



Winters City Council Meeting
City Council Chambers
318 First Street
Tuesday, February 19, 2008
7:30 p.m.
AGENDA

Members of the City Council

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

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

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

Roll Call

Pledge of Allegiance

Approval of Agenda

PUBLIC COMMENTS

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

CONSENT CALENDAR

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

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

- A. Minutes of the Regular Meeting of the Winters City Council held on February 5, 2008 (pp 1-7)
- B. Resolution 2008-02, a Resolution Calling for Election and Consolidation with Yolo County (pp 8-10)

PRESENTATIONS

Proclamation Declaring March 2008 "Women's History Month" for "Women's Art: Women's Vision" to be presented to BJ Ford, Chairwoman of the Women's History Month Committee (pp 11)

Proclamations honoring Mariani Nut Company Foundation, Aguiar Ranch, ECO Resources, First Northern Bank, Valerie Whitworth and Michael Barbour and Anonymous (Howard and Germaine Hupe) for their support of the first annual Harvest Festival in Sept. 2007 (pp 12-17)

Proclamations honoring the Winters High School FFA Agriculture Issues Team including Amy Avellar, Megan Avellar, Caitlin Calvert, and Raven Castro (pp 18)

DISCUSSION ITEMS

- 1. Authorize Professional Services Agreement to Conduct an Executive Search for the Community Development Director (pp 19-20)
- 2. First reading of Ordinance No. 2008-05 amending Title 15 of the Winters Municipal Code, entitled "Buildings and Construction" to make certain amendments regarding building permit fees (pp 21-24)
- 3. Fiscal Sustainability (25-33)
- 4. Second Reading and Adoption 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 (pp 34-37)
- 5. Utility Users Tax Ballot Measure (pp 38-41)
- 6. AB1234 Ethics Training (pp 42-43)

COMMUNITY DEVELOPMENT AGENCY

CITY MANAGER REPORT

COUNCIL/STAFF COMMENTS

INFORMATION ONLY

EXECUTIVE SESSION

1. Meeting with City Manager to Discuss Employee Negotiations Pursuant to Section 54957.6 of the Government Code
2. Meeting with City Manager to Discuss City Manager Performance Evaluation Pursuant to Section 54957.6 of the Government Code

ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the February 19, 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 February 13, 2008, and made available to the public during normal business hours.

Tracy Jensen Admin. Asst. for Nanci G. Mills, City Clerk
Nanci G. Mills, City Clerk

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

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

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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.

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Minutes of the Regular Meeting of the
Winters City Council
Held on Tuesday, February 5, 2008

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

Those present were Council Members Aguiar-Curry, Anderson, Martin and Mayor Fridae. Also present were City Manager John Donlevy, City Attorney John Wallace, Economic Development Director/Asst. Executive Director-CDA Cas Ellena, Management Analyst Carol Scianna, Assistant Engineer Jim Fletter of Ponticello Enterprises, and City Clerk Nanci Mills. Absent was Council Member Stone.

Approval of Agenda: City Manager Donlevy requested the following items be pulled from the agenda: Presentation Item #1, Public Safety Facility Update Report, and Discussion Item #1, Public Safety Facility, Project No. 05-03 to approve the revised Project Budget Sheet, proposed floor plan and site plan, and to authorize the City Manager to execute a contract amendment with Calpo, Hom and Dong Architects in the amount of \$342,000 for design services.

Executive Session Item #1, Real Property Negotiation of the CDA regarding Karen Ogando, proposed transferee, was also pulled and a meeting to address this item was scheduled for Tuesday, February 12 at 5:00 p.m. in Council Chambers.

Council Member Aguiar-Curry expressed her disappointment regarding the removal of the Executive Session item.

Council Member Anderson made a motion to approve the amended agenda. Seconded by Council Member Martin. Motion carried unanimously, with Council Member Stone absent.

Mayor Fridae read into record a letter submitted by Eric Doud of Designworks regarding Phase 1 Downtown Streetscape Improvement Project and the abandonment of Abbey Street Right of Way.

CONSENT CALENDAR

- A. Minutes of the Regular Meeting of the Winters City Council held on January 15, 2008

B. Approval to Purchase Replacement for Pump 1 at El Rio Villa Lift Station in the amount of \$ 13,740.36

City Manager Donlevy gave an overview. Council Member Aguiar-Curry requested the minutes of the January 15, 2008 City Council Meeting be amended to reflect the second motion made to approve CDA Item #1, Resolution 2008-01 Authorizing Agreement Between Golden Capital Network, Yolo County, City of Davis, City of West Sacramento, City of Winters and City of Woodland regarding joint participation in a Local/Regional Angel Investment Fund Network, was made by Council Member Aguiar-Curry, and seconded by Council Member Anderson.

Responding to Council Member Martin's inquiry, City Manager Donlevy confirmed that Yolo County would reimburse the City of Winters for funds used to replace Pump 1 at El Rio Villa Lift Station (Consent Item B.)

Council Member Aguiar-Curry made a motion to approve the consent calendar. Seconded by Council Member Martin. Motion carried unanimously, with Council Member Stone absent.

PRESENTATIONS

- 1. Public Safety Facility Update Report. Police Chief Bruce Muramoto, Fire Chief Scott Dozier, and Architect Dennis Dong will present the project's site plan and programming for Council review**

This item was pulled from the agenda.

DISCUSSION ITEMS

- 1. Public Safety Facility, Project No. 05-03 to approve the revised Project Budget Sheet (PBS) for the Public Safety Facility, Project No. 05-03, consider and approve the proposed floor plan and site plan and authorize the City Manager to execute a contract amendment with Calpo, Hom and Dong Architects (CH&D), in the amount of \$342,000, for design services**

This item was pulled from the agenda.

- 2. Authorization to execute a Professional Services Contract with ZSI Incorporated in the amount of \$284,973 for design and implementation of citywide SCADA System**

City Manager Donlevy gave an overview. Jim Fletter, Assistant Engineer with Ponticello Enterprises, reviewed the numerous components of the system and confirmed that flood control systems are not presently part of this contract. Jim Fletter also confirmed the daily rate of \$135 for professional engineering & project management and explained that the engineering costs are built into the totals shown on Exhibit B.1. City Manager Donlevy confirmed the amount of the contract is for the installation of the system only. If the City of Winters chose ZSI, Inc. to perform maintenance on the system, there would be a separate maintenance contract. Council Member Aguiar-Curry inquired about testing of the system, and Jim Fletter replied that the RFP included testing.

Council Member Anderson made a motion to approve staff recommendation and authorize the City Manager to execute a Professional Services Contract with ZSI Incorporated in the amount of Two Hundred Eight Four Thousand Nine Hundred Seventy Three Dollars (\$284,973) for the design and implementation of a Supervisory Control and Data Acquisition System (SCADA). Seconded by Council Member Aguiar-Curry. Motion carried unanimously, with Council Member Stone absent.

3. Photovoltaic Solar Project, to approve application by MP2 Capital to the California Solar Initiative to construct a 300 kWh solar at the Waste Water Treatment Facility site, for electrical consumption at the facility

City Manager Donlevy gave an overview. Completing and submitting an application to the California Solar Initiative (CSI) program would qualify the City of Winters for a reservation at the current rebate level, with no contractual obligation. Brad Bauer, Managing Director of MP2 Capital, was available to describe the proposed placement of the plant, as well as the photovoltaic panels that would mechanically tilt to follow the sun. Mayor Fridae indicated the City of Winters couldn't accomplish this on our own, as the City wouldn't qualify for the tax incentives. He viewed it as a partnership and said it sounded like a good deal.

Council Member Martin made a motion to authorize City Staff to make an application to the California Solar Initiative (CSI) program for MP2 Capital to install a 251,287 kWh solar power plant. Seconded by Council Member Aguiar-Curry. Motion carried unanimously, with Council Member Stone absent.

4. Receive Informational Update Regarding Phase I of the Downtown Streetscape Improvement Project

Council Member Anderson and Mayor Fridae stepped down at this time due to a possible conflict of interest

Economic Development Director/Asst. Executive Director-CDA Cas Ellena gave an overview, along with a power point presentation from the December 20, 2007 Stakeholders Meeting. There was some concern about the bricks in and around the intersection at Railroad & Main that might lead to an unsafe walking surface. Overall, Alternative 2 is the preferred design. Council Member Aguiar-Curry indicated it's time to move forward with this project.

Council Member Anderson and Mayor Fridae returned to the dais at this time.

5. Resolution 2008-04, Adopting a Sewer System Management Plan, Development Plan, and Schedule per State Water Resources Control Board Order No. 2006-0003-DWQ

City Manager Donlevy gave an overview. Council Member Martin inquired whether the SSMP Development Plan and Schedule was a result of the 2007 Cease & Desist Order. City Manager Donlevy stated no, the SSMP Development Plan and Schedule was a normal requirement under the state-mandated Waste Discharge Requirements.

Council Member Aguiar-Curry made a motion to approve Resolution 2008-04, adopting a Sewer System Management Plan, Development Plan, and Schedule per State Water Resources Control Board Order No. 2006-0003-DWQ. Seconded by Council Member Martin. Motion carried with the following roll call vote:

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

COMMUNITY DEVELOPMENT AGENCY

Agency Director Martin opened the Community Development Agency at 8:35 p.m. It was suggested that Item #2 be addressed first, following by Item #1.

2. Facade Improvement Application – 200, 202, 204, 206 and 208 Railroad Avenue and 3 Russell Street (APN 003-203-12)

Following the drawing of odd/even walnuts, Agency Member Fridae recused himself due to a possible conflict of interest, leaving Agency Member Anderson to remain at the dais in order to form a quorum.

Economic Development Director/Asst. Executive Director-CDA Cas Ellena gave an overview. Joe Ogando gave a power point presentation of the property located at 200, 202, 204, 206, and 208 Railroad Avenue and 3 Russell Street.

Agency Member Aguiar-Curry made a motion to accept the Downtown Façade Improvement Program Application from OTEL LLC, for 200, 202, 204, 206 and 208 Railroad Avenue and 3 Russell Street (APN 003-203-12) and authorize staff to issue Notice to Proceed for identified façade improvements pursuant to the Downtown Façade Improvement Program Guidelines. Seconded by Agency Member Anderson. Motion carried, with Agency Members Fridae and Stone absent.

Agency Member Fridae returned to the dais and participated in the drawing of odd/even walnuts regarding Item #1, Façade Improvement Application for 111-115 Main Street. Agency Member Fridae again recused himself due to a possible conflict of interest.

1. Façade Improvement Application – 111-115 Main Street (APN 003-201-15)

Economic Development Director/Asst. Executive Director-CDA Cas Ellena gave an overview and indicated this project has previously been reviewed and approved by the Planning Commission, as well as the Form Based Code consultants. Agency Member Aguiar-Curry inquired about a timeline. Economic Development Director/Asst. Executive Director-CDA Cas Ellena replied once the application has been approved, hard estimates will be obtained and the planned improvements can commence.

Agency Member Anderson made a motion to accept the Downtown Façade Improvement Program Application for 111-115 Main Street (APN 003-201-15) and authorize staff to issue a Notice to Proceed for identified façade improvements pursuant to the Downtown Façade Improvement Program Guidelines. Seconded by Agency Member Aguiar-Curry. Motion carried unanimously, with Agency Members Fridae and Stone absent.

Agency Director Martin closed the Community Development Agency at 9:02 p.m.

INFORMATION ONLY

1. Treasurer Report November 2007
2. Investment Report November 2007

EXECUTIVE SESSION - CDA

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 (Under Separate Cover)**

This item was continued to Tuesday, February 12 @ 5:00 p.m. in Council Chambers.

CITY MANAGER REPORT: City Manager Donlevy asked the Mayor and Council Members to review the November, 2007 Treasurer and Investment Reports. He also indicated the City of Winters received the first installment of the Property Tax, which was higher than what was budgeted, which will help the fiscal situation. The budget sub-committee met today and plans to bring a recommendation back before the City Council at the 2/19/08 City Council meeting regarding the general fund deficit.

COUNCIL/STAFF COMMENTS: Council Member Anderson spoke regarding the annexation of additional land, which could increase job space, assist in improving the economy, and could take up to 5 years to accomplish. City Manager Donlevy indicated the Economic Sub-Committee is discussing the subject to determine the anticipated land use. Once the Economic Sub-Committee has received direction from the City Council, an application can be submitted to the County.

Council Member Martin is glad to see property owners come forward to make façade improvements, for which they are to be commended. The improvements will be nice for the City of Winters.

Council Member Aguiar-Curry, along with Harold Anderson and John Donlevy, attended a climate change meeting, where the issues of General Plan, housing, and homelessness were discussed. She also requested that Maria Wong, Executive Director of the Yolo County Habitat Joint Powers Agency, be invited to address the City Council and Planning Commission at a future meeting. Council Member Aguiar-Curry also said she is sorry to see Community Development Director Dan Sokolow leave the City of Winters and wished him luck in his new venture.

Mayor Fridae echoed Council Member Aguiar-Curry's sentiments regarding Dan Sokolow's departure. Mayor Fridae also wanted to recognize the Winters High School Academic Decathlon team, who recently won the local competition, finishing 2000 points ahead of Davis High School. Derrick Riley won 8 gold medals, with several members of the team receiving multiple medals. They will

compete at the State level sometime in March. Mayor Fridae would like to recognize the entire team at a future City Council meeting. Mayor Fridae also wanted to thank Carol Scianna, Dawn Van Dyke and Elliot Landes for helping to put on the recent EARTH Workshop held at the Palms. There is a follow-up meeting scheduled for March 13, with a large community event meeting scheduled for May 17.

ADJOURNMENT

The meeting was adjourned at 9:15 p.m. by Mayor Fridae to Tuesday, February 12 @ 5:00 p.m. in memory of Joe Rubio.

Woody Fridae, MAYOR

ATTEST:

Nanci G. Mills, City Clerk



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Council Members
DATE: February 19, 2008
THROUGH: John W. Donlevy, Jr., City Manager *John*
FROM: Nanci G. Mills, Director of Administrative Services/City Clerk *Nanci*
SUBJECT: Resolution Calling for Election and Consolidation with Yolo County

RECOMMENDATION:

Adopt Resolution 2008-02, a Resolution calling an election for June 3, 2008 and requesting the County of Yolo to consolidate the election with the Statewide Primary Election and to provide service relating to the election.

BACKGROUND:

There are two Council seats that are due to expire requiring a General Municipal Election to be held on June 3, 2008. Each of the two seats will be for a full four-year term.

The nomination period will be Monday, February 11, 2008 at 8:00 a.m. through Friday, March 7, 2008 at 5:00 p.m. There is no filing fee charged to the candidate to run for office.

FISCAL IMPACT:

The County of Yolo Elections Department has not yet calculated their estimate for the cost of the election. There is money budgeted.

**CITY OF WINTERS
RESOLUTION NO. 2008-02**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS
CALLING AN ELECTION FOR JUNE 3, 2008, REQUESTING THE COUNTY
OF YOLO TO CONSOLIDATE THE ELECTION WITH THE STATEWIDE
PRIMARY ELECTION AND TO PROVIDE SERVICES RELATING TO THE
ELECTION**

WHEREAS, the City Council has determined that an Election shall be called for June 3, 2008, for the purpose of electing City Council Members for two vacant positions, and,

WHEREAS, the City Council has determined that the Election shall be consolidated with the Statewide Primary Election of the County of Yolo and the State of California to be held on that same date; and,

WHEREAS, the City requests the Board of Supervisors of the County of Yolo to direct the County Elections Official to render services to the City relating to the conduct of an election;

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

1. An Election is hereby called and shall be conducted in the City of Winters on June 3, 2008.
2. Pursuant to Elections Code Section 10403, the City Council requests the Yolo County Board of Supervisors to order the Election to be consolidated with the Statewide Primary Election to be held on that same date.
3. Pursuant to Elections Code Section 10002, the City requests the Yolo County Board of Supervisors to direct the County Elections Official to provide to the City those services necessary to implement and conduct the Election and to consolidate it with the Statewide Primary Election. Pursuant to said Section, the City shall be responsible for the cost of such Election.

4. Pursuant to Elections Code Section 9222, the following is hereby submitted to the qualified electorate of the City of Winters:

Two Members of the City Council (full term of four years)
5. The City of Winters legal staff, Mayor and City Clerk are hereby authorized to execute any and all documents necessary to effect the above.
6. The City of Winters will pay for one publication of the optional candidate's statement included in the Sample Ballot.
7. The Yolo County Elections Department is hereby authorized to conduct the election for the City of Winters, to be reimbursed reasonably therefore.
8. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the County Election Department of the County of Yolo.

Passed and Adopted this 19th day of February, 2008, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Woody Fridae, Mayor

ATTEST:

Nanci G. Mills, City Clerk



**A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF WINTERS
DECLARING MARCH 2008 "WOMEN'S HISTORY MONTH"
FOR "WOMEN'S ART: WOMEN'S VISION"**

WHEREAS, American women of every race, class, religious and ethnic background have made significant contributions to the growth and strength of this country; and

WHEREAS, American women have and will continue to play a critical role in the economic, cultural, and social fabric of our society by representing a considerable portion of both the paid and volunteer labor force inside and outside of the home; and

WHEREAS, historically, American women were the pioneers in establishing charitable, philanthropic and cultural institutions and served as early leaders in the forefront of every progressive social change movement; and

WHEREAS, women have changed America by not only securing voting rights for women, but in advocating for civil rights, women's health issues, legal rights of battered women, and environmental justice; and

WHEREAS, the impact of the pursuit for women's equality has had a profound and undeniable influence on all aspects of American life; and

WHEREAS, the theme for 2008 "Women's Art: Women's Vision," honors the spirit of possibility and hope set in motion by generations of women in their creation of communities and their encouragement of dreams; and

WHEREAS, while much progress has been made, the future brings increasing challenges and opportunities for both women and men to share in the goal of full and equal participation in society, both at home and around the world; and

WHEREAS, "Women's Art: Women's Vision" will be celebrated in partnership with the Yolo County Arts Council with a performing and visual arts program presented by women artists of Yolo County; and

NOW, THEREFORE, BE IT RESOLVED THAT the Winters City Council designates the month of March 2008 as Women's History Month in Winters and encourages its recognition with appropriate activities and educational opportunities which acknowledge the national theme of "Women's Art: Women's Vision." Community comes in many forms, "Women's Art: Women's Vision" honors women for bringing communities together and restoring hope in the face of impossible odds.

PASSED AND ADOPTED this 19th day of February 2008:

Council Member Cecilia Aguiar-Curry

Council Member Harold Anderson

Council Member Michael Martin

Council Member Tom Stone

Mayor Woody Fridae

City Manager John W. Donlevy, Jr.

ATTEST: Nanci G. Mills, City Clerk



**A PROCLAMATION OF THE CITY COUNCIL
OF THE CITY OF WINTERS HONORING
MARIANI NUT COMPANY FOUNDATION
FOR ITS SUPPORT OF THE FIRST ANNUAL HARVEST FESTIVAL
SPONSORED BY THE WINTERS HISPANIC ADVISORY COMMITTEE**

WHEREAS, The City of Winters Hispanic Advisory Committee sponsored the first Annual Harvest Festival on Sept. 13, 2007 as an element of outreach, involvement and access between the Anglo and Latino communities in Winters; and

WHEREAS, Mariani Nut Company Foundation made a significant contribution towards the first Annual Harvest Festival; and

WHEREAS, the first Annual Harvest Festival focused on family and child-centered activities, music and local food, and was very successful and well-attended by both Anglo and Latino community members and contributed to a feeling of community spirit and unity; and

WHEREAS, without the support of contributors such as Mariani Nut Company Foundation, the first Annual Harvest Festival would not have taken place;

NOW, THEREFORE, BE IT PROCLAIMED, by the City Council of the City of Winters that Mariani Company Nut Foundation greatly contributed to the success of the first Harvest Festival and that it should be thanked for its support of the Winters community.

PASSED AND ADOPTED, this 19th day of February, 2008

Council Member Harold Anderson

Council Member Cecilia Aguiar Curry

Council Member Michael Martin

Council Member Tom Stone

Mayor Woody Fridae

City Manager John W. Donlevy, Jr.

ATTEST: City Clerk Nanci G. Mills



**A PROCLAMATION OF THE CITY COUNCIL
OF THE CITY OF WINTERS HONORING
AGUIAR RANCH
FOR ITS SUPPORT OF THE FIRST ANNUAL HARVEST FESTIVAL
SPONSORED BY THE WINTERS HISPANIC ADVISORY COMMITTEE**

WHEREAS, The City of Winters Hispanic Advisory Committee sponsored the first Annual Harvest Festival on Sept. 13, 2007 as an element of outreach, involvement and access between the Anglo and Latino communities in Winters; and

WHEREAS, Aguiar Ranch made a significant contribution towards the first Annual Harvest Festival; and

WHEREAS, the first Annual Harvest Festival focused on family and child-centered activities, music and local food, and was very successful and well-attended by both Anglo and Latino community members and contributed to a feeling of community spirit and unity; and

WHEREAS, without the support of contributors such as Aguiar Ranch, the first Annual Harvest Festival would not have taken place;

NOW, THEREFORE, BE IT PROCLAIMED, by the City Council of the City of Winters that Aguiar Ranch greatly contributed to the success of the first Harvest Festival and that it should be thanked for its support of the Winters community.

PASSED AND ADOPTED, this 19th day of February, 2008

Council Member Harold Anderson

Council Member Cecilia Aguiar Curry

Council Member Michael Martin

Council Member Tom Stone

Mayor Woody Fridae

City Manager John W. Donlevy, Jr.

ATTEST: City Clerk Nanci G. Mills



**A PROCLAMATION OF THE CITY COUNCIL
OF THE CITY OF WINTERS HONORING ECO RESOURCES
FOR ITS SUPPORT OF THE FIRST ANNUAL HARVEST FESTIVAL
SPONSORED BY THE WINTERS HISPANIC ADVISORY COMMITTEE**

WHEREAS, The City of Winters Hispanic Advisory Committee sponsored the first Annual Harvest Festival on Sept. 13, 2007 as an element of outreach, involvement and access between the Anglo and Latino communities in Winters; and

WHEREAS, ECO Resources made a significant contribution towards the first Annual Harvest Festival; and

WHEREAS, the first Annual Harvest Festival focused on family and child-centered activities, music and local food, and was very successful and well-attended by both Anglo and Latino community members and contributed to a feeling of community spirit and unity; and

WHEREAS, without the support of contributors such ECO Resources, the first Annual Harvest Festival would not have taken place;

NOW, THEREFORE, BE IT PROCLAIMED, by the City Council of the City of Winters that ECO Resources greatly contributed to the success of the first Harvest Festival and that it should be thanked for its support of the Winters community.

PASSED AND ADOPTED, this 19th day of February, 2008

Council Member Harold Anderson

Council Member Cecilia Aguiar Curry

Council Member Michael Martin

Council Member Tom Stone

Mayor Woody Fridae

City Manager John W. Donlevy, Jr.

ATTEST: City Clerk Nanci G. Mills



**A PROCLAMATION OF THE CITY COUNCIL
OF THE CITY OF WINTERS HONORING
FIRST NORTHERN BANK
FOR ITS SUPPORT OF THE FIRST ANNUAL HARVEST FESTIVAL
SPONSORED BY THE WINTERS HISPANIC ADVISORY COMMITTEE**

WHEREAS, The City of Winters Hispanic Advisory Committee sponsored the first Annual Harvest Festival on Sept. 13, 2007 as an element of outreach, involvement and access between the Anglo and Latino communities in Winters; and

WHEREAS, First Northern Bank made a significant contribution towards the first Annual Harvest Festival; and

WHEREAS, the first Annual Harvest Festival focused on family and child-centered activities, music and local food, and was very successful and well-attended by both Anglo and Latino community members and contributed to a feeling of community spirit and unity; and

WHEREAS, without the support of contributors such as First Northern Bank, the first Annual Harvest Festival would not have taken place;

NOW, THEREFORE, BE IT PROCLAIMED, by the City Council of the City of Winters that First Northern Bank greatly contributed to the success of the first Harvest Festival and that it should be thanked for its support of the Winters community.

PASSED AND ADOPTED, this 19th day of February, 2008

Council Member Harold Anderson

Council Member Cecilia Aguiar Curry

Council Member Michael Martin

Council Member Tom Stone

Mayor Woody Fridae

City Manager John W. Donlevy, Jr.

ATTEST: City Clerk Nanci G. Mills



**A PROCLAMATION OF THE CITY COUNCIL
OF THE CITY OF WINTERS HONORING
VALERIE WHITWORTH and MICHAEL BARBOUR FOR
THEIR SUPPORT OF THE FIRST ANNUAL HARVEST FESTIVAL
SPONSORED BY THE WINTERS HISPANIC ADVISORY COMMITTEE**

WHEREAS, The City of Winters Hispanic Advisory Committee sponsored the first Annual Harvest Festival on Sept. 13, 2007 as an element of outreach, involvement and access between the Anglo and Latino communities in Winters; and

WHEREAS, Valerie Whitworth and Michael Barbour made a significant contribution towards the first Annual Harvest Festival; and

WHEREAS, the first Annual Harvest Festival focused on family and child-centered activities, music and local food, and was very successful and well-attended by both Anglo and Latino community members and contributed to a feeling of community spirit and unity; and

WHEREAS, without the support of contributors such Valerie Whitworth and Michael Barbour, the first Annual Harvest Festival would not have taken place;

NOW, THEREFORE, BE IT PROCLAIMED, by the City Council of the City of Winters that Valerie Whitworth and Michael Barbour greatly contributed to the success of the first Harvest Festival and that they should be thanked for their support of the Winters community.

PASSED AND ADOPTED, this 19th day of February, 2008

Council Member Harold Anderson

Council Member Cecilia Aguiar Curry

Council Member Michael Martin

Council Member Tom Stone

Mayor Woody Fridae

City Manager John W. Donlevy, Jr.

ATTEST: City Clerk Nanci G. Mills



**A PROCLAMATION OF THE CITY COUNCIL
OF THE CITY OF WINTERS HONORING
HOWARD and GERMAINE HUPE
FOR THEIR SUPPORT OF THE FIRST ANNUAL HARVEST FESTIVAL
SPONSORED BY THE WINTERS HISPANIC ADVISORY COMMITTEE**

WHEREAS, The City of Winters Hispanic Advisory Committee sponsored the first Annual Harvest Festival on Sept. 13, 2007 as an element of outreach, involvement and access between the Anglo and Latino communities in Winters; and

WHEREAS, Howard and Germaine Hupe made a significant contribution towards the first Annual Harvest Festival; and

WHEREAS, the first Annual Harvest Festival focused on family and child-centered activities, music and local food, and was very successful and well-attended by both Anglo and Latino community members and contributed to a feeling of community spirit and unity; and

WHEREAS, without the support of contributors such Howard and Germaine Hupe, the first Annual Harvest Festival would not have taken place;

NOW, THEREFORE, BE IT PROCLAIMED, by the City Council of the City of Winters that Howard and Germaine Hupe greatly contributed to the success of the first Harvest Festival and that they should be thanked for their support of the Winters community.

PASSED AND ADOPTED, this 19th day of February, 2008

Council Member Harold Anderson

Council Member Cecilia Aguiar Curry

Council Member Michael Martin

Council Member Tom Stone

Mayor Woody Fridae

City Manager John W. Donlevy, Jr.

ATTEST: City Clerk Nanci G. Mills



**A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF WINTERS
RECOGNIZING THE 2008 WINTERS HIGH SCHOOL FFA AG ISSUES TEAM**

WHEREAS, Amy Avellar, Megan Avellar, Caitlin Calvert, and Raven Castro, all juniors, are members of the Winters High School FFA Ag Issues Team, and

WHEREAS, the team began researching their topic, Food Safety, in February, 2007, and in May 2007, the team traveled to the State of California FFA Ag Issues Competition at Cal Poly San Luis Obispo, where they were victorious, and after placing first at the State level, the team qualified for competition at the FFA National Convention in Indianapolis in October, 2007, and

WHEREAS, during the summer of 2007, the team spent countless hours studying and researching material and practicing their presentation in preparation for the FFA National Convention by making nearly 20 presentations to various organizations such as UC Davis, Yolo County Farm Bureau, Salinas Valley Farm Bureau and the California Department of Agriculture, and

WHEREAS, in October 2007, they competed against 40 other states at the FFA National Convention, where they did a wonderful job representing the State of California and the City of Winters but did not capture the gold, and

WHEREAS, during the preparation for both competitions, three team members participated on the varsity volleyball team, one team member is the junior class president, and the entire team maintained above average grades, and

WHEREAS, Intelligence, determination, perseverance, sacrifice, work ethic, responsibility, integrity, goal setting, teamwork and passion are all words to describe this team of young women, and

NOW, THEREFORE, THE CITY OF WINTERS City Council hereby recognizes the accomplishments of the Winters High School FFA Ag Issues team as state champions and great representatives of our community.

PASSED AND ADOPTED this 19th day of February, 2008 by the following roll call vote:

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

Council Member Cecilia Aguiar-Curry

Council Member Harold Anderson

Council Member Michael Martin

Council Member Tom Stone

Mayor Woody Fridae

City Manager John W. Donlevy Jr.

ATTEST: City Clerk Nanci G. Mills



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Council Members
DATE: February 19, 2008
THROUGH: John W. Donlevy, Jr., City Manager *John*
FROM: Nanci G. Mills, Director of Administrative Services/City Clerk *Nanci*
SUBJECT: Authorize Professional Services Agreement to Conduct an Executive Search for the Community Development Director

RECOMMENDATION:

Staff recommends the City Council authorize the City Manager to execute a Professional Services Agreement with Peckham & McKenney in the amount not to exceed \$23,000, to conduct recruitment for the City of Winters Community Development Director.

BACKGROUND:

A request for proposals was issued to three recruitment firms operating in Northern California and that specializes in public sector executive-level recruitments. All three firms responded. Upon review of the three proposals, staff is recommending Peckham & McKenney Executive Search and Consulting. Ms. Peckham has extensive experience working with counties and municipalities. She has extensive experience working with City Councils, Executive Boards, and local government administrators.

Ms. Peckham is familiar with the City of Winters, having placed the City of Winters City Manager John Donlevy, Jr. which will be helpful in marketing this opportunity to potential candidates. She is also currently assisting the City of Fremont with recruitment for Deputy Director of Community Development and recently assisted the cities of Hayward (Community Development Director), Livermore (Economic Development Director), and Seaside (Planning Services Manager) in successful recruitment processes.

Peckham & McKenney will manage all steps in the recruitment process, including developing the candidate profile, designing an advertisement campaign and recruitment brochure, screening candidates, conducting personal interviews with top candidates and developing the final selection process.

Peckham & McKenney agree to guarantee this placement for a period of one year from date of hire. In the event a candidate recruited and recommended by their firm leaves our employment or is dismissed for cause during this period, agree to provide a one-time replacement at no additional charge, except expenses. One proposal offered a six-month guarantee and the other firm did not offer any.

FISCAL IMPACT:

The fee for conducting the Community Development Director recruitment is \$17,000, plus a not to exceed \$6,000 in reimbursable expenses (out-of-pocket costs associated with travel, clerical, background checks, telephone, supplies and postage, etc.), for a total not to exceed \$23,000. The cost of the search will be funded by salary savings during the vacancy of this position.



CITY COUNCIL STAFF REPORT
February 19, 2008

TO: Honorable Mayor and Councilmembers
THROUGH: John W. Donlevy, Jr. – City Manager *JW*
FROM: Dan Sokolow – Community Development Director *DS*
SUBJECT: **Introduction of Ordinance No. 2008-05 amending Title 15 of the Winters Municipal Code, entitled “Buildings and Construction” to make certain amendments regarding building permit fees.**

RECOMMENDATION: Staff recommends that the City Council receive the staff report; waive the first reading of Ordinance No. 2008-05 amending Title 15 of the Winters Municipal Code, entitled “Buildings and Construction” to make certain amendments regarding building permit fees; and schedule the public hearing and second reading of the ordinance at the March 4, 2008 City Council meeting.

BACKGROUND: Under Ordinance No. 2008-05, the City would remove the specific building permit fee amounts from the Winters Municipal Code (Title 15, Buildings and Construction). This would then allow the City to adopt the building permit fees through a resolution. When Ordinance No. 2008-05 is returned for the second reading and public hearing at the March 4, 2008 City Council meeting, a resolution will accompany it to adopt revised building permit fees (as well as revised planning, public works/engineering, and fire fees).

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

ATTACHMENT

Ordinance No. 2008-05

Z+B+E/Fees Project Removal of Fees from Title 15 CC Stf Rpt 19Feb08

ORDINANCE NO. 2008-05

AN ORDINANCE OF THE CITY OF WINTERS AMENDING TITLE 15 OF THE WINTERS MUNICIPAL CODE, ENTITLED "BUILDINGS AND CONSTRUCTION" TO MAKE CERTAIN AMENDMENTS REGARDING BUILDING PERMIT FEES

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

SECTION 1. The following sections of Chapter 15.08 "Building Code" of the Winters Municipal Code are hereby amended to read as follows:

15.08.040 Building Valuation Schedule

Building permit fees shall be collected according to a building valuation schedule established by resolution of the city council.

15.08.140 Capital acquisition recovery fee (CARF)

A capital acquisition recovery fee shall be collected when a building permit is issued based on a schedule established by resolution of the city council.

B. Building permit fees shall be collected according to the building valuation schedule established by resolution of the city council. The plan check fee will be sixty-five percent (65%) of building permit fee.

SECTION 2. The following section of Chapter 15.16 "Electrical Code" of the Winters Municipal Code is hereby amended to read as follows:

15.16.020 Electrical permit—fees

Electrical permit fees shall be collected according the schedule established by resolution of the city council.

SECTION 3. The following sections of Chapter 15.20 "Fire Code" of the Winters Municipal Code is hereby amended to read as follows:

15.20.060 Fees

Fire permit fees shall be collected according to a schedule established by resolution of the city council.

SECTION 4. The following section of Chapter 15.28 "Mechanical Code" of the Winters Municipal Code is hereby amended to read as follows:

15.28.040 Section 115.2 Permit fees amended

Section 115.2 is hereby amended to read as follows:
Mechanical permit fees are established by resolution of the city council.

SECTION 5. The following section of Chapter 15.32 "Plumbing Code" of the Winters Municipal Code is hereby amended to read as follows:

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 by resolution of the city council.

SECTION 6. Chapter 15.60 "Fee Schedule" of the Winters Municipal Code is hereby amended to read as follows:

15.60.010 Building permit fees

A. Building permit fees shall be collected according to a schedule established by resolution of the city council.

B. A construction valuation table shall be established by resolution of the city council. The plan check fee will be sixty-five percent (65%) of the building permit fee.

15.60.020 Plan check fees

C. A plan check fee of sixty-five percent (65%) of the building permit fee shall be charged on all signs requiring engineering calculations under the California Building Codes, as amended.

D. Where plans are incomplete or changed so as to require additional plan check compliance with the California Building Codes, as amended, an additional plan check fee shall be charged at the rate of time and materials, with a minimum charge of one hour of the building inspector's full hourly reimbursable rate.

E. Stock Plans are charged an administrative fee established by resolution of the city council in lieu of a full plan check fee.

15.60.050 Special service fees

Subsection D is deleted in its entirety.

15.60.060 Relocation permit fees

A. Relocation investigation permit: Where the inspection is conducted outside the city, a fee established by resolution of the city council shall be charged, and additional charges shall be paid for travel at the rate based on current IRS mileage rate and the building inspector's full hourly reimbursable rate with a minimum of one hour during the period the building inspector is outside the city.

15.60.070 Wrecking or demolition permit

The permit fee for the demolition or wrecking of a structure shall be established by resolution of the city council.

15.60.080 Mechanical code fees

A. Mechanical code fees shall be established by resolution of the city council.

Subsection B is deleted in its entirety.

15.60.090 Electrical code fees

A. Electrical code fees shall be established by resolution of the city council.

Subsection B is deleted in its entirety.

15.60.100 Plumbing code fees

- A. Plumbing code fees shall be established by resolution of the city council.
- B. Subsection B is deleted in its entirety.

15.60.110 Miscellaneous fees

Subsections A, B, C, D, and E are deleted in their entirety.

- F. Construction water fee shall be established by resolution of the city council.

15.60.120 Grading permit fees

- A. Grading permit fees shall be established by resolution of the city council.
- B. Other inspections and fees shall be established by resolution of the city council.

15.60.140 Community development and public safety supplement

Section 15.60.140 is deleted in its entirety.

SECTION 7. 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 8. 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 9. 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 4th day of March, 2008, by the following votes:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Woody Fridae, Mayor

ATTEST:

Nanci G. Mills, City Clerk
Z+B+E/Fees Project Removal of Fees from Title 15 CC Ord 2008-05 19Feb08



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Council Members
DATE: February 19, 2008
THROUGH: John W. Donlevy, Jr., City Manager *JD*
FROM: Shelly A. Gunby, Director of Financial Management *Shelly*
SUBJECT: 2008 Fiscal Sustainability Update

RECOMMENDATION:

Staff recommends that the City Council receive the 2008 update of the City of Winters Fiscal Sustainability model and provide comments.

BACKGROUND:

In February 2004, staff prepared a 10 year financial projection (model) for the City of Winters so that staff and Council could see the financial path the City of Winters was on. Staff has updated the fiscal model based on our yearly budget each year, however, the some assumptions that were made to create the model in 2004 are no longer valid. The economy, and the housing sector in particular, have not performed as assumed, and staff has reviewed and updated the model based upon new assumptions.

FISCAL IMPACT:

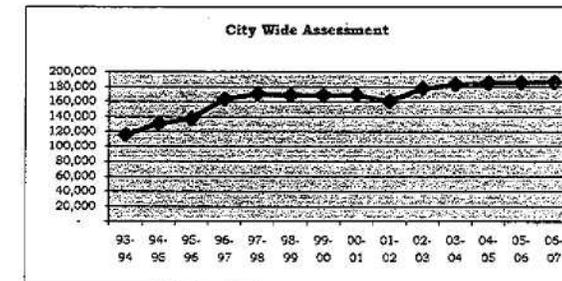
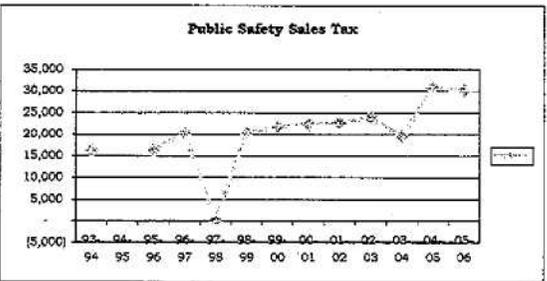
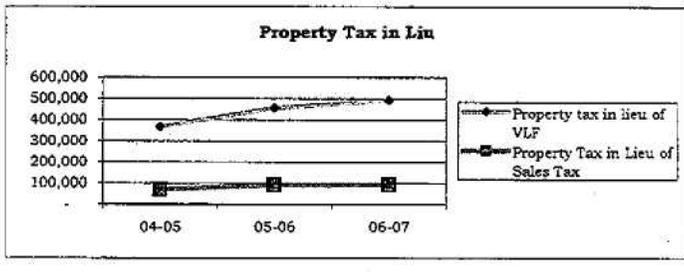
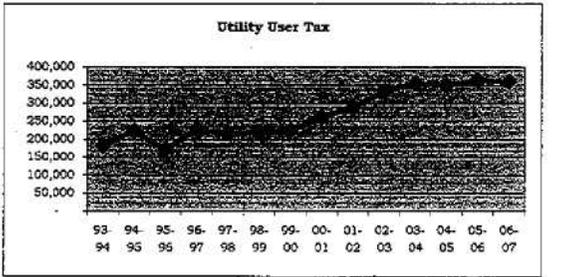
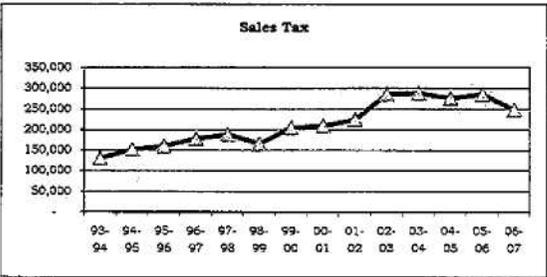
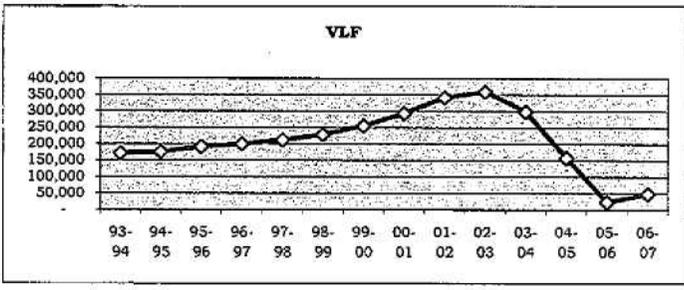
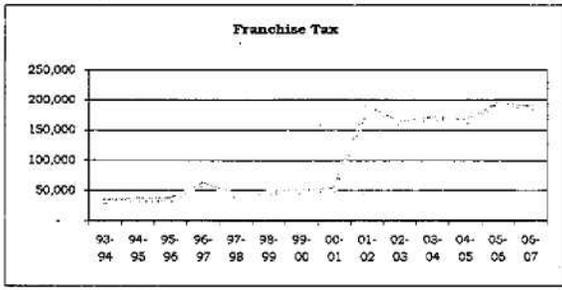
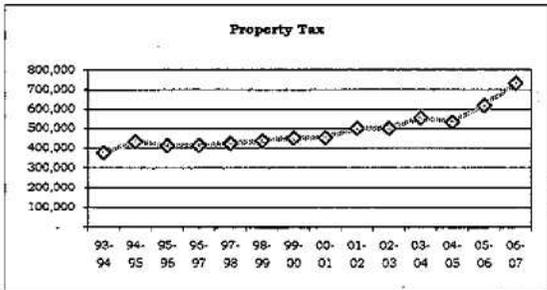
None at this time.

ATTACHEMENTS:

Data Sheet for Regression Analysis
Assumptions Used for Fiscal Model
Revenue Projections
Expenditure Projections
Chart of Projected Revenues and Expenditures

City of Winters
Data Sheet for Regression Analysis

year	counter	property tax	sales tax	172 sales tax	Franchise Tax	UUT	Muni Services	City Wide Assmt	VLF	Property tax in lieu of VLF	Property tax in lieu of sales tax	assessed value	collected as a percent of assessed value	population	units	taxable sales
93-94	1	375,788	129,482		32,678	181,807	214,757	114,857	169,955			152,266,775	0.00247	5,100	1,703	12,948,200
94-95	2	431,539	150,835	16,170	34,886	222,264	217,319	130,574	174,419			175,082,756	0.00246	5,275	1,778	15,083,500
95-96	3	410,472	158,769		35,264	170,980	231,971	136,759	189,603			193,304,330	0.00212	5,500	1,860	15,876,917
96-97	4	412,335	176,611	16,199	59,394	227,996	231,792	162,837	197,687			171,237,505	0.00241	5,625	1,881	17,661,111
97-98	5	422,152	186,991	20,202	43,188	215,704	232,700	170,127	209,795			204,203,012	0.00207	5,700	1,899	18,699,128
98-99	6	435,946	164,159	(40)	45,705	219,102	234,123	168,413	227,259			211,005,630	0.00207	5,850	1,904	16,415,878
99-00	7	449,066	203,336	20,315	48,859	223,984	239,857	168,413	253,565			216,791,066	0.00207	6,050	1,954	20,333,600
00-01	8	451,629	207,815	21,628	51,295	260,138	244,080	168,573	291,732			235,011,728	0.00192	6,139	2,000	20,781,500
01-02	9	499,038	222,759	22,368	186,609	288,538	248,945	159,972	339,406			252,992,011	0.00197	6,290	2,045	22,275,879
02-03	10	498,128	285,619	22,722	162,839	332,540	258,161	177,604	357,892			280,287,089	0.00178	6,606	2,101	28,561,910
03-04	11	553,104	287,769	23,908	169,634	354,994	268,773	183,118	297,138			311,886,568	0.00177	6,868	2,210	28,776,890
04-05	12	530,507	275,792	19,405	165,243	350,033	275,095	185,317	156,491	365,446	70,342	367,722,629	0.00144	6,973	2,228	34,613,400
05-06	13	614,194	284,945	30,849	191,511	364,500	277,316	185,599	22,002	455,402	91,415	408,714,129	0.00150	6,867	2,230	37,636,000
06-07	14	731,220	246,416	30,122	187,939	359,590	278,033	186,400	46,898	491,360	93,199	464,617,473	0.00157	6,885	2,230	33,961,500



MAYOR:
Woody Fridae
MAYOR PRO TEM:
Michael Martin
COUNCIL:
Tom Stone
Harold Anderson
Cecilia Curry



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

City of Winters 2008 Fiscal Sustainability Update

Assumptions-Revenues

1. Reviewed Development Agreements and based on current housing conditions and market assumed:
 - a. Housing Construction will not resume until July 2010
 - b. Building permits issued will be approximately half of the number allowed per year according to the development agreement.
2. Assume Building permits issued July of each year beginning (2010)
3. Assume units completed December 31st of same year (2010)
4. Assume assessed January 1st of year following completion (2011)
5. First Property tax realized 2nd January (2012)
6. 3.248 Persons per home.
7. Move in date same as assessed date
8. All low income units will be built at halfway point of build out.
9. Increase 08-09 population by 110 for Winters II apartments.
10. Grant Avenue Commercial Development-no property tax to General Fund, it is in the redevelopment project area.
11. Downtown Development-No property tax to General Fund, it is in the Redevelopment Project Area.
12. Freeway Development-Optimistically
 - a. 09-10 get approval for Easement on adjoining property
 - b. 10-11 Design submitted and infrastructure goes in.
 - c. 12-13 Buildings completed (1/2013)
 - i. 1-gas station
 - ii. 3-fast food
 - iii. 1-hotel
 - d. 1/2014 receive first property tax remittance
 - e. sales and TOT tax starts 2013
 1. Gas station generate approx \$48,000 per year
 2. Fast food generates approximately \$20,000 per year
 - f. Assessed Value for Property taxes estimated at:\$5,550,000
 - g. TOT per year for hotel valued at:\$91,980 based on 60% occupancy and 60 rooms @\$70.00 per room.

City of Winters 2008 Fiscal Sustainability Update

2008 Fiscal Sustainability Update
February 13, 2008
Shelly Gunby

Assumptions-Revenues Continued

13. Property tax increases by 2% allowed by law.
14. Each Market Rate home assessed value = \$360,000
15. Each Affordable home assessed value = \$180,000
16. Property tax in lieu of VLF will grow at the same rate as property tax per Prop 1A

Assumptions-Revenues continued

17. Market rate house = 1,800 square feet
18. Affordable house = 1,000 square feet
19. 19. Motor Vehicle in lieu increase by the same percentage as population increase.
20. Prop 172 sales tax increase by same percent as sales tax.
21. Assume 50% of market rate homes are sold to existing City of Winters residents for property transfer tax purposes.
22. Average Sales price of existing home is \$300,000 for transfer tax purposes.
23. Municipal Services Tax \$120.00 per year per unit
24. Annuity required per home invested in GIC (Guaranteed Investment Contract to fund ongoing expenses, no principal will be spent)
 - a. Winters Highland \$5,643
 - b. Callahan \$8,600
 - c. Ogando \$2,402
25. Fire District property taxes increase by 2% per year
26. Fire District remits 900% of property tax to fund Fire Department after City takes control
27. All other revenues increase at 2.22%

Assumptions-Expenditures

1. Wages increase by 2.5% per year
2. Cafeteria Plan increases by 5% per year
3. PERS based on actuarial for 08-09 and 09-10 and increase by 2% per year thereafter.
4. Assume Police/Fire facility opens on 12/1/09
5. Parks cost \$14,000 per acre to maintain
6. City Wide Assessment District Subsidized by General Fund each year.
7. Fire Department becomes a City Fire Department on 1/1/2010 and goes to 10 hour shift schedule.
8. Vacant Public Works Director position budgeted at Step C
9. New Parks
 - a. Sports Park Completed by 7/14/17 @22.5 maintainable acres
 - b. Linear Park completed by 7/1/11 @10.9 acres
10. Firefighter
 - a. Add 1 Firefighter 1/1/2010
 - b. Add 1 Seasonal firefighter 6/1/2010
 - c. Add 1 Assistant Fire Chief 7/1/12
11. Police
 - a. Add one new officer 7/1/10
 - b. Add one new officer 7/1/13
 - c. Add a Detective 7/1/12
12. All other Costs increase by 2.22%

City of Winters
Fiscal Forecast 2008/2009 through 2017/2018

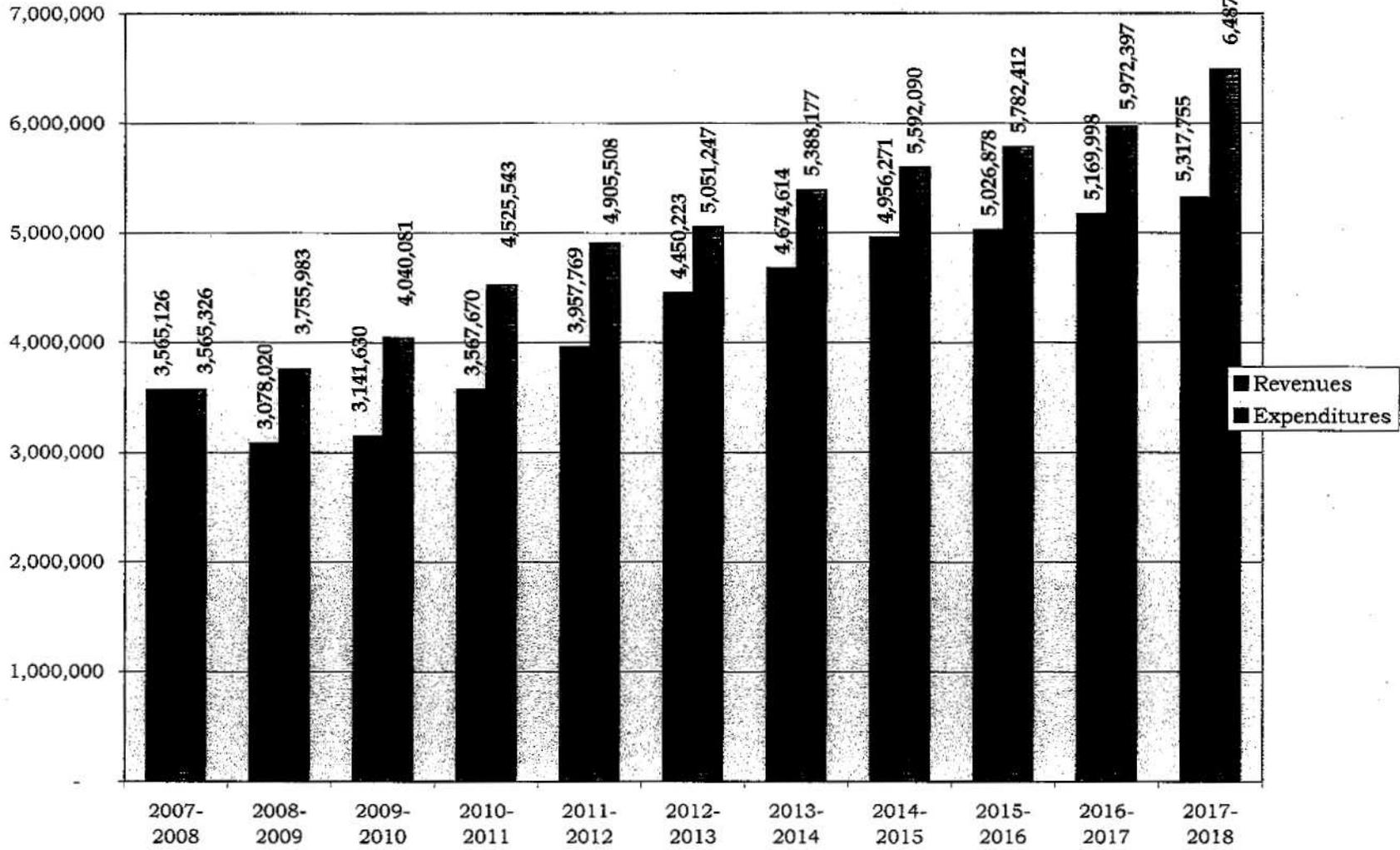
2/13/2008

Description	Budget 2007-2008	forecast 2008-2009	forecast 2009-2010	forecast 2010-2011	forecast 2011-2012	forecast 2012-2013	forecast 2013-2014	forecast 2014-2015	forecast 2015-2016	forecast 2016-2017	forecast 2017-2018
Property Tax	730,775	758,906	782,329	805,752	872,695	956,334	1,038,304	1,172,596	1,231,437	1,280,814	1,330,709
Property Tax in Lieu of Sales Tax	90,000	90,155	90,155	97,861	108,373	121,874	129,242	136,671	139,877	143,391	146,905
Property Tax in Lieu of VLF	505,925	536,945	553,517	570,089	617,453	676,630	734,626	829,641	871,273	906,208	941,510
Sales & Use Tax	270,000	270,465	270,465	293,584	325,118	419,623	495,725	518,012	527,630	538,172	548,715
Prop 172 Sales Tax	25,000	23,250	23,250	25,324	28,135	31,764	37,799	39,689	40,483	41,528	42,573
Franchise Tax	205,040	213,738	213,738	240,733	277,545	324,523	350,817	375,709	387,979	400,250	412,520
Prop. Trsf Tax	16,000	11,000	11,000	11,000	21,516	29,535	26,796	17,737	13,381	9,817	9,817
Utility Tax	378,000	378,000	378,000	397,673	437,349	487,984	516,324	543,152	556,378	569,603	582,829
Muni. Ser. Tax	278,520	278,640	278,760	283,380	294,300	308,640	321,180	329,940	336,300	340,500	344,700
Bus. Lic. Tax	26,200	26,285	26,285	26,285	26,285	26,285	26,285	26,285	26,285	26,285	26,285
Tot Tax	3,200	3,200	3,200	3,200	3,200	49,190	95,180	95,180	95,180	95,180	95,180
Motor Veh. in Lieu	51,000	51,000	51,000	53,040	55,692	59,034	60,805	62,629	63,881	65,159	66,462
Homeowner Prop Tax Relief	15,000	17,511	17,511	17,511	18,358	19,513	20,732	21,557	22,338	22,723	23,108
Total Taxes	2,594,660	2,659,095	2,699,210	2,825,432	3,086,019	3,510,929	3,863,815	4,168,798	4,312,423	4,439,629	4,571,312
Copy Fees	150	150	150	150	150	150	150	150	150	150	150
Plan Check Fees	61,387	10,000	10,000	92,250	122,159	133,593	90,114	73,916	47,386	47,386	47,386
Planning Application Fees	2,000	2,040	2,081	2,122	2,165	2,208	2,252	2,297	2,343	2,390	2,438
Sales of Maps/Publications	150	150	150	150	150	150	150	150	150	150	150
Police Reports	800	818	836	854	873	893	913	933	954	975	996
Fingerprint Fees	2,800	2,862	2,926	2,991	3,057	3,125	3,194	3,265	3,338	3,412	3,488
Towing/DUI Reimbursement	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000
Ticket Sign Off Fees	250	250	250	250	250	250	250	250	250	250	250
Recreation Fees	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500
Youth Drama Revenue	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000
Basketball Revenues	4,700	4,700	4,700	4,700	4,700	4,700	4,700	4,700	4,700	4,700	4,700
Pool Ticket Sales	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000
Swim Passes	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000
Swim Lessons	1,800	1,800	1,800	1,800	1,800	1,800	1,800	1,800	1,800	1,800	1,800
Water Aerobics Fee	500	500	500	500	500	500	500	500	500	500	500
Lifeguard class	900	900	900	900	900	900	900	900	900	900	900
Park Rental	850	850	850	850	850	850	850	850	850	850	850
Library Hall Rental	800	800	800	800	800	800	800	800	800	800	800
Community Center Rental	21,000	21,000	21,000	21,000	21,000	21,000	21,000	21,000	21,000	21,000	21,000
Community Center Insurance	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500
Building Permit Fines	750	750	750	750	750	750	750	750	750	750	750
Ambulance Charges	-	-	2,500	5,000	5,000	5,000	5,000	5,000	5,000	5,000	5,000
Total Service Charges	118,837	67,570	70,192	166,067	185,104	196,669	163,323	137,262	110,871	111,013	111,168
Rents/Leases	40,000	40,888	41,796	42,724	43,672	44,642	45,633	46,646	47,681	48,740	49,822
Interest Revenues	96,000	98,131	100,310	102,537	104,813	107,140	109,518	111,950	114,435	116,975	119,572
Total Rents, Interest, Concessi	136,000	139,019	142,106	145,260	148,485	151,781	155,151	158,595	162,116	165,715	169,394
Building Permit Surcharge	237,768										
Building Permits	92,853	68,978	68,978	136,538	182,552	200,143	133,251	108,332	67,517	67,517	67,517
Encroachment Permits	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Other License & Permits	48,903	22,560	22,560	76,434	100,592	109,828	74,709	61,626	40,197	40,197	40,197
Total Licenses and Permits	380,524	92,538	92,538	213,972	284,144	310,970	208,960	170,958	108,715	108,715	108,715
P.O.S.T Reimbursement	3,500	3,578	3,657	3,738	3,821	3,906	3,993	4,081	4,172	4,265	4,359
Total Grants	3,500	3,578	3,657	3,738	3,821	3,906	3,993	4,081	4,172	4,265	4,359
Miscellaneous Revenues	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000
Commissions on Coke Machin	100	100	100	100	100	100	100	100	100	100	100
Fireworks donation	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000
Developer Planning Reimburs	15,000										
Total Other Revenues	38,100	23,100									
Gov Income transferred in	26,814	26,814	26,814	29,712	52,281	74,556	94,394	107,961	116,256	124,551	132,847
Use of Unrestricted Fund Bal	106,691										
Fire District Contribution			84,013	171,387	174,815	178,312	181,878	185,515	189,226	193,010	196,870
Pers Transfer	160,000	66,307									
Total Transfer	293,505	93,121	110,827	201,100	227,096	252,867	276,272	293,476	305,482	317,562	329,717
Total General Fund Revenues	3,665,126	3,078,020	3,141,630	3,567,670	3,967,769	4,450,223	4,674,614	4,956,271	5,026,878	5,169,998	5,317,755
Total projected Expenditures	3,565,326	3,755,983	4,040,081	4,525,543	4,905,508	5,051,247	5,388,177	5,592,090	5,782,412	5,972,397	6,487,335
Surplus (Deficit)	(200)	(677,963)	(898,451)	(957,874)	(947,739)	(601,024)	(713,564)	(635,818)	(755,534)	(802,399)	(1,169,580)

**City of Winters
Projected Expenditures 2008/2009 through 2017/2018**

	Budgeted 2007-2008	Projected 08-09	Projected 09-10	Projected 10-11	Projected 11-12	Projected 12-13	Projected 13-14	Projected 14-15	Projected 15-16	Projected 16-17	Projected 17-18
City Council	3,467	440	447	455	462	470	477	485	493	502	510
City Clerk	6,900	7,029	7,161	7,296	7,434	7,575	7,719	7,866	8,016	8,170	8,327
Treasurer	334	334	334	334	334	334	334	334	334	334	334
City Attorney	41,300	42,217	43,154	44,112	45,091	46,092	47,116	48,162	49,231	50,324	51,441
City Manager	30,049	34,084	35,718	37,260	38,873	40,292	41,761	43,281	44,855	46,481	48,167
Admin Services	173,818	177,877	189,186	198,893	207,986	216,416	224,022	231,858	239,987	248,369	257,045
Finance	2,299	2,729	2,899	3,099	3,234	3,364	3,487	3,615	3,747	3,884	4,026
Police	1,717,225	1,870,502	1,938,318	2,130,435	2,357,147	2,412,781	2,665,555	2,774,916	2,875,900	2,980,852	3,090,076
Fire	433,872	419,094	576,975	796,818	885,464	927,726	965,824	1,007,694	1,041,498	1,068,218	1,095,621
Comm Dev	409,793	422,548	437,519	459,791	474,920	490,547	506,695	523,328	541,130	557,407	576,529
Comm Dev-Inspection	125,805	135,421	139,884	144,705	150,454	156,408	162,589	168,986	175,622	182,504	189,621
public works	333,328	351,501	369,094	394,517	418,471	427,267	434,112	446,369	459,496	476,138	808,387
Recreation	142,779	145,435	150,105	155,473	160,305	163,881	167,557	171,351	175,267	179,308	184,188
Community Center	92,802	94,786	96,856	99,472	101,985	104,274	106,626	109,045	111,531	114,085	116,713
Swimming	51,554	51,988	52,431	52,884	53,347	53,821	54,305	54,799	55,305	55,822	56,350

Projected Revenues and Expenditures



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MEMORANDUM

Date: February 13, 2008

To: Winters City Council

FROM: John C. Wallace
City Attorney

RE: February 19, 2008 Agenda item - Claims Procedure
Ordinance

Dear Council Members: Before you is an ordinance to establish the City's own claims procedure for money or damage claims not otherwise covered by the California Government Code. This would cover requests for refunds, or the return of fees received by the City of Winters for projects, taxes, assessments, or other funds. The limitation will benefit the City in annual budgeting, since the unknown liabilities of the City will be limited to the prior 12 month period. Adoption is therefore recommended.

ORDINANCE NO. 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

THE CITY COUNCIL OF THE CITY OF WINTERS DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 2.68 is hereby added to Title 2 of the Winters Municipal Code to read as follows:

Chapter 2.68

CLAIMS AGAINST THE CITY OF WINTERS

“Section 2.68.010 Claims.

(a) Authority

This ordinance is enacted pursuant to Section 935 of the California Government Code.

(b) Claims Required

All claims against the city for money or damages not otherwise governed by the Government Claims Act, California Government Code Sections 900 et seq., or another state law (hereinafter in this ordinance, “claims”) shall be presented within the time, and in the manner, prescribed by Part 3 of Division 3.6 of Title 1 of the California Government Code (commencing with Section 900 thereof) for the claims to which that Part applies by its own terms, as those provisions now exist or shall hereafter be amended, and as further provided by this ordinance.

(c) Form of Claim

All claims shall be made in writing and verified by the claimant or by his or her guardian, conservator, executor or administrator. No claim may be filed on behalf of a class of persons unless verified by every member of that class as required by this section. In addition, all claims shall contain the information required by California Government Code Section 910.

(d) Claim Prerequisite to Suit

In accordance with California Government Code Sections 935(b) and 945.6, all claims shall be presented as provided in this section and acted upon by the city prior to the filing of any action on such claims and no such action may be maintained by a person who has not complied with the requirements of subdivision (b) of this section.

(e) Suit

Any action brought against the city upon any claim or demand shall conform to the requirements of Sections 940-949 of the California Government Code. Any action brought against any employee of the city shall conform with the requirements of Section 950-951 of the California Government Code.”

Section 2. *Severability.* Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

Section 3. *Effective Date; Transitional Clause.* This Ordinance shall take effect thirty days after adoption as provided by Government Code Section 36937. However, any claim that would have been timely if presented on the day before this Ordinance becomes effective which claim would be untimely under the requirements of the this Ordinance may, notwithstanding this Ordinance, be presented not later than the 45th day after the adoption of this Ordinance.

Section 4. *Certification.* The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published according to law.

PASSED, APPROVED AND ADOPTED, this ___th day of February, 2008, by the following vote:

AYES:
NOES:
ABSENT:

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

NOTICE OF PUBLIC HEARING

ORDINANCE NO. 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**

NOTICE IS HEREBY GIVEN that the Winters City Council will hold a public hearing on Tuesday, February 19, 2007, at 7:30 p.m. in the Council Chambers of City Hall, 318 First Street, Winters, California. Purpose of the Public Hearing is consider adoption of City of Winters Ordinance No. 2008-04, An Ordinance of the City of Winters Adding Chapter 2.68 to Title 2 of the Winters Municipal Code Regarding Claims Against the City.

The ordinance is summarized, pursuant to the California Government Code, as follows:

This ordinance will establish a claims procedure for all claims against the City of Winters not otherwise provided for or preempted by the claims procedure in the California Government Code. The ordinance establishes similar claims requirements and time limitations as provided by the California Government Code Sections 900 et seq., and requires any action brought on a claim to conform to the requirements of California Government Code Sections 950-951. The ordinance, if adopted, shall take place 30 days after adoption.

Copies of the proposed ordinance are on file with the Winters City Clerk, 318 First Street, Winters, California. Written comments may be submitted at the hearing or by prior submission to the Winters City Clerk, and oral comments may be made at the hearing. All interested citizens are invited to attend.

Dated: December 22, 2007

/s/ John C. Wallace
City Attorney
City of Winters

JOHN C. WALLACE

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MEMORANDUM

Date: February 13, 2008

To: Winters City Council

FROM: John C. Wallace
City Attorney

RE: February 19, 2008 Agenda item – Utility Users Tax – Ballot measure

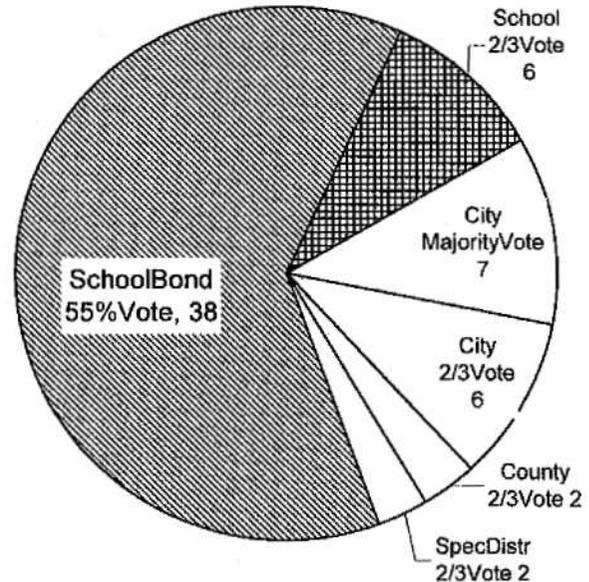
Dear Council Members: You have in place a Utility Users Tax, a general tax ordinance approved by the voters of the City of Winters. The ordinance, however, has not kept pace with technology and a corrective ordinance needs to be adopted to make sure of its application to every utility user. Six other cities in February of 2008 put on the ballot for voter consideration a utility users tax. A general tax requires a simple majority approval. All were approved. California law provides that such ballot measures may only be considered by voters at City Council elections. There is one in June, and the next won't be for two years. If the City Council wishes to put this issue on the ballot, they must do so now in time for the June election. The measure would provide that, should the measure not be adopted, the old ordinance would stay in effect. In four of the six cities, the tax rate was reduced. A general summary of February local revenue measures is attached.

Local Revenue Measures February 2008

California held its presidential primary vote on February 5, 2008. A number of statewide measures were also on the ballot on topics including community college funding, legislative term limits, and Indian gaming pacts. In addition, there were nearly 100 local measures including 62 local related to local agency taxes, fees and financing¹, and two city incorporation proposals. Of these measures, 13 concerned city taxes, fees or financing; three concerned counties; and two concerned special districts. There were 44 school measures including school bonds and parcel taxes. Among the 13 city measures, six were special taxes requiring 2/3 voter approval, and seven concerned general taxes requiring majority voter approval. The county and special district measures were all 2/3 supermajority measures.

While all majority vote tax measures and 3/4 of 55% school bond measures passed, measures requiring 2/3 vote supermajority approval had a more difficult time. Still, voters approved most special tax measures: six out of the ten non-school special tax measures and five out of six school parcel taxes.

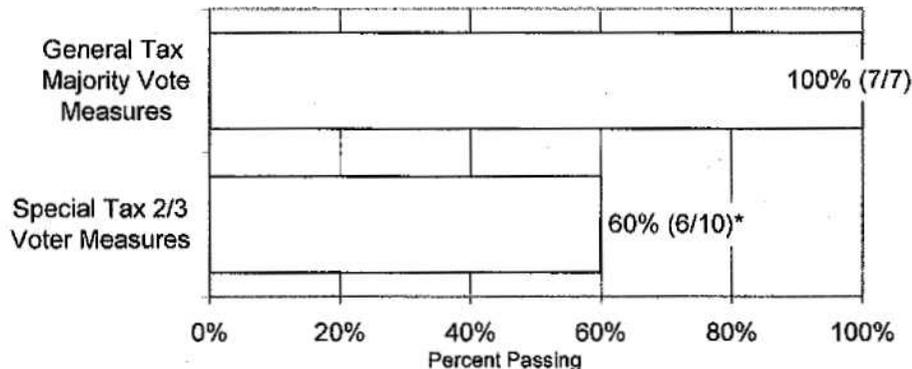
Proposed Local Revenue Measures February 2008*



Local Revenue Measures Feb 2008*

	Total	Pass	Passing%
City Majority Vote	7	7	100%
City 2/3 Vote	6	4	67%
County 2/3 Vote	2	0	0%
Special District (2/3)	2	2	100%
School Bond 55%	38	29	76%
School 2/3 Vote	6	5	83%
Total	61	47	77%

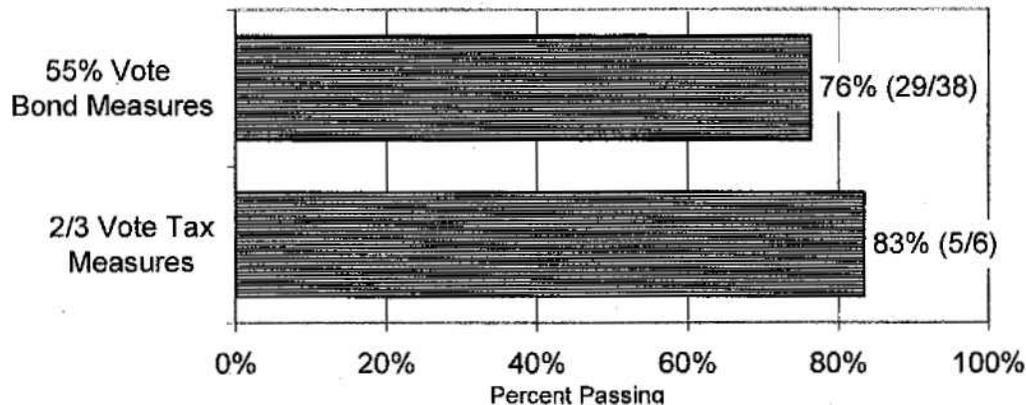
City / County / Special District Tax & Bond Measures Feb 2008



¹ Includes city, county, special district and local school measures.

* Charts and summary tables exclude Alameda County Measure B which was withdrawn by its supporters.

School Tax & Bond Measures Feb 2008



Transaction and Use Taxes

Five cities asked their voters to consider transactions and use tax add-ons to the local sales tax. The City of Seaside, in Monterey County, proposed a one cent general tax, requiring majority approval. The four others earmarked their taxes for specific purposes: El Cerrito's 1/2 cent for street maintenance and improvements; and Reedley (1/2 cent), Sanger (3/4 cent) and Lompoc (1/2 cent) for police and fire services.

In each case, a majority of voters said "yes," but in Lompoc, the 55.2% yes vote was far short of the 2/3 voter approval needed for a special tax.

The successful new taxes will become operative on April 1, 2008.

Transactions and Use Tax: General Tax Measures (Majority voter approval required)

Agency Name	County	Rate	Special / Gener	YES%	NO%
City of Seaside	Monterey County	Measure R	1 cent	59.2%	40.8% PASS

Transactions & Use Tax: Special Tax Measures (2/3 voter approval required)

Agency Name	County	Rate	Special / Gener	YES%	NO%
City of El Cerrito	Contra Costa County	Measure A	1/2 cent Streets	71.1%	28.9% PASS
City of Reedley	Fresno County	Measure G	1/2 cent Police/Fire/EMS	73.9%	26.1% PASS
City of Sanger	Fresno County	Measure S	3/4 cent Police/Fire/EMS	70.5%	29.5% PASS
City of Lompoc	Santa Barbara County	Measure T2008	1/2 cent Police/Fire/EMS	55.2%	44.8% FAIL

Utility User Taxes

Six cities asked their voters to modify their existing Utility User Taxes (UUT) on telecommunications. The measures all endeavored to respond to changes in telecommunications technology, billing practices and federal law, by modernizing their UUT ordinances to clearly and lawfully cover wireless telecommunications. Two of the measures (Arcata and Pasadena) modernized the city UUT without any rate reduction. The other four measures slightly reduced an existing city UUT on telecommunications. These are general taxes requiring majority voter approval. All six UUT measures were successful.

Utility User Tax Measures - Majority Voter Approval (General Purpose)

<u>Agency Name</u>	<u>County</u>		<u>Rate</u>	<u>YES%</u>	<u>NO%</u>	
City of San Bernardino	San Bernardino County	Measure L	Reduce 7.83% to 7.75%	80.3%	19.7%	PASS
City of Huntington Park	Los Angeles County	Measure B	Reduce 7% to 6.5%	78.8%	21.2%	PASS
City of Richmond	Contra Costa County	Measure B	Reduce 10% to 9.5%	73.9%	26.1%	PASS
City of Los Angeles	Los Angeles County	Measure S	Reduce 10% to 9%	65.6%	34.4%	PASS
City of Arcata	Humboldt County	Measure A	continue 3%	60.2%	39.8%	PASS
City of Pasadena	Los Angeles County	Measure D	continue 8.3%	58.0%	42.0%	PASS

Parcel Taxes

There were six parcel taxes proposed: one city, two county and two special districts. Rocklin's measure supported parks. The special district measures were for fire and police services. The county measures were aimed at hospitals and emergency medical services. In Alameda County, a parcel tax measure for hospital improvements was filed (Measure B), then subsequently redesigned and resubmitted as a separate measure (Measure A). The proponents urged defeat of the original measure, essentially withdrawing it by political means.

Only the special district measures passed. A clear majority (59% versus 41%) of Rocklin voters said "yes," but parcel taxes require supermajority 2/3 voter approval.

Parcel Taxes (2/3 vote)

<u>Agency Name</u>	<u>County</u>		<u>Amount</u>		<u>YES%</u>	<u>NO%</u>	
Muir Beach Community Services District	Marin County	Measure B	\$200/parcel	Fire	4yrs	81.5%	18.5% PASS
San Mateo County Service Area #1	San Mateo County	Measure I	\$65/parcel	Fire&Police		74.5%	25.5% PASS
City of Rocklin	Placer County	Measure J	\$10-\$45/parce	Parks	15yrs	58.8%	41.2% FAIL
County of Santa Barbara	Santa Barbara Coun	Measure S2	\$35/parcel	EmrgcyMedical		46.1%	53.9% FAIL
County of Alameda	Alameda County	Measure A	\$24/parcel	Hospital	30yrs	40.6%	59.4% FAIL
County of Alameda	Alameda County	Measure B	\$24/parcel	Hospital	30yrs	31.0%	69.0% FAIL

General Obligation Bonds

Voters in the City/County of San Francisco considered a bond measure to fund various park and recreation improvements. Voters approved the measure proposed to increase ad valorem property taxes to fund park and recreation improvements.

City, County and Special District Bond Measures (2/3 vote)

<u>Agency Name</u>		<u>Amount</u>		<u>YES%</u>	<u>NO%</u>	
City of San Francisco	Proposition A	\$185m	Parks&Recr	71.7%	28.3%	PASS

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MEMORANDUM

Date: February 13, 2008

To: Winters City Council

FROM: John C. Wallace
City Attorney

RE: February 19, 2008 Agenda item – AB1234 Ethics Training

Dear Council Members: In October of 2005, the State of California adopted into law Assembly Bill 1234. It is commonly called AB1234 Ethics Training. The law established provisions in the California Government Code requiring elected officials and members of a local legislative body to take an ethics course. The law further requires that such officials take the ethics course at least every 2 years. In addition to these requirements, the law allows the City of Winters to require other City employees to complete AB1234 Ethics Training. City staff is recommending that AB1234 training be completed by any City employees interfacing with the public. The training can be completed on line free of charge, with access to a printer required for the Certificate to print out. This designation of other employees should be set by formal City Council policy, and the issue is being placed on the agenda for your guidance. Adoption of a specific policy is recommended.

AB 1234 Ethics Training for Local Officials

On October 7, 2005, the Governor signed Assembly Bill No. 1234. This law requires (among other things) that all local agencies that provide compensation, salary, or stipend to, or reimburses the expenses of, members of a legislative body must provide ethics training to local agency officials by January 1, 2007, and every two years thereafter.

There are numerous training options, including training conducted by commercial organizations, nonprofits, or even the agency's own legal counsel. In addition, interested parties have collaborated to create an on-line training program that will allow local officials to satisfy the requirements of AB 1234 on a cost-free basis. The training may be accessed at the links below, and at the end of the training a certification of completion must be printed.

LINKS:

<http://localethics.fppc.ca.gov>

or

<http://www.localethics.fppc.ca.gov>

Note: This is a self-serve training program. It is your obligation to print a certificate and provide it to your agency. No copies can be retained by the program or the website.

Thanks to the Institute for Local Government, the County of Monterey and the state and local agencies and officials that helped develop and test the program.

Questions, concerns or problems? E-mail: ab1234@fppc.ca.gov.