Winters City Council Meeting
City Council Chambers
318 First Street
Tuesday, November 18, 2008
7:30 p.m.

AGENDA

Members of the City Council

Michael Martin, Mayor
Woody Fridae, 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

COUNCIL / STAFF COMMENTS

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 City of Winters City Council Held on Tuesday, November 4, 2008 (pp 1-4)
B. Authorize Letter Transmitting the City of Winters Comments on the Draft Yolo County 2030 Countywide General Plan (pp 5-7)
C. Authorize ZSI to relocate the VFD from Well #3 to Well #5 at a Cost of $9700.00 (pp 8-11)
D. Acceptance of Safe Routes to School Sidewalk Improvements – Project No. 06-17 (pp 12)
E. Proclamation – National Hunger and Homelessness Awareness Week (pp 13)

PRESENTATIONS

Proclamation to be Presented to Janice Critchlow in Recognition of National Hunger and Homeless Awareness Week

DISCUSSION ITEMS

1. Chamber of Commerce Request to Waive Past Due and Future Rent at the Community Center (pp 14-15)
2. Introduction and First Reading of Ordinance 2008-12, an Ordinance of the City Council of the City of Winters, Correcting and Re-numbering Conflicting Sections of the Winters Municipal Code (pp 16-18)
3. Selection of Council Member to Participate on Yolo County Comprehensive Economic Development Strategies (CEDS) Committee (pp 19-22)
4. AB 32 Scoping Plan: Local Protocols and Discussion of City's Enrollment in The Climate Registry for Initial Measurement of Greenhouse Gas (GHG) Footprint (pp 23-45)
5. Water and Sewer Rate Study: Authorization to issue notice of rate increase to property owners within the City of Winters (pp 46-49)

COMMUNITY DEVELOPMENT AGENCY

CITY MANAGER REPORT

INFORMATION ONLY

1. Update on Winters Healthcare Foundation Grant – Community Garden Site Evaluation (pp 50-56)

EXECUTIVE SESSION

ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the November 18, 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 November 12, 2008, and made available to the public during normal business hours.

Nanci G. Mills

Nanci 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 Library – 201 First Street
City Clerk's Office – City Hall – 318 First Street
During Council meetings – Right side as you enter the Council Chambers

City Council meetings are televised live on City of Winters Government Channel 20 (available to those who subscribe to cable television) and replayed following the meeting.

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 Meeting of the Winters City Council
Held on Tuesday, November 4, 2008

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

Present were Council Members Cecilia Aguiar-Curry, Harold Anderson, Woody Fridae, Tom Stone and Mayor Michael Martin. Also present were City Manager John Donlevy, City Attorney John Wallace, Director of Financial Management Shelly Gunby, Redevelopment and Economic Development Director Cas Ellena, City Engineer Nick Ponticello, Management Analyst Carol Scianna and City Clerk Nanci Mills.

Pledge of Allegiance

It was requested the Community Development Agency portion of the agenda be heard following the Consent Calendar and Discussion Item 4, Water Service Turn Off Policy, be moved to Consent Item D. Council Member Stone made a motion to approve the agenda with the specified changes. Seconded by Council Member Aguiar-Curry. Motion carried unanimously.

COUNCIL/STAFF COMMENTS

PUBLIC COMMENTS

Marie Heilman, 116 Abbey, challenged the City Council to participate in the upcoming Community Dinner, which will be held on Sunday, November 23rd 5:30 p.m. to 7:30 p.m. at the Community Center.

CONSENT CALENDAR

A. Minutes of the Joint Meeting of the Winters City Council and Winters Planning Commission Held on Tuesday, October 21, 2008
B. Authorize the City Manager to Amend the Contract with Larry Walker Associates (LWA), for Twenty-Three Thousand Dollars ($23,000), for the preparation of the Background Groundwater Quality Study Report as required under Provision G.1.f. of the City of Winters Waste Discharge Requirements (WDR), Order No.R5-2002-0136
C. Personal Injury Claim Against the City of Winters – Preston
D. Water Service Turn-Off Policy – **moved from Discussion Item 4**

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

COMMUNITY DEVELOPMENT AGENCY

Council Members Anderson and Fridae stepped down due to a possible conflict of interest.

1. Approval of Criteria Guidelines for Lease Assistance Program

Redevelopment and Economic Development Director Ellena gave an overview of the staff report containing the goals and objectives of the CDA under this plan. Also included was a list containing the Lease Assistance Criteria, which contains guidelines to be used in evaluating lease assistance proposals

Each proposal will be considered on a case by case basis, as each proposal will be unique. All proposals will come before the Council.

Howard Brown, 311 Hillview Lane, stated the Community Development Agency would be funding under-capitalized businesses if you proceed as presented and it can work with a business plan. He suggested adding business tax returns to the criteria guidelines.

Council Member Aguiar-Curry made a motion to approve the Criteria Guidelines for Lease Assistance Program as presented. Seconded by Council Member Stone. Motion carried unanimously, 3-0, with 2 absent.

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

PRESENTATIONS

DISCUSSION ITEMS

1. Resolution 2008-44, a Resolution of the City Council of the City of Winters, Supporting Proposition 84 Grant Application to Secure Funding for Recreation and Habitat Enhancements along Putah Creek

Streamkeeper Rich Marovich gave a power point presentation on the project.

Jeff Tenpas, 24 E. Main Street, indicated that the Council and Winters Putah Creek Committee (WPCC) had not even reviewed the grant application as far as he knew. Mr. Tenpas is objecting to this process and feels it is not due diligence.

Council Member Stone made a motion to approve Resolution 2008-44 supporting the Proposition 84 grant application to secure funding for recreation and habitat enhancements along Putah Creek. Seconded by Council Member Anderson. Motion carried with the following roll call vote:

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

2. **Update to City Council on the status of the Water and Sewer projects being funded by the Water and Sewer Bonds, Water and Sewer O & M, Redevelopment Agency and Impact Fees**

City Engineer Nick Ponticello introduced Associate Engineer Jim Fletter, who gave an overview of the current water and sewer projects. City Manager Donlevy implied if Well #7 goes on-line, Well #3 will become disposable. The City of Winters, who has assisted the Yolo Housing Authority with the El Rio Villa Pump Station in the past, will work out an agreement with them and the issue will soon come to a resolution. Jim Fletter indicated the citywide SCADA installation will be implemented soon. The completed renovation of Well #4 and the current renovation of Well #5 has resulted in a capacity increase of approximately 600 gpm. The remaining renovation of aging Well #2 and #6 has been put on hold until Well #7 is brought online. Council Member Fridae supported urban water meter usage and the distribution of water usage costs, and encouraged residents to use water wisely.

3. **Update to City Council on the Financing and Key Fiscal Issues of the Winters Fire Protection District**

City Manager Donlevy gave an overview of the Staff Report to the Council.

4. **Water Service Turn Off Policy – moved to Consent Item D**

CITY MANAGER REPORT

INFORMATION ONLY

EXECUTIVE SESSION

Conference with Real Property Negotiator, John W. Donlevy, Jr., City Manager, regarding lot split and land acquisition for APN 003-480-211, 003-480-621, and 003-480-631, California Government Code Section 54956.8

Council Member Fridae made a motion to authorize City Manager Donlevy to make an offer on three properties, APN 003-480-211, 003-480-621, and 003-480-631, and to come back to Council with a resolution. Seconded by Council Member Stone. Motion carried unanimously.

ADJOURNMENT

Mayor Martin adjourned the meeting at 9:05 p.m.

Michael Martin, MAYOR

ATTEST:

Nanci G. Mills, City Clerk

CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Council Members

DATE: November 18, 2008

FROM: John W. Donlevy, Jr., City Manager

SUBJECT: Yolo County General Plan- Comments Letter

RECOMMENDATION:

That the City Council receive and file the letter.

BACKGROUND:

At its October 21, 2008 Meeting, the City Council received a presentation from Yolo County regarding the update of its General Plan. Staff was directed to memorialize some of the comments in a letter to be sent on behalf of the City.

DISCUSSION:

Attached is a copy of a letter drafted to address the City's primary concerns of the need for cooperative planning for the I505/Russell Blvd properties and the Agricultural-Industrial Zoning designations. The comments are meant to provide a general framework for future discussions.

It is anticipated that these topics will be discussed in future 2X2 meetings between the City and County. Staff will also continue our monitoring of the County General Plan up until its adoption. If additional comments are needed, they will be brought before the City Council for consideration.

ATTACHMENT:

Letter to Yolo County- Comments on Draft General Plan

November 18, 2008

Supervisor Duane Chamberlain, Chair
Yolo County Board of Supervisors
625 Court Street
Woodland, CA 95695

Re: Draft 2030 Countywide General Plan (Draft GP)

Dear Chairman Chamberlain

The City of Winters has been following your General Plan update and congratulates the County on the tremendous effort that it has put forth in development this document. The goals of the City of Winters and the County are similar – preserving our agricultural heritage while proving for balanced, economically viable land uses necessary for healthy and sustainable communities. The City supports the continued Agricultural designation of the unincorporated areas adjacent to our City and expects that urban development shall continue to be directed into the Cities.

We do note that the proposed uses in the Agricultural designation include agricultural commercial and agricultural industrial uses which would allow for agricultural equipment sales, Yolo Stores, agri-tourism and ancillary restaurants and/or stores. Policy LU-2.2 expands upon this by stating:

> *Allow additional agricultural commercial and agricultural industrial land uses in any designated agricultural area, where appropriate, depending on site characteristics and project specifics. Agricultural commercial and/or agricultural industrial development is anticipated as shown in Table LU-7 (Anticipated Agricultural Commercial and/or Agricultural Industrial Growth).*

Table LU-7 indicates 96 acres of this type of development at I-505/SR 128 which is the gateway to Winters.

The City certainly understands the County's desire to provide for enhanced agricultural economic opportunities which would also increase the County's tax base. As you know the City has been diligently pursing economic stabilization and development with a focus on our Downtown as a base for regional tourism while providing for the needs of our community. With that in mind, the City is concerned about the potential for land uses in the unincorporated areas adjacent to the City, particularly at the I-505/ SR 128 gateway, which would conflict or compete with those goals. The City is very appreciative of Action CC-A14 in the Land Use and Community Character Element which states:

> *Collaborate with the City of Winters to explore revenue producing uses and opportunities for the "special study area" identified for agricultural industrial and/or agricultural commercial uses at Interstate 505 and State Route 128.*

This special study area has not been identified on the maps included with in the Draft GP and the City requests that it be identified in the document to provide a basis for our future discussions.

LAFCO recently completed a Municipal Services Review and Sphere of Influence update for the City of Winters and the City's Spheres remain consistent with our current planning area boundaries at this time. Although not included in this Sphere of Influence update, the area located east of I-505, including El Rio Villa, has long been part of our community and the City provides a number of services to El Rio Villa including waste water disposal. In the future the City expects to include that area within our Sphere and ultimately within the City

The City looks forward to working closely with the County to address any potential development proposed in our borderlands to insure that the outcome is mutually beneficial to the County and the City. Western Yolo County holds enormous potential for agri-tourism and sustainable, community based economic development. Working together we can achieve our goals.

Sincerely,

Michael Martin
Mayor

Cc: John Bencomo, Director Planning and Public Works Department
David Morrison, Assistant Director Planning and Public Works Department
Heidi Tschudin, General Plan Project Manager

CITY OF WINTERS CALIFORNIA

CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Council Members

DATE: November 18, 2008

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

FROM: Carol Scianna, Management Analyst CS

SUBJECT: Authorize ZSI to Relocate the VFD from Well #3 to Well #5 at a Cost of $9700.00

RECOMMENDATION: Staff Recommends Approval to Authorize ZSI to Relocate the VFD from Well #3 to Well #5 at a Cost of $9700.00. Work to be Done in Conjunction with the SCADA System at Installation Well 5.

BACKGROUND: The VFD at Well 5 has been inoperable for several months, given that the Well has been shut down for rehabilitation this has not been an issue. With the recent completion of the rehabilitation, Well 5 is now ready to be put back into service and the VFD needs to be replaced.

Since Well 3 is off line and most probably will be taken out of service in the next year, staff recommends that we relocate the functioning VFD from Well 3 and install it at Well 5. The City will save approximately $2,000 to $7,000 by swapping the VFD's rather than purchasing a new VFD for Well 5.

ZSI's estimate to do the work is over $2700 less than the other quote received for this work. Since ZSI is also installing the SCADA system at Well 5, having them do the VFD change out will be more efficient as well.

FISCAL IMPACT: The estimate is $9652.92

Carol Scianna

From: Greg [gsteiger@zsii.com]
Sent: Friday, November 07, 2008 1:43 PM
To: 'Jim Fletter'
Cc: Carol Scianna
Subject: RE: Well 5 status

Hi Jim and Carol,

We've got a couple of options available:

1. New Allen Bradley 75HP Variable Frequency Drive.
   a. This includes As-built drawings, installation, testing, start-up, and training.
   b. A Three (3) year warranty extension is available for the VFD parts at ~$1,500, a good idea that seems reasonably priced.
   c. Amount: $16,892.07
2. Relocate Well #3 100HP AC Tech VFD to Well #5.
   a. This includes disassembly of Well #3 VFD and Bypass, relocation, making the service entrance tap safe, As-Built drawings, installation, testing, start-up and training.
   b. If the City is truly considering abandoning Well #3, then this may be the most cost-effective approach.
   c. Amount: $9,652.59

Please know that there are other VFD manufactures available that while they are considered inferior to AB's, they are priced much less. If you would like for me to look into pricing one, please let me know.

Thank you!

Greg Steiger
ZSI, Inc.
707.996.5432, x15
707.996.5416, fax
707.292.5657, cell

From: Carol Scianna [mailto:carol.scianna@cityofwinters.org]
Sent: Thursday, November 06, 2008 4:49 PM
To: 'Jim Fletter'; 'Bill Gustavson'
Cc: 'Greg'
Subject: Well 5 status

Hello,
Kirby was out today installed the new pump in well 5 and started it up for a bit. They've put some chlorine down the pipe and we are going to flush to waste tomorrow. I have both Terry and Tony out this week, and I need to verify that our other two crew members can get the flushing set up. If not I may have a problem getting if flushed

TELSTAR INSTRUMENTS INC. ☆ Contractor License #422364

CONTROL SYSTEM INTEGRATION • INSTRUMENTATION SALES & SERVICE
SCADA • PLC/HMI • Telemetry • Calibration • Maintenance

September 26, 2008

City of Winters
318 First Street
Winters, CA 95694

Sent via fax: (530) 795-4291

Attn: Tony Luna
Subj: 100HP VFD Replacement
Ref: RM 18482

Dear Tony,

Telstar Instruments is pleased to quote on the above referenced project. Telstar Instruments is providing two options to either replace your existing VFD with a new VFD or move an existing VFD into the defective VFD location:

OPTION 1 Replace VFD

1. Provide a new 100HP Toshiba VFD rated at 124 full load amps to be mounted in your existing MCC section.
2. Remove your existing VFD.
3. Install new VFD, connect all necessary input and output wiring.
4. Provide all installation labor, miscellaneous materials and wire.
5. Start up and test.

The total price as outlined herein $11,580.00
This price does not include applicable tax or freight.

OPTION 2 Replace Defective VFD with Existing VFD from Well 3

1. Remove existing defective VFD from Well 5.
2. Remove the existing MCC section from Well 5 since the VFD from Well 3 will not fit in this panel.
3. Remove the AC Tech VFD from Well 3 and move to the wall of Well 5.
4. Install the AC Tech VFD on Well 5
5. Run new power conduit from the existing power source in the MCC circuit breaker to the wall mounted VFD.
6. Run the load conductors, conduit and wire from the floor of the pump station to the wall mounted VFD.
7. Set up, start up and test the VFD for Well 5.

1717 Solano Way, Unit 34, **Concord**, CA 94520 Phone 925-671-2888, Fax 925-671-9507
4212 North Freeway Blvd, Unit 4, **Sacramento**, CA 95834 Phone 916-646-1999, Fax 916-646-1096
202 South Douty Street, **Hanford**, CA 93230 Phone 559-584-7116, Fax 559-584-8028

TELSTAR INSTRUMENTS INC. ☆

8. Reroute the motor conductors in Well 3 to the old starter panel.
9. Start up and test Well 3 as an across the line pump system.

The total price as outlined herein $12,325.00
This price does not include applicable tax or freight.

Please review our proposal and let me know how you wish to proceed.

For your convenience, we now accept all major credit cards. This price does not include tax or freight. We can commence with this at your direction. This quote is valid for thirty days. This quote is based on information provided to Telstar and may or may not be correct or complete. Please review this proposal for compliance with the complete and final specifications and drawings before acceptance. Our terms are due and payable 30 days from date of invoice. Payments must be made on a minimum of a monthly basis. If payment is not received by the 30th day, a .05% daily service charge (18-3/4% per annum) will be charged on all accounts past due. Rates quoted herein will automatically be increased for overhead and cost of living at a minimum of every year, or at contract renewal, which ever is less. Attorney's fees, court costs and costs of collection will be paid to prevailing party. Permits and bonding are excluded unless otherwise noted herein. Our standard insurance applies unless otherwise agreed to in writing by Telstar. We accept no responsibility for consequential damages and our standard warranty applies. Telstar does not warranty OEM equipment, the standard manufacturers warranty applies. Any labor performed by Telstar due to equipment warranty claims, is due and payable as an extra and/or additional charge to the quote noted herein. Please reference the above stated quote number in all correspondence and purchase orders. This quote is based on standard straight time hours and does not include any prevailing wage rates unless agreed in writing by Telstar. Infrared inspections only include reports on equipment out of specification; any equipment under normal operation will not be reported or photographed. Due to factors beyond our control, including unlawful radio interference by outside parties, unfavorable climatic conditions, and/or terrain interference caused by construction of buildings or growth of vegetation, radio path surveys are not covered by our warranty. Vehicle expense will be in addition to the price quoted unless specifically included within the body of this quote. The price quoted herein is for the labor and materials specifically listed within the body of this quote. Service calls and time and materials rates carry a 4-hour minimum per person. Any time over 4 hours is charged as 8 hours. Cancellation charges apply including engineering, labor, materials, quote and estimating time, markup, % of profit, return goods fees, etc. at the time of written cancellation notice to Telstar.

If you have any questions, please do not hesitate to contact me at 925-671-2888. We look forward to working with you on this project.

Sincerely,

Robert Marston
President

CITY OF WINTERS CALIFORNIA

STAFF REPORT

TO: Honorable Mayor and Council Members

DATE: November 18, 2008

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

FROM: Nick Ponticello, City Engineer

SUBJECT: Acceptance of Safe Routes to School Sidewalk Improvements Project No. 06-17

RECOMMENDATION: Staff recommends the City Council accept Safe Routes to School Sidewalk Improvements project as complete and direct the City Clerk to file a Notice of Completion.

BACKGROUND: On July 29, 2008 City Council awarded a contract to Maxicrete, Inc. for the construction of sidewalks and other pedestrian related facilities for the Safe Routes to School program. Council authorized $148,500 for completion of this work. The project was completed at a cost of $152,709.75 or $4,209.75 over the Council authorization. The City Manager, under the authority provide him by Council, authorized the additional funds in order to replace deficient curb and gutter paralleling the new sidewalk. The project is complete and ready for acceptance.

ALTERNATIVES: None recommended by staff.

FISCAL IMPACT: The project is funded by the Caltrans Safe Routes to Schools Grant and Redevelopment Funds.

PROCLAMATION
DECLARING NOVEMBER 16-22, 2008
NATIONAL HUNGER AND HOMELESSNESS AWARENESS WEEK
IN WINTERS

WHEREAS, for the past several years the National Coalition for the Homeless and National Student Campaign Against Hunger and Homelessness have sponsored National Hunger and Homelessness Awareness Week; and

WHEREAS, the City of Winters is an active participant in the Yolo County Homeless and Poverty Action Coalition; and

WHEREAS, the City of Winters is committed to continuing support of community efforts to address the needs of homeless individuals and families through development of affordable and assisted housing; and strengthening partnerships with local County agencies and local services providers; and

WHEREAS, the purpose of the proclamation is to educate the public about the many reasons people are hungry and homeless including the shortage of affordable housing, unemployment, shortage of mental health and medical services; and to encourage support for homeless assistance service providers as well as community service opportunities; and

WHEREAS, the theme of National Hunger and Homelessness Awareness Week 2008 is "Bringing America Home," and

WHEREAS, the Winters City Council recognize that hunger and homelessness continues to be a serious problem for many individuals and families;
and

WHEREAS, the intent of National Hunger and Homelessness Awareness Week is consistent with the activities of the Yolo County Homeless and Poverty Action Coalition.

Now Therefore Be It Resolved: The City Council of the City of Winters does hereby declare the week of November 16-22 to be National Hunger and Homelessness Awareness Week.

Councilmember Harold Anderson

Councilmember Cecilia Aguiar-Curry

Councilmember Woody Fridae

Councilmember Tom Stone

Mayor Michael Martin

City Manager John W. Donlevy, Jr.

ATTEST: City Clerk Nanci G. Mills

CITY OF WINTERS CALIFORNIA

CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers

DATE : November 18, 2008

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

FROM: Cas Ellena, Redevelopment & Economic Development Director

SUBJECT: Chamber of Commerce Request to Waive Past Due and Future Rent at the Community Center

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RECOMMENDATION: Staff recommends that the City Council waive the Chamber's past due rental fees and consider whether or not to charge rental fees in the future.

BACKGROUND: The Winters Chamber of Commerce office is located within the City's Community Center. The City has been charging the Chamber $150 for use of an office and a small storage area within the Community Center facility. It has recently come to the City's and the Chamber's attention that the last time the monthly rental amount was paid to the City was March 2007.

On October 27, 2008, the City Council received a letter from Nancy Meyer, Chamber President asking the City to waive the past due rental fees and any future fees.

FISCAL IMPACT: Waiver of past due fees would amount to $3,000 ($150 per month times 20 months for the period of April 2007 through November 2008). The City Council would need to fund the past due amount from the Community Services Fund.

The Chamber is also requesting waiver of any future fees. This would amount to $1,800 per year ($150 per month times 12 months).

ATTACHMENTS: Letter from Nancy Meyer dated October 27, 2008

WINTERS DISTRICT CHAMBER OF COMMERCE

HISTORIC DOWNTOWN WINTERS, CA

201 RAILROAD AVENUE • P.O. BOX 423 • WINTERS, CALIFORNIA 95694
PHONE (530) 795-2329 • FAX (530) 795-3202

October 27, 2008

City of Winters
318 First Street
Winters, Ca. 95694

Attn: Mayor Michael Martin & City Council

RE: Winters Chamber of Commerce Rent

Dear Mayor Martin & City Council,

It has been recently brought to my attention that in the past the Winters Chamber had been paying the city $150 per month for our desk space and a small storage area at the community center. Our records show the last time this amount paid to the city was March of 2007. The chamber & city staff were quite surprised by this discovery. Many hours have been spent trying to confirm whether or not this in fact was a rental agreement between the two parties, which we do believe was the intent.
Since the chamber provides a valuable service to the community, its seniors & the businesses, we request that the city waive the past due & any future fees.

Respectfully,

Nancy S. Meyer

Nancy S. Meyer
President

e:mail chamberwinters@yahoo.com • www.winterschamber.com

CITY OF WINTERS CALIFORNIA

CITY COUNCIL
STAFF REPORT

TO:	Honorable Mayor and Councilmembers
DATE:	11/18/2008
THROUGH:	John W. Donlevy, Jr., City Manager
FROM:	John C. Wallace
SUBJECT:	Ordinance 2008-12, an Ordinance of the City Council of the City of Winters, California, Correcting and Renumbering Conflicting Sections of the Winters Municipal Code

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RECOMMENDATION: Introduction and First Reading

BACKGROUND: Previous adopted ordinances have inadvertently used section numbers that were already in use. This ordinance renumbers those sections.

FISCAL IMPACT: None.

ORDINANCE NO. 2008-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WINTERS, CALIFORNIA, CORRECTING AND RENUMBERING CONFLICTING SECTIONS OF THE WINTERS MUNICIPAL CODE

Whereas, The City Council of the City of Winters has adopted a number of ordinances, and

Whereas, later ordinances were inadvertently given the same section and/or chapter designations as other previously adopted; and

Whereas, the City Council of the City of Winters will now re-designate those conflicting chapter and section references, without any intent to change the wording or the force and effect of the respective ordinances;

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

Section 1. **(a)** Ordinance No. 2008-04, adding Chapter 2.68 to Title 2 of the Winters Municipal Code regarding Claims against the City is hereby amended to reflect that Chapter 2.72 is added to Title 2 of the Winters Municipal Code. Section 2.68.010 adopted by Ordinance No. 2008-04 is changed to Section 2.72.010.

(b) Under Ordinance 2008-02, several sections were in conflict with existing sections. Section 15.020.050 in the ordinance is hereby changed to Section 15.020.043. Section 15.020.060 in the ordinance is hereby changed to Section 15.020.045.

(c) Under Ordinance 2008-07, Section 2 of newly added Chapter 3.22 is renumbered as Section 3.20.140(c).

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.

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.

This Ordinance was introduced at a regular meeting of the Winters City Council on November 18, 2008, and ADOPTED, this 2nd day of December, 2008, by the following vote:

AYES:
NOES:
ABSENT:

Michael Martin, MAYOR

ATTEST:

Nanci Mills, City Clerk

APPROVED AS TO FORM:

John C. Wallace, City Attorney

CITY OF WINTERS CALIFORNIA

CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers

DATE : November 18, 2008

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

FROM: Cas Ellena, Redevelopment & Economic Development Director

SUBJECT: Selection of Council Member to Participate on Yolo County Comprehensive Economic Development Strategies (CEDS) Committee

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RECOMMENDATION: Staff recommends the City Council select a Council Member to participate on a Yolo County Comprehensive Economic Development Strategies (CEDS) Committee.

BACKGROUND: A CEDS is a comprehensive economic strategy designed to bring together the public and private sectors in the creation of an economic roadmap to diversify and strengthen regional economies. A CEDS should analyze the regional economy and serve as a guide for establishing regional goals and objectives, developing and implementing a regional plan of action, and identifying investment priorities and funding sources. A CEDS integrates a region's human and physical capital planning in the service of economic development. Integrated economic development planning provides the flexibility to adapt to global economic conditions and fully utilize the region's unique advantages to maximize economic opportunity for its residents by attracting the private investment that creates jobs for the region's residents. A CEDS must be the result of a continuing economic development planning process developed with broad-based and diverse public and private sector participation and must set forth the goals and objectives necessary to solve the conomic development problems of the region and clearly define the metrics of success. Finally, a CEDS provides a useful benchmark by which a regional economy can evaluate opportunities with other regions in the national economy.

The Public Works and Economic Development Act of 1965, as amended (PWEDA) requires a CEDS in order to apply for investment assistance under the U.S. Department of Commerce Economic Development Administration's (EDA) Public Works or Economic Adjustment Assistance Programs.

DISCUSSION: The City of Woodland is seeking two sequential grants from the EDA 1) a grant of up to $250,000 to plan a new parking structure in the downtown; and 2) a subsequent multi-million dollar grant to help build the structure. Woodland would have to have a 50% cash match requirement. Woodland's planning grant is in progress, and

may be conditionally awarded this December. The County must certify that the CEDS is substantially in progress by then, and must complete the CEDS before final award, probably next February. An individual City can complete a CEDS document but it usually a county-wide comprehensive strategy that incorporates the goals and planned projects of the County and all four cities.

The County is proposing to expeditiously complete a county-wide CEDS using the informal Yolo County Economic Development Managers group as the CEDS steering committee and enlist the Workforce Investment Board (WIB) membership as the CEDS Strategy Committee. The WIB has agreed to act as the CEDS Strategy Committee but that committee is short a public official and a community leader from each jurisdiction.

The City of Winters (the City) is being asked to participate in the preparation of this County-wide CEDS document by: 1) appointing its Economic Development Director to participate on the steering committee; 2) appointing a public official (typically a council person assigned to economic development) to serve on the CEDS Strategy Committee with the WIB; and 3) identifying a community leader willing to participate.

Each named person should be willing to attend 3 meetings on:

- December 9, 2008 for a breakfast at West Sacramento City Hall to review demographic data and begin policy discussions;

- January 13, 2009 at 8:00 a.m. at the Woodland Yolo County DESS offices to finalize goals and objectives and discuss strategic projects;

- February 10, 2009 @ 8:00 a.m. at a place to be determined to review plan of action and complete draft CEDS report.

FISCAL IMPACT: No financial impact, however participation will require staff time as well as Council Member and Community Leader time.

ATTACHMENTS:
- U.S. Department of Commerce EDA CEDS Summary of Requirements

Economic Development Administration

CEDS

CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Council Members

DATE: Nov. 18, 2008

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

FROM: Dawn Van Dyke, Management Analyst/Grant Writer

Carol Scianna, Management Analyst CS

SUBJECT: AB 32 Scoping Plan: Local Protocols and discussion of City's enrollment in The Climate Registry for initial measurement of greenhouse gas (GHG) footprint.

RECOMMENDATION: That the City Council hear a report on the recently published AB 32 Scoping Plan and provide direction regarding the City's enrollment in The Climate Registry for initial measurement of the City's greenhouse gas footprint.

BACKGROUND: AB 32 (Nunez and Pavley), the California Global Warming Solutions Act of 2006, establishes a statewide GHG emissions cap for 2020, equivalent to 1990 emissions. In October, the AB 32 Scoping Plan was released, which includes broad recommendations for reaching the 2020 goal. Staff has reviewed the Scoping Plan and identified one of the actions recommended for local government under the Local Government Protocols: tracking emissions first in municipal operations, then community-wide.

Staff is recommending that as a first step, the City enroll as a member of The Climate Registry, which is a voluntary GHG registry with rigorous reporting requirements. The Climate Registry requires annual verification of GHG measurements, which must be done through a third party verifier at an additional cost, however, in order to join, the City must agree to verification.

The cost to join The Climate Registry is $450 for the City of Winters.

Verification costs could be considerably more than $450, however, it has been suggested that smaller organizations such as the City could form a "pool" and send out one RFP for the verification process, which could lower the costs.

Yolo County through the Yolo County Climate Compact, has received funds through PG&E and Yolo-Solano Air Quality Management District to help cover the cost of the

City's first annual membership fee in The Climate Registry and provide assistance in developing a local Climate Action Plan.

In addition, Yolo County, through the Yolo County Climate Compact, has offered to assist the City with beginning the data collection and GHG tracking process by locating a UC Davis student intern to work with City staff.

According to the AB 32 Scoping Plan, all fees related to greenhouse gas emissions will be collected beginning in fiscal year 2009-2010. It is reasonable to assume that local governments may be required to start an inventory of GHG at that time as well. By beginning to track the City's GHG emissions now, the City can establish a baseline and ensure that it is credited for actions taken to reduce GHG emissions.

Annual fees are billed by The Climate Registry each November. If the City joins now, it will not be billed again until Nov. 2009. If the City waits to join until a later date it will still be billed another annual fee in November.

Related legislation, SB 375 (Steinberg), also addresses the impacts local government may have on GHG emissions through land-use planning and transportation planning including strategies for developing sustainable communities. Staff will present further analysis of the possible effects of that bill at a future date.

FISCAL IMPACT: None at this time; the verification costs are unknown until an RFP is issued. It is possible that the information collected in the tracking process could lead to energy cost savings in the future.

ATTACHMENTS:

AB 32 Fact Sheet - California Global Warming Solutions Act of 2006

Establishes first-in-the-world comprehensive program of regulatory and market mechanisms to achieve real, quantifiable, cost-effective reductions of greenhouse gases (GHG).

Makes the Air Resources Board (ARB) responsible for monitoring and reducing GHG emissions. Continues the existing Climate Action Team to coordinate statewide efforts.

Authorizes the Governor to invoke a safety valve in the event of extraordinary circumstances, catastrophic events or the threat of significant economic harm, for up to 12 months at a time.

Requires ARB to:

- Establish a statewide GHG emissions cap for 2020, based on 1990 emissions by January 1, 2008.
- Adopt mandatory reporting rules for significant sources of greenhouse gases by January 1, 2008.
- Adopt a plan by January 1, 2009 indicating how emission reductions will be achieved from significant GHG sources via regulations, market mechanisms and other actions.
- Adopt regulations by January 1, 2011 to achieve the maximum technologically feasible and cost-effective reductions in GHGs, including provisions for using both market mechanisms and alternative compliance mechanisms.
- Convene an Environmental Justice Advisory Committee and an Economic and Technology Advancement Advisory Committee to advise ARB.
- Ensure public notice and opportunity for comment for all ARB actions.
- Prior to imposing any mandates or authorizing market mechanisms, requires ARB to evaluate several factors, including but not limited to: impacts on California's economy, the environment, and public health; equity between regulated entities; electricity reliability, conformance with other environmental laws, and to ensure that the rules do not disproportionately impact low-income communities.
- Adopt a list of discrete, early action measures by July 1, 2007 that can be implemented before January 1, 2010 and adopt such measures.

For More Information:

Please contact the ARB toll-free at (800) END-SMOG/(800) 363-7664 (California only) or (800) 272-4572. For information on the ARB's Climate Change Program, visit www.arb.ca.gov/cc/cc.htm. You may obtain this document in an alternative format by contacting ARB's Americans with Disabilities Act Coordinator at (916) 322-4505 (voice); (916) 324-9531 (TDD, Sacramento only); or (800) 700-8326 (TDD, outside Sacramento).

California Air Resources Board | *P.O. Box 2815* | *Sacramento, CA 95812* | *(916) 322-2990* | *www.arb.ca.gov*

September 25, 2006

AB 32 SCOPING PLAN SUMMARY

AB 32 sets a goal of reducing Greenhouse Gas (GHG) emissions in two phases: the first is 30% by 2020 and the second is 80% by 2050.

Reducing the GHG emissions 30 % by 2020 is equivalent to reducing GHG emissions 15% from today's levels.

In terms of Metric Tons of CO2 this equals a reduction from the current level of 14 tons of CO2 per man-woman-child in the state to 10 tons of CO2 per man-woman-child in the state.

This goal will require a dramatic reduction in dependence on fossil fuels and rapid development of:

- A cleaner, low carbon economy
- Creation of vibrant, livable communities
- Improvements to methods of travel and goods movement

Development of the Scoping Plan incorporated input from every sector in California: Governmental, Private Industry, Commercial, Community and other organizations.

AB 32 IN A NUTSHELL

Identify a statewide level of GHG emissions in 1990 to serve as the emission level to be achieved by 2020 (15% reduction from today's levels).

Adopt a regulation requiring the mandatory reporting of GHG emissions.

Identify & adopt regulation for discrete early actions that could be enforceable before Jan 1, 2010.

Ensure early voluntary reductions receive appropriate credit in the implementation of AB 32.

Convene an environmental justice advisory committee (EJAC) to advise the board in developing the scoping plan and other pertinent matters in implementing AB 32.

Appoint economic and technology advancement advisory committee (ETAAC).

KEY ELEMENTS FOR IMPLEMENTING AB 32

- Expanding and strengthening existing energy efficiency programs, as well as building and appliance standards

- Achieving a statewide renewables energy mix of 33 percent

- Developing a Cap & Trade program that links with other Western Climate Initiative (WCI) partner programs to create a regional market system

- Establishing targets for transportation-related GHG for regions throughout California and pursuing policies & incentives to achieve those targets

- Adopting and implementing measures pursuant to existing state laws and policies including California clean car standards, goods movement measures and the Low Carbon Fuel Standard

- Creating targeted fees including:
    - a public goods charge on water use
    - fees on high global warming potential (GWP) gases, and

- a fee to fund the administrative costs of the state's long term commitment to AB 32 implementation

ADDITIONAL OVERVIEW

Included in the plan are additional reports and supplements:

- Economic and public health evaluations to evaluate benefits of recommended measures
- CEQA evaluation—potential environmental impacts of proposed plan
- Program changes—includes a "margin of safety" for uncapped sectors—this includes additional reductions beyond those in the draft scoping plan to account for the measures in "uncapped" sectors that do not or may not achieve estimated reductions. This will help ensure that the 2020 goals are met.
- Focus on labor: the plan considers labor interests, working families, workforce development, career technical education to ensure that California has the green technology workforce to address the potential challenges
- Long-term trajectory: The plan includes an assessment of how well the recommended measures will put California on the long-term trajectory for success
- Establishes California's role in the West Coast Regional Carbon Sequestration Partnership
- Includes details on mechanisms to encourage voluntary early action

- Includes additional detail on implementation tracking and enforcement of recommended actions including the role of local air districts

CLIMATE CHANGE IN CALIFORNIA—EVIDENCE AND EFFECTS

Effects may be seen in:

- Air quality
- Quality & supply of water
- Rise in sea levels
- Displacement of coastal businesses and residences
- Damage to marine ecosystems
- Increase in infectious diseases, asthma & other

Effects can be detrimental to:

- Agriculture
- Winemaking
- Tourism
- Skiing
- Commercial and recreational fishing
- Forestry
- Adequacy of electrical power

SOURCES OF GHG BY PERCENTAGES

- Transportation—38%
- Electricity—23%
- Industry—20%
- Commercial/Residential—9%
- Agriculture—6%
- High GWP—3%
- Recycle & Waste—1%

In addition to CO2 (the largest contributor) the Scoping Plan also references five other GHG: methane, nitrous oxide, sulfur hexafluoride, hydroflourocarbons, and perflourocarbons

GHG PERCENTAGES BY END USE

- On-road vehicles—36%
- Oil & gas extraction—14%
- Residential buildings—14%
- Industrial manufacturing, construction, mining—12%
- Agriculture & food processing—9%
- Commercial buildings—8%
- High global warming potential (GWP) gases—3%
- Cement plants—2%
- Other transportation—2%

RECOMMENDED ACTIONS

An overall limit on GHG emissions from most of the economy (capped sectors). Within those sectors, direct regulation may be the best way to accomplish reductions, i.e. building efficiency standards, vehicle efficiency measures.

Additional reductions may be achieved through price incentives posed by emissions allowance prices.

GENERAL PHILOSOPHY REGARDING AB 32 IMPLEMENTATION

The program recommends a three-pronged approach:

1. adopt standards and regulations
2. provide incentives
3. put price on carbon via a carbon fee

CAP & TRADE PROGRAM

Definition:

A Cap and Trade is a market-based policy tool for protecting human health and the environment. A cap and trade program first sets an aggressive cap, or maximum limit, on emissions. Sources covered by the program then receive authorizations to

emit in the form of emissions allowances, with the total amount of allowances limited by the cap. Each source can design its own compliance strategy to meet the overall reduction requirement, including sale or purchase of allowances, installation of pollution controls, implementation of efficiency measures, among other options. Individual control requirements are not specified under a cap and trade program, but each emissions source must surrender allowances equal to its actual emissions in order to comply. Sources must also completely and accurately measure and report all emissions in a timely manner to guarantee that the overall cap is achieved. (Source: EPAwebsite)

The central feature of the AB 32 Scoping Plan is the California Cap & Trade program that links with other Western Climate Incentive (a collaboration of seven U.S. governors and four Canadian premiers, for info see http://www.westernclimateinitiative.org/) partner programs to create a Regional Market System to achieve greater environmental and economic benefits for California. The market price of emissions yields enduring price signals for GHG emissions. The "price economy" provides incentives to the market to reduce emissions.

Price=Motivation

The "currency" in the program consists of allowances issued by the state based upon the total emissions under the specific "compliance period." Allowances not used may be banked for future use or traded to adjust to changing conditions. The California Cap & Trade Program provides capped sources significant flexibility in how they collectively achieve reductions.
Provisions will be made to allow the use of surplus reductions of GHG emissions that occur outside the capped sector—called OFFSETS. More research is needed, however. There is a concern that unlimited offsets could result in reduced overall emissions reductions.

Timeline:

The Cap& Trade program will be established in the following sectors during the first compliance period (2010):

- Electricity generation, including imports not covered by the WCI & partner jurisdictions.
- Large industrial facilities that emit over 25,000 MMTCO2E per year
- Starting in the second compliance period (2015)
- Upstream treatment of industrial fuel at facilities with emissions at or below 25,000 MMTCO2E and all commercial and residential fuel combustion—regulated where fuel enters into commerce
- Transportation fuel combustion will be regulated where fuel enters into commerce

There is a possibility of leakage if the production of energy-intensive industrial sources shifts outside of California

These recommendations were developed in collaboration with the WCI partners—each partner will have an emissions allowance budget based on its goal that declines to 2020.

Allowances could be traded across state & provincial boundaries.

OTHER RECOMMENDATIONS

Light Duty Vehicle Greenhouse Gas Standards—
Implement adopted Pavley standards and planned second phase of the program. Align zero-emission vehicle alternatives, renewable fuel and vehicle technology programs with long-term climate change goals.

- Passenger vehicles equal 30% of California's GHG emissions. To address this, ARB is proposing a three-pronged strategy:

1. Reduce GHG through vehicle standards 2. Reduce carbon content in fuels, and 3. Reduce vehicle miles traveled.

Pavley vehicle standards lower GHG to the extent technologically feasible. It includes performance standards and market-based compliance mechanisms. However, Pavley cannot be implemented until the US EPA grants an administrative waiver.

Also included is a recommendation for a Feebate Program: consumers would receive a rebate for purchasing a low-emitting vehicle or pay a fee for purchasing a high emitting vehicle.

- A Zero Emission Vehicle Program is recommended that would include plug-in electrical vehicles, conventional hybrids and vehicles that run on compressed natural gas.
- Low Carbon Fuel Standard—would reduce the carbon intensity of California transportation fuels by at least 10% by 2020.
- AB 118 Air Quality Improvement Program for alternative and renewable fuel and vehicle technology program. This includes an investment in technologies and fuels that will help meet the Low Carbon Fuel Standard. In the long term, programs to reduce GHG from cars may reduce highway funds because less fuel would be sold, thereby reducing revenue.
- Regional Transportation Related Greenhouse Gas Targets: develop regional GHG emissions reduction targets for passenger vehicles.
- Regional Blueprint Planning & supporting measures:
- Congestion pricing strategies—manage traffic demand while raising funds for needed transit, biking & pedestrian infrastructure investment
- Indirect source rules
- Programs to reduce vehicle trips while preserving personal mobility
- Pay as you drive insurance: drive less=pay less

- Construction/development of a high speed rail system between northern & southern California w/the ability to travel 700 miles at 200 mph. Connecting major metropolitan areas of California by 2030—Prop 1A.
- Energy Sector: enhanced energy efficiency programs will provide incentives

Other energy efficiency recommendations:

- New targets for statewide annual energy demand reductions
- Maximize energy efficiency in building and appliance standards
- Establish Green Building Strategies—to address GHG emissions from electricity, natural gas, water use in homes/commercial buildings
- Establish a green building framework ---LEED
- Industrial Emissions: Require assessment of large industrial sources to determine if individual sources within the facility can cost effectively reduce GHG emissions & provide other pollution co-benefits.
- Reduce GHG emissions from oil & gas extraction & gas transmission
- Adopt and implement regulation to control fugitive methane emissions; reduce flaring at refineries
- Cross-cutting strategies—zero net energy buildings
- Codes & Standards strategies
- Pursue additional energy efficiency efforts—include new technologies, new policy and implementation mechanisms, pursue comparable investment in energy efficiency from all retail providers of electricity in California, both investor owned and publicly owned.
- Increase the Renewables Portfolio Standard to diversify the electrical supply (RPS) to increase the amount of electricity provided through renewable sources from the current 12 percent to 33 percent
- Million Solar Roofs—increase the number of solar panels on rooftops:

    - Goal: install 3,000 MW of solar-electricity capacity under CA existing solar programs
    - Ratepayer financed incentive program aimed at transforming the market for rooftop solar systems by driving down the cost over time—obtaining incentives requires building owners to meet certain efficiency requirements.
    - Specifically: new construction must meet or exceed Title 24 and existing commercial buildings must undergo an energy audit
- Goods Movement Program to reduce toxic air pollutants produced by moving goods from production to market, etc.—implement adopted regulations for the use of shore power for ships at berth, improve efficiency of goods movement activities.
- Heavy Duty & Medium Duty Vehicle measures aim to achieve cost effective reductions of GHG and save fuel. Adopt medium & heavy duty vehicle efficiency measures including retrofit and hybridization.
- Adopt measures to reduce high global warming potential gases including:
    - Refrigerants
    - Perflourocarbons
- Recycling & Waste:
    - Reduce methane emissions at landfills. Increase waste diversion, composting, commercial recycling, move toward zero waste.
- Sustainable Forests: preserve forest sequestration and encourage the use of forest biomass for sustainable energy generation
- Water: Continue efficiency programs & use cleaner energy sources to move and treat water
- Agriculture: In the near term, encourage investment in manure digesters and at 5 year scoping plan update determine if the program should be made mandatory by 2020.

It is estimated that following all the above listed complementary measures will lead to a reduction in Metric Tons of CO_2 from 596 to 422

THE ROLE OF LOCAL GOVERNMENT

Local government is an essential partner in achieving the goals set forth in the Scoping Plan. Local governments have broad influence and/or exclusive authority over activities that contribute to significant direct and indirect GHG emissions through:

- Planning
- Permitting
- Local ordinances
- Outreach/education
- Municipal operations

Key issues regarding Local Government:
Address AB 32 through Land-Use Decisions

- SB 375—includes a mechanism for development of regional targets for reducing passenger vehicle greenhouse gas emissions, also:
    - Transportation
    - Planning
    - Incentives including relief from CEQA for development projects that are consistent with regional plans that achieve the stated targets.
- Local Government Operations Protocol—this protocol recommends that local governments begin tracking emissions first in municipal operations and then community wide through agencies such as ICLEI and The Climate Registry.

VOLUNTARY EARLY ACTIONS & REDUCTIONS

Voluntary reductions not covered under the plan's emissions cap or otherwise regulated—

- Allowances & Revenues
- Fund research development and demonstration projects
- Technology—from early stages to market
- Manage the early carbon market and mitigate price volatility, purchasing credits and selling or retiring them as needed
- Dedicate resources to fund AB 32 environmental justice goals
- Support a green technology workforce program

Possible uses of allowances and of the revenue generated under the program:

- Reduce costs of emissions or achieving additional reductions
- Achieving environmental co-benefits
- Incentives to local governments
- Consumer rebates
- Direct refunds to customers
- Climate change adaptation programs
- Subsidies
- RD&D funding
- Worker transition assistance
- Administration of a greenhouse gas program
- Purchase direct emission reductions

EVALUATIONS

ARB evaluated the effect of the recommended/proposed measures on the California economy, environment and public health

Economic modeling compared estimated economic activity under a business as usual case to results obtained when actions in the scoping plan are implemented.

Under Business As Usual: The Gross State Product (GSP) is projected to increase from $1.8 Trillion in 2007 to $2.6 Trillion in 2020. The economic analysis indicates that implementation of the scoping plan will have an overall positive net economic benefit to the state.
Positive impacts are anticipated primarily because investments are motivated by several measures that will result in substantial energy savings that more than pay back the cost of investments at expected future energy prices.

For more information see report—Tables 24 & 25

IMPACT OF PLAN ON BUSINESS SECTORS

AB 32 will have the strongest positive impact on output/employment for:

- Agriculture
- Forestry
- Fishing
- Finance
- Insurance
- Real estate sector
- Mining

Impacts= growth projections by only very small amounts.
Decrease in output projected for utility and retail trade and decrease in employment for utility sector.
In the utility sector: modeling indicates that implementation of the scoping plan would significantly reduce the need for additional power generation and natural gas consumption.
Reduces growth in the output for this sector

Increasing spending on efficiency and renewable energy is expected to increase employment. Many jobs will not appear in the utility sector.

Retail trade is projected to grow by 50% in both the business as usual and scoping plan—expected to experience a slight net decline in output to business as usual

Gas: consumer retail purchases under this model—the reduced growth is mostly due to reduction of transportation fuel purchases however, this may be offset by a positive $14 billion increase in spending at other retail enterprises

HOUSEHOLD IMPACTS

Implementation will provide low and middle income household savings on the corner of a few hundred dollars per year compared to business as usual—primarily as a result of increased energy efficiency.
The impact on households with earnings at or below 100-200% of poverty guidelines was evaluated. For all households a slight increase in per capita income was established relative to Business as Usual
The analysis projects $50,000 +- jobs for low-income ($15/hr) employees. The largest employment gains will be in retail, food service, agriculture and health care. A decline in the gas sector is anticipated but will be offset by increases elsewhere.
*Efforts should be made to include low-income households so they can fully participate and receive the benefits from a full range of energy efficiency measures.
Implementation of the plan will include a small increase in household income across all income levels
There will be a slight overall increase in middle income jobs
For more information, see Table 28.

IMPACT ON SMALL BUSINESS

The primary impact comes in the form of changes to goods and services produced by small businesses.& changes in the energy expenditures.
Decreased energy expenditures (minor) are anticipated to have a minor but positive impact on small businesses.

This plan anticipates that California will experience robust economic growth with an increase in jobs, production and personal income.

- Green technology sector:

A green technology workforce, trained and educated, is the key to the success of California's long-term efforts to combat global warming.
California's leadership in green technology attracts an increasing share of venture capital investment in green technology.
Today the majority of green technology jobs are in manufacturing: 41%. Professional, scientific and technical jobs account for another 28%.
The median income for manufacturing jobs is $35,725.
The median income for professional, scientific and technology jobs is $56,754.

By a moderate growth scenario, green technology jobs are expected to expand and generate $2.4 trillion and employ 21 million Americans by 2020. A net gain in jobs of 140,000 is expected in the areas of solar, wind, biomass and geothermal energy creation.

- Cost-effectiveness is an important requirement:

The cost effectiveness of the plan is calculated by measuring the cost per unit of GHG adjusted for its global warming potential.
The estimated cost per Ton of GHG reduced by the measures recommended in this plan range from -$408 (net savings) to $133--with all but the Renewables Portfolio Standard (RPS) costing less than $55 per Ton.
The RPS was instituted for diversity as well as financial savings and should not be purely measured in terms of dollars.

PUBLIC HEALTH AND ENVIRONMENTAL BENEFITS ANALYSIS

At ambient levels there are typically no localized impacts.
Key air quality related public health benefits:
Programs address both existing and new sources of air pollution taking into account population and economic growth. Recommended measures in the Scoping Plan reduce smog forming pollutants. The recommendations equate to air quality related public health benefits of 400 avoided premature deaths per year.
A shift in land-use patterns toward more walkable communities may lead to increase physical activity and thereby improved public health.
*Caveat: infill development near sources of pollution may lead to further exposure to pollutants—this should be further analyzed.

SUMMARY OF SOCIETAL BENEFITS

1. Energy diversification—transformation of California's energy portfolio driven by Low Carbon Fuel Standard and Renewables Portfolio.

a. Results:

25% decrease in gasoline usage
17% decrease in diesel fuel use
22% decrease in electricity usage
24% decrease in natural gas usage

IMPLEMENTATION—PUTTING THE PLAN INTO ACTION:

1. Personal action
   i. Active participation by people in California
   ii. Shifts in individual choices and attitudes
   iii. Market forces
   iv. Environmental Awareness

2. The plan includes measures that will help support many individual decisions to improve energy efficiency
   i. Conservation

ii. Carbon Offsets

3. CEQA: The administrative Burden
   i. The De Minimus Threshold was applied where the burden of regulation is determined to outweigh the potential harmful effect of a minimum level of emissions
   ii. ARB will consider and only regulate smaller source categories if there is a compelling necessity

4. Public Outreach and Education (Starts with a steering team)
   i. Localized efforts involving public stakeholders
   ii. Local and community meetings

4. Education and workforce development
   a. technically educated workforce
   b. investment in training
      i. career technical education
      ii. worker transition assistance
      iii. collaboration

Green Job Opportunities are a multigenerational challenge: schools must be included in the process.
Strategies to ensure California workforce will be equipped to lead the transition into a clean energy future:
Strengthen and expand access to career and technical education in California public schools for the next generation of workers who will build a green economy.
Ensure an adequate pipeline of skilled workers who are trained in the new technologies of a greener economy
Ensure that California higher education institutions continue to produce the next generation of clean team engineers, scientists and business leaders

<u>For small businesses:</u>
Develop an online small business toolkit including:

- A business specific calculator to assess California's carbon footprint
- Voluntary GHG inventory protocols
- Recommended best practices
- Case studies
- Program financing resources
- Peer networking opportunities
- Awards program

For more information see Table 32

TRACKING & MEASURING PROGRESS

ARB will update the plan at least once every 5 years.
Report card: state agencies will prepare an annual report card detailing measures they have taken and submit it to the California EPA
ARB will track projects

1. Progress toward state government target will be tracked:a subgroup will be created for a statewide approach
2. Mandatory Reporting Regulation: begin tracking in 2008; begin reporting in 2009. In 2010 reporting will become more vigorous and require verification by a third party.

State agencies should use a full range of enforcement options to ensure planned reductions are achieved:

Levels:

1. ARB—transportation, off-road equipment and consumer products
2. State/Federal Agencies
3. Local—air districts

Role of Local Air Districts:

Air districts have primary responsibility for implementing and enforcing criteria with regard to industrial and commercial and other stationary sources.
Mesh program with local and regional activities
Coordinate emission reporting requirements between the Air Resources Board and the Air Districts.

- Inspections
- Violate prosecutors
- Work with CHP on mobile sources and other laws and regulations where joint enforcement authority applies.
- Air District staff will be trained to be third party verifiers for reporting.

Cap & Trade Partners in enforcement

- DOJ
- PUC
- Energy Commission
- Independent System Operators
- Penalties/compliance deadlines
- Missed deadlines=administrative or civil criminal penalties

State & Local Permitting Considerations

The plan may require affected entities to modify or obtain state or local permits

Permit requirements should harmonize

FUNDING AB 32 SCOPING PLAN

A stable and continuing source of funding must be located in order to implement the plan

- Administration
- Implementation
- Enforcement

AB 32 Authorizes ARB to collect fees.

Rulemaking regarding fees is underway.

$55 Million per year in ongoing revenues will be required to run the programs.

Additional revenues must be located in order to repay loans from state funds that were used to pay for the ARB and Cal EPA to start the programs.

Fees will be collected beginning in fiscal year 2009-2010.

VISION FOR THE FUTURE

Collaboration

Working closely with key partners
Lack of leadership at federal level
Work for national climate program with the following:

- US Dept of Energy
- USEPA
- USBLM
- USDA
- US Dept of Transportation

Next: carbon sequestration: find more methods to prevent carbon from entering the atmosphere through carbon capture and storage

Look ahead to 2030 levels...reductions.

CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Council Members

DATE: November 18, 2008

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

FROM: Shelly Gunby, Director of Financial Management

SUBJECT: 2008 Water and Sewer Rate Analysis

RECOMMENDATION:
Staff recommends the City Council authorize staff to issue the Proposition 218 notice informing residents of the intention to increase water and sewer rates on the following dates:

February 1, 2009
July 1, 2009
July 1, 2010
July 1, 2011

BACKGROUND:
In December 2005, the City of Winters approved water and sewer rate increases to be effective through July 1, 2008 with the understanding that we would have to switch to metering water and undertake a new water and sewer rate plan to comply with state law. Subsequent to that action, staff has researched the state law, and found that due to our size, we are not required to implement consumption based billing (metered water billing) on January 1, 2010 as originally anticipated. The City Council directed staff to undertake a new water and sewer rate analysis to determine the consequences to residents of converting to consumption based billing system.

In December 2005, staff told the City Council and the citizens the following items would be achieved by increasing the water and sewer rates by issuing bonds to provide capital project financing for the following:

Water Projects:
Well evaluation and improvements
Installation of a SCADA system
Purchase of a truck with a hoist for working on the wells
Water meter program
Infrastructure repair and replacement program

Sewer Projects:
TV evaluation of Sewer lines
Installation of a SCADA system
Lift Station rehabilitations
Infra structure repair and replacement

At the present time we have

- purchased the hoist truck
- Videoed the entire city sewer lines for condition
- Evaluated and rehabilitated 2 wells
- Begun the installation of the SCADA program, it should be completed in February 2009
- Are ready to go to bid for water and sewer line replacements in identified areas.
- Begun working on the lift station rehabilitations
- Allocated funding for well #7 and should be able to go to bid after the first of the year.
- Set aside funding for the installation of water meters.

In the spring of 2008 Staff selected Foresight Consulting to provide an analysis of our water and sewer rates for the future and has received a draft report from them at this time. Recommendations from the consultant include proposed water rates for both a flat rate system and a consumption based system and the following:

- Adopt Water and Sewer Rate increases: adopt multi-year water and sewer rate increases for fiscal year 2008-2009 through at least 2010-2011
- Continue with flat rates for single family water customers until all homes are metered. Provide these customers with at least 12 months of billing showing the flat rate and what the bill would be if there were charged on a consumption rate basis. Adopt consumption base rates after customers have become familiar with the rates and bills.
- Install meters for all non single family customers as soon as possible.
- Funding for the cost of new meters should be directly borne by the individual customers needed new meters based on the following options
    - Direct Payment $1,000.00 Total cost $1,000.00
    - Quarterly Installment (Total of 1 Year $ 2,58.00 Total cost $1,032.00
    - Monthly surcharge (0ver 5 years) $ 18.87 Total Cost $1,132.27
- Change Multi-family Water and Sewer rate structure: this rate should be charged a small fixed monthly cost for billing and administration and then a flat charge based on the number of units (if not metered).
- Modify outside of city residential and sewer customers. Charge an amount equal to 130% of the amount charged to city residents for the services.
- Prior to switching to consumption based billing for single family residences, update the cost of service analysis using the new consumption data after we have an entire year of data.

Recommended rates based on the analysis are as follows:

City of Winters
Proposed Water Rates

Water Flat Rates	current	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013
Single family	33.76	33.97	35.33	36.74	37.84	38.60
Multi Family (per account)		4.46	4.64	4.82	4.97	5.07
(per unit)	30.80	17.41	18.11	18.83	19.40	19.79
Public Schools	582.68	513.72	534.26	555.64	572.30	583.75
Commercial I (until metered)	30.80	60.64	63.06	65.58	67.55	68.90
Commercial II/Industrial (until metered)	36.96	124.90	129.90	135.09	139.15	141.93

Water - Metered Rates	Fixed Monthly rate per month per account					
	current	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013
3/4" Meter	30.80	17.63	18.33	19.07	19.64	20.03
1" Meter	30.80	26.45	27.51	28.61	29.47	30.06
1.5" Meter	30.80	48.32	50.25	52.26	53.83	54.9
2" Meter	30.80	94.71	98.5	102.44	105.51	107.63
3" Meter	30.80	158.16	164.48	171.06	176.19	179.72
4" Meter	30.80	267.87	278.58	289.72	298.42	304.38
6" Meter	30.80	553.27	575.4	598.42	616.37	628.7
Consumptive Rates All usage per hcf		0.96	0.99	1.03	1.06	1.09
>12 hcf < 120 hcf	0.6160					
>120 hdv < 250 hcf	0.4067					
>250 hdf	0.2085					

Recommended Sewer Flat & Volume Rates for Metered Customers
City of Winters

	Current	*Projected Fixed Monthly COS Rates (a)*				
Flat Rates *(no volume charges)*	Rates	2008-09	2009-10	2010-11	2011-12	2012-13
Single Family - COS Flat Rates	$34.77	$39.19	$43.11	$47.42	$52.64	$54.21
Multi-Family *(per Unit)*	$32.85	$22.36	$24.59	$27.05	$30.03	$30.93
Public Schools *(w/o Meters)*	$32.85	$461.98	$508.17	$558.99	$620.48	$639.10
Yolo Co. Housing	$3,512.40	$3,558.03	$3,913.83	$4,305.22	$4,778.79	$4,922.15
Commercial I	$28.42	$23.73	$26.10	$28.71	$31.87	$32.82
Commercial II	$32.85	$96.60	$106.26	$116.88	$129.74	$133.63
New Metered Rates *(with volume charges)*						
Public Schools *(w/ Meters)*	$32.85	$211.31	$232.44	$255.69	$283.81	$292.33
Commercial I	$28.42	$10.85	$11.94	$13.13	$14.58	$15.01
Commercial II	$32.85	$44.18	$48.60	$53.46	$59.34	$61.12
		Projected COS Volume Rates (a)				
Non-Residential *(Applies to All Metered Monthly Water Use) (b)*						
Public Schools *(w/ Meters)*	$2.86	$0.99	$1.09	$1.20	$1.33	$1.37
Commercial I	$2.86	$1.28	$1.40	$1.54	$1.71	$1.76
Commercial II	$2.86	$1.39	$1.53	$1.69	$1.87	$1.93
Alternative Residential Rates Based on Winter Consumption						
Single Family - COS w/ Vol. Rates (b)	--	*$17.93*	*$19.72*	*$21.69*	*$24.08*	*$24.80*
Single Family - COS w/ Vol. Rates	*$2.86*	*$2.63*	*$2.89*	*$3.18*	*$3.53*	*$3.63*
Financial Plan Rate Increase		*10.0%*	*10.0%*	*10.0%*	*11.0%*	*3.0%*

a. See Appendix Table COS-3 for fixed monthly and volume rates.
b. Volume rates for all non-residential classes apply to metered monthly water use, with no minimum consumption included in the fixed monthly rate.
c. These single-family rate have the additional volume rates shown below, applied as a fixed charge for the year. Note: Single-family volume rates are based on winter consumption (i.e., the average for each residential account).

The current non-metered residential rate for water, sewer and municipal services tax is $78.53 per month, the proposed rate effective 2/1/2009 would increase to $83.16, for an increase of $4.63 per month.

Under a consumption water rate, residents using 17 hcf water per month would pay approximately the same amount as the current flat rate ($33.95 vs. $33.76 currently). Further meters would need to be installed to develop the average water usage of our residential water customers to determine the full effect of metering on the water bills of single family residents.

FISCAL IMPACT:
Minor increased revenues for the water fund for operations in 2008-2009. Increase in sewer fund revenues for operations for 2008-2009. Provides a funding solution for the installation of water meters should the City Council decide to proceed to water metering for all services.

CITY OF WINTERS CALIFORNIA

CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Council Members

DATE: November 18, 2008

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

FROM: Dan Maguire, Housing Programs Manager DM

SUBJECT: Winters Healthcare Foundation grant – Community Garden

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RECOMMENDATION:
Staff recommends the Council receive the staff report regarding updates on the formation of a community garden.

BACKGROUND:
In the first quarter of 2008, the Winters Healthcare Foundation (WHF), in collaboration with the Davis Farmers Market Association (DFMA) and the City of Winters, successfully applied for a grant from the TIDES foundation under the Networking for Community Health Program. The approximately one hundred sixty eight thousand dollar ($168,000) grant establishes start up funding for the following three primary components:

- To establish a community garden that allows residents an opportunity to grow their own food, learn about the agricultural process and advance economically through the sale of value added products;
- To expand the current Sonrisa Vida Sana Promotora group's outreach capabilities to include a wider audience and more comprehensive health education;
- To establish a successful farmers market that reflects the unique character of the Winters community, provides access to locally grown fresh food, and benefits the farmers, customers, and partners economically.

On August 5, 2008 meeting, City staff and WHF staff presented the Redwood Grove (located just west of the City's East Street Lift Station Facility). Following discussion, the City Council directed staff to explore other possible sites. Based on that direction, Staff from the City, along with WHF staff, evaluated the following five (5) potential sites:

- Redwood Grove
- Skate Park
- George Castro property
- Shirley Rominger site
- Winters High School Ag site

The sites were rated against the following criteria:

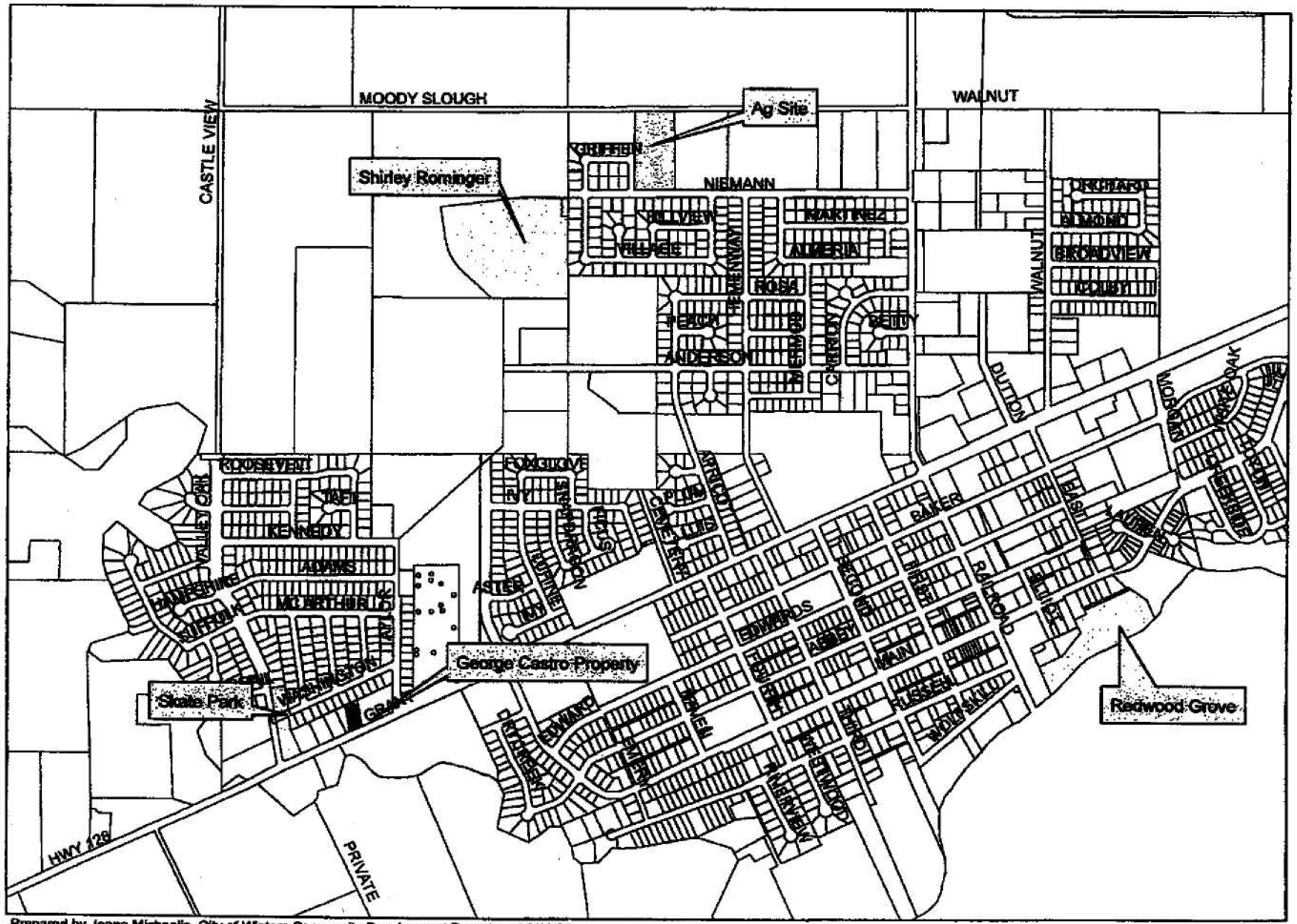
- Access to water
- Sunlight
- Ease of access to site by residents
- Parking
- Restrooms
- Resident Issues
- Visibility
- Soil Analysis

DISCUSSION:
Staff feels a community garden located within the City limits is needed to facilitate usage by Winters residents.
Staff is requesting the City Council provide direction regarding the proposed sites.

FISCAL IMPACT:
None by this action

ATTACHEMENTS:
Map of Garden Sites
Site evaluation notes
Map of Multi-family Housing sites

Community Garden Sites



Prepared by Jenna Michaelis, City of Winters Community Development Department 9/11/08

SITE NAME	WATER?	SUNLIGHT?	ACCESS	PARKING?	RESTROOMS?	RESIDENCE ISSUES?	VISIBILITY?
Joe Castro Site, St. HWY 128 next to the WJUSD admin offices	YES, and sewer, no additional funds to get water access at site	YES	GOOD for those living in Trailer Park NOT as GOOD for most apartment locations in Winters. On bus line.	Difficult. Paking in WJUSD lot only.	NO. Land owner requests that restrooms be available and that there be handwashing facility put in at the expense of the City of Winters.	NONE. No residents, the WJUSD is the only neighbor.	YES. #1 in visiblity.
Skate Park Site	YES, some $$ needed to get water accessability where it needs to be	YES	GOOD for those living in Trailer Park. NOT as GOOD for most apartment locations in Winters. Feels Exclusive of other neihborhoods. On bus line.	Along Valley Oak Drive.	YES. 1 portable across the street on Valley Oak.	No neighbors other than Tomats.	YES. #2 in visibility.
Redwood Grove Site	YES, already set up for irrigation and drip	YES	GOOD for most apartment residents, near low-income housing, central, on bus line.	Community Center Parking lot. Downtown parking areas.	YES. Community Center Restrooms and restrooms in Rotary Park.	Survey given to all neighbors surrounding site. All greatly in support of the project except for 1 resident.	NO. But could encourage foot traffic along the restored Putah Creek footpath.
Shirley Rominger Site Property of the WJUSD	YES, some $$ needed to get water accessability where it needs to be	YES	NOT as GOOD as other 3, exclusive of many neighborhoods	School parking lot...but difficult during daytime hours when school is in.	NO.	NONE.	NO.

SITE NAME	% Organic Matter (desired 5-6%)	C.E.C. (cation exchange capacity)	Phosphorus 2 (reserve, desired level = 60)
REDWOOD GROVE	2.10%	23.3	213
SKATE PARK	1.10%	21.2	163
CASTRO SITE	1.60%	13.8	34
SHIRLEY ROMINGER SITE	0.90%	11	24

Recommended Amendments

10 CU. FT. OF COMPOST
10 LBS. GYPSUM (CALCIUM)
0.8 OZ. OF 14.9% BORON

14 CU. FT. OF COMPOST 10
LBS. GYPSUM (CALCIUM) 9
OZ. OF POTASSIUM SULFATE 1.2
OZ. OF 36% ZINC SULFATE 1.0
OZ. OF BORON

14 CU. FT. OF COMPOST 7
LBS. GYPSUM (CALCIUM) 14
OZ. OF POTASSIUM SULFATE 1.1
OZ. OF 36% ZINC SULFATE 1.1
OZ. OF BORON 5 LBS.
COLLOIDIAL ROCK PHOS.
14 TONS OF COMPOST
1200 LBS. OF HI-CAL LIME
1750 LBS. OF GYPSUM
340 LBS. OF POTASSIUM SULFATE
ALFALFA MEAL & ROCK PHOS.
37 LBS. OF 36% ZINC SULFATE 32
LBS. OF 14.9% BORON

Winters Multi-Family Housing