title in Foster City and will go on to Los Angeles to compete in the state tournament. He also wanted to recognize the achievements of the Winters U19 boys soccer team. Mayor Fridae asked if the U12 boys soccer team could come to a future meeting to be recognized. City Manager Donlevy indicated he would arrange it.

**COUNCIL/STAFF COMMENTS:** Council Member Aguiar-Curry asked if there was a fund set up for donations to offset the cost for the Winters U12 Boys soccer competition in Los Angeles. City Manager Donlevy indicated he would bring back a funding plan to Council on January 15, 2008. Mayor Fridae congratulated Council Member Tom Stone on being selected as the 2008 Winters Citizen of the Year and he, along with Council Members Aguiar-Curry and Martin, wished everyone a Happy Holiday.

**INFORMATION ONLY**

1. Treasurer Report for October 2007
2. Investment Report for October 2007

**EXECUTIVE SESSION**

1. Real Property Negotiation of the Community Development Agency regarding Karen Ogando, proposed transferee - City of Winters Railroad Avenue property (east side, between Main and Abbey Streets), California Government Code Section 54956.8.

The Executive Session was cancelled by City Manager Donlevy.

**ADJOURNMENT**

Mayor Fridae adjourned the meeting at 10:50 p.m.

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Woody Fridae, MAYOR

**ATTEST:**

\_\_\_\_\_  
Nanci G. Mills, City Clerk



**CITY COUNCIL  
STAFF REPORT**

**TO:** Honorable Mayor and Council Members  
**DATE:** January 15, 2008  
**THROUGH:** John W. Donlevy, Jr., City Manager   
**FROM:** Carol Scianna, Management Analyst   
**SUBJECT:** Purchase of New Public Works Vehicle a 2008 F250 Utility Truck in the amount of \$23,699.44 plus fees from Ron Dupratt Ford of Vacaville

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**RECOMMENDATION:**

Staff recommends approval of the purchase of a 2008 F250 Utility Truck, 8 cylinder, automatic, includes utility bed and tow package. The new utility truck will be funded through the work force housing grant. There is a budget of \$27,000 for this purchase we will also need to have City logo applied at an estimated cost of \$300. Staff has received three quotes and has chosen DuPratt Ford as the lowest bid, Dupratt has also been a good service provider with other vehicles purchased from them.

**BACKGROUND:**

Currently the Public Works crew are using two late 1980's Ford Ranger both of which are in need of replacement. This new F250 will replace one of the Ranger and will be used primarily in the Parks Department and will help the crews facilitate their work more efficiently.

**FISCAL IMPACT:** The cost of the vehicle is \$24,000.

# RON DUPRATT FORD

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## FACSIMILE TRANSMITTAL SHEET

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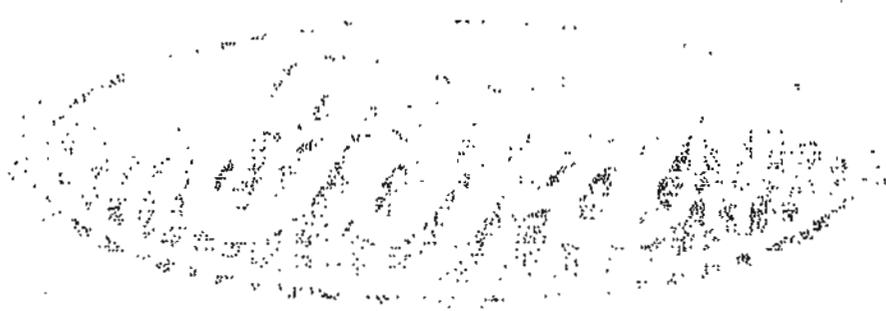
TO:	Carol Scianna	FROM:	Jason Vanier
COMPANY:	City of Winters	DATE:	11/28/2007
FAX NUMBER:	1-530-795-4935	TOTAL NO. OF PAGES INCLUDING COVER:	6
RE:		YOUR REFERENCE NUMBER:	

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URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

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NOTES/COMMENTS:



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1320 NORTH FIRST ST. DIXON CA, 95620  
FAX: 707-693-6151 PHONE: 707-693-6153

## 2008 F-250 SERVICE BODY

MSRP \$ 34,180.00

Selling Price \$ 22,039.00

*less*

Rebates\* \$ -

---

**Your Price \$ 22,039.00**

*plus*

Tax\*\* \$1,605.44

Lic.\*\*\* \$ -

Doc \$ 55.00

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**Total Cash Price \$ 23,699.44**

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\*Rebates shown are what is available at the time of the quote, and customer may or may not be eligible for all rebates. Some rebates require financing with Ford Motor Credit.

\*\* Tax is based on Yolo County rates.

\*\*\* License is estimated.

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Dealer: F72511

2008 F-SERIES SD

Page: 1 of 2

Order No: 0052 Priority: B2 Ord FIN: QM538 Order Type: 5B Price Level: 820

Ord PEP: 600A Cust/Flt Name: WINTERS

PO Number:

RETAIL

RETAIL

F20 F250 4X2 SD R/C \$22390  
137" WHEELBASE

66D LESS PICKUP BOX \$(665)  
JOB #2 BUILD

Z1 OXFORD WHITE CC

CAL. BOARD FEES NC

V VINYL BENCH

8800# GVWR PKG

S MEDIUM STONE

422 CALIF EMISSIONS NC

600A PREF EQUIP PKG

572 AIR CONDITIONER 850

.XL TRIM

91T TOWCOMMAND SYS 355

47Z .AMB PKG NOT REQ

52B .BRAKE CONTROLLR

55D .DRIVER AIRBAG NC

55P .PASSNGER AIRBAG NC

TOTAL BASE AND OPTIONS 25345

587 .AM/FM STER/CLK NC

TOTAL 25345

995 .5.4L EFI V8 ENG NC

\*THIS IS NOT AN INVOICE\*

44T 5-SPD AUTOMATIC 1490

TBK .LT245 BSW AS 17

\* MORE ORDER INFO NEXT PAGE \*

X41 4.10 REG AXLE NC

F8=Next

F1=Help

F2=Return to Order

F3/F12=Veh Ord Menu

F4=Submit

F5=Add to Library

8006 - MORE DATA IS AVAILABLE.

QC07955

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Dealer: F72511

2008 F-SERIES SD

Page: 2 of 2

Order No: 0052 Priority: B2 Ord FIN: QM538 Order Type: 5B Price Level: 820

Ord PEP: 600A Cust/Flt Name: WINTERS PO Number:

RETAIL

RETAIL DLR INV

54D .TELE TT MIR-MAN

SP DLR ACCT ADJ

SP FLT ACCT CR

13 U.S. GAL GAS

B4A NET INV FLT OPT NC

DEST AND DELIV 925

TOTAL BASE AND OPTIONS 25345

TOTAL 25345

\*THIS IS NOT AN INVOICE\*

F1=Help

F2=Return to Order

F7=Prev

F4=Submit

F5=Add to Library

F3/F12=Veh Ord Menu

8099 - PRESS F4 TO SUBMIT

QC07955



Scelzi Enterprises, Inc.  
Custom Truck Body Manufacturing

2266 E. Dale Street, Fresno, CA 93706, Phone: 800-858-2883  
Fax: 559-237-8554 Toll Free: (800) 858-2883

**WORK ORDER / ESTIMATE**

11890

Page 1 of 1

Customer: RON DUPRATT FORD  
Address: 1320 N. FIRST STREET  
DIXON, CA 95620

Date: 11/27/07  
Phone: (707) 893-8151 FAX: (707) 893-8151  
Contact: JASON

Make	Year	Model	Vehicle Info	Type	Color
2008	CUSTTRUCK	FORD - F-250 REG CAB - SRW - WHITE - 56" CA		Customer	

Quantity	Part No.	Description	Part
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**PAINT BODY -- WHITE**

- 1 EA SB-98-79-49-33-VO  
SERVICE BODY SRW 56CA-88 LONG, 79 WIDE, 49 FLOOR WIDTH, 33 TALL  
VERTICAL OPEN TOP
  - 1EA - CLASS IV RECEIVER HITCH WITHOUT INSERT
  - 1EA - TRAILER PLUG #7/4 WAY OEM SOCKET
  - 1 EA LADDER RACK  
FORKLIFT ACCESSABLE OVER CAB MATERIAL RACK
- PRICE INCLUDES WEIGHT CERTIFICATE AND TRANSPORTATION ONE WAY

**NOTE** SCELZI ENTERPRISES INC. DOES NOT GUARANTEE A PERFECT COLOR MATCH DUE TO INCONSISTENCIES IN FACTORY PAINTS AND PROCEDURES

**REVISIONS AFTER APPROVAL DATE ARE SUBJECT TO ADDITIONAL CHARGES**

**PRICES SUBJECT TO CHANGE WITHOUT NOTICE**

THIS WORK AUTHORIZED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

*Payment in full on completion of job if credit arrangements have not been made in advance.*

The above quotation is submitted according to specifications submitted by customer. Any alterations or changes increasing production costs will be charged for accordingly.

ESTIMATE  
PREPARED BY: Padini, Joanna  
SALESMAN: MIKE HEADLEY



# SE INC.

SCELZI ENTERPRISES, INCORPORATED

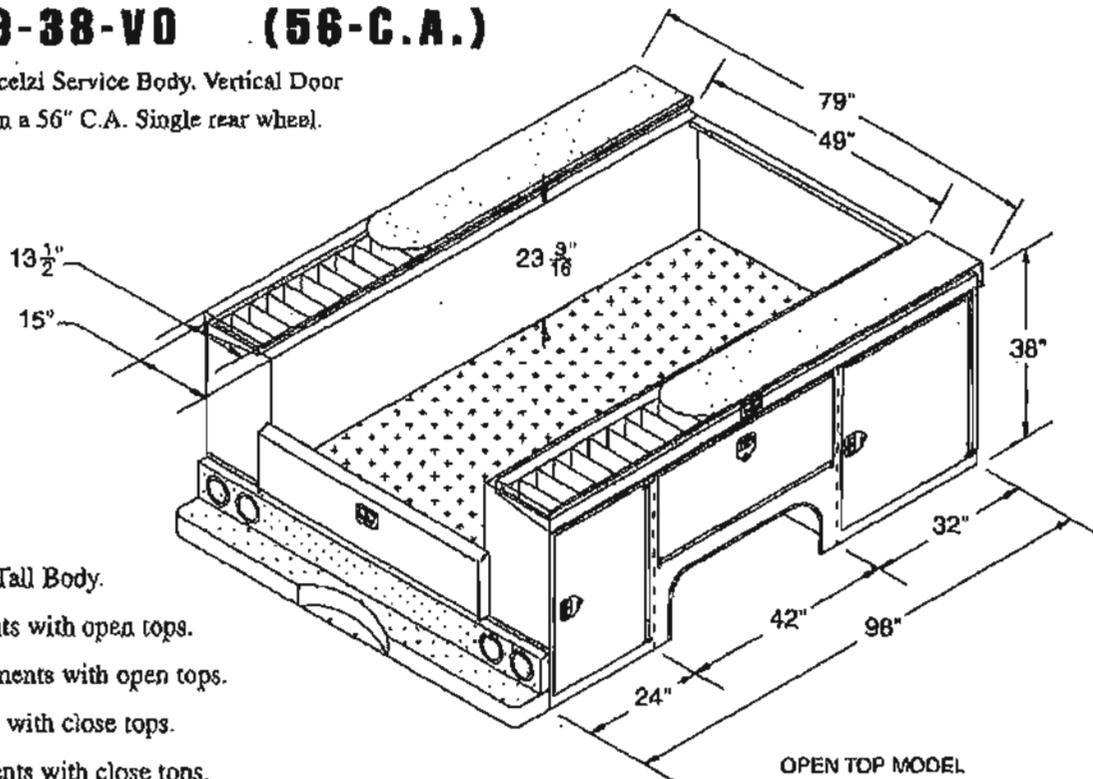
Toll Free: 800-858-2883

## SB-98-79-49-38-VO (56-C.A.)

Above picture is 98" long Scelzi Service Body. Vertical Door arrangement and open top on a 56" C.A. Single rear wheel.

### Option

Over the cab powder coated contour material rack.



### Available Models

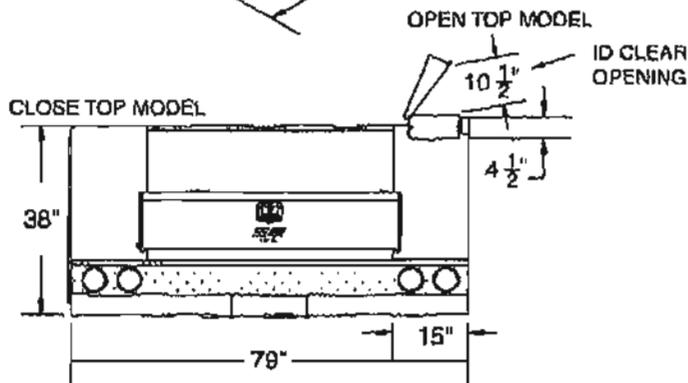
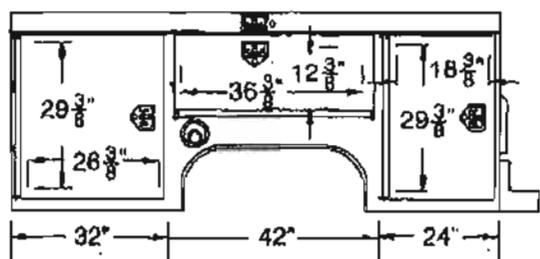
Choice of 33", 38" or 43" Tall Body.

VO - Vertical Compartments with open tops.

HO - Horizontal Compartments with open tops.

V - Vertical Compartments with close tops.

H - Horizontal Compartments with close tops.



\* All drawings reflect dimensions for the most popular applications.

CNGP530

VEHICLE ORDER CONFIRMATION

12/18/07 12:06:41

*Elm Ford*

==>

Dealer: F72424

2008 F-SERIES SD

Page: 2 of 2

Order No: 2055 Priority: B4 Ord FIN: QM538 Order Type: 5B Price Level: 830

Ord Code: 600A Cust/Flt Name: WINTERS

PO Number:

RETAIL DLR INV

- 572 AIR CONDITIONER
- 66S UPFITTER SWITCH
- 91T TOWCOMMAND SYS
- 52B .BRAKE CONTROLLER
- 54D .TELE TT MIR-MAN
- SP DLR ACCT ADJ
- SP FLT ACCT CR
- 13 U.S. GAL GAS
- B4A NET INV FLT OPT NC
- PRICED DORA NC NC
- DEST AND DELIV

TOTAL BASE AND OPTIONS

TOTAL

\*THIS IS NOT AN INVOICE\*

- F1=Help F2=Return to Order
- F4=Submit F5=Add to Library

- F7=Prev
- F3/F11=Veh Ord Menu

S099 - PRESS F4 TO SUBMIT

QC07943

*ATTENTION  
CAROL SCIANNA*

*# 22,765 -  
DOC FEE 45  
LIC FEE n/c  
TAX 1768*

*THANK YOU  
Rigo TORRES*

*# 24,578.00*

RIGO TORRES  
ELM FORD MERCURY INC.  
P.O. BOX 2175  
WOODLAND, CA 95778-2175

*(530)662-2817*

CNGP530

VEHICLE ORDER CONFIRMATION

12/18/07 12:06:28

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Dealer: F72424

2008 F-SERIES SD

Page: 1 of 2

Order No: 2055 Priority: B4 Ord FIN: QM538 Order Type: SB Price Level: 830

Ord Code: 600A Cust/Flt Name: WINTERS PO Number:

RETAIL DLR INV

F20	F250 4X2 SD R/C			17F	XL DECOR PKG		
	137" WHEELBASE			59R	.AERO HEADLAMPS		
Z1	OXFORD WHITE CC			66D	LESS PICKUP BOX		
V	VINYL BENCH				JOB #3 BUILD		
S	MEDIUM STONE				CAL. BOARD FEES		NC
600A	PREF EQUIP PKG				FRT LICENSE BOX	NC	NC
	.XL TRIM				8800# GVWR PKG		
47Z	.AMB PKG NOT REQ			422	CALIF EMISSIONS	NC	NC
55D	.DRIVER AIRBAG	NC					
55P	.PASSNGR AIRBAG	NC	NC		TOTAL BASE AND OPTIONS		
587	.AM/FM STER/CLK	NC	NC		TOTAL		
995	.5.4L EFI V8 ENG	NC	NC		*THIS IS NOT AN INVOICE*		
44T	5-SPD AUTOMATIC						
TBK	.LT245 BSW AS 17				* MORE ORDER INFO NEXT PAGE *		
X37	3.73 REG AXLE	NC	NC		F8=Next:		

F1=Help F2=Return to Order F3/F10=Veh Ord Menu  
F4=Submit F5=Add to Library

S006 - MORE DATA IS AVAILABLE.

QC07943



Scolzi Enterprises, Inc.  
Custom Truck Body Manufacturing

2296 E. Data Street Fresno, CA 93705, Phone: 600-858-2883  
Fax: 558-287-8554 Toll Free: (800) 858-2883

WORK ORDER / ESTIMATE

12401

Page 1 of 1

Customer: ELM FORD  
Address: ~~XXXXXXXXXX~~  
346 MAIN STREET  
WOODLAND, CA 96895

Date: 12/17/07  
Phone: (530) 862-2817 FAX: (530) 862-3631  
Contact: RIGO

Make	Year	Model	Vehicle Description	Type	Vehicle
FORD	2008	F-250	F-250, SRW, 5.4, Auto, 157 W/B, 66 CA, 4x2, REG CAB	Pool	

Quantity	Part No.	Description	Price
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**PAINT BODY - WHITE**

- 1 EA SB-88-79-49-38-VO  
SERVICE BODY SRW 56C.A. -88 LONG, 79 WIDE, 49 FLOOR WIDTH, 38 TALL  
VERTICAL OPEN TOP
  - 1EA - CLASS IV RECEIVER HITCH WITHOUT INSERT
  - 1EA - TRAILER PLUG # 7/4 WAY OEM SOCKET
  - 1 EA LADDER RACK  
FORKLIFT ACCESSABLE OVER CAB RACK
- PRICE INCLUDES WEIGHT CERTIFICATE AND TRANSPORTATION ONE WAY

**NOTE** SCOLZI ENTERPRISES INC, DOES NOT GUARANTEE A PERFECT COLOR MATCH DUE TO INCONSISTENCIES IN FACTORY PAINTS AND PROCEDURES

**REVISIONS AFTER APPROVAL DATE ARE SUBJECT TO ADDITIONAL CHARGES.**

**PRICES SUBJECT TO CHANGE WITHOUT NOTICE**

THIS WORK AUTHORIZED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
*Payment in full on completion of job if credit arrangements have not been made in advance.*

The above quotation is submitted according to specifications submitted by customer. Any alterations or changes increasing production cost will be charged for accordingly.

ESTIMATE  
PREPARED BY: Paul M Joanna  
SALESMAN: MIKI HEADLEY

\$ 26,257.60

**JUST THE FACTS**  
**HANLEES FORD / NISSAN**

**TOBIN T. ROAT**

DATE 11/30/07  
TO \_\_\_\_\_

COMPANY City of Ukiah

FAX # 795 4935

PHONE # \_\_\_\_\_

TOTAL PAGES 2

FROM: TOBIN T. ROAT  
FLEET DIRECTOR  
HANLEES FORD NISSAN  
5080 CHILES RD.  
DAVIS, CA 95616  
FAX. 530-753-6340  
#1-800-953-3366  
530-753-6312  
CELL 916-606-4030  
E-MAIL: [tobinroat@hotmail.com](mailto:tobinroat@hotmail.com)  
Or [tobinroat@hanlees.net](mailto:tobinroat@hanlees.net)

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special notes

8' Revisions / Hired Rack  
& Plog.  
Knapwick / Equipment

Available now. Delivery.

DEALER 72W 804 VIN 1W2NF205000001945

F3181

	Suggested Retail Price	Invoice/Nov
F25A 4X2 STYLESIDE PICKUP/137	23380.00	21003.00
2008 MODEL YEAR		
X1 ONFORD WHITE CLEARCOAT		
CG MEDIUM STONE CLOTH		
INCLUDED ON THIS VEHICLE		
.TRAILER TOWING PACKAGE		
.SM/WK STEREO W/ CLOCK		
OPTIONAL EQUIPMENT		
PREPARED EQUIPMENT PKG.600A		
.XL TAIN		
55D .DRIVER AIRBAG RESTRAINT	NC	NC
55V .PASSENGER AIRBAG RESTRAINT	NC	NC
595 .5.4L EFI V-6 ENGINE	NC	NC
44T 8 SPEED AUTOMATIC TRANS	1490.00	1237.00
78K .17/245/78R17H BSW ALL SEASON		
X3E 3.73 RATIO LIMITED SLIP AXLE	300.00	249.00
17F XL DOOR PACKAGE	175.00	145.00
59R .JEWEL EFFECT AERO HEADLAMPS		
66D PICKUP BOX DELETE	665.00-	582.00-
JOB #1 BUILD IDENTIFIER		
8800N GVWR PACKAGE		
422 CALIFORNIA DECISIONS SYSTEM	NC	NC
SPARE TIRE AND WHEEL	295.00	245.00
57Q AIR CONDITIONING -- CPC FREE	850.00	704.00
368 PREMIUM AM/WK CD/CLK	275.00	228.00
JACK		
569 UPFITTER SWITCHES	85.00	71.00
C CLOTH BENCH SEAT	160.00	133.00
51R AUX AUDIO INPUT JACK	NC	NC
51T TON COMMAND SYSTEM	385.00	295.00
52B .TRAILER BRAKE CONTROLLER		
54D .TELESCOPING TT MIRRORS-MANUAL		
NOT FOR AMBULANCE USE. USING THIS VEHICLE TO PROVIDE AN AMBULANCE VOIDS FORD WARRANTY.		
TOTAL OPTIONS	3320.00	2757.00
TOTAL VEHICLE & OPTIONS	25700.00	23759.00
DESTINATION & DELIVERY	325.00	228.00
TOTAL FOR VEHICLE	26025.00	
13 U.S. GAL FUEL CHARGE		53.18
SPDF/LMCA ASSESSMENT		638.00
KWY CODES SE/PA 1126X FB		
SHIPPING WEIGHT 5442 LBS.		
TOTAL	26625.00	25395.15

24,369

1888<sup>60</sup> Tax - 2.75 486 CO.

PLANE: EXEMPT

26257<sup>CO</sup>



**CITY COUNCIL  
STAFF REPORT**

**TO:** Honorable Mayor and Council Members  
**DATE:** January 15, 2008  
**THROUGH:** John W. Donlevy, Jr., City Manager   
**FROM:** Carol Scianna, Management Analyst   
**SUBJECT:** Purchase of 85 HP Pump for East Street Lift Station at the cost of \$34,800

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**RECOMMENDATION:**

Staff recommends the purchase of 85HP Flygt pump to replace the unit which has recently stopped operating. The cost of the new pump is \$34,800.00 which includes a leak sensor, start up service, sales tax and shipping. The warranty on the new pump is 2 years with an extended pro-warranty of 2-5 years. There will be additional electrical installation costs of approximately \$400.00. The estimated lead time after ordering for installation is 3 months estimated completion early April.

**BACKGROUND:**

The East Street lift station operates using two submersible Flygt pumps rated at 88HP Flygt pumps and one third pump rated at 47HP. In March of 2007 Council approved replacement of one of the 88HP pumps. The remaining 88HP pump is no longer operating as well. Staff believes these two older 88HP Flygt pumps to be the original pumps installed at the lift station in the late 1970's. With the installation of this new 85Hp the East Street lift station will be operating with a new sense of confidence and efficiency. The 85Hp that was replaced earlier this year has proven to be a very reliable unit and the expectation is that this new pump will be equally as reliable. These pumps are NP3301.090 -464HT, 85 HP has higher operating efficiencies, are more clog resistant and designed for longer service intervals than the existing CP3300 line.

**ALTERNATE OPTION:**

The existing 88HP pump could be rebuilt at a cost of \$14,925.46 although the warranty would only be for a three months, most likely the life expectancy of the rebuilt pump would be several more years.

**FISCAL IMPACT:** The cost of the new 85HP pump is \$34,800 plus electrical installation costs approximately \$400.00.



**ITT**

*ITT Flygt Corporation*

January 2, 2008

790-A Chadbourne Rd  
Fairfield, CA 94534  
Tel (707) 422-9894  
Fax (707) 422-9808

CAROL SCIANNA  
CITY OF WINTERS  
318 1ST STREET  
WINTERS CA 95694

Quote # 2008-FFB-0383

**Re: Replacement Pump Quotation**

Dear Carol,

The following quotation is almost identical to my previous quotation dated 2/11/07. The City of Winters purchased the Pump, MiniCAS Relay, Mating Socket, and One-Half Day of our Factory Startup Service.

The pump below is a duplicate to the pump purchased on your P.O.# 200600906.

We are pleased to provide a quote for the following equipment:

**Replacement Pump**

Item#	Qty	Description	Unit Price
1.1	1	Flygt Model NP-3301.090 6" volute Submersible pump equipped with a 460 Volt / 3 phase / 60 Hz 85 HP 1750 RPM motor, 464 impeller, 1 x 50 Ft. length of SUBCAB 1AWG/3-2-1-GC submersible cable, FLS leakage detector, volute is prepared for Flush Valve, Explosion proof	\$ 31,715.10

Replacement Pump Price **\$ 31,715.10**

**Recommended Parts/Service**

Item#	Qty	Description	Unit Price
2.1	1	MINI-CASII/FUS 120/24VAC,24VDC	\$ 292.50
2.2	1	SOCKET, 11 PIN OCTAL DIN MOUNT 12/02	\$ 26.10
2.3	4	MOBILE SERVICE-CA 144 BOOM+ TRUCK NO TAX	\$ 110.00

Recommended Parts/Service Price **\$ 758.60**

Total Project Price **\$ 32,473.70**

CONTINUED

The prices shown on page one include a 10% discount off of our list prices.

Our Payment Terms are Net 30 Days. ITT Flygt Corporation's Standard Warranty and Terms & Conditions will Apply (copies attached).

Our delivery is approximately 9-10 working weeks after approved purchase order.

State, local and other applicable taxes are not included in this quotation.  
FOB Factory with freight allowed to jobsite, unloading by others.

Freight Prepaid (Included in Price).

Please contact me if you have any questions or need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "David Troyer", written in a cursive style.

David Troyer

Sales Engineer

707-422-9894 ext.619

david.troyer@itt.com

**General Terms and Conditions of Sale**  
**ITT Flygt Corporation**  
 A Subsidiary of ITT Industries is Designated "Seller"

Notwithstanding any inconsistent, additional or different terms contained in your purchase order or other documents supplied by you, this acceptance is expressly conditioned upon your agreement to the following terms and conditions.

1. Prices apply to the specific quantities stated on this order, and do not include any taxes, transportation charges, prints, special packaging or stamping not specified on the order.
2. Taxes: Unless prohibited by statute, Purchaser agrees to pay to Seller the amount of any Federal, State, City or other tax which Seller may be required to pay on account of the manufacturer, transportation, sale or use of the material which is the subject of this contract. In lieu of paying such taxes to Seller, Buyer may furnish Seller with a Tax Exemption Certificate or Certificates acceptable to appropriate taxing authorities, at any time prior to Seller's shipment of the products.
3. Quantity Discounts: Quantity discounts, if applicable, are computed separately for each item or on combination of items as Seller may designate and such discounts are based on the quantities ordered and or released at any one time. If an order is canceled, discounts will be adjusted to the discount allowable for the uncanceled quantity, if any. Cancellation charges may apply.
4. Terms: Payment terms are net 30 days. The Seller reserves the right to require payment in advance or C.O.D. and otherwise modify credit terms should Buyer's credit standing not meet Seller's acceptance. Interest may be charged at the highest rate of interest allowable in the State of manufacturer's office to which this order has been submitted on all accounts not paid when due. Buyer shall not assign or transfer this contract or any interest in it, or monies payable under it, without the written consent of Seller and any assignment made without such consent shall be null and void.
5. Delivery: All shipment dates are after receipt and acceptance of order by Seller, and approved submittals if applicable. If any conditions occur unforeseen at time of acceptance by Seller which prevent compliance with delivery schedules, Seller shall not be liable for damages, general, consequential or otherwise, or for failure to give notice of any delay.
6. Risk of Loss: All shipments will be made F.O.B. selling factory or Distribution Center unless otherwise specified. The Seller will select the carrier for shipment from any Distribution Center, unless Purchaser provides account number for collect or third party shipments. All shipments from the factory, the freight forwarder will select the carrier. Title to and risk of loss for the material shall pass to the Purchaser upon delivery thereof by the Seller to the carrier or delivery service. Thereupon the Purchaser shall be responsible therefore. Products held for Purchaser or stored for Purchaser shall be at the risk and expense of Purchaser. All material is sold F.O.B. shipping point and title and risk of loss passes to Buyer on delivery to the common carrier at shipping point. (a) Claim for damage or loss should be filed with carrier by Buyer. (b) Order for replacement material must be a new purchase order and will be handled as such, subject to standard "terms and conditions of sale", including freight charges. If material is sold F.O.B. destination, title and risk of loss passes to Buyer upon delivery to destination. Buyer must contact Seller if damaged material is received in order to file claim with carrier. All shipments must be inspected within 5 days from date of delivery.
7. Warranty: ITT Flygt offers a Commercial Warranty covering Parts and Labor on its pumps to the original End Purchaser, in compliance with requirements of the ITT Flygt Catalog and Technical Manual Specifications for pumping Municipal Wastewater or similar abrasive free, noncorrosive liquids against defects in workmanship and material for the period as defined below.

ITT Flygt Pump Models are warranted from the date of shipment from ITT Flygt Corporation to the End-Purchaser through the period defined on the appropriate Product Warranty Policy. ITT FLYGT CORPORATION will pay costs and labor defined on the appropriate Product Warranty provided the pump, with cable attached, is returned to an ITT FLYGT SERVICE FACILITY for repairs.

Time after shipment (months or hours) shall be determined by date of receipt of defective product (or Warranty Claim) by ITT Flygt Authorized Repair Facility and/or current copy of Maintenance "Time Operated" report from jobsite.

Start-up reports and electrical system schematics (including Bills of Material) may be required to support any Warranty Claims; **THEY WILL NORMALLY BE REQUIRED FOR CLAIMS FOR PUMPS 18 HORSEPOWER AND GREATER.** This Warranty shall not apply to any product or part of product which has been subjected to misuse, negligence, accident, operated in dotted portion of published curves, used in a manner contrary to ITT FLYGT's printed instructions, or damaged due to a defective power supply, improper electrical protection or faulty installation or repair.

**General Terms and Conditions of Sale**  
**ITT Flygt Corporation**  
 A Subsidiary of ITT Industries is Designated "Seller"

ITT FLYGT CORPORATION's sole obligation under this Warranty shall be to Repair, Replace or Grant a Credit Reimbursement at its discretion, through its Warranty Processing Procedures for defective products when returned prepaid to ITT FLYGT and upon FLYGT's exclusive examination found to be defective. Products repaired or replaced under this Warranty by a Representative or other Selling Agent shall become his exclusive responsibility.

ITT FLYGT CORPORATION WILL NOT BE HELD RESPONSIBLE FOR TRAVEL EXPENSES, RENTED EQUIPMENT, OUTSIDE CONTRACTOR'S FEES, OR UNAUTHORIZED REPAIR SHOP EXPENSES. THE WARRANTIES MADE HERIN BY ITT FLYGT CORPORATION ARE IN LIEU OF ANY AND ALL OTHER WARRANTIES, EXPRESSED OR IMPLIED AND THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE ARE HEREBY EXPRESSLY DISCLAIMED. ITT FLYGT ASSUMES NO LIABILITY FOR LOSS OF USE OR FOR ANY DIRECT, INDIRECT OR CONSEQUENTIAL DAMAGES OF ANY KIND IN RESPECT TO THE USE OR OPERATION OF ITT FLYGT'S PRODUCTS, OR ANY EQUIPMENT OR ACCESSORIES IN CONNECTION THEREWITH.

8. **Inspection:** Buyer shall have the right to inspect the Products prior to payment and acceptance and if Buyer's inspection reveals any defects in the Products, Buyer shall notify the Seller within thirty (30) days after receipt of the Products of any claim Buyer might have concerning such defects in the Products discovered by Buyer. Buyer's failure to notify Seller within such thirty-day period shall constitute a waiver by Buyer of all claims covering such defects in the Products.
9. **Seller's Liability:** Seller will not be liable for any loss, damage, cost of repair, incidental or consequential damages of any kind, whether based upon warranty, contract, or negligence, and arising in connection with the sale, use or repair of the Products. Seller's maximum liability shall not in any case exceed the contract price for the Products claimed to be defective or unsuitable.
10. **Delays:** Seller will not be liable for any delay in the performance of orders or contracts, or in the delivery or shipment of goods or for any damages suffered by Buyer by reason of such delay. If such delay is, directly or indirectly caused by, or in any manner arises from fires, floods, accidents, riots, acts of God, war, governmental interference or embargoes, strikes, labor difficulties, shortages of labor, fuel, power, materials, or supplies, transportation delays, or any other cause or causes (whether or not similar in nature to any of these herein before specified) beyond its control, the delivery date shall automatically be extended by such delay. All orders or contracts are accepted with the understanding that they are subject to Seller's ability to obtain the necessary materials and all orders or contracts as well as shipments applicable thereto are subject to Seller's current plant schedule, governmental regulations, orders, directives and restrictions that may be in effect from time to time.
11. **Default or Delay in Payment:** If Buyer fails or delays making payment on any order or contract of sale between Buyer and Seller as required by the terms of that order or hereunder, then Buyer agrees that Seller may defer shipment or services under this contract, or at Seller's option may cancel unshipped product balances, until payment(s) by Buyer is brought to a current status. Seller's rights in this respect are additional to other rights and remedies available to Seller for Buyer's breach of this or any other agreement. **Application of Buyer's Payments:** Seller may apply any payments made by Buyer or credits due to Buyer to any amounts owed by Buyer to Seller, as Seller may in its sole discretion determine and without regard to Buyer's instructions in this regard or to commercial practice, if any, governing the manner in which payments are to be applied.
12. **Tools, etc.:** Unless otherwise expressly provided, the Seller shall retain title to and possession of any models, patterns, dies, molds, jigs, fixtures and tools made for or obtained for the furnishing of this order.
13. **Cancellations:** Seller's acceptance of order cancellation or order reduction requests must be in writing and is conditioned upon receiving Buyer's written agreement to assume termination charges.
14. **Minimum Order:** Seller reserves the right to refuse to accept any order which does not meet quantity requirements which Seller may establish for any given product or group of products.
15. **Quality Levels:** Prices are based on quality levels commensurate with normal processing. If a different quality level is required, Buyer must specify his requirements and pay any additional costs that may be applicable.
16. **Errors:** Seller reserves the right to correct clerical or stenographic errors or omissions.
17. **Patent Indemnity:**

**General Terms and Conditions of Sale**  
**ITT Flygt Corporation**  
A Subsidiary of ITT Industries is Designated "Seller"

- a) **Patent Indemnity by Seller to Buyer:** The Seller agrees to indemnify and hold harmless the Buyer from all damages, legal expenses and costs finally assessed against Buyer in any action for infringement of any United States Letters Patent by the items delivered hereunder; provided that Buyer shall give Seller prompt written notice of any action, claim or threat of patent infringement suit, and shall give Seller opportunity to elect to take over, settle or defend any such claim or action through counsel of his own choice. If the use of any such item or any part thereof should be enjoined, Seller shall have the right at its own expense to procure for Buyer the right to continue using such item, or to replace said item with a non-infringing item, or to modify said item so that it becomes non-infringing. The foregoing provisions as to patent protection from Seller to Purchaser shall not apply to any item manufactured to the design or specifications furnished by Buyer.
- b) **Patent Indemnity by Buyer to Seller:** If the items delivered hereunder are manufactured pursuant to detailed designs furnished by Buyer, Buyer shall indemnify and hold harmless the Seller from all legal expenses, which may be incurred as well as all damages and costs which may finally be assessed against the Seller in any action for infringement of any United States Letters Patent by such items delivered hereunder. The Seller agrees promptly to inform the Buyer of any claim for liability made against the Seller with respect to such items and the Seller agrees to cooperate with the Buyer in every way reasonably available to facilitate the defense against any such claim.
18. **Fair Labor Standards Act:** Seller certifies that products furnished hereunder have been or will be produced in compliance with the Fair Labor Standards Act, as amended, and regulations and orders of the United States Department of Labor issued thereunder. Seller agrees that this statement may be considered as the written assurance contemplated by the October 26, 1949 amendment to said Act.
19. **Acceptance Required to form Contract:** Unless and until a formal written acceptance is sent by Seller to the Buyer, no order will become effective as a valid contract binding upon Seller.
20. **Storage and Protection:** Buyer is required to adequately store and protect materials and equipment. If Buyer requests Flygt Corporation to store items, storage charges will be applied.
21. **Entire Contract:** The provisions herein and on accompanying papers, if any, constitute all of the terms and conditions agreed upon by the parties and shall replace and supersede any provisions on the face and reverse side of the purchase order of any attachment thereto, or any prior general agreement inconsistent with the provisions hereof. No modification hereof shall be valid unless in writing and duly signed by a person authorized by Seller. The provisions hereof shall not be modified by any usage of trade or any course of prior dealing or acquiescence in any course of performance.
22. **Governing Laws:** The terms of this agreement and all rights and obligations hereunder shall be governed by the laws of the State of Seller's office to which this order has been submitted.

**CITY OF**  
**WINTERS**  
**CALIFORNIA**  
**CITY COUNCIL**  
**STAFF REPORT**

**TO:** Honorable Mayor and Councilmembers  
**DATE :** 1/15/2008  
**THROUGH:** John W. Donlevy, Jr., City Manager   
**FROM:** Dan Maguire, Housing Programs Manager  
**SUBJECT:** Street Closure – Amgen Tour of California Bike Race – February 19, 2008

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**RECOMMENDATION:**

Approve street closure to allow for Tour of California Bike Race

**BACKGROUND:**

The Winters Police Department, working in conjunction with the California Highway Patrol, local volunteers, and volunteers from the Bike race promoter (Medalist Sports) will coordinate the street closure, which will block access from surface streets along the designated race route.

Closure notification will be posted in all affected streets a minimum of 48 hours prior to the scheduled closures and the race promoter will be responsible for notifying City of Winters residents of the street closure details.

Per the City's Street Closure Ordinance, it requires City Council approval on identified streets on the attached form.

**FISCAL IMPACT:**

To be Determined (signage, barricade placement) with Police staff overtime billed to race promoter, as was the case in the 2007 race.



	ETA	ETA	ETA	INCR	FM	RM	FKm	ACTION	LOCATION	FROM	DRIVER NOTES	M	V	P	MARSHAL NOTES
	24 MPH	26 MPH	28 MPH												
	12:49 PM	12:36 PM	12:25 PM	0.08	65.62	50.34	105.6	cs	3rd St.						
	12:49 PM	12:36 PM	12:25 PM	0.09	65.71	50.25	105.7	cs	2nd St.						
	12:49 PM	12:36 PM	12:25 PM	0.08	65.79	50.17	105.9	cs	1st St.						
	12:49 PM	12:37 PM	12:26 PM	0.12	65.91	50.05	106.1	RT	Railroad Ave.		Sprint/stop				
	12:49 PM	12:37 PM	12:26 PM	0.03	65.94	50.02	106.1	cs	Russell St.		stop				
	12:49 PM	12:37 PM	12:26 PM	0.04	65.98	49.98	106.2	cs	Wolfskill St.						
	12:50 PM	12:37 PM	12:26 PM	0.02	66.00	49.96	106.2	cs	bridge						
	12:50 PM	12:37 PM	12:26 PM	0.08	66.08	49.88	106.3	LT	Putah Creek Rd.						
	12:51 PM	12:38 PM	12:27 PM	0.38	66.46	49.50	107.0	cs	Race Course Ln.						
	12:51 PM	12:39 PM	12:28 PM	0.33	66.79	49.17	107.5	cs	Johnson Rd.						
	12:52 PM	12:39 PM	12:28 PM	0.16	66.95	49.01	107.7	cs	Hwy. 505 underpass						
	12:52 PM	12:39 PM	12:28 PM	0.07	67.02	48.94	107.9	cs	Gaddini Rd.						
	12:53 PM	12:40 PM	12:29 PM	0.34	67.36	48.60	108.4	cs	Boyce Rd.						
	1:02 PM	12:48 PM	12:36 PM	3.49	70.85	45.11	114.0	cs	McNeill Rd.						
	1:02 PM	12:49 PM	12:37 PM	0.34	71.19	44.77	114.6	cs	Campbell Rd.						
	1:03 PM	12:49 PM	12:37 PM	0.19	71.38	44.58	114.9	cs	Marinez Ln.						
	1:07 PM	12:53 PM	12:41 PM	1.72	73.10	42.86	117.6	LT	Stevenson Bridge Rd.	Putah Creek Rd.	stop				
	1:08 PM	12:54 PM	12:42 PM	0.26	73.36	42.60	118.1	cs	Stralhgordon Ln.						
	1:08 PM	12:54 PM	12:42 PM	0.14	73.50	42.46	118.3	LT			sharp left turn				
	1:08 PM	12:54 PM	12:42 PM	0.09	73.59	42.37	118.4	RT			sharp right turn				
	1:09 PM	12:54 PM	12:42 PM	0.02	73.61	42.35	118.5	cs	bridge		bump				
	1:09 PM	12:55 PM	12:43 PM	0.12	73.73	42.23	118.7	cs	Creeksedge Ln.						
	1:11 PM	12:56 PM	12:44 PM	0.71	74.44	41.52	119.8	RT	Russell/Hwy. 128						
	1:13 PM	12:58 PM	12:46 PM	0.86	75.30	40.66	121.2	cs	CR 96						
	1:14 PM	12:59 PM	12:47 PM	0.37	75.67	40.29	121.8	cs	Cassidy Ln.						
	1:15 PM	1:01 PM	12:48 PM	0.63	76.30	39.66	122.8	cs	CR 97						
	1:15 PM	1:01 PM	12:48 PM	0.08	76.38	39.58	122.9	cs	Pierce Ranch Rd.						
	1:17 PM	1:02 PM	12:49 PM	0.42	76.80	39.16	123.6	cs	CR 97D						
	1:18 PM	1:03 PM	12:50 PM	0.50	77.30	38.66	124.4	cs	CR 98		stop				
	1:18 PM	1:03 PM	12:50 PM	0.11	77.41	38.55	124.6	cs	Tierra Linda						
	1:19 PM	1:04 PM	12:51 PM	0.22	77.63	38.33	124.9	cs	Patwin Rd.						
	1:20 PM	1:05 PM	12:52 PM	0.43	78.06	37.90	125.6	cs	Lake Blvd.						
	1:21 PM	1:06 PM	12:53 PM	0.40	78.46	37.50	126.3	cs	Portage Bay Ave.		photo op				
	1:21 PM	1:06 PM	12:53 PM	0.21	78.67	37.29	126.6	cs	Arlington Blvd.						
	1:21 PM	1:06 PM	12:53 PM	0.08	78.75	37.21	126.7	cs	road note		Arlington merges from left				
	1:22 PM	1:06 PM	12:53 PM	0.07	78.82	37.14	126.8	cs	Eisenhower St.						
	1:22 PM	1:07 PM	12:54 PM	0.24	79.06	36.90	127.2	cs	Arthur St.		median begins				
	1:22 PM	1:07 PM	12:54 PM	0.05	79.11	36.85	127.3	cs	Hwy. 113 ramps		light				
	1:22 PM	1:07 PM	12:54 PM	0.06	79.17	36.79	127.4	cs	Hwy. 113 overpass						
	1:23 PM	1:07 PM	12:54 PM	0.07	79.24	36.72	127.5	cs	Hwy. 113 ramps		light				
	1:23 PM	1:08 PM	12:55 PM	0.18	79.42	36.54	127.8	cs	Orchard Park						
	1:23 PM	1:08 PM	12:55 PM	0.12	79.54	36.42	128.0	cs	Sycamore Lane		light				
	1:24 PM	1:08 PM	12:55 PM	0.11	79.65	36.31	128.2	cs	UC Davis Campus						
	1:24 PM	1:08 PM	12:55 PM	0.05	79.70	36.26	128.3	cs	La Rue/Anderson		light				
	1:24 PM	1:09 PM	12:55 PM	0.07	79.77	36.19	128.4	cs	Oeste Dr.						
	1:24 PM	1:09 PM	12:56 PM	0.05	79.82	36.14	128.5	cs	Campus Way						
	1:24 PM	1:09 PM	12:56 PM	0.08	79.90	36.06	128.6	cs	Elm Lane						
	1:24 PM	1:09 PM	12:56 PM	0.06	79.96	36.00	128.7	cs	California Ave						
	1:25 PM	1:09 PM	12:56 PM	0.08	80.04	35.92	128.8	cs	Oak Ave.		light				
	1:25 PM	1:09 PM	12:56 PM	0.10	80.14	35.82	129.0	cs	College Park/Howard Way		light				
	1:25 PM	1:10 PM	12:56 PM	0.06	80.20	35.76	129.1	cs	Miller Dr.		light				
	1:25 PM	1:10 PM	12:57 PM	0.10	80.30	35.66	129.2	cs	A St.		light				
	1:25 PM	1:10 PM	12:57 PM	0.07	80.37	35.59	129.3	cs	University Ave.						
	1:26 PM	1:10 PM	12:57 PM	0.08	80.45	35.51	129.5	RT	B St.	Russell Ave.	light				
	1:26 PM	1:10 PM	12:57 PM	0.03	80.48	35.48	129.5	cs	4th St.						



**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: Jan Maguire Organization: City of Winters  
Address: 318 First Street Mailing Address: Same  
Telephone: 530 795 4910 Today's Date: 1/15/2008

Streets Requested: Grant Ave, Main Street, Railroad Avenue  
Date of Street Closure: 2/19/2008 Time of Street Closure: NOON to 1:15 PM

Description of Activity: professional bike race - stage 2 Santa Rosa to Sacramento, Hwy 128 to Grant Ave to Main Street to Railroad to car bridge

Services Requested of City: Police Department support for road closure, signage, barricades

APPROVED: (Signature) Police Department CS 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.

Buckhorn	<i>[Signature]</i>	2 main St. 10 main St.
America Day Spa	<i>[Signature]</i>	14 main st
Chris' Florist	<i>[Signature]</i>	57 main
Inland Agency	<i>[Signature]</i>	26 main
Winters Chiropractic	<i>[Signature]</i>	34 A MAIN
LUSILA GONZALEZ	<i>[Signature]</i>	41 Main
Tienda Delicias	<i>[Signature]</i>	44 MAIN STREET
<i>[Signature]</i>	First Northern Bank	48 Main St
<i>[Signature]</i>	Vintage Painting Co. Inc.	119 Main St 44 main St.
MARIA Lopez	<i>[Signature]</i>	43 main St. El Pueblo Meat MKT
Velocity	<i>[Signature]</i>	41 Main St.
Dave Wells	<i>[Signature]</i>	37 Main
Debra Chavez	<i>[Signature]</i>	35 main st.
Dena Mosca	<i>[Signature]</i>	31, 23, 7 main St
Putah Creek	<i>[Signature]</i>	1 main St.
Clack Car Wash	<i>[Signature]</i>	9 Main
The Palms	<i>[Signature]</i>	13 Main
Regina	<i>[Signature]</i>	11 Main
<i>[Signature]</i>	<i>[Signature]</i>	1/3/03 PIZZA FACTORY
<i>[Signature]</i>	<i>[Signature]</i>	1-3-08 WARRIOR VIDEO
Lia Mexicana	<i>[Signature]</i>	Clia Arce 106 Main St
Ocean Restaurant	<i>[Signature]</i>	104 main st.





## **AMGEN Bicycle Tour of California**

**Tuesday, February 19, 2008**

*Handwritten note:*  
\* Considered  
Ad: climate  
noted for

### **Race Route:**

Highway 128 East to Main Street to Railroad Avenue  
Railroad Avenue South to Putah Creek Road

### **STREET CLOSURE**

12:00 PM – 1:15 PM  
On Race Route

### **NO PARKING!**

11:00 AM – 1:30 PM  
On Main Street  
Fourth Street to Railroad Avenue



**CITY COUNCIL  
STAFF REPORT**

**TO:** Honorable Mayor and Council Members

**DATE:** Jan. 15, 2008

**THROUGH:** John W. Donlevy, Jr., City Manager

**FROM:** Dawn Van Dyke, Management Analyst

**SUBJECT:** Letter of support for North Valley Sponsoring Committee, Brian Heller de Leon

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**RECOMMENDATION:** That on behalf of the City Council, Mayor Fridae sign a letter of support for the North Valley Sponsoring Committee (NVSC) and organizer Brian Heller de Leon.

**BACKGROUND:** The NVSC organizing committee has taken an active role in the Winters Community over the past two years. An affiliate of People Improving Communities through Organizing (PICO), NVSC works to develop community leaders at the grassroots level. Although the committee was designed to function as a social justice ministry through St. Anthony Parish, it does not exclusively serve the parish, but the community as a whole.

Since 2005, the NVSC organizing committee, led by organizer Brian Heller de Leon, has assisted the City in addressing several key areas of concern. Some examples of NVSC's work includes: participation on the Hispanic Advisory Committee, sponsorship of the May 31, 2007 Town Hall meeting which 125 residents attended, and helping 30 Winters residents successfully achieve United States Citizenship.

A non-profit organization, NVSC must look for funding in order to continue its work in the community. Mr. Heller de Leon has asked that the City Council provide a letter of support for the NVSC and its activities that he can use in his fund-raising efforts.

**FISCAL IMPACT:** None

**MAYOR:**  
Woody Fridue  
**MAYOR PRO TEM:**  
Michael Martin  
**COUNCIL:**  
Cecilia Aguiar-Curry  
Harold Anderson  
Tom Stone



**MAYOR EMERITUS:**  
J. Robert Chapman  
**TREASURER:**  
Michael Sebastian  
**CITY CLERK:**  
Nanci Mills  
**CITY MANAGER:**  
John W. Donlevy, Jr.

Jan. 15, 2008

To Whom It May Concern:

On behalf of the City Council of the City of Winters, I am pleased to offer support for the Northern Valley Sponsoring Committee, affiliated with PICO (People Improving Committees through Organizing). As a member of the City of Winters Hispanic Advisory Committee, I have had the opportunity to work with Brian Heller de Leon, organizer of the NVSC in Winters. This network has a strong history of helping local leaders make significant changes in their communities.

Since 2005, the NVSC organizing committee, led by organizer Brian Heller de Leon, has had a tremendously positive impact on the Winters community. Working as a social justice ministry extension of the St. Anthony Parish, though not exclusively serving the parish, the NVSC has taken an active role in advocating for youth and families of both Anglo and Latino descent. Working with community leaders, leaders of the Latino community and the City of Winters, the NVSC has helped address:

- A need for after school activities for youth
- A divide in the community based on race
- A lack of participation in civic and public life by the Latino community, caused by language barriers
- A lack of communication between the Latino community and the City of Winters, based on language barriers and a lack of understanding of how to reach the Latino community

The NVSC organizing committee, together with City Staff, sponsored a Town Hall meeting in the spring of 2007. This meeting, one of the largest public meetings in Winters' history, helped to bring to the forefront specific concerns, needs, and ideas in the Latino community, as well as the community at large.

Since the Town Hall meeting was held, an after school program has been funded and established and city-wide publications are now translated side-by-side in English and Spanish. The City's Hispanic Advisory Committee was formed, and the NVSC started a citizenship project which resulted in 30 Winters residents becoming United States Citizens. Thirty more are enrolled in the new session.

The NVSC is currently working to help expand English-language education opportunities and is opening a subsidized preschool to replace Head Start. The NVSC is also looking for ways to create more affordable housing in Winters, and is helping to educate future home owners about credit and homeownership responsibilities.

The NVSC has been instrumental in forming a sense of partnership between the City of Winters and key members of the community, both Anglo and Latino. However, there is much work left to do. Continued support for the NVSC is critical in order to ensure that it gets done. The City Council encourages your support for the NVSC and the crucial role it plays in bringing people together to solve problems in a constructive, collaborative way.

Sincerely,

Woody Fridae  
Mayor, City of Winters



**CITY COUNCIL STAFF REPORT**  
January 15, 2008

**TO:** Honorable Mayor and Council Members

**THROUGH:** John W. Donlevy, Jr. – City Manager *JW*

**FROM:** Dan Sokolow – Community Development Director *DS*

**SUBJECT:** **Second reading and adoption of Ordinance No. 2008-03 to approve a rezone (Planned Development Overlay) and Planned Development (PD) Permit No. 2008-01 for the Casitas at Winters Tentative Subdivision Map project (APNs 003-450-15, 003-450-16, and 003-450-17).**

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**RECOMMENDATION:** Staff recommends that the City Council take the following actions:

1. Receive the staff report.
2. Hold the second reading of and adopt Ordinance No. 2008-03 to approve a rezone (Planned Development Overlay) and Planned Development (PD) Permit No. 2008-01 for the Casitas at Winters Tentative Subdivision Map project (Assessor Parcel Numbers 003-450-15, 003-450-16, and 003-450-17).

**BACKGROUND:** The project is a proposed rezoning and subdivision of 1.2742 acres to create 5 lots. The City Council voted 4-1 at its December 18, 2007 meeting to take the following actions:

1. Adopted Resolution No. 2007-62 approving CEQA findings of fact, adopting a mitigation monitoring plan, and certifying the final mitigated negative declaration for the Casitas at Winters Project.
2. Adopted Resolution No. 2007-63 approving the project by enacting the following:
  - a. Approval of the Tentative Subdivision Map on 1.2742 acres creating 5 lots.
  - b. Approval of Findings of Fact and Conditions of Approval.
3. Introduced and waived the first reading of Ordinance No. 2008-03 to approve the rezoning as described below:

- a. Change the Zoning Map for the project site (1.2742 acres) from Neighborhood Commercial (C-1 Zone) to Neighborhood Commercial Planned Development (C-1 PD Zone).
- b. Adoption of a Planned Development (PD) Permit No. 2008-01 allowing for the following modifications as detailed on the tentative map for the project.
  - i. Lot sizes less than the minimums for the C-1 Zone (Neighborhood Commercial).

**ATTACHMENT**

Ordinance No. 2008-03

Casitas/TM CC Stf Rpt 15Jan08

**CITY COUNCIL  
ORDINANCE NO. 2008-03**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WINTERS  
REZONING THE CASITAS AT WINTERS PROPERTY  
AND ADOPTING PLANNED DEVELOPMENT PERMIT 2008-01  
(APNs 003-450-15, 003-450-16, and 003-450-17)**

The City Council of the City of Winters, State of California, does hereby ordain as follows:

1. Purpose. The purpose of this ordinance is to rezone the Casitas at Winters property as specified below and to adopt Planned Development Permit 2008-01.
2. Authority. The City of Winters has authority to adopt this ordinance pursuant to the general police power granted to cities by Article 11, Section 7 of the California Constitution.
3. Rezoning. The subject property is hereby rezoned as shown on Exhibit B, attached hereto and incorporated herein by this reference.
4. Planned Development Permit. Planned Development Permit No. 2008-01 is hereby adopted as a part of the rezoning to allow lot sizes less than the minimum for the C-1 Zone (Neighborhood Commercial).
5. Effective Date and Notice. This ordinance shall take effect thirty (30) days after its adoption and, within fifteen (15) days after its passage, shall be published at least once in a newspaper of general circulation published and circulated within the City of Winters.

**INTRODUCED** at a regular meeting on December 18, 2007 and **PASSED AND ADOPTED** at a regular meeting of the Winters City Council, County of Yolo, State of California, on the 15th day of January 2008, by the following roll call vote:

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

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**Woody Fridae, MAYOR**

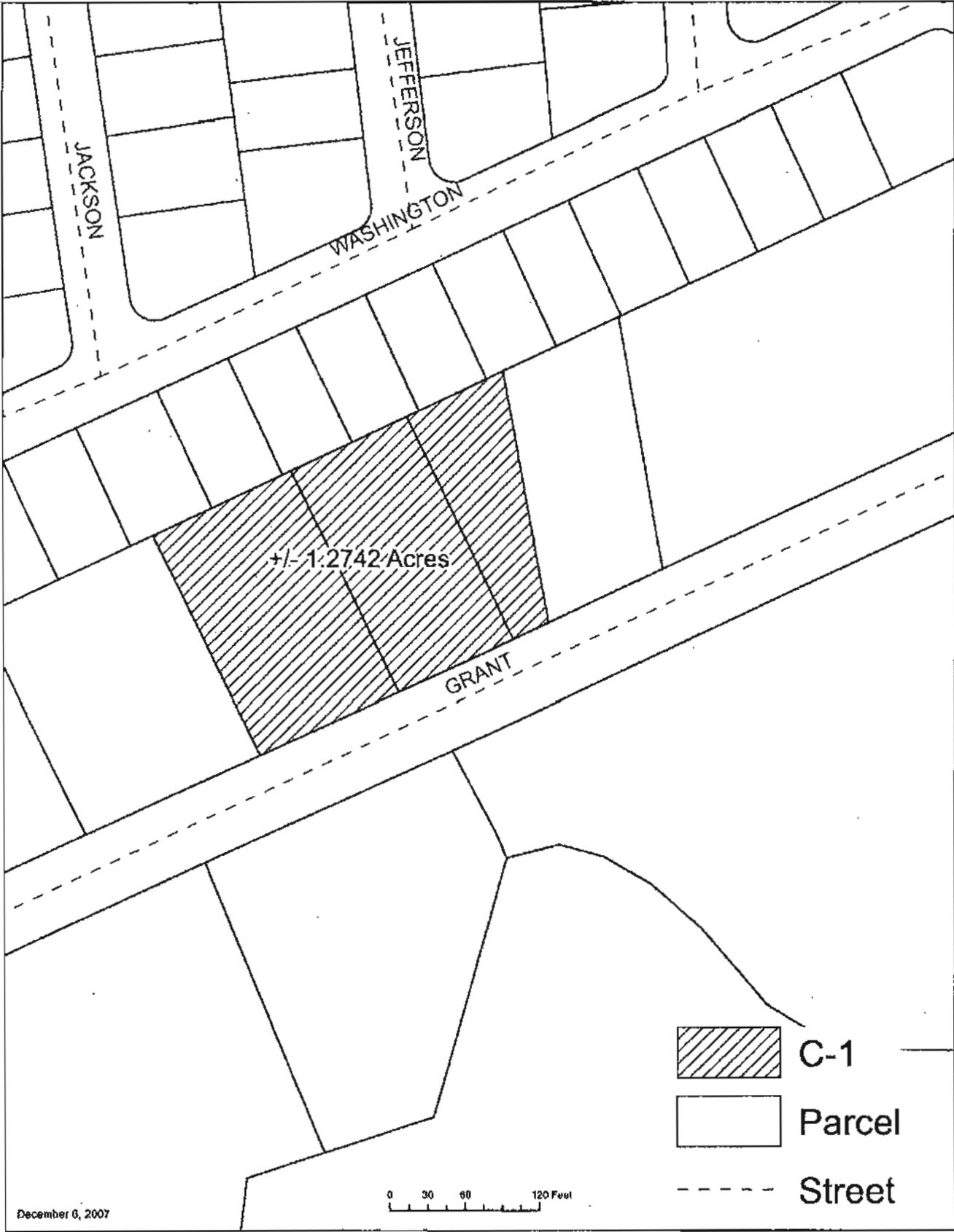
**ATTEST:**

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**Nanci G. Mills, CITY CLERK**

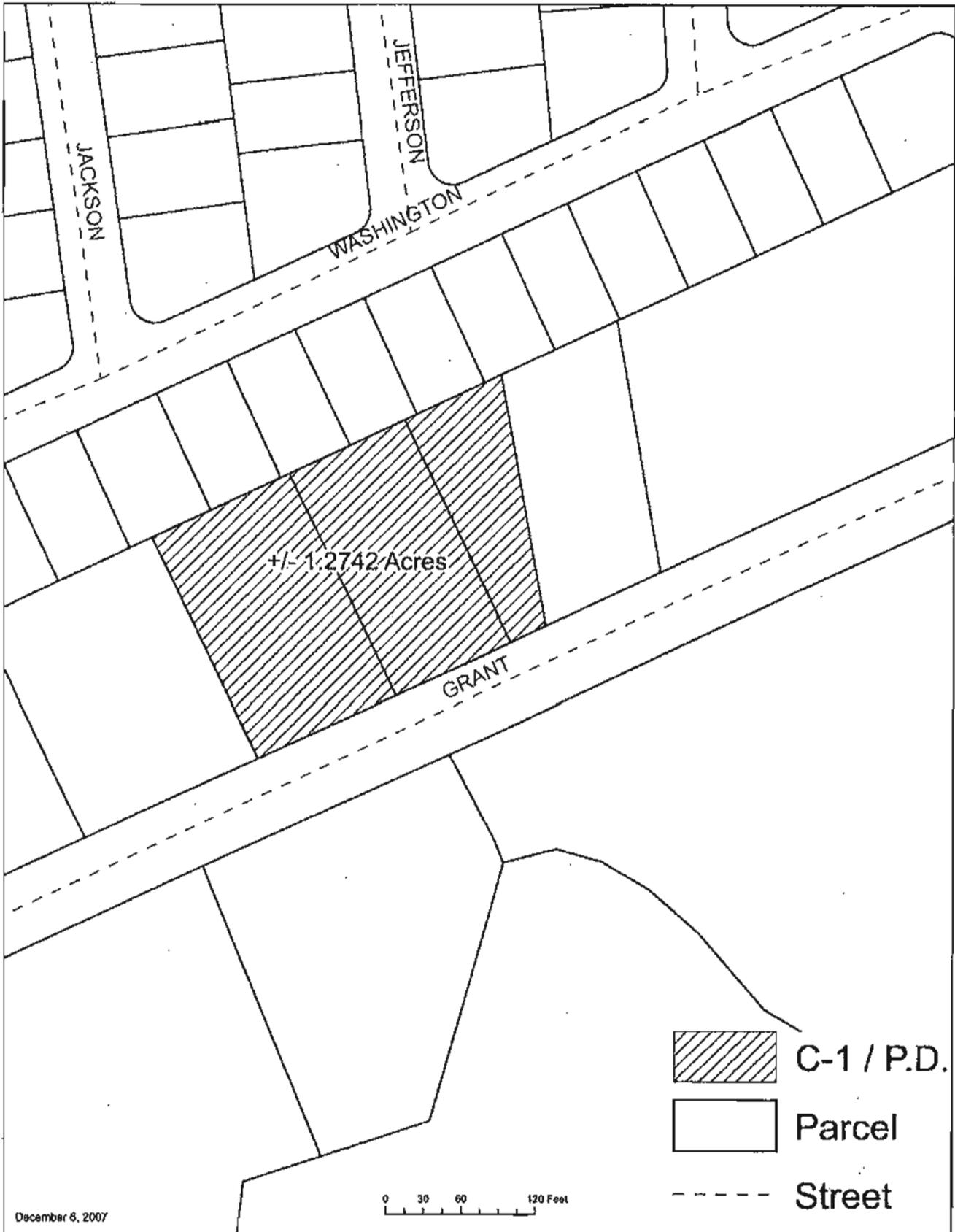
**Exhibits**  
Rezoning Exhibits (2)  
Planned Development Permit 2008-01  
Casitas/TM Rezone CC Ord 2008-03 15Jan08

# Exhibit A - Casitas at Winters Subdivision Current Zoning



December 6, 2007

# Exhibit B - Casitas at Winters Subdivision Proposed Zoning



December 6, 2007

**CITY OF WINTERS**  
**PLANNED DEVELOPMENT (PD) PERMIT No. 2008-01**  
**CASITAS AT WINTERS SUBDIVISION**  
APNs 003-450-15, 003-450-16, and 003-450-17  
Approved January 15, 2008

TERM: Unlimited term pursuant to the requirements of Section 17.48.050 of the Winters Municipal Code (Title 17, Zoning) and subject to compliance with the conditions of approval.

LOT SIZES: Less than the minimums for the C-1 Zone (Neighborhood Commercial) as detailed on the tentative map for the project.

Casitas/TM PD Permit 2008-01 15Jan08



**CITY COUNCIL STAFF REPORT**

January 15, 2008

**TO:** Honorable Mayor and Councilmembers

**THROUGH:** John W. Donlevy, Jr. – City Manager 

**FROM:** Dan Sokolow – Community Development Director 

**SUBJECT:** **Continued Public Hearing and approval of Ordinance No. 2008-02 to adopt provisions of Title 15 (Buildings and Construction) of the Winters Municipal Code and to adopt amendments and appendixes to the California Building Codes and approval of Resolution No. 2008-03 to adopt findings for Ordinance No. 2008-02.**

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**RECOMMENDATION:** Staff recommends that the City Council receive the staff report, hold the continued public hearing, approve Resolution No. 2008-03 to adopt findings for Ordinance No. 2008-02, and approve Ordinance No. 2008-02 to adopt provisions of Title 15 (Buildings and Construction) of the Winters Municipal Code and to adopt amendments and appendixes to the California Building Codes.

**BACKGROUND:** Under Ordinance No. 2008-02, the City would adopt provisions of Title 15 (Building and Construction) of the Winters Municipal Code and would adopt amendments and appendixes to the California Building Standards Code (CBSC). The CBSC has undergone significant changes effective January 1, 2008; however, the revised CBSC does not address local building standards and include amendments and appendixes. As a result, California cities and counties must adopt their own local building standards as well as amendments and appendixes to the CBSC. Title 15 (Buildings and Construction) of the Winters Municipal Code contains the City's local building standards such as the City's fire suppression requirements. The local adoption of codes serves two purposes. First, it clarifies code requirements where state application is absent or unclear. Secondly, it allows the City to make local amendments to state approved codes. Amendments to the CBSC allow cities and counties to have more stringent provisions than what is contained in the CBSC while the appendixes represent addendums to the CBSC and also provide California cities and counties with the discretion to adopt all or a portion of the appendixes.

**FINDINGS AND FILING REQUIREMENTS:** State law requires that all local amendments to the building standards in CBSC be filed with the California Building Standards Commission. The amendment must be accompanied by local findings identifying the local, climatic, geological, or topographical conditions necessitating the changes. The filing must be made subsequent to the City Council's adoption of Ordinance No. 2008-02 and Resolution No. 2008-03 (Resolution of Findings). With respect to Winters, city staff finds that the following local conditions necessitate the adoption of more stringent buildings standards that those found in the CBSC.

**Climatic** – The Winters area has extreme variations in weather patterns: summers are arid and hot while winters are cool to freezing. As a result, the climate in the Winters area can have a great influence on fire behavior and other major emergency events in the City. Freezing temperatures particularly during the winter of 1991 have caused water pipes to burst.

**Topographical** – The City of Winters contracts with the Winters Fire Protection District (the District) for fire protection and emergency medical services. Four full-time firefighters including the fire chief and approximately 18 volunteers provide fire staffing for the District and the City. The full-time firefighters are on duty during business hours (Monday – Friday, 7:00 a.m. to 4:00 p.m.), but only one full-time firefighter, a duty officer, is on duty during the non-business hours and the District relies significantly on volunteer firefighters especially during the non-business hours. Because of the limited fire staffing resources, measures to ensure timely responses and mitigate situations before they become major fires are required.

**Geological** – The Winters area is located in a Seismic Zone 3 as defined by the International Code Council and its soil is characterized by expansive types. This area contains a higher risk of seismic activity than most areas in the country.

A Resolution of Findings (Resolution No. 2008-03) is attached.

**FISCAL IMPACT:** The City will not incur a fiscal impact.

**ATTACHMENTS:**

Resolution No. 2008-03

Ordinance No. 2008-02

Z+B+E/Fees Project CBC Amendments+Appendixes & Local Standards CC Stf Rpt 15Jan08

**CITY OF WINTERS  
RESOLUTION NO. 2008-03**

**A RESOLUTION OF THE CITY COUNCIL OF WINTERS DETERMINING THE NEED FOR  
LOCAL AMENDMENTS TO THE CALIFORNIA BUILDING STANDARDS CODE**

**WHEREAS**, Title 24 of the California Code of Regulations, also known as the California Building Standards Code (CBSC), contains building and construction standards applicable to local jurisdictions throughout the state, including the City of Winters (City); and

**WHEREAS**, when reasonably necessary due to climatic, geological, or topographical conditions, California Health and Safety Code Sections 17958.5 and 18941.5 permit the City to establish more restrictive building standards than those set forth in the CBSC; and

**WHEREAS**, before making changes to the CBSC pursuant to Health and Safety Code Section 17985.5, Health and Safety Code Section 17958.7 requires the City to make express findings that such changes are reasonably necessary because of local climatic, geological, or topographical conditions; and

**WHEREAS**, the City is adopting local amendments to the following subcodes of the CBSC; the California Building Code; the California Fire Code; and the California Plumbing Code; and

**WHEREAS**, these local amendments have been evaluated and recognized by the City; and

**WHEREAS**, once adopted, the City is required to file its local amendments and findings with the California Building Standards Commission.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Winters hereby declares and finds the following:

- A. The City, pursuant to the authority granted it under California Health and Safety Code Sections 17958.5 and 18941.5, has determined that there is a need to establish building standards that are more restrictive than those adopted by the State of California and found in Title 24 of the California Code of Regulations. These new building standards have been determined by the City of Winters to address the problems, concerns and future direction by which the City can establish and maintain an environment which will afford an appropriate level of fire and life safety to all who live and work within its boundary.
- B. The City has determined that it is necessary to amend state building standards found in the following subcodes of the California Building Standards Code: the California Building Code; the California Fire Code; and the California Plumbing Code. The City's amendments to these subcodes are set forth in City of Winters Ordinance No. 2008-02.
- C. Under the provisions of Sections 17958.5 and 18941.5 of the Health and Safety Code, the amendment of state building standards at the local level must be reasonably necessary due to local climatic, topographical, or geological conditions and the City must make findings in this regard. The City Council has determined that the following findings of fact address and present the local climatic, topographical, or geological conditions, which either singularly or in combination, have caused the aforementioned amendments to be adopted:

1. CLIMATIC – The Winters area has extreme variations in weather patterns: summers are arid and hot while winters are cool to freezing. As a result, the climate in the Winters area can have a great influence on fire behavior and other major emergency events in the City. Freezing temperatures particularly during the winter of 1991 have caused water pipes to burst.

2. TOPOGRAPHICAL – The City of Winters contracts with the Winters Fire Protection District (the District) for fire protection and emergency medical services. Four full-time firefighters including the fire chief and approximately 18 volunteers provide fire staffing for the District and the City. The full-time firefighters are on duty during business hours (Monday – Friday, 7:00 a.m. to 4:00 p.m.), but only one full-time firefighter, a duty officer, is on duty during the non-business hours and the District relies significantly on volunteer firefighters especially during the non-business hours. Because of the limited fire staffing resources, measures to ensure timely responses and mitigate situations before they become major fires are required.

3. GEOLOGICAL – The Winters area is located in a Seismic Zone 3 as defined by the International Code Council and its soil is characterized by expansive types. This area contains a higher risk of seismic activity than most areas in the country.

- D. Based upon the climatic, topographical, and geological conditions identified in Section C, the specific amendments identified in City of Winters Ordinance No. 2008-02 are found to be reasonable and necessary modifications to the requirements established pursuant to Sections 17958.5 and 18941.5. While it is clearly understood that the adoption of such amendments may not prevent the incidence failures, the implementation of these various amendments to the code attempt to reduce the severity and potential loss of life, property and protection of the environment.
- E. California Health and Safety Code Section 17958.7 requires that building standard modifications or changes be expressly marked and identified as to which each finding refers. Therefore, the City Council finds that the local climatic, geological, and topographical conditions identified in Section C, taken together, have necessitated the City's modifications of the state's building standards contained in the following sections of the California Building Standards Code; the California Building Code; the California Fire Code; and the California Plumbing Code.

**PASSED AND ADOPTED** this 15th day of January, 2008, by the following votes:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Woody Fridae, Mayor

ATTEST:

\_\_\_\_\_  
Nanci G. Mills, City Clerk

ORDINANCE NO. 2008-02

AN ORDINANCE OF THE CITY OF WINTERS AMENDING TITLE 15 OF THE WINTERS MUNICIPAL CODE, ENTITLED 'BUILDINGS AND CONSTRUCTION' TO ADOPT BY REFERENCE AND MAKE CERTAIN AMENDMENTS TO THE FOLLOWING CODES: THE 2007 CALIFORNIA BUILDING CODE, AND BY REFERENCE THE 2006 INTERNATIONAL BUILDING CODE; THE 2007 CALIFORNIA ELECTRICAL CODE AND BY REFERENCE THE 2005 NATIONAL ELECTRIC CODE; THE 2007 CALIFORNIA PLUMBING CODE, AND BY REFERENCE THE 2006 UNIFORM PLUMBING CODE; THE 2007 CALIFORNIA MECHANICAL CODE, AND BY REFERENCE THE 2006 UNIFORM MECHANICAL CODE; THE 2007 CALIFORNIA FIRE CODE; AND BY REFERENCE THE 2006 INTERNATIONAL FIRE CODE; THE 2006 UNIFORM SWIMMING POOL, SPA, AND HOT TUB CODE; AND THE FOLLOWING ADDITIONAL PARTS OF THE 2007 CALIFORNIA BUILDING STANDARDS CODE: PART 1, ADMINISTRATIVE CODE; PART 6, ENERGY CODE; PART 8, HISTORICAL BUILDING CODE; PART 12, REFERENCE STANDARDS CODE

The City Council of the City of Winters does ordain as follows:

**SECTION 1.** Chapter 15.04, "Codes Adopted by Reference" of the Winters Municipal Code is hereby amended to read as follows:

**15.04.010 Uniform Codes Adopted by Reference**

Pursuant to Section 50022.2 of the California Government Code, the following codes are adopted by reference, including the appendices and amendments listed in this Title, which are made pursuant to findings of fact set forth in the Resolution No. 2008-03 adopted on January 15, 2008.

- A. 2007 California Building Code, California Code of Regulations, Title 24, Part 2, Volume 1-2, based on the 2006 International Building Code, including adoption by reference of Appendix Chapter 1, Administrative, excluding sections 107.1 and 107.2, and amending sections: 104.8, 108.2, 109.3.8, 109.3.5;
- B. 1997 Uniform Housing Code, as published by the International Conference of Building Officials, adopting by reference only Chapters 4, 5, and Section 701.2 of Chapter 7;
- C. 2007 California Mechanical Code, California Code of Regulations, Title 24, Part 4, based on the 2006 Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials, including adoption by reference of all appendices and amendments to the following sections of Appendix Chapter 1: 115.1, 115.2, 115.3, 115.6.1, 115.6.2, 116;
- D. Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, as adopted and published by the International Conference of Building Officials;
- E. 2007 California Plumbing Code, California Code of Regulations, Title 24, Part 5, based on the 2006 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials, including adoption by reference of all appendices and amendments to the following sections of Appendix Chapter 1: 103.4.1, 103.4.2, 103.4.5.1., 103.4.5.2, 103.5.6;
- F. Uniform Building Security Code, 1997 Edition, as adopted and published by the International Conference of Building Officials;
- G. Uniform Sign Code, 1997 Edition, as adopted and published by the International Conference of Building Officials;
- H. Uniform Swimming Pool, Spa, and Hot Tub Code, 2006 Edition, as adopted and published by the International Association of Plumbing and Mechanical Officials;

- I. 2007 California Fire Code, California Code of Regulations, Title 24, Part 9, based on the 2006 International Fire Code as published by the International Code Council;
- J. 2007 California Electrical Code, California Code of Regulations, Title 24, Part 3, based on the 2005 National Electric Code, as published by the National Fire Protection Association, including adoption by reference of all annex chapters, excluding sections 80.15(a)-(h) and 80.27 of Annex G;
- K. 2007 California Administrative Code, California Code of Regulations, Title 24, Part;
- L. 2007 California Energy Code, California Code of Regulations, Title 24, Part 6, including all appendices;
- M. Uniform Solar Energy Code, 1997 Edition, as adopted and published by the International Association of Plumbing and Mechanical Officials;
- N. 2007 California Historical Building Code, California Code of Regulations, Title 24, Part 8, including all appendices;
- O. 2007 California Existing Building Code, California Code of Regulations, Title 24, 10, including all appendices;
- P. 2007 California Referenced Standards Code, California Code of Regulations, Title 24, Part 12, including all appendices.

**SECTION 2.** The following sections of Chapter 15.08 "Building Code" of the Winters Municipal Code are hereby amended to read as follows:

**15.08.010 Adoption by reference**

See section 15.04.010(A) adopting by reference the 2007 California Building Code, Volumes 1-2, based on the 2006 International Building Code, including Appendix Chapter 1, Administrative, excluding sections 107.1 and 107.2, and amending sections: 104.8, 108.2, 109.3.8, 109.3.5.

**15.08.040 Building Valuation Schedule**

Building permit fees shall be collected according to the following schedule:

<u>Total Valuation</u>	<u>Fee</u>
\$1.00 to \$500.00	\$23.50
\$501.00 to \$2,000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.80 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,000.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00

\$1,000,001.00 and up                      \$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof.

The plan check fee will be sixty-five (65%) percent of building issuance fee.

**15.08.070      Section 108.4 amended**

Section 108.4 of the 2007 California Building Code is deleted and replaced with the following: "All permit fees required pursuant to this title shall be paid in the amount established and set forth in Chapter 15.60, entitled 'Fee Schedule' established by resolution of the city council."

**15.08.080      Additional plan check fees**

For a plan check conducted by a consultant retained by the City, the City shall collect a plan check fee equal to 100% of the City's cost for the consultant, plus twenty 20% to reimburse the City for the cost of obtaining the consultant. For a plan check resubmission, the City shall collect a plan check fee equal to the actual cost for plan check review using the building inspector's full hourly reimbursable rate with a one-half hour minimum.

**15.08.090      Section 1910A.1 amended**

Section 1910A.1 of the California Building Code is hereby amended to read as follows: The minimum thickness of concrete floor slabs supported directly on the ground shall not be less than 3 ½ inches thick with a minimum # 3 rebar at 18 inch on center both ways or equal approved by building official at its mid-height. A 6-mil polyethylene vapor retarder with joints placed between the base course and a minimum of 3 ½ inch thick ¾ crushed rock or other approved equivalent method or materials shall be used to retard vapor transmission through the floor slabs.

**15.08.100      Section 1505.1 amended**

Section 1505.1 paragraph 1 is hereby amended as follows: The minimum roof coverings installed on a building shall comply with Table 1505.1 based on the type of construction but in no case be other than class A or class B. The rating of roofing materials for re-roofing shall not be less than required for new roofs for the occupancy classification.

**15.08.110      Table 1505.1 amended**

Table 1505.1 shall be amended as follows: Exterior roof coverings regardless of occupancy classifications shall be noncombustible or have a fire restive rating of not less than a class B. All listings or labeling shall be approved by a building official.

**15.08.140      Capital acquisition recovery fee (CARF)** A minimum fee of twenty-five dollars (\$25.00) shall be collected when a building permit is issued.

- 0 - \$100.00 = \$25.00
- \$101.00 - \$500.00 = \$50.00
- \$501.00 - \$1,000.00 = \$75.00
- \$1,001.00 - \$5,000.00 = \$100.00
- \$5,001.00 - \$6,000.00 = \$125.00
- \$6,001.00 and over = \$150.00

**15.08.150      Appendix, Chapter 1 amended**

A. Section 104.8 is amended to read as follows:

Any city officer, employee or agent, including the building official, hereinafter referred to as "officials", charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an official because of an act performed by that official in the lawful discharge of duties and under the provisions of this code or other pertinent law or ordinance shall be defended by legal representative of the jurisdiction until the final termination of the proceedings.

The official shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code or other law or ordinance.

B. Section 108.2 is amended as follows:

Building permit fees shall be collected according to the table set forth in section 15.08.040 of this Chapter. The plan check fee will be sixty-five percent (65%) of building issuance fee.

C. Section 109.3.8 is amended to read as follows:

In addition to the inspections specified in the 2007 California Building Code, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by building and code enforcement division.

Reinspections. A reinspection fee shall be assessed for each reinspection. To obtain a reinspection, the applicant shall file an application therefore in writing on a form furnished for that purpose and pay the reinspection fee set forth in the schedule of fees established by resolution of the city council.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

**SECTION 3.** The following sections are hereby deleted in their entirety:

**15.08.120 Excavation and Grading**

**15.08.135 Installation of smoke alarms**

Section 15.08.135 entitled "Installation of smoke alarms" is replaced by Section 15.20.050 in Chapter 15.20 of this Title.

**SECTION 4.** The following sections of Chapter 15.16 "Electrical Code" of the Winters Municipal Code are hereby amended to read as follows:

**15.16.010 Adoption by reference**

See Section 15.04.010(J) adopting by reference 2007 California Electrical Code, California Code of Regulations, Title 24, Part 3, based on the 2005 National Electric Code, as published by the National Fire Protection Association, including adoption by reference of all annex chapters, excluding sections 80.15(a)-(h) and 80.27 of Annex G.

**15.16.020 Electrical permit—fees**

Electrical permit fees are established in Section 15.60.090 of Chapter 15.60 of this Title.

**15.16.030 Electrical permit—Applicant qualifications**

Subsection (K)2 is hereby amended to read as follows:

The interior metallic water and gas piping systems, and metal frame of buildings shall be bonded in accordance with Article 250 of the 2005 National Electrical Code.

Subsection (M) is hereby amended to read as follows:

M. Raceway Requirements, A through I Occupancies.

All occupancy groups from A through I, inclusive, and their premises, and motels, hotels and their premises, shall have their wiring installed in approved raceways.

Exception: Class 2 remote control and signal circuits as defined in the 2005 National Electrical Code.

**SECTION 5.** The following sections of Chapter 15.20 "Fire Code" of the Winters Municipal Code are hereby amended to read as follows:

**15.20.010 Adoption by reference**

See Section 15.04.010(I) adopting by reference the 2007 California Fire Code, California Code of Regulations, Title 24, Part 9, based on the 2006 International Fire Code as published by the International Code Council.

**15.20.020 Code adopted by reference**

Section 15.20.020 entitled "Code adopted by reference" is hereby deleted.

**15.20.030 Enforcement**

The Winters Fire Protection District shall enforce the 2007 California Fire Code.

**15.20.050 Installation of smoke alarms**

This section requires the installation of smoke alarms whenever the city issues a building permit for Group R Occupancy (residential) of any value. The smoke alarm shall be installed in accordance with 2007 California Building Code section 907.2.10.1.2.

**15.20.060 Visibility of address numbers from the street**

1. All addresses numbering shall be clearly visible from the street fronting the property.
2. All buildings shall be identified by either four-inch high illuminated numbers or six-inch high non-illuminated numbers on contrasting background.
3. For residences on alleyway, the address numbering shall appear on the front of the structure and at the rear of the property.
4. An existing occupancy shall satisfy the minimum addressing standard contained in subsections (1) through (3) whenever a building permit is issued.

**SECTION 6.** The following section of Chapter 15.24 "Housing Code" of the Winters Municipal Code is hereby amended to read as follows:

**15.24.010 Adoption by reference**

See Section 15.04.010(B) adopting by reference Chapters 4, 5 and section 701.2 of Chapter 7 of the 1997 Uniform Housing Code, as published by the International Conference of Building Officials.

**SECTION 7.** The following sections of Chapter 15.28 "Mechanical Code" of the Winters Municipal Code are hereby amended to read as follows:

**15.28.010 Adoption by reference**

See Section 15.04.010(C) adopting by reference the 2007 California Mechanical Code, California Code of Regulations, Title 24, Part 4, based on the 2006 Uniform Mechanical Code as published by the International Association of Plumbing and Mechanical Officials, including adoption by reference of all appendices and amendments to the following sections of Appendix Chapter 1: 115.1, 115.2, 115.3, 115.6.1, 115.6.2, 116.6.

**15.28.020 Section 115.1 amended**

Section 115.1 is hereby amended to read as follows:

Fees shall be assessed in accordance with the provisions of this section and as set forth in the fee schedule adopted by city council resolution.

**15.28.040 Section 115.2 Permit fees amended**

Section 115.2 is hereby amended to read as follows:

Mechanical permit fees are established in Section 15.60.080 of Chapter 15.60 of this Title.

**15.28.050 Section 115.3 Plan review fees amended**

Section 115.3 is hereby amended to read as follows:

When a plan or other data are required to be submitted by Section 113.2, a plan review fee shall be paid at the time of submitting plans and specifications for review.

The plan review fees for mechanical work shall be determined and adopted by this jurisdiction. The plan review fees are separate fees from the permit fees specified in this section and are in addition to permit fees.

When plans are incomplete or changed so as to require additional review, a fee shall be charged at the rate set forth in the schedule of fees established by resolution of the city council.

**15.28.060 Section 115.6.1 amended**

Section 115.6.1 is hereby amended to read as follows:

The building official may authorize the refunding of not more than 80% of the permit paid when no work has been done under a permit in accordance with this code.

**15.28.070 Section 115.6.2 amended**

Section 115.6.2 is hereby amended to read as follows:

The building official may authorize the refunding of not more than 80% of the plan check fee when an applicant for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

**15.28.080 Section 116.6 amended**

Section 116.6 is hereby amended to read as follows:

Reinspections. A reinspection fee shall be assessed for each reinspection. To obtain a reinspection, the applicant shall file an application therefore in writing on a form furnished for that purpose and pay the reinspection fee set forth in the schedule of fees established by resolution of the city council.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

**SECTION 8.** The following sections of Chapter 15.32 "Plumbing Code" of the Winters Municipal Code are hereby amended to read as follows:

**15.32.010 Adoption by reference**

See Section 15.04.010(E) adopting by reference the 2007 California Plumbing Code, California Code of Regulations, Title 24, Part 5, based on the 2006 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials, including adoption by reference of all appendices and amendments to the following sections of Appendix Chapter 1: 103.4.1, 103.4.2, 103.4.5.1., 103.4.5.2, 103.5.6

**15.32.040 Water Pipe Insulation requirements**

Water pipes located in a garage, attic, or other unconditioned space shall be insulated for all occupancy structures.

**15.32.060 Section 103.4.1 Permit fees amended**

Section 103.4.1 is hereby amended to read as follows:  
Plumbing permit fees are established in Section 15.60.100 of Chapter 15.60 of this Title.

**15.32.070 City building Inspector**

Whenever the 2007 California Plumbing Code refers to the administrative authority, the administrative authority of the city shall be the building inspector of the city.

**15.32.080 Section 103.4.2 Plan review fees amended**

Section 103.4.2 is hereby amended to read as follows:  
When a plan or other data is required to be submitted by Section 103.2, a plan review fee shall be paid at time of submitting plans and specifications for review.

The plan review fees for plumbing work shall be determined and adopted by this jurisdiction. The plan review fees are separate fees for the permit fees specified in this section and are in addition to permit fees.

When plans are incomplete or changed so as to require additional review, a fee shall be charged at the rate set forth in the schedule of fees established by a resolution of the city council.

**15.32.090 Section 103.4.5.2 amended**

Section 103.4.5.2 is hereby amended to read as follows:  
The building official may authorize the refunding of not more than 80% of the permit paid when no work has been done under a permit in accordance with this code.

**15.32.100 Section 103.5.6 amended**

Section 103.5.6 is hereby amended to read as follows:  
Reinspections. A reinspection fee shall be assessed for each reinspection. To obtain a reinspection, the applicant shall file an application therefore in writing on a form

furnished for that purpose and pay the reinspection fee set forth in the schedule of fees established by resolution of the city council.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

**SECTION 9.** The following sections of Chapter 15.44 "Swimming Pool Regulations" of the Winters Municipal Code are hereby amended to read as follows:

**15.44.010 Adoption by reference**

See Section 15.04.010(H) adopting by reference the 2006 Uniform Swimming Pool, Spa, and Hot Tub Code as adopted and published by the International Association of Plumbing and Mechanical Officials.

**15.44.050 Schedule of fees**

Swimming pool fees shall be established by resolution of the city council.

**SECTION 10.** Chapter 15.60 "Fee Schedule" of the Winters Municipal Code is hereby amended to read as follows:

**15.60.020 Plan check fees**

References to the Uniform Building Code contained in this section are hereby replaced with "2007 California Building Code."

**15.60.050 Special service fees**

- A. The City shall collect a fee based on time for building inspection services not covered in the City's fee schedule and the building inspector's full hourly reimbursable rate shall be used with a one hour minimum.
- B. For inspection beyond one reinspection of an item of work caused by faulty workmanship or work not being ready for inspection at the time requested the fee shall be equal to one hour of the building inspector's full hourly reimbursable rate.
- C. For inspections requested by a permittee to be made outside of the building inspector's normal work hours, Monday through Friday, the fee shall be equal to three times the building inspector's full hourly overtime reimbursable rate.

**15.60.080 Mechanical code fees**

The first line of subsection A is hereby amended to read as follows:

A. Fees for permits under Chapter 15.28 "Mechanical Code" of this Title shall be as follows:

**15.60.090 Electrical code fees**

The first line of subsection A is hereby amended to read as follows:

A. Fees for permits under Chapter 15.16 "Electrical Code" of this Title shall be as follows:

**15.60.100 Plumbing code fees**

The first line of subsection A is hereby amended to read as follows:

A. Fees for permits under Chapter 15.32 "Plumbing Code" of this Title shall be as follows:

**SECTION 11.** Chapter 15.84 "Historical Building Code" of the Winters Municipal Code is hereby added to read as follows:

**15.84.010 Adoption by reference**

See Section 15.04.010(N) adopting by reference the 2007 California Historical Building Code, California Code of Regulations, Title 24, Part 8, including all appendices.

**SECTION 12.** Chapter 15.88 "Administrative Code" of the Winters Municipal Code is hereby added to read as follows:

**15.88.010 Adoption by reference**

See Section 15.04.010(K) adopting by reference the 2007 California Administrative Code, California Code of Regulations, Title 24, Part 1 as published by the International Code Council.

**SECTION 13.** Chapter 15.92 "Energy Code" of the Winters Municipal Code is hereby added to read as follows:

**15.92.010 Adoption by reference**

See Section 15.04.010(L) adopting by reference the 2007 California Energy Code, California Code of Regulations, Title 24, Part 6, including all appendices.

**SECTION 14.** Chapter 15.96 "Reference Standards Code" of the Winters Municipal Code is hereby added to read as follows:

**15.96.010 Adoption by reference**

See Section 15.04.010(P) adopting by reference the 2007 California Referenced Standards Code, California Code of Regulations, Title 24, Part 12, including all appendices.

**SECTION 15. Severability.** If any words, phrases, provisions, or sections of this Chapter are either determined by a Court of competent jurisdiction to be void, invalid, unenforceable, or preempted by state or federal law then such words, phrases, provisions, or sections shall be severed from this Chapter, and all the remaining words, phrase, provisions, and sections of this Chapter shall remain in full force and effect; provided however, that the severing of such words, phrases, provisions, and sections does not frustrate the purposes of any of the remaining sections of this Chapter.

**SECTION 16. Effective Date.** Pursuant to Section 36937 of the Government Code of the State of California, this ordinance shall take effect and be in full force and effect thirty (30) days after its final passage.

**SECTION 17. Publication.** The City Clerk shall cause this ordinance to be published and posted in accordance with the requirements of Section 36933 of the Government Code of the State of California.

\* \* \* \* \*

**PASSED AND ADOPTED** this 15th day of January, 2008, by the following votes:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Woody Fridae, Mayor

ATTEST:

\_\_\_\_\_  
Nanci G. Mills, City Clerk

**Z+B+E/Fees Project CBC Amendments+Appendixes & Local Standards Ord No 2008-02 15Jan08**



**CITY COUNCIL STAFF REPORT**  
January 15, 2008

**TO:** Honorable Mayor and Councilmembers  
**THROUGH:** John W. Donlevy, Jr. – City Manager *JWD*  
**FROM:** Dan Sokolow – Community Development Director *DS*  
**SUBJECT:** **Public Hearing and First Reading of Fees Project Ordinance.**

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**RECOMMENDATION:** Staff recommends that the City Council receive the staff report and continue the public hearing to the February 5, 2008 City Council meeting.

Z+B+E/Fees Project New Fees CC Stf Rpt 15Jan08



**CITY COUNCIL  
STAFF REPORT**

**TO:** Honorable Mayor and Council Members  
**DATE :** January 15, 2008  
**THROUGH:** John W. Donlevy, Jr., City Manager   
**FROM:** Cas Ellena, Redevelopment & Economic Development Director   
**SUBJECT:** Second Reading and Adoption of Ordinance 2008-01, an Ordinance of the City of Winters, Eliminating the Existing Time Limit on Incurring Debt and Amending Certain Time Limitations with Respect to the Redevelopment Plan for the Winters Community Development Agency Project Area

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**RECOMMENDATION:** Staff recommends that the City Council: 1) Waive the second reading and adopt Ordinance 2008-01 Eliminating and Amending Certain Time Limitations with Respect to the Redevelopment Plan for the Winters Community Development Agency Project Area.

**BACKGROUND:** The City Council adopted Ordinance No. 92-08 on July 20, 1992, approving and adopting the Redevelopment Plan (the "Redevelopment Plan") for the Winters Community Development Agency Project. The City Council later adopted Ordinance No. 94-11 on September 20, 1994, to establish and amend certain time limits contained in the Redevelopment Plan. The Redevelopment Agency of the City of Winters, commonly referred to as the Community Development Agency of the City of Winters (the "CDA"), is vested with the responsibility to carry out the Redevelopment Plan.

On December 18, 2007, the City Council held a public hearing regarding Ordinance 2008-01 and waived the first reading.

**Senate Bill 211 – Eliminate Debt Incurrence Limit:** Assembly Bill 1290 (AB 1290), which became effective in 1994, imposed certain time limits on redevelopment plans including time limits on incurring debt, receipt of tax increment and effectiveness of the redevelopment plan. The outside time limit for incurring debt under AB 1290 for plans adopted prior to 1994 was the later of 20 years after plan adoption or January 1, 2004. The CDA's existing time limit for incurring debt terminates on July 20, 2012.

In 2001, the State Legislature passed Senate Bill 211 (SB 211) (codified in part at Health and Safety Code Section 33333.6(e)(2)) which allows a community to amend a pre-1994 plan to

delete the debt incurrence limit previously established by AB 1290, with the result that an agency can incur debt under such a plan up to the deadline for the effectiveness of the plan. Such an amendment simply requires the adoption of an ordinance by the legislative body (City Council) without any noticing, hearing, or documentation requirements normally applicable to a redevelopment plan amendment, although standard ordinance adoption procedures must be followed.

If a redevelopment plan is amended to eliminate the debt incurrence limit, Health and Safety Code Section 33607.7 does require that payments be made to affected taxing entities as follows: (1) if an agreement already exists that requires payments to the taxing entity, the taxing entity will continue to receive the amount required to be paid under that agreement, and (2) if an agreement does not exist, the taxing entity will be paid the statutory pass-through payments provided for under Section 33607.5, commencing in the first fiscal year following the fiscal year in which the limitation would have taken effect without the amendment, and continuing until termination of the redevelopment plan.

Section 33607.5(b) of the Health and Safety Code requires the Agency to pay to the affected taxing entities an amount equal to 25 percent of the tax increments received by the Agency after the amount required to be deposited in the Low and Moderate Income Housing Fund has been deducted. The payments are based on an adjusted base year value. In the case of the Winters Community Development Agency Project, the adjusted base year value would be established in fiscal year 2012-13 (the year the time limit would have taken effect), and statutory pass-through payments to those entities that do not already have an existing agreement with the Agency would commence in the following fiscal year (2013-14), based on the adjusted base year value.

The CDA currently has pass-through agreements with the County, the Winters Cemetery District, the Sac-Yolo Mosquito Abatement and Vector Control District, and the Solano County Community College District. A plan amendment to eliminate the deadline to incur debt would trigger statutory pass-through agreements with the taxing entities not already under a pass-through agreement which includes various smaller entities and the school district.

**ERAF Extensions:** Section 33681.9 of the Health and Safety Code was added by Senate Bill 1045 (SB 1045), which took effect on September 1, 2003. SB 1045 required a one-time statewide revenue contribution of \$135 million from redevelopment agencies to the Educational Revenue Augmentation Fund ("ERAF") in each county during the 2003-04 fiscal year. In order to lessen the financial burden caused to redevelopment agencies by this ERAF shift, SB 1045 also amended Health and Safety Code Section 33333.6 to provide that when a redevelopment agency is required to make a 2003-04 ERAF payment, the agency has the option to extend by one year both the time limit on the effectiveness of the redevelopment plan and the established time limit for repayment of indebtedness. In order for these new deadlines to become effective, the legislative body (City Council) must adopt an ordinance to extend these limits. There are no other noticing, hearing or documentation requirements for these extensions.

The existing time limit on the effectiveness of the Winters Community Development Agency Redevelopment Project Area, as set forth in Section X "Duration of this Plan" of the Winters Community Development Project Area Plan ("Redevelopment Plan"), and as previously amended

by Section 2 of Ordinance No. 94-11 is July 20, 2032. Adoption of Ordinance No. 2008-01 would extend this time limit to July 20, 2033.

The existing time limit within which the CDA may pay indebtedness or receive property taxes, previously established by Section 2 of Ordinance No. 94-11, is July 20, 2042. Adoption of Ordinance No. 2008-01 would extend this time limit to July 20, 2043.

**DISCUSSION:** An analysis by Urban Futures indicates that if the City were to adopt Ordinance 2008-01 to eliminate the debt incurrence deadline, the project pass-through obligation triggered would total \$3.3 million during the remaining life of the Project Area. However, the CDA could collect net tax increment (after pass-through payments) of \$75 million over that same time period so comparatively, the additional pass-through payments is insignificant compared to the amount of tax increment revenues that are anticipated to be produced during that period.

The CDA's Redevelopment Plan contains a requirement that the principal amount of bonded indebtedness outstanding at any one time shall not exceed \$25,000,000. Currently, the CDA has approximately \$19,290,000 of outstanding debt. Conservative analysis indicates that should the CDA desire to, it could support an additional bond issue by the year 2012. In order to do so, the Redevelopment Plan would have to be amended to provide for additional bonded debt capacity and also to extend the time limit to incur debt. This amendment would also trigger the pass-through requirement. Meaning that though adoption of Ordinance 2008-01 would trigger statutory pass-through payments in 2013-14, the CDA would be triggering these pass-through payments anyway should it desire to increase its bonded debt capacity in the future.

Eliminating the time limit to incur debt, and extending the time limit on the effectiveness of the Redevelopment Plan and the time limit on the CDA's ability to pay indebtedness or receive tax increment by one year will allow the CDA to continue all of its activities under the Redevelopment Plan, including undertaking new projects and entering into contracts until the expiration of the Redevelopment Plan, and lessen the financial impact caused by the CDA's 2003-04 ERAF payment. Should the City determine to not eliminate the deadline to incur debt, the CDA would be limited in its ability to collect tax increment on debt incurred prior to July 2012 which would significantly limit the ability of the CDA to implement its Redevelopment Plan by reducing the amount of funds available to the CDA.

**RECOMMENDATION:** Staff recommends the City Council adopt Ordinance 2008-01, eliminating the existing time limit on incurring debt, and extending the time limits for the Redevelopment Plan's effectiveness and the limit on the receipt of tax increment by one year each.

**ATTACHMENTS:**

- Ordinance No. 2008-01

ORDINANCE NO. 2008-01

AN ORDINANCE OF THE CITY OF WINTERS, CALIFORNIA,  
ELIMINATING THE EXISTING TIME LIMIT ON INCURRING  
DEBT AND AMENDING CERTAIN TIME LIMITATIONS WITH  
RESPECT TO THE REDEVELOPMENT PLAN FOR THE WINTERS  
COMMUNITY DEVELOPMENT AGENCY PROJECT AREA

WHEREAS, the City Council of the City of Winters, California (the "City Council"), adopted Ordinance No. 92-08 on July 20, 1992, approving and adopting the Redevelopment Plan (the "Redevelopment Plan") for the Winters Community Development Project Area (the "Project"); and

WHEREAS, on September 20, 1994, the City Council adopted Ordinance No. 94-11, establishing and amending certain limitations with respect to the Redevelopment Plan; and

WHEREAS, the Community Development Agency of the City of Winters, California (the "CDA"), has been designated as the official redevelopment agency in the City of Winters to carry out the functions and requirements of the Community Redevelopment Law of the State of California (Health and Safety Code Section 33000 et seq.) and to implement the Redevelopment Plan; and

WHEREAS, Section 33333.6 of the Health and Safety Code was amended by SB 211 which took effect on January 1, 2002, which authorizes redevelopment agencies to eliminate the time limit on the establishment of loans, advances, and indebtedness previously required by that section prior to January 1, 2002; and

WHEREAS, Section 33681.9 of the Health and Safety Code was added by SB 1045 which took effect on September 1, 2003, which required the CDA during the 2003-04 fiscal year to make a payment for deposit in Yolo County's Educational Revenue Augmentation Fund; and

WHEREAS, Section 33333.6 of the Health and Safety Code was amended by SB 1045 to provide that when an agency is required to make a payment pursuant to Section 33681.9 the legislative body may amend the redevelopment plan to extend by one year the time limit of the effectiveness of the plan and the time limit to repay indebtedness;

NOW, THEREFORE, THE CITY COUNCIL OF THE WINTERS, CALIFORNIA,  
DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The Redevelopment Plan for the Winters Community Development Agency Project Area is hereby amended to eliminate the time limit on the establishment of loans, advances, and indebtedness originally established by Section VII.B. of the Redevelopment Plan, and as previously amended by Section 1 of Ordinance No. 94-11.

Section 2. The time limit on the effectiveness of the Redevelopment Plan, as set forth in Section X "Duration of this Plan" of the Redevelopment Plan, as previously amended by Section 2 of Ordinance No. 94-11, shall be further amended to read as follows: "forty-one (41)

years from the date of adoption of this Plan." Based upon the date of adoption of the Redevelopment Plan, the effectiveness of the Redevelopment Plan shall terminate on July 20, 2033.

Section 3. The time limit within which the Agency may pay indebtedness or receive property taxes pursuant to Health and Safety Section 33670, previously established by Section 2 of Ordinance No. 94-11, is hereby amended to read as follows: "Except as provided in subsections 33333.6(f), (g) and (h) of the Health and Safety Code, the Agency shall not pay indebtedness or receive property taxes pursuant to Health and Safety Code Section 33670 after ten (10) years from the termination of the effectiveness of the Redevelopment Plan." Based upon the termination date established in Section 2 of this Ordinance, the Agency shall not pay indebtedness or receive property taxes pursuant to Section 33670 after July 20, 2043.

Section 4. Ordinance Nos. 92-08 and 94-11 are continued in full force and effect except as amended by this Ordinance.

Section 5. The City Clerk is hereby directed to send a certified copy of this Ordinance to the Agency.

Section 6. If any part of this Ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance, and this City Council hereby declares that it would have passed the remainder of this Ordinance if such invalid portion thereof had been deleted.

Section 7. The City Clerk will certify to the passage of this Ordinance by the City Council of the City of Winters, California, and cause the same to be published in accordance with law, and it will take effect thirty (30) days after its final passage.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2008, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Nanci Mills, City Clerk



**CITY COUNCIL  
STAFF REPORT**

**TO:** Honorable Mayor and Councilmembers  
**DATE :** December 18, 2007  
**THROUGH:** John W. Donlevy, Jr., City Manager   
**FROM:** Shelly Gunby, Director of Financial Management  
Elliot Landes, Public Works Associate  
**SUBJECT:** Water Metering

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**RECOMMENDATION:** That the City Council approve the Staff recommendations to:

- 1) Proceed with a plan for City-wide installation of water meters and billing beginning in 2010; and
- 2) Develop and advertise a Request for Proposals for a rate review and study, including a water meter purchase program; and
- 3) Prepare a comprehensive schedule and implementation program.

**BACKGROUND:**

Metering of residential water in Winters will require a number of steps. At the October 2, 2007 meeting, the City Council took one of these steps in approving the selection of Badger Inc. as supplier for meter equipment. In that presentation staff stated that the State requires urban water suppliers to begin reading of installed meters January 1, 2010.

In a review of the State Implementation Guidelines, staff has learned that the Winters' water system will not be defined as an "urban water supplier" until it supplies 3000 customers or over 3000 acre feet of water, as defined by the Urban Water Management Plan Act of 1983. Currently the city supplies 2300 customers (which counts multiple units in buildings served by only one meter), and will be considered an "urban water supplier" once the over 700 units planned for development come on line. This is not anticipated for at least the next five (5) years.

With these findings, the City could choose to delay installation of water meters to the later when becoming an urban water supplier. The law allows the City five years after reaching the urban water supplier size, for the requirement to start reading meters to take effect. If reaching the 3000 unit level takes until 2011, for example, installation of meters could be delayed until 2016.

Staff is recommending that the City proceed with a metering system based on a number of factors, these include:

1. The current system of non-metered water and billing is inherently inequitable. A non-consumption based system allocates higher consumption costs to lower using consumers. A household with two residents will subsidize the household with six residents. Consumption based billing will more equitably allocate costs to City customers.
2. Metering water will encourage customers to consider conservation alternatives sooner, with the possible reduction of water use by as much as 30%. This will reduce city consumption of water and electricity, and will also reduce the volume of flow into the waste water treatment facility, lowering impact on city infrastructure.
3. From a business standpoint, metering allows for a greater degree of predictability in infrastructure management. The current non-consumption based system requires infrastructure maintenance to be based purely on estimated allotments due to variances in demand and water utilization. The metering approach allows for a direct allocation of a "base charge", with the consumption based metered utilization going toward the actual delivery costs.

The arguments against metering are also very compelling. These include:

1. Costs for implementation for customers who do not have meters is obviously an increased cost. There is considerable expense to the City to set up the metering system. In addition, owners of 850 older homes will be required to pay for installation of pits and meters, which could cost as much as \$800 per meter installation.
2. Changing the status quo for customers will be an issue. Metering is inherently controversial and will represent a reallocation of costs amongst customers.
3. Costs for some customers will increase. Those who have benefited from the non-consumption based billing will see increased water costs because of the actual consumption billing. Alternatively, those who have used less water will see either no change or in some cases reduced costs.
4. The City will be implementing the system before the direct requirement from the State is mandated. The conscious choice to emphasize a program to encourage conservation is a significant policy decision.

A third alternative which is not being recommended is a dual system. The City could set-up a metered and non-metered system for customers. Typically, this would entail a average rate charge for non-metered customers based on the metered system. Such a system would be more costly to implement and is not recommended by the Staff.

#### **CONCLUSION:**

The recommendation presented to the City Council represents an important policy

which will assist in facilitating a more equitable billing approach to water and allow for a more predictable fiscal management of the Water Enterprise. It will emphasize conservation and encourage the City's customers to assume a greater responsibility for water issues within the community.

"Water", both in quantity and quality is quickly becoming the premier policy issue for the entire State of California. The requirements and regulation on water purveyors and the demands for efficiency will increase significantly in years to come. The recommendation presented is meant to begin the City of Winters entrance into a more equitable and managed approach to water management.

If the Staff recommendation is approved, a comprehensive implementation program will be returned to the City Council for their review and consideration.

#### **FISCAL IMPACT**

To be determined.



**COMMUNITY DEVELOPMENT AGENCY  
STAFF REPORT**

**TO:** Honorable Chair and Agency Members

**DATE :** January 15, 2008

**THROUGH:** John W. Donlevy, Jr., City Manager *John*

**FROM:** Cas Ellena, Redevelopment & Economic Development Director *Cas*

**SUBJECT:** Resolution 2008-01 Authorizing Agreement Between Golden Capital Network, Yolo County, the City of Davis, the City of West Sacramento, the City of Winters, and the City of Woodland regarding joint participation in a Local/Regional Angel Investment Fund Network

**RECOMMENDATION:** Approve Resolution 2008-01 authorizing Agreement between Golden Capital Network, Yolo County, the City of Davis, the City of West Sacramento, the City of Winters, and the City of Woodland regarding joint participation in a Local/Regional Angel Investment Fund Network

**BACKGROUND:** On November 20, 2007, the Community Development Agency ("CDA") authorized staff to move forward with participation in a local/regional angel investment fund network through Golden Capital Network (the "Network") to create an equity financing structure to facilitate angel investment in regional startup companies that do not have access to traditional venture capital. The Yolo Regional Angel Fund would be required to provide \$25,000 each year for two years. The sum would be shared among participating members (the County of Yolo, the City of Davis, the City of West Sacramento, the City of Winters and the City of Woodland). On November 20, 2007, the CDA authorized up to \$5,000 per year for two years for a total of \$10,000, for its share.

The Cities of Davis, West Sacramento, Woodland and the County of Yolo have all authorized participation in the Network. Attached for the CDA's consideration is a joint participation Agreement between Golden Capital Network, the County of Yolo, the City of Davis, the City of West Sacramento, the City of Winters, and the City of Woodland .

**FISCAL IMPACT:** \$5,000 for fiscal year 2007/08 and \$5,000 for fiscal year 2008/09.

**ATTACHMENTS:**

- Resolution 2008-01
- Agreement

**AGREEMENT BETWEEN  
GOLDEN CAPITAL NETWORK  
YOLO COUNTY, THE CITY OF DAVIS, THE CITY OF WEST SACRAMENTO,  
THE CITY OF WINTERS, AND THE CITY OF WOODLAND**

THIS AGREEMENT (the "Agreement") is entered into as of December 18, 2007 by and among Golden Capital Network ("GCN") and Yolo County, the City of Davis, the City of West Sacramento, the City of Winters, and the City of Woodland (collectively referred to herein as the "Parties"). GCN and the Parties agree to the following terms:

1. The terms of this Agreement are valid from November 1, 2007 through October 31, 2009. This Agreement may be extended or shortened based on joint agreement of each party.
2. The Parties will contribute \$50,000 in EDA matching grant funds, payable in two \$25,000 installments and due February 1, 2008 and November 1, 2008. Though the project has budgeted 24 months of effort, it is desired by all parties to complete the project sooner so that value to entrepreneurs, angel investors, and communities can happen at the earliest possible juncture. Contributions by individual Parties will be in accordance with the schedule in Exhibit A:
3. GCN will dedicate the necessary resources to identify, organize and educate angel investors, and create a seed-stage investment fund.
4. GCN will organize and facilitate two regional education and networking events each year (four total) on behalf of the Parties. Each year, one event will target entrepreneurs/growth companies, and one event will engage angel investors. GCN will bear full financial responsibility for the events, and may pursue sponsorships and registration fees to offset costs not anticipated in the EDA grant. If desired, the Parties may assist in the fundraising effort to maximize impact, increase visibility, etc.
5. The Parties will provide marketing and logistical assistance for the events.
6. The Parties will receive ten (10) complimentary admissions to GCN's quarterly venture capital forums.
7. GCN will create and host a region-specific "Venture Communities" Web portal on behalf of the Parties. The portal will serve as a communication, collaboration and marketing tool for the regional entrepreneurial economy, showcasing and enabling regional growth companies, the Parties and their partners, and investors. During the life of the EDA grant, the Parties are able to license the Venture Communities program and portal at no cost. At the conclusion of the Agreement period, the Parties may continue to license Venture Communities at the standard license rate of \$15,000 per year.
8. The Parties are responsible for marketing and managing (non-technical functions) the Venture Communities portal.
9. GCN will provide the Parties and Venture Communities participants access to its Innovation Genome database, a Web-based database of investors, entrepreneurs and their growth companies, professional advisors, and economic development professionals.

10. GCN will provide the Parties, as part of Venture Communities, utilization of Golden Capital Newswire, thereby enabling the Parties to effectively promote regional companies and their accomplishments to specific constituencies.
11. The Parties will have an exclusive regional license (Yolo County) to Venture Communities through the life of this Agreement.

The terms of the Agreement may be revised based on mutual consent.

IN WITNESS WHEREOF, each of the Parties hereto has executed this Agreement, all as of the date first above set forth.

Each signature to be on a different page for ease of signing.

GOLDEN CAPITAL NETWORK

By: \_\_\_\_\_

Its: \_\_\_\_\_

YOLO COUNTY

By: \_\_\_\_\_

Its: \_\_\_\_\_

THE CITY OF DAVIS

By: \_\_\_\_\_

Its: \_\_\_\_\_

THE CITY OF WEST SACRAMENTO

By: \_\_\_\_\_

Its: \_\_\_\_\_

THE CITY OF WINTERS

By: \_\_\_\_\_

Its: \_\_\_\_\_

THE CITY OF WOODLAND

By: \_\_\_\_\_

Its: \_\_\_\_\_

EXHIBIT A  
PAYMENT SCHEDULE

<b>Party</b>	<b>February 1, 2008</b>	<b>November 1, 2008</b>	<b>Total</b>
Davis	\$ 6,667	\$ 3,333	\$ 10,000
West Sacramento	\$ 6,667	\$ 3,333	\$ 10,000
Winters	\$ 5,000	\$ 5,000	\$ 10,000
Woodland	\$ 6,666	\$ 3,334	\$ 10,000
Yolo County	\$ 0	\$10,000*	\$ 10,000
<b>TOTAL</b>	<b>\$25,000</b>	<b>\$ 25,000</b>	<b>\$ 50,000</b>

\*subject to inclusion by the Board of Supervisors in its FY 2008/2009 budget. If not ultimately approved, the cities of Davis and West Sacramento will contribute the County share in lieu of the County.

**RESOLUTION NO. 2008-01**

**A RESOLUTION OF THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WINTERS CALIFORNIA ("CDA"), AUTHORIZING AGREEMENT BETWEEN GOLDEN CAPITAL NETWORK, YOLO COUNTY, THE CITY OF DAVIS, THE CITY OF WEST SACRAMENTO, THE CITY OF WINTERS, AND THE CITY OF WOODLAND**

**WHEREAS**, Economic Development is identified as an Agency Program in the City of Winters Community Development Agency's ("CDA") Five Year Implementation Plan; and

**WHEREAS**, as part of its Economic Development Program, the CDA desires to participate in a Local/Regional Angel Investment Fund Network through Golden Capital Network (the "Network"), together with the County of Yolo, the City of Davis, the City of West Sacramento, and the City of Woodland, to create a network of local and regional angel investment funds to strengthen opportunities for new startup businesses; and

**WHEREAS**, an Agreement has been prepared which provides for the terms of joint participation in the Network.

**NOW, THEREFORE, BE IT RESOLVED** by the Community Development Agency of the City of Winters that it does hereby approve the Agreement in substantial form; and

**NOW, THEREFORE BE IT FURTHER RESOLVED** by the Community Development Agency of the City of Winters that it does hereby direct the City Manager to execute the Agreement and negotiate any future changes necessary.

**DULY AND REGULARLY ADOPTED** this 15<sup>th</sup> day of January, 2008.

**COMMUNITY DEVELOPMENT AGENCY  
OF THE CITY OF WINTERS**

\_\_\_\_\_  
Michael Martin, Agency Chairman

**ATTEST:**

\_\_\_\_\_  
Nanci Mills, Agency Clerk