



Winters City Council Meeting
City Council Chambers
318 First Street
Tuesday, December 2, 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 November 18, 2008 (pp 1-5)
- B. Claim Against the City of Winters – Carner (pp 6-17)

PRESENTATIONS

DISCUSSION ITEMS

- 1. Public Hearing and Second 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 18-21)

COMMUNITY DEVELOPMENT AGENCY

CITY MANAGER REPORT

INFORMATION ONLY

EXECUTIVE SESSION

ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the December 2, 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 25, 2008, and made available to the public during normal business hours.

Nancy Jensen, Administrative Assistant to Nanci Mills

Nanci G. Mills, City Clerk

Questions about this agenda – Please call the City Clerk's Office (530) 795-4910 ext. 101. Agendas and staff reports are available on the city web page www.cityofwinters.org/administrative/admin_council.htm

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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City Council agenda packets are available for review or copying at the following locations:

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 Winters City Council Meeting
Held on Tuesday, November 18, 2008

Mayor Martin called the meeting to order at 7:30 p.m. Those present were Council Members Cecilia Aguiar-Curry, Harold Anderson, Woody Fridae and Mayor Martin. Also present were City Manager John Donlevy, City Attorney John Wallace, Redevelopment/Economic Development Director Cas Ellena, Housing Manager Dan Maguire, Director of Financial Management Shelly Gunby, Associate Elliot Landes, Grant Writer Dawn Van Dyke, Management Analyst Carol Scianna, and City Clerk Nanci Mills. Absent was Council Member Tom Stone.

Redevelopment/Economic Development Director Cas Ellena led the Pledge of Allegiance.

Approval of Agenda: City Manager Donlevy requested that Discussion Item #1 be removed from the agenda. Council Member Fridae made a motion to approve the agenda with the proposed change. Seconded by Council Member Aguiar-Curry. Motion carried unanimously, with Council Member Stone absent.

COUNCIL / STAFF COMMENTS

Council Member Anderson indicated a meeting of the Winters Putah Creek Committee was held last night to discuss the grant application filed last week, which will be available on Solano County's website. He requested that Carol Scianna provide the link.

Due to the high foreclosure rate, Council Member Fridae requested the Housing Department look for creative ways to buy "bargains" and fix up for the housing market. Housing Programs Manager Maguire is looking into it, and agreed it was an interesting idea, but indicated the (relatively low) foreclosure rate in Winters disqualified us from receiving federal funds. He plans to bring back to Council a presentation regarding a game plan.

Mayor Martin reminded everyone about the Community Dinner this Sunday, November 23 and asked everyone to be there at 5:00 to help. This event brings the community together.

CITY MANAGER REPORT

City Manager Donlevy stated the Downtown project is coming along, with the street opening scheduled for November 19. He wanted to thank Dave Rodriguez with Maxicrete, Joe & Cole Ogando, and their work crews who set record time in improvements and expedited the schedule. The installation of amenities will follow. Regarding Well #7, there may be a possible second economic stimulus package available. This would become the #1 priority as there would be a 60 day limit on the project upon receipt of the funds. The library project is coming along, which was 10 years in the making. Next week's planning commission agenda is very aggressive, with several big items.

PUBLIC COMMENTS

CONSENT CALENDAR

- A. Minutes of the Regular Meeting of the City of Winters City Council Held on Tuesday, November 4, 2008
- B. Authorize Letter Transmitting the City of Winters Comments on the Draft Yolo County 2030 Countywide General Plan
- C. Authorize ZSI to relocate the VFD (variable frequency drive) from Well #3 to Well #5 at a Cost of \$9,700.00
- D. Acceptance of Safe Routes to School Sidewalk Improvements – Project No. 06-17
- E. Proclamation – National Hunger and Homelessness Awareness Week

City Manager Donlevy gave a brief overview. Regarding Item B, Council Member Anderson would like to address the condition of the road between Winters and Davis. City Manager Donlevy indicated a second letter would be submitted with this concern. Council Member Aguiar-Curry made a motion to approve the consent calendar. Seconded by Council Member Anderson. Motion carried unanimously, with Council Member Stone absent.

PRESENTATIONS

Mayor Martin presented a Proclamation to Janice Critchlow in recognition of National Hunger and Homeless Awareness Week, November 16-22, 2008.

DISCUSSION ITEMS

1. **Chamber of Commerce Request to Waive Past Due and Future Rent at the Community Center**

City Manager Donlevy requested this item be pulled, which was unanimously approved by Council, with Council Member Stone absent.

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

City Attorney Wallace gave a brief overview. Council Member Fridae made a motion to approve the introduction and waive the first reading of Ordinance 2008-12. Seconded by Council Member Anderson. Motion carried with the following roll call vote:

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

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

Redevelopment/Economic Development Director Cas Ellena gave a brief overview. Council Member Fridae recommended the selection of Council Member Cecilia Aguiar-Curry to this committee, which was accepted.

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

Grant Writer Dawn Van Dyke gave an overview. Staff has recommended the City enroll in The Climate Registry, where the greenhouse gas omissions will be registered and the results verified, which could increase the initial cost of \$450. For the initial cost of \$450, Council Member Fridae Woody said we would receive the tools to measure the greenhouse gas footprint and study the baseline. He suggested possibly utilizing an intern from UCD to assist in the project. Council Member Fridae made a motion to approve the enrollment in The Climate Registry. Seconded by Council Member Aguiar-Curry. Motion carried unanimously with Council Member Stone absent. City Manager Donlevy recognized John Mott-Smith, who has been working with Yolo County and coordinating government agencies regarding the climate issue and is a great resource. Council Member Fridae said he was instrumental during the recent E.A.R.T.H. Festival held in Winters.

5. Water and Sewer Rate Study: Authorization to issue notice of rate increase to property owners within the City of Winters

Director of Financial Management (DFM) Gunby gave an overview, indicating that due to our size, water consumption-based billing is not yet required. The final scheduled increase was to take place in July, 2008, but was not implemented. At the Council's direction, a new water and sewer rate analysis was undertaken by staff. Management Analyst Carol Scianna, Associate Elliot Landes and DFM Shelly Gunby have devoted much time obtaining sewer and water metering data. Greg Clumpner of Foresight Consulting reviewed with Council the summary of rate & metering policy issues, overview of metering program, Foresight Consulting's scope of work, overview of rate methodologies, rate study findings, and overview of rate results.

Mayor Martin inquired whether metered residents might see a savings on their water bill and if we would see a reduction of water into the sewer plants. Greg Clumpner responded yes, with the use of low-flow faucets and showerheads. Mayor Martin asked what the typical consumption for a family of four might be. Greg Clumpner estimated an average of 17.1 units.

City Manager Donlevy indicated he will return to Council with a Summer v.s. Winter consumption comparison.

Council Member Anderson inquired whether Proposition 218 would affect the proposed water & sewer rate increases. DFM Gunby indicated that this item would not be subject to a vote. Residents would be given notice of a proposed rate increase and would have 45 days to respond. Written protests submitted by residents would be a "no" vote. No response would be considered a "yes" vote. If there is less than a 50% response, Council would make the decision. It was suggested this item return to Council at the January 20, 2009 meeting to approve or disapprove new water and sewer rates.

Mayor Martin inquired about hardship cases for senior citizens. DFM Gunby responded it couldn't be done under Proposition 218. Water consumption will be reduced based on single residency, and residents would be given the choice to pay for the meter in three ways: pay in full, pay on a quarterly basis, pay on a 5-year basis, or a lien can be put on the property. There is currently no policy in place as staff has not yet received direction from Council.

DFM Gunby requested from Council permission to send out Proposition 218 notices and move forward to install meters in commercial and industrial customers. It was estimated that 60 businesses are metered and 80 businesses are not metered. It was suggested the ordinance addressing commercial and industrial metering be amended.

Council Member Fridae made a motion to authorize staff to issue the Proposition 218 notice informing residents of the intention to increase water and sewer rates between February 1, 2009 and July 1, 2011, and amended the motion to include the development of procedures for industrial and commercial water metering. Seconded by Council Member Aguiar-Curry. Motion carried 3-1-1, with Mayor Martin and Council Members Aguiar-Curry and Fridae approving, Council Member Anderson opposing and Council Member Stone absent.

COMMUNITY DEVELOPMENT AGENCY

INFORMATION ONLY

1. Update on Winters Healthcare Foundation Grant – Community Garden Site Evaluation

Housing Manager Dan Maguire gave a brief update and introduced Anna Kormos from Winters Healthcare, the lead person for the Community Garden and Market Manager for Davis Farmers Market, who stated the three components of the grant are intertwined. Council Member Anderson asked if the Community Garden would be handicapped accessible? Anna Kormos stated it was not required, but the City could make the final determination. City Manager Donlevy indicated the Community Garden would be a good Rotary Club project.

Anna summarized the findings: the redwood grove site, with parking available in the Community Center parking lot, had the best soil. Mayor Martin said this would be a good place to start. Council Member Anderson said the skate park area came in a close second. If anyone opposes the decision, they can come to voice their opposition at a meeting. Council directed staff to proceed with the redwood grove site.

EXECUTIVE SESSION: None

ADJOURNMENT

Mayor Martin adjourned the meeting at 9:35 p.m.

Michael Martin, MAYOR

ATTEST:

Nanci G. Mills, City Clerk



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Councilmembers
DATE : December 2, 2008
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Nanci G. Mills, Director of Administrative Services/City Clerk
SUBJECT: Personal Property Claim Against the City of Winters - Carner

RECOMMENDATION:

It is recommended that the City Council deny the claim and refer to Yolo County Public Agency Risk Management Insurance Authority (YCPARMIA).

BACKGROUND:

Anytime the City of Winters has a claim filed, we deny and refer to YCPARMIA to handle the investigation.

FISCAL IMPACT:

Not to exceed the City's \$1,000 deductible, with any costs in excess to come from funds pooled at the JPA.

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



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

CLAIM FORM

CLAIM AGAINST: 2002 S-80 Volvo
(For damages to persons or personal property)

DATE RECEIVED: (Stamp and Initial)

RECEIVED
NOV 18 2008
CITY OF WINTERS

11:55 am
h

RECEIVED VIA:
U.S. Mail: _____
Over the counter: X

A claim must be filed within SIX (6) MONTHS after which the incident or event occurred. Be sure your claim is against the City of Winters and not another public entity. Where space is insufficient, please use additional paper and identify information by paragraph number. Completed claims must be mailed or delivered to (do not fax or email):
**City of Winters
City Clerk's Office
318 First St.
Winters, CA 95694**

The undersigned respectfully submits the following claim and information relative to damage to persons and/or personal property:

A. Claimant's Name: Richard CARNER.
Address: 22 PRISCILLA CT
City/State/Zip: WINTERS, CAL.

B. Address to which the claimant desires notices to be sent:
Above

C. Date of the occurrence or transaction which gave rise to the claim asserted: 10-30-08 Thur.

Place of occurrence: (Provide specific address if known and a description of the location.)

CITY PARKING LOT - ACROSS FROM CODY'S

D. The name or names of the public employee(s) causing the injury, damage, or loss, if known

NONE

E. A general description of the indebtedness, obligation, injury, damage or loss incurred so far as it may be known at the time of presentation of claim. (Please be specific with your information and the actions leading up to the occurrence. Failure to provide a general report of the occurrence that allows the City to ascertain the events leading up to the indebtedness, obligation, injury, damage or loss may result in your claim being returned to you as initially denied due to incompleteness. Use additional paper as necessary.)

THERE IS NO PARKING ON RAILROAD AVE DUE TO CONST. MY WIFE DIANA CARNER WHO HAS A BUSINESS CLOSE QUARTER HAD TO PARK IN CITY PARKING LOT ACROSS FROM CODY'S. AND THE DUMPER IN THE PARKING STALL HAD REBAR STICKING OUT THE TOP. 4 TO 5" SHE DID NOT SEE, IT PUNCHED A HOLE AND BENT THE SHIELD ON THE FRONT OF THE CAR. REPORTED IT TO CITY MANGER -

F. The amount claimed as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of presentation of the claim, together with the basis of computation of the amount claimed:

Damages claimed:

- | | |
|--------------------------------------|------------------|
| 1. Amount claimed as of this date: | \$ <u>885.37</u> |
| 2. Estimated amount of future costs: | + _____ |
| 3. Total amount claimed: | = _____ |

(Include copies of all bills, invoices, estimates, etc.)

1. A-1-Body - DAVIS
2. CORBYS COLLISION VACAVILLE
3. A-1-Body - VACAVILLE,

G. Names and addresses of all witnesses, hospitals, doctors, etc.:

- 1. _____
- 2. _____
- 3. _____
- 4. _____

H. Any additional information that might be helpful in considering claim: MY WIFE CALLED AND REPORTED IT TO CITY, SHE CAME AND TALKED TO DIANA AT HER SHOP. CLOSE QUARTER SALON.

WARNING:

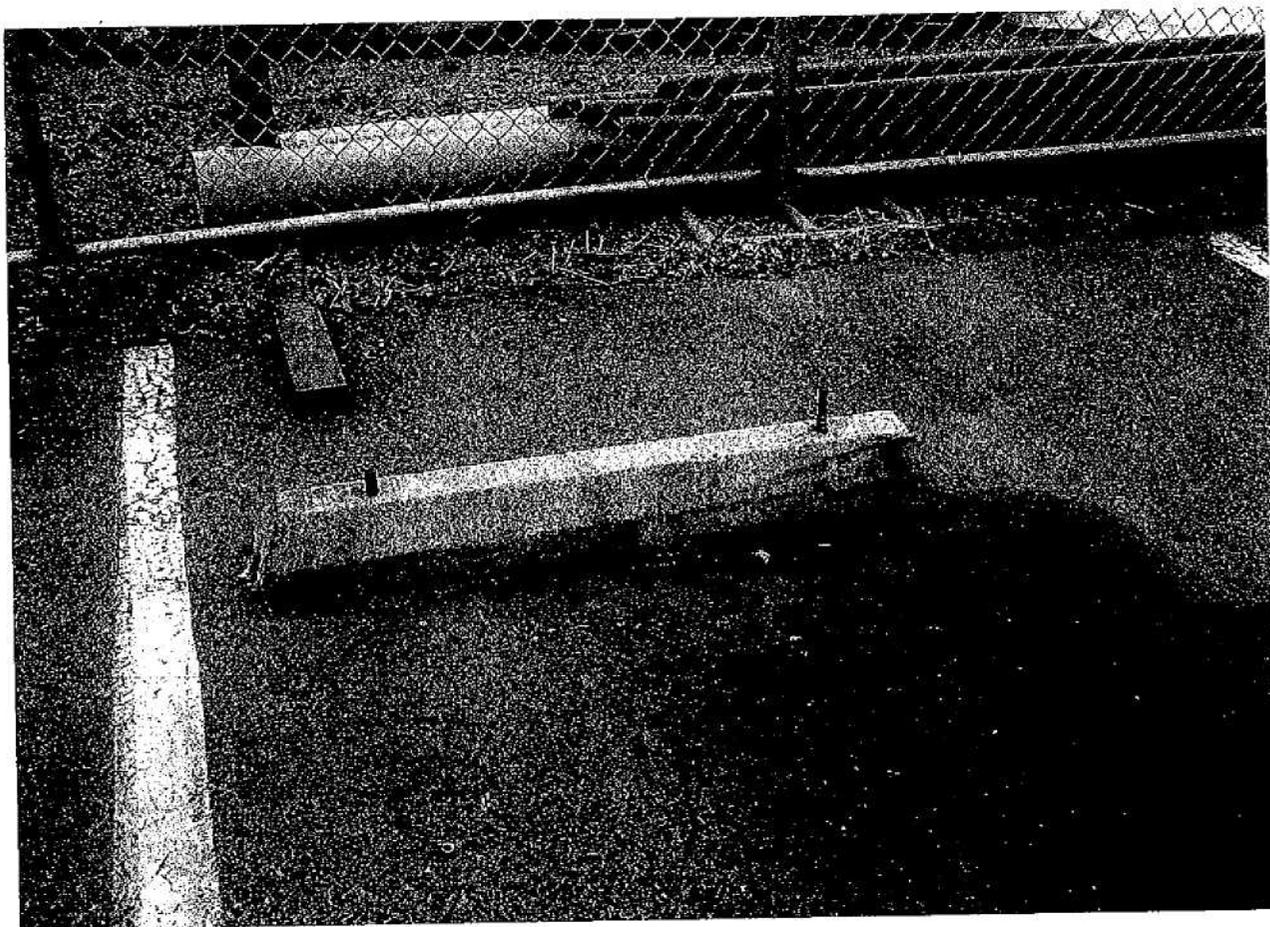
IT IS A CRIMINAL OFFENSE TO FILE A FALSE CLAIM:
(penal code 72; insurance code 556.1)

I have read the matters and statements made in the above claim and I know the same to be true of my own knowledge, except as to those matters stated upon information or belief and as to such matters I believe the same to be true. I certify under penalty of perjury that the foregoing is TRUE and CORRECT.

Signed this 18 day of NOV, of the year 2008 at

WINTERS
(location)

Richard Casner
CLAIMANT'S SIGNATURE



10.30-08
CAUSE OF DAMAGES TO S-80 VOLVO.
PARKING STALL ACROSS FROM CODY'S.

ESTIMATE for REPAIRS A-1 BODY SHOP

BAR # AC253568

215 I STREET - DAVIS, CA 95616 • PHONE: 530.756.6929

NAME R. CARNER			ADDRESS			PHONE	DATE 11/17/08
Year 02	Make Volvo	Model 402	License No.	Odometer	Mr. No. YVITS92DS21		
Insurance Carrier S-80 2.9			Adjuster			Phone 270912	

Symbol	FRONT	Labor Hrs.	Parts	Symbol	LEFT	Labor Hrs.	Parts	Symbol	RIGHT	Labor Hrs.	Parts
NF	Bumper Cover	20	682.48		Fender				Fender		
	Bumper Brkt.				Fender Shield				Fender Shield		
	Bumper Reinf.				Fender Mldg.				Fender Mldg.		
	Bumper Gd.				Headlamp				Headlamp		
	Bumper Cushion				Headlamp Door				Headlamp Door		
	Frame										
	Cross Member				Cowl				Cowl		
	Align Frt. End				Marker Light				Marker Light		
	Wheel				Door, Front				Door, Front		
	Hub Cap										
					Door Hinge				Door Hinge		
					Door Glass				Door Glass		
					Door Mldg.				Door Mldg.		
	Knuckle Sup										
	Lr. Cont. Arm-Shaft				Center Post				Center Post		
	Strut				Door, Rear				Door, Rear		
	Up. Cont. Arm-Shaft				Door Glass				Door Glass		
	W/Shield Kit				Door Mldg.				Door Mldg.		
	Windshield				Rocker Panel				Rocker Panel		
					Rocker Mldg.				Rocker Mldg.		
					Sill Plate				Sill Plate		
					Floor				Floor		
	Gravel Shield										
	Park. Light				Quar. Panel				Quar. Panel		
	Grille				Quar. Mldg.				Quar. Mldg.		
	Grille Brkt.				Quar. Glass				Quar. Glass		
					Tail Light				Tail Light		
					Marker Light				Marker Light		
	Valance				REAR				MISC.		
					Bumper				Bag Car		
					Bumper Reinf.				Haz. Waste Removal		
					Bumper Shock				Aim Lamps		
									Stone Guard		
					Gravel Shield				Undercoating		
	Hood Top				Lower Panel				Top		
	Hood Hinge				Floor				Tire		
	Hood Mldg.				Trunk Lid				Battery		
	Hood Labels								Color Match		
									Paint		
	Rad. Sup.								Clear Coat		
	Rad. Core				Gas Tank				Blend Adj. Panel		
	A/C Cond.				Frame						
	Service A/C										
	Fan Blade										
	Fan Shroud										
	A/C Refrig. Recovery										

SUMMARY	
Labor 75.00	Hours 20 \$ 1500.00
Parts	\$ 682.48
Tax	\$ 52.89
Sublet	\$
	\$

THIS ESTIMATE IS BASE ON OUR INSPECTION AND DOES NOT COVER ADDITIONAL PARTS OR LABOR WHICH MAY BE REQUIRED AFTER THE WORK HAS STARTED. WORN OR DAMAGED PARTS WHICH WERE NOT EVIDENT ON FIRST INSPECTION MAY BE DISCOVERED. NATURALLY THIS ESTIMATE CANNOT COVER SUCH CONTINGENCIES. PARTS PRICES SUBJECT TO CHANGE WITHOUT NOTICE. THIS ESTIMATE IS FOR IMMEDIATE ACCEPTANCE.

THIS WORK AUTHORIZED BY _____

TOTAL \$ **885.37**

Richard Carner

11/17/2008 at 04:09 PM
72396

Job Number:

CORBY'S COLLISION
License #:AA237655 Federal ID #:202147016
1330 Callen Street
Vacaville, CA 95688
(707)448-1696 Fax: (707)448-2736

PRELIMINARY ESTIMATE

Written By: PAUL TROUTNER
Adjuster:

Insured: Carner
Owner: Carner
Address:

Day:
Evening:

Claim #
Policy #
Deductible:
Date of Loss:
Type of Loss:
Point of Impact:

Inspect CORBY'S COLLISION
Location: 1330 Callen Street
Vacaville, CA 95688

Business: (707)448-1696

Insurance
Company:

Days to Repair

2002 VOLV S80 6-2.9L-FI 4D SED Int:

VIN: YV1TS92D521270912 **Lic:**

Prod Date:

Odometer:

Air Conditioning	Tilt Wheel	Cruise Control
Telescopic Wheel	Intermittent Wipers	Climate Control
Keyless Entry	Theft Deterrent/Alarm	Steering Wheel Controls
Dual Mirrors	Console/Storage	Electric Glass Sunroof
Traction Control	Fog Lamps	Clear Coat Paint
Power Steering	Power Brakes	Power Windows
Power Locks	Power Driver Seat	Power Passenger Seat
Power Mirrors	Heated Mirrors	Power Trunk/Tailgate
AM Radio	FM Radio	Stereo
Cassette	Search/Seek	CD Player
Anti-Lock Brakes (4)	Driver Air Bag	Passenger Air Bag
Front Side Impact Air Bag	4 Wheel Disc Brakes	Leather Seats
Bucket Seats	Heated Seats	Automatic Transmission
Overdrive	Aluminum/Alloy Wheels	

NO.	OP.	DESCRIPTION	QTY	EXT. PRICE	LABOR	PAINT
1		FRONT BUMPER				
2*	Repl	Bumper cover w/o upper molding silver met	1	682.48	2.2	0.0
3		Add for h'lamp washer			0.4	
4		RADIATOR SUPPORT				
5	Repl	Splash shield	1	276.90	0.3	
Subtotals ==>				959.38	2.9	0.0

11/17/2008 at 04:09 PM
72396

Job Number:

PRELIMINARY ESTIMATE

2002 VOLV S80 6-2.9L-FI 4D SED Int:

Parts		959.38
Body Labor	2.9 hrs @ \$ 72.00/hr	208.80

SUBTOTAL		\$ 1168.18
Sales Tax	\$ 959.38 @ 7.3750%	70.75

GRAND TOTAL		\$ 1238.93
ADJUSTMENTS:		
Deductible		0.00

CUSTOMER PAY		\$ 0.00
INSURANCE PAY		\$ 1238.93

I hereby authorize the above repair work to be done along with the necessary materials. Corby's Collision can operate the above vehicle for purpose of testing, inspecting or delivery. Corby's Collision will not be responsible for loss or damage to the vehicle or articles left in the vehicle due to fire or theft. Corby's Collision unconditionally guarantees all workmanship including refinishing performed on your vehicle for as long as you own your vehicle all parts subject to invoice. If your vehicle is not picked up within 5 days of completion there will be a \$20.00 per day storage charge.

X _____ DATE ___/___/___
 (signed)

Phone authorization

Phone# _____ Date _____ Time _____

Person Contacted _____ Additional amount _____

*****POWER OF ATTORNEY*****

I do hereby appoint the aforementioned business as my attorney in fact to accept on my behalf any and all checks, drafts, or bills of exchange for deposit to the aforementioned business' account for credit on my account for repairs on my vehicle which has been released and accepted.

ACCEPTED BY:

DATE: ___/___/___

EPA# CAL000267800

PRELIMINARY ESTIMATE

2002 VOLV S80 6-2.9L-FI 4D SED Int:

FOR YOUR PROTECTION CALIFORNIA LAW REQUIRES THE FOLLOWING TO APPEAR ON THIS FORM:

ANY PERSON WHO KNOWINGLY PRESENTS FALSE OR FRAUDULENT CLAIM FOR THE PAYMENT OF A LOSS IS GUILTY OF A CRIME AND MAY BE SUBJECT TO FINES AND CONFINEMENT IN STATE PRISON.

THE FOLLOWING IS A LIST OF ABBREVIATIONS OR SYMBOLS THAT MAY BE USED TO DESCRIBE WORK TO BE DONE OR PARTS TO BE REPAIRED OR REPLACED: MOTOR ABBREVIATIONS/SYMBOLS: D=DISCONTINUED PART A=APPROXIMATE PRICE LABOR TYPES: B=BODY LABOR D=DIAGNOSTIC E=ELECTRICAL F=FRAME G=GLASS M=MECHANICAL P=PAINT LABOR S=STRUCTURAL T=TAXED MISCELLANEOUS X=NON TAXED MISCELLANEOUS PATHWAYS: ADJ=ADJACENT ALGN=ALIGN A/M=AFTERMARKET BLND=BLEND CAPA=CERTIFIED AUTOMOTIVE PARTS ASSOCIATION D&R=DISCONNECT AND RECONNECT EST=ESTIMATE EXT. PRICE=UNIT PRICE MULTIPLIED BY THE QUANTITY INCL=INCLUDED MISC=MISCELLANEOUS NAGS=NATIONAL AUTO GLASS SPECIFICATIONS NON-ADJ=NON ADJACENT O/H=OVERHAUL OP=OPERATION NO=LINE NUMBER QTY=QUANTITY QUAL RECY=QUALITY RECYCLED PART QUAL REPL=QUALITY REPLACEMENT PART COMP REPL PARTS=COMPETITIVE REPLACEMENT PARTS RECOND=RECONDITION REFN=REFINISH REPL=REPLACE R&I=REMOVE AND INSTALL R&R=REMOVE AND REPLACE RPR=REPAIR RT=RIGHT SECT=SECTION SUBL=SUBLET LT=LEFT W/O=WITHOUT W/_=WITH/_ SYMBOLS: #=MANUAL LINE ENTRY *=OTHER (IE..MOTORS DATABASE INFORMATION WAS CHANGED) **=DATABASE LINE WITH AFTERMARKET N=NOTES ATTACHED TO LINE. MQVP=MANUFACTURER'S QUALIFICATION AND VALIDATION PROGRAM. OPT OEM=ORIGINAL EQUIPMENT MANUFACTURER PARTS EITHER OPTIONALLY SOURCED OR OTHERWISE PROVIDED WITH SOME UNIQUE PRICING OR DISCOUNT. NWCPP=NATIONWIDE CRASH PARTS PROGRAM.

Estimate based on MOTOR CRASH ESTIMATING GUIDE. Unless otherwise noted all items are derived from the Guide ERN9720, CCC Data Date 11/03/2008, and the parts selected are OEM-parts manufactured by the vehicles Original Equipment Manufacturer. OEM parts are available at OE/Vehicle dealerships. OPT OEM (Optional OEM) or ALT OEM (Alternative OEM) parts are OEM parts that may be provided by or through alternate sources other than the OEM vehicle dealerships. OPT OEM or ALT OEM parts may reflect some specific, special, or unique pricing or discount. OPT OEM or ALT OEM parts may include "Blemished" parts provided by OEM's through OEM vehicle dealerships. Asterisk (*) or Double Asterisk (**) indicates that the parts and/or labor information provided by MOTOR may have been modified or may have come from an alternate data source. Tilde sign (~) items indicate MOTOR Not-Included Labor operations. Non-Original Equipment Manufacturer aftermarket parts are described as AM, Qual Repl Parts or Comp Repl Parts which stands for Competitive Replacement Parts. Used parts are described as LKQ, Qual Recy Parts, RCY, or USED. Reconditioned parts are described as Recond. Recored parts are described as Recore. NAGS Part Numbers and Benchmark Prices are provided by National Auto Glass Specifications. Labor operation times listed on the line with the NAGS information are MOTOR suggested labor operation times. NAGS labor operation times are not included. Pound sign (#) items indicate manual entries. Some 2009 vehicles contain minor changes from the previous year. For those vehicles, prior to receiving updated data from the vehicle manufacturer, labor and parts data from the previous year may be used. The Pathways estimator has a complete list of applicable vehicles. Parts numbers and prices should be confirmed with the local dealership.

CCC Pathways - A product of CCC Information Services Inc.

Richard Canner

11/17/2008 at 03:56 PM
17997

Job Number:

MAGARUH ENT. INC. A-1 AUTO BODY
License #:AJ120313
WE MEET THE NICEST PEOPLE BY ACCIDENT
1306 CALLEN STREET
VACAVILLE, CA 95688
(707)448-7101 Fax: (707)448-3430

PRELIMINARY ESTIMATE

Written By: Joey Magaruh
Adjuster:

Insured: RICHARD CANNER
Owner: RICHARD CANNER
Address: 22 PRISCILLA CT.
WINTERS, CA 95694
Day: (530)795-2875

Claim #
Policy #
Deductible:
Date of Loss:
Type of Loss:
Point of Impact:

Inspect
Location:

Insurance
Company:

Days to Repair

2002 VOLV S80 6-2.9L-FI 4D SED Int:			
VIN: YUITS92D521270912	Lic: 5ANG795	Prod Date:	Odometer:
Air Conditioning	Tilt Wheel		Cruise Control
Telescopic Wheel	Intermittent Wipers		Climate Control
Keyless Entry	Theft Deterrent/Alarm		Steering Wheel Controls
Dual Mirrors	Console/Storage		Electric Glass Sunroof
Traction Control	Fog Lamps		Clear Coat Paint
Power Steering	Power Brakes		Power Windows
Power Locks	Power Driver Seat		Power Passenger Seat
Power Mirrors	Heated Mirrors		Power Trunk/Tailgate
AM Radio	FM Radio		Stereo
Cassette	Search/Seek		CD Player
Anti-Lock Brakes (4)	Driver Air Bag		Passenger Air Bag
Front Side Impact Air Bag	4 Wheel Disc Brakes		Leather Seats
Bucket Seats	Heated Seats		Automatic Transmission
Overdrive	Aluminum/Alloy Wheels		

NO.	OP.	DESCRIPTION	QTY	EXT. PRICE	LABOR	PAINT
1		FRONT BUMPER				
2	Repl	Bumper cover w/o upper molding silver met	1	682.48	2.2	2.4
3		Add for Clear Coat				1.0
4		Add for h'lamp washer			0.4	
5#	Repl	FLEX AGENT	1	5.00		
6		RADIATOR SUPPORT				
7	Repl	Air deflector	1	67.28	0.3	
8#	Rpr	TINT				0.5

11/17/2008 at 03:56 PM
17997

Job Number:

PRELIMINARY ESTIMATE
2002 VOLV S80 6-2.9L-FI 4D SED Int:

NO.	OP.	DESCRIPTION	QTY	EXT. PRICE	LABOR	PAINT
9#	Subl	HAZ MAT	1	5.00 X		
Subtotals ==>				759.76	2.9	3.9

*Bumper should be
PAINTED - if NOT Add
This*

Parts		754.76
Body Labor	2.9 hrs @ \$ 70.00/hr	203.00
Paint Labor	3.9 hrs @ \$ 70.00/hr	273.00
Paint Supplies	3.9 hrs @ \$ 32.00/hr	124.80
Sublet/Misc.		5.00
SUBTOTAL		\$ 1360.56
Sales Tax	\$ 879.56 @ 7.3750%	64.87
GRAND TOTAL		\$ 1425.43
ADJUSTMENTS:		
Deductible		0.00
CUSTOMER PAY		\$ 0.00
INSURANCE PAY		\$ 1425.43

ALL ESTIMATES ARE OPEN TO HIDDEN DAMAGE!

PLEASE REMEMBER THAT DUE TO MANY UNFORSEEN
CIRCUMSTANCES IN THE REPAIRING OF AUTOMOBILES,
YOUR PROMISE OR COMPLETION DATE COULD CHANGE. WE WILL KEEP YOU ADVISED IF
THIS SHOULD OCCUR. YOUR PATIENCE WILL BE GREATLY APPRECIATED!!!

EPA 000 051 061
BAR Registration # AJ1203

WARRANTY/GUARANTEE

A-1 AUTO BODY PROVIDES A NATIONAL LIMITED LIFETIME REPAIR WARRANTY FOR
WORKMANSHIP, INCLUDING REFINISHING, FOR ALL COMPLETED REPAIRS FOR AS LONG AS
THE CUSTOMER OWNS THE VEHICLE.

11/17/2008 at 03:56 PM
17997

Job Number:

PRELIMINARY ESTIMATE

2002 VOLV S80 6-2.9L-FI 4D SED Int:

FOR YOUR PROTECTION CALIFORNIA LAW REQUIRES THE FOLLOWING TO APPEAR ON THIS FORM:

ANY PERSON WHO KNOWINGLY PRESENTS FALSE OR FRAUDULENT CLAIM FOR THE PAYMENT OF A LOSS IS GUILTY OF A CRIME AND MAY BE SUBJECT TO FINES AND CONFINEMENT IN STATE PRISON.

THE FOLLOWING IS A LIST OF ABBREVIATIONS OR SYMBOLS THAT MAY BE USED TO DESCRIBE WORK TO BE DONE OR PARTS TO BE REPAIRED OR REPLACED: MOTOR ABBREVIATIONS/SYMBOLS: D=DISCONTINUED PART A=APPROXIMATE PRICE LABOR TYPES: B=BODY LABOR D=DIAGNOSTIC E=ELECTRICAL F=FRAME G=GLASS M=MECHANICAL P=PAINT LABOR S=STRUCTURAL T=TAXED MISCELLANEOUS X=NON TAXED MISCELLANEOUS PATHWAYS: ADJ=ADJACENT ALGN=ALIGN A/M=AFTERMARKET BLND=BLEND CAPA=CERTIFIED AUTOMOTIVE PARTS ASSOCIATION D&R=DISCONNECT AND RECONNECT EST=ESTIMATE EXT. PRICE=UNIT PRICE MULTIPLIED BY THE QUANTITY INCL=INCLUDED MISC=MISCELLANEOUS NAGS=NATIONAL AUTO GLASS SPECIFICATIONS NON-ADJ=NON ADJACENT O/H=OVERHAUL OP=OPERATION NO=LINE NUMBER QTY=QUANTITY QUAL RECY=QUALITY RECYCLED PART QUAL REPL=QUALITY REPLACEMENT PART COMP REPL PARTS=COMPETITIVE REPLACEMENT PARTS RECOND=RECONDITION REFN=REFINISH REPL=REPLACE R&I=REMOVE AND INSTALL R&R=REMOVE AND REPLACE RPR=REPAIR RT=RIGHT SECT=SECTION SUBL=SUBLET LT=LEFT W/O=WITHOUT W/_=WITH/_ SYMBOLS: #=MANUAL LINE ENTRY *=OTHER [IE. MOTORS DATABASE INFORMATION WAS CHANGED] **=DATABASE LINE WITH AFTERMARKET N=NOTES ATTACHED TO LINE. MQVP=MANUFACTURER'S QUALIFICATION AND VALIDATION PROGRAM. OPT OEM=ORIGINAL EQUIPMENT MANUFACTURER PARTS EITHER OPTIONALLY SOURCED OR OTHERWISE PROVIDED WITH SOME UNIQUE PRICING OR DISCOUNT. NWCPP=NATIONWIDE CRASH PARTS PROGRAM.

Estimate based on MOTOR CRASH ESTIMATING GUIDE. Unless otherwise noted all items are derived from the Guide ERN9720, CCC Data Date 09/02/2008, and the parts selected are OEM-parts manufactured by the vehicles Original Equipment Manufacturer. OEM parts are available at OE/Vehicle dealerships. OPT OEM (Optional OEM) or ALT OEM (Alternative OEM) parts are OEM parts that may be provided by or through alternate sources other than the OEM vehicle dealerships. OPT OEM or ALT OEM parts may reflect some specific, special, or unique pricing or discounts. OPT OEM or ALT OEM parts may include "Ebmished" parts provided by OEM's through OEM vehicle dealerships. Asterisk (*) or Double Asterisk (**) indicates that the parts and/or labor information provided by MOTOR may have been modified or may have come from an alternate data source. Tilde sign (~) items indicate MOTOR Not-Included Labor operations. Non-Original Equipment Manufacturer aftermarket parts are described as AM, Qual Repl Parts or Comp Repl Parts which stands for Competitive Replacement Parts. Used parts are described as LKQ, Qual Recy Parts, RCY, or USED. Reconditioned parts are described as Recond. Recored parts are described as Recore. NAGS Part Numbers and Benchmark Prices are provided by National Auto Glass Specifications. Labor operation times listed on the line with the NAGS information are MOTOR suggested labor operation times. NAGS labor operation times are not included. Pound sign (#) items indicate manual entries. Some 2006 vehicles contain minor changes from the previous year. For those vehicles, prior to receiving updated data from the vehicle manufacturer, labor and parts data from the previous year may be used. The Pathways estimator has a complete list of applicable vehicles. Parts numbers and prices should be confirmed with the local dealership.

CCC Pathways - A product of CCC Information Services Inc.



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Councilmembers
DATE: 12/2/2008
THROUGH: John W. Donlevy, Jr., City Manager
FROM: John C. Wallace
SUBJECT: Public Hearing, Second Reading and Adoption of 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

RECOMMENDATION: Adoption of Ordinance 2008-12

BACKGROUND: Previously adopted ordinances have inadvertently used section numbers that were already in use. This ordinance re-numbers those sections.

FISCAL IMPACT: None.

CITY OF WINTERS
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

NOTICE OF PUBLIC HEARING

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**

NOTICE IS HEREBY GIVEN that the Winters City Council will hold a public hearing on Tuesday, December 2, 2008, at 7:30 p.m. in the Council Chambers of City Hall, 318 First Street, Winters, California. Purpose of the Public Hearing is consider the second reading and adoption of City of Winters Ordinance No. 2008-12, An Ordinance of the City Council of the City of Winters Correcting and Renumbering Conflicting Sections of the Winters Municipal Code.

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

Past ordinances on adoption have inadvertently designated sections already in use and continuing in effect. This ordinance will renumber the later-adopted sections so there are no multiple section numbers dealing with different laws. This ordinance is scheduled to be adopted December 2, 2008, and to take effect January 1, 2009.

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.

In compliance with the Americans With Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in these proceedings, please contact City Clerk Nanci Mills at (530) 795-4910, ext. 101. Please make your request as early as possible and at least one full business day before the start of the hearing.

Dated: November 24, 2008

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