



Winters City Council Meeting  
City Council Chambers  
318 First Street  
Tuesday, August 18, 2009  
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*

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

Roll Call

Pledge of Allegiance

Approval of Agenda

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. Approval to Authorize City Manager to Negotiate Valley Elderberry Longhorn Beetle Safe Harbor Agreement with Wallace-Kuhl & Associates in the Amount not to Exceed \$1,200.00 (pp 1-4)
- B. Accept Recommendations to Appoint the Following to Serve on the Winters Putah Creek Committee (WPCC): John Vickrey, Pierre Neu, Justin Hyer and Chris Rose (pp 5)
- C. Amendment to Professional Services Contract with ZSI, Inc. for the Design and Installation of a SCADA System into the Municipal Well Pump Station No. 7, Construction Project No. 05-05 (pp 6)

### PRESENTATIONS

Al Vallecillo - 14 years of Service as Planning Commissioner

Joe Tramontana - 12 years of Service as Planning Commissioner

### DISCUSSION ITEMS

- 1. Conceptual Design Approval – Putah Creek Replacement – North Bank Improvements, Project No. 09-01 (Federal Project No. HPLUL-5110(024) and Accept Recommendations from the Winters Putah Creek Committee Regarding North Bank Improvement Trail Design (pp 7-15)

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### COMMUNITY DEVELOPMENT AGENCY

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### CITY MANAGER REPORT

### INFORMATION ONLY

### EXECUTIVE SESSION

### ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the August 18, 2009, regular meeting of the Winters City Council was personally delivered to each Councilmember's mail boxes in City Hall and posted on the outside public bulletin board at City Hall, 318 First Street on August 12, 2009, and made available to the public during normal business hours.

*Judy Jensen Admin. Asst. to Nanci Mills, City Clerk*  
Nanci G. Mills, City Clerk

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

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

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Winters Library – 201 First Street

City Clerk's Office – City Hall – 318 First Street

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

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Wednesday at 10:00 a.m.

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CITY COUNCIL  
STAFF REPORT

**TO:** Honorable Mayor and Councilmembers  
**DATE:** August 18, 2009  
**THROUGH:** John W. Donlevy, Jr., City Manager *JWD*  
**FROM:** Carol Scianna, Environmental Services Manager *CS*  
**SUBJECT:** Approval to Authorize City Manager to Negotiate Valley Elderberry Longhorn Beetle Safe Harbor Agreement with Wallace-Kuhl & Associates in the Amount not to Exceed \$1200.00

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**RECOMMENDATION:** Staff recommends approval to authorize City manager to negotiate Valley Elderberry Longhorn Beetle safe harbor agreement with Wallace-Kuhl & Associates in the amount not to exceed \$1200.00. The preparation of a US Fish and Wildlife Safe Harbor Agreement will help to ensure that the City of Winters can continue to plant and as needed, remove elderberry shrubs as part of the ongoing restoration work associated with the Nature Park

**BACKGROUND:** The Elderberry Longhorn Beetle is a protected species under the Endangered Species Act and as a result elderberry shrubs are a protection shrub. In order to remove or disturb the elderberry shrubs an agency must obtain approval by US Fish and Wildlife. The proposal from Wallace-Kuhl would obtain such an agreement, ensuring the City does not violate any laws while doing the planned restoration work in the Winters Putah Creek Nature Park.

**FISCAL IMPACT:** Work to be done will be on a time and materials basis with a not-to-exceed fee of \$1200. Funds to be taken from the Park impact fund.



June 4, 2009

Carol Scianna  
Environmental Services Manager  
City of Winters  
318 First Street  
Winters, CA 95694

*Proposal*

**CITY OF WINTERS VALLEY ELDERBERRY LONGHORN BEETLE  
SAFE HARBOR AGREEMENT**

Winters, California

WKA Proposal No. 3PR09078

Wallace-Kuhl and Associates, Inc. (WKA) is pleased to provide this ecological services proposal to the City of Winters, California. The purpose of our work is to prepare for the City of Winters a US Fish and Wildlife Safe Harbor Agreement with the intention of ensuring the City of Winters can continue to plant and, as needed, remove elderberry shrubs.

**SCOPE OF WORK**

The scope will include the following:

- Work to obtain a safe harbor agreement with the US Fish and Wildlife Service through Audubon California.
- Document existing pre-agreement conditions. Please note that this will not include mapping, as the extent of the planting area is not known at this time.
- Develop a comprehensive plan for future plantings and protocols for removal or transplant of elderberry shrubs.

To complete the scope of work described above, we anticipate a not-to-exceed fee of **\$1,200**. Actual costs will be billed on a time-and-materials basis in accordance with the attached fee schedule.



## SCHEDULE OF FEES

### GEOLOGIC AND ENVIRONMENTAL SERVICES PERSONNEL NOVEMBER 2008

#### PROFESSIONAL SERVICES

Administrative Assistant .....	\$65.00 per hour
Draftsperson/GIS Technician.....	\$85.00 per hour
GIS Analyst .....	\$95.00 per hour
Senior Environmental Technician .....	\$90.00 per hour
Staff Environmental Scientist .....	\$115.00 per hour
Senior Environmental Scientist .....	\$130.00 per hour
Staff Geologist/Engineer.....	\$115.00 per hour
Senior Staff Geologist/Engineer .....	\$120.00 per hour
Project Geologist/Engineer.....	\$130.00 per hour
Senior Project Geologist/Engineer/Scientist .....	\$145.00 per hour
Senior Geologist/Engineer.....	\$155.00 per hour
Principal Geologists/Engineer .....	\$185.00 per hour

#### PREMIUM CHARGES

Overtime, add.....	\$30.00 per hour
Sunday and Holidays, add.....	\$40.00 per hour

#### LITIGATION

Data Review/Consultation .....	\$225.00 per hour
Depositions/Expert Witness Testimony .....	\$320.00 per hour

#### EXPENSES

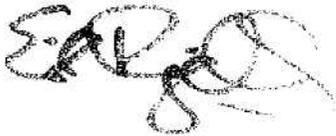
Vehicle Charges .....	\$0.75 per mile
<i>(Subject to periodic adjustment due to fuel cost)</i>	
Subsistence .....	\$55.00 per day
Lodging.....	Cost
Services by Associate Firms and other outside services .....	Cost +20%
Equipment rental, freight, special materials.....	Cost +20%
Reliance Letter .....	\$150.00 each
Extra Report Copies	
Black and white versions .....	\$21.00 each
Color photography versions .....	\$32.00 each



We would perform our services in a manner consistent with the standards of care and skill exercised by members of the environmental profession at the time the service is performed. This proposal and fee schedule will be valid for 60 days from the date of issue.

If this proposal and the terms of the attached agreement are acceptable to you, please sign and return one copy for our files. Additional information regarding our firm's qualifications and services is available on our website at [www.wallace-kuhl.com](http://www.wallace-kuhl.com). Thank you for the opportunity to provide a proposal for your ecological requirements. Should you have questions about this submittal, please do not hesitate to contact us.

Wallace-Kuhl & Associates, Inc.



Erik Ringelberg  
Ecological Services Director

Enclosure: Fee Schedule





CITY COUNCIL  
STAFF REPORT

TO: Honorable Mayor and Councilmembers  
DATE: August 18, 2009  
THROUGH: John W. Donlevy, Jr., City Manager *JWD*  
FROM: Carol Scianna, Environmental Services Manager *CS*  
SUBJECT: Accept Recommendations to Appoint the Following to Serve on the Winter Putah Creek Committee(WPCC): John Vickrey, Pierre Neu, Justin Hyer and Chris Rose or designee.

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**RECOMMENDATION:** Staff recommends that the Council accept recommendations to appoint the following to serve on the Winter Putah Creek Committee(WPCC): John Vickrey, Pierre Neu, Justin Hyer and Chris Rose

**BACKGROUND:** The Winters Putah Creek Committee (WPCC) was established October 17, 2006 as per Resolution 2006-46. Five Members of the WPCC are appointed by the Council and the other members are liaison members representing assorted agencies and commissions. John Vickrey has been the Lower Putah Creek Coordinating Committee (LPCCC) representative, Pierre Neu has been the Planning Commission liaison. Vickrey and Neu are both returning members to the WPCC. Justin Hyer will be the new student representative and Chris Rose or another designee will be the Putah Creek Council liaison .

**FISCAL IMPACT:** None



## STAFF REPORT

**TO:** Honorable Mayor and Council Members  
**DATE:** August 18, 2009  
**THROUGH:** John W. Donlevy, Jr., City Manager:   
**FROM:** Nick Ponticello, City Engineer  
**SUBJECT:** Amendment to Professional Services Contract with ZSI, Inc. for the design and installation of a SCADA System into the Municipal Well Pump Station No.7 Construction Project No. 05-05

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**RECOMMENDATION:** Staff recommends the City Council (1) authorize the City Manager to amend the current ZSI, Inc. professional services contract for Citywide SCADA installation to included design and installation of SCADA into the Municipal Well Pump Station No.7 Construction, Project No. 05-05 in the amount of Forty Thousand Four Hundred Dollars (\$40,400); (2) authorize expenditures in the amount of Forty-Six Thousand Four Hundred Dollars (\$46,400) for the work.

**BACKGROUND:** On February 5, 2008 City Council awarded a professional services contract to ZSI, Inc. for installation of a Citywide Supervisory Control and Data Acquisition (SCADA) system. ZSI completed 80% of the system at eight of the water and sewer pump stations by February 2009 with the remaining two system installations on hold due to complications with funding for construction of new motor control centers. Construction for the new Water Well No.7 located at the corner of Grant Avenue and W. Main Street was awarded to Clyde G. Steagall on August 4, 2009. Clyde Steagall's contract does not include installation of a SCADA into the well pump station since most of the equipment and design has already been purchased and prepared by ZSI for City Well No.3 located on Main Street across from the City Park. Due to excessive maintenance and operating costs of Well No.3, the well has been shut down indefinitely.

Staff would like to continue utilizing ZSI's experience and knowledge of the SCADA system that they designed to relocated the Well No.3 SCADA into the new Well No.7. By reusing previously purchased and programmed equipment, the City is saving an estimated \$13,000.

The requested expenditure budget for SCADA installation of \$46,400 includes a contingency of 15%.

**ALTERNATIVES:** None recommended by staff.

**FISCAL IMPACT:** The project is being funded first through the Water Bond and Water Impact fees, and lastly with a loan from RDA. Any RDA funds will be paid back first and any new development will assist with funding through a reimbursement agreement or other mechanism.



## STAFF REPORT

**TO:** Honorable Mayor and Council Members  
**DATE:** August 18, 2009  
**THROUGH:** John W. Donlevy, Jr., City Manager  
**FROM:** Nick Ponticello, City Engineer  
**SUBJECT:** Conceptual Design Approval - Putah Creek Bridge Replacement - North Bank Improvements, Project No. 09-01 (Federal Project No. HPLUL-5110(024))

**RECOMMENDATION:** That City Council (1) approve the Schematic Design for the Putah Creek Bridge Replacement - North Bank Improvements, Project No. 09-01; (2) provide direction on the trail width and surface material; and (3) direct staff to proceed with the final design.

**BACKGROUND:** In 2006, the City received approval of SAFETEA-LU High Priority/Demonstration funds in the amount of \$2,000,000, which were sponsored through Congressman Thompson's office. The federal funds are identified to implement a project that is tied to the bridge replacement project and will compliment those improvements. In January, the City received authorization to proceed with the environmental and design tasks for the Putah Creek Bridge Replacement – North Bank Improvements, Project No. 09-01 .

On March 3, 2009, Council approved a design contract with Callander Associates and staff has been working with them on preparation of the Preliminary Environmental Study and the Schematic Design, which is before you tonight.

**DISCUSSION:** Over the last few months, Callander Associates has worked with staff and other stakeholders along Putah Creek, to develop a schematic design consistent with the intent of the high priority/demonstration project, as well as the adopted Putah Creek Nature Park Master Plan. In conjunction with that, coordination with the projects planned by Rich Marovich and the Solano County Water Agency, and the City's Putah Creek (Car) Bridge Replacement project, was paramount. The Schematic Design is ready for Council review and approval.

The plan includes a 10-foot wide paved trail for pedestrians, bicyclists, and maintenance and fire vehicle access, picnic areas, bench seating, an overlook deck under the Trestle Bridge, post and cable fencing, mitigation and native planting areas, and a ped/bike bridge as an additive alternate bid item. A representative from Callander Associates will present the plan in detail and answer any questions.

The plan was coordinated with the Winters Putah Creek Committee and the consultant addressed most of their concerns. Two outstanding issues remain - width and surface material of the proposed trail. Staff, the design consultant, the Fire Department, and the majority of the committee members recommend a 10-foot wide asphalt path, which will provide an all-weather, durable, and wide access for maintenance and fire vehicles, provide a less-expensive alternative to concrete, and blend in with the natural surroundings as it ages. A portion of the trail is shown to be comprised of the more durable concrete, where the trail is lower and more susceptible to

seasonal flow. The pros and cons and costs associated with the alternative widths and surface materials can be discussed in the meeting, so that Council can provide final direction to staff and Callander.

If the Schematic Design is approved tonight, the Project Schedule shows completion of construction documents in January 2010 with construction starting in April 2010.

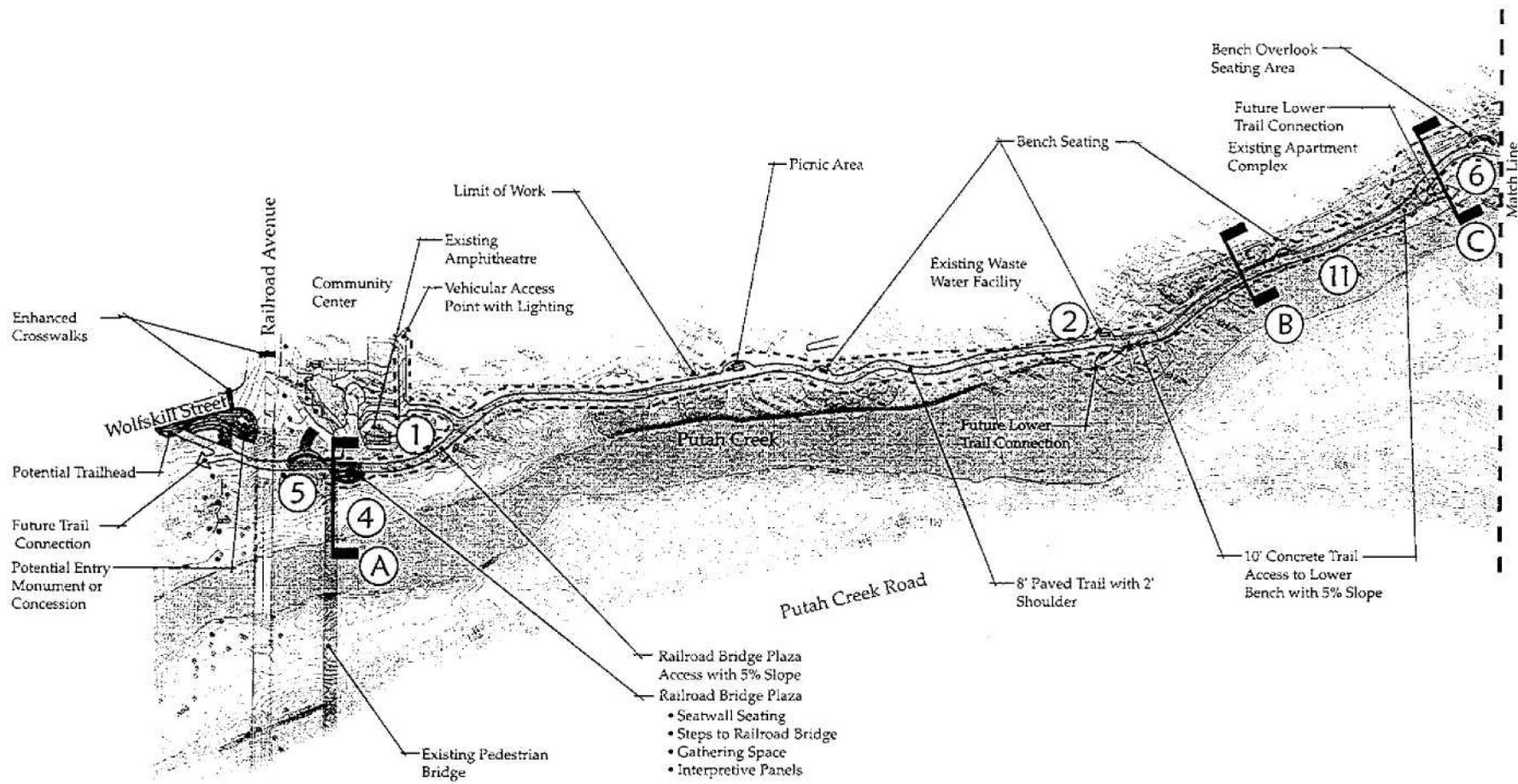
**ALTERNATIVES:** None recommended by staff.

**FISCAL IMPACT:** The project is funded by City (Park Impact) and Federal Funds (Safety-Lu). The Landscape Architect's estimate for construction of the improvements included in the schematic design is \$1,141,414, which is within the approved construction budget of \$1,530,000. The estimate for the ped/bike bridge is \$1,053,000, and it will be designed as an additive alternate to allow the City flexibility in awarding the bridge should the bids come in low or additional funds become available.

Attachments: Schematic Design Drawings

# Schematic Design

August 10, 2009



Callander Associates  
 Landscape Architecture  
 Trail Planning

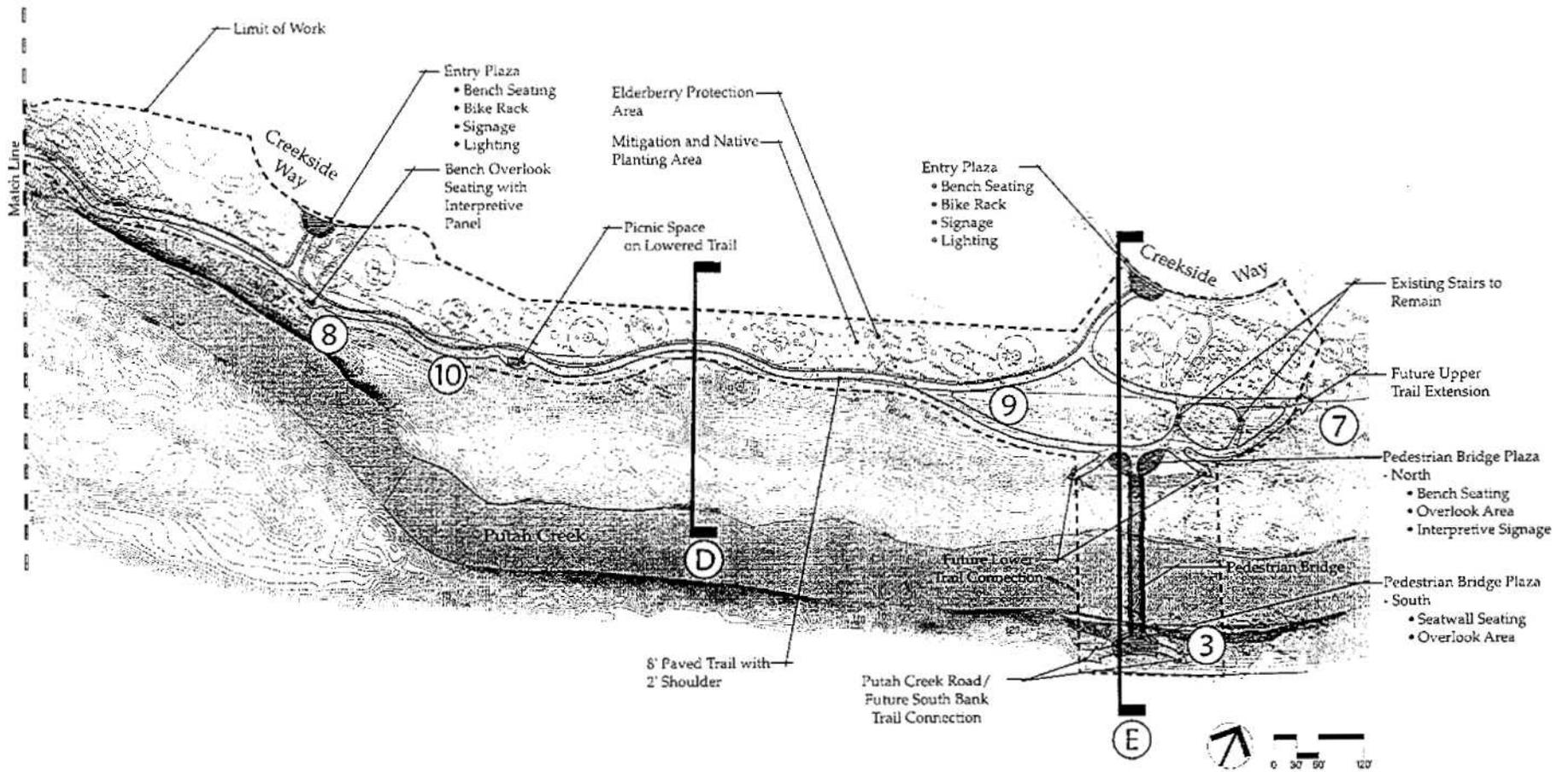
## Putah Creek Bridge Replacement - North Bank Improvements



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# Schematic Design

August 10, 2009



Callander Associates  
 Landscape Architecture  
 Trail Planning

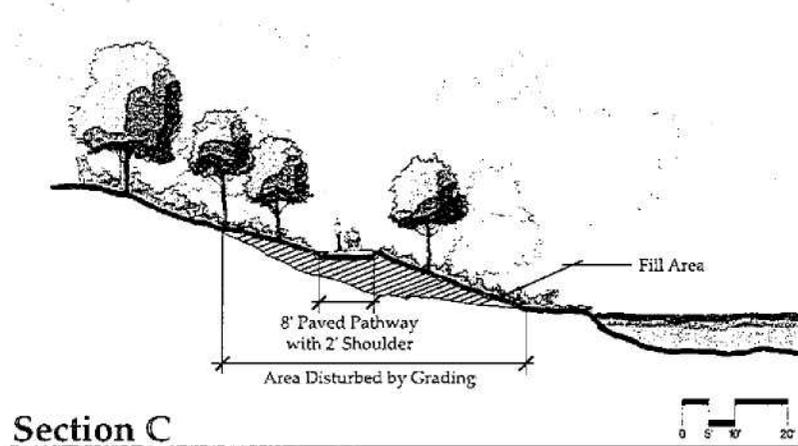
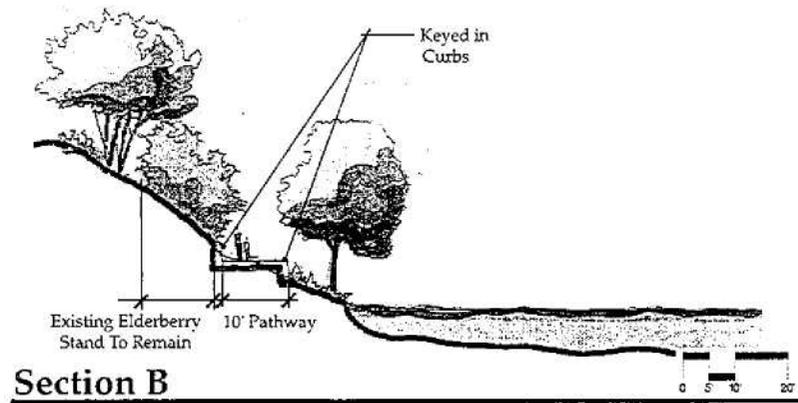
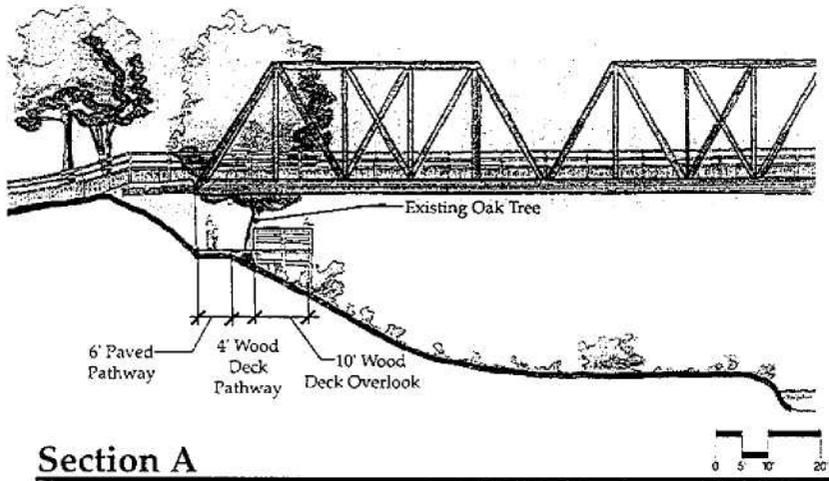
## Putah Creek Bridge Replacement - North Bank Improvements



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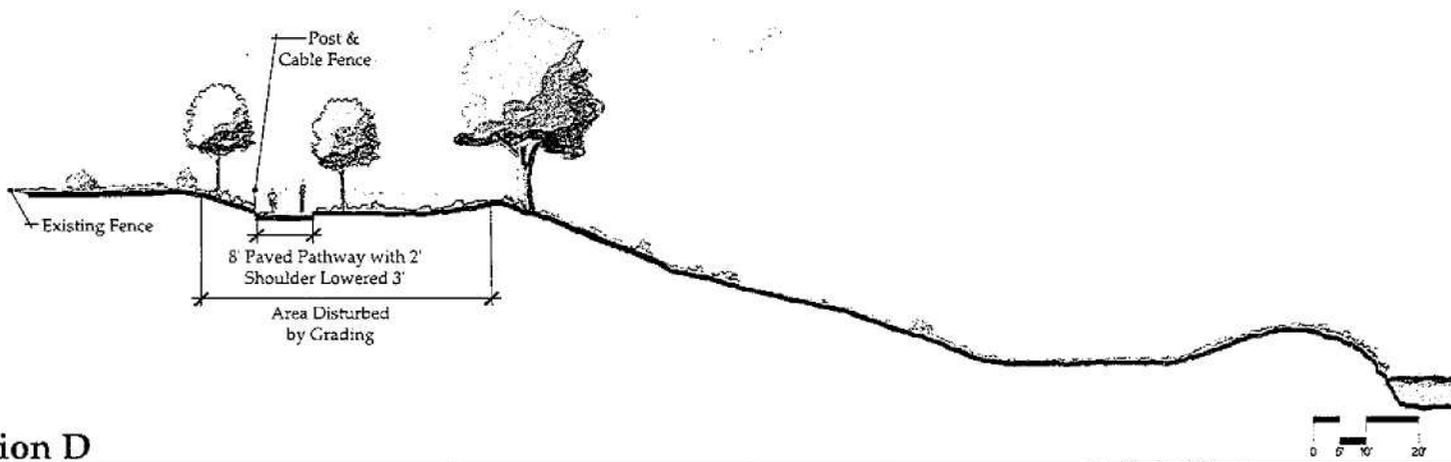
# Schematic Design - Sections

August 10, 2009

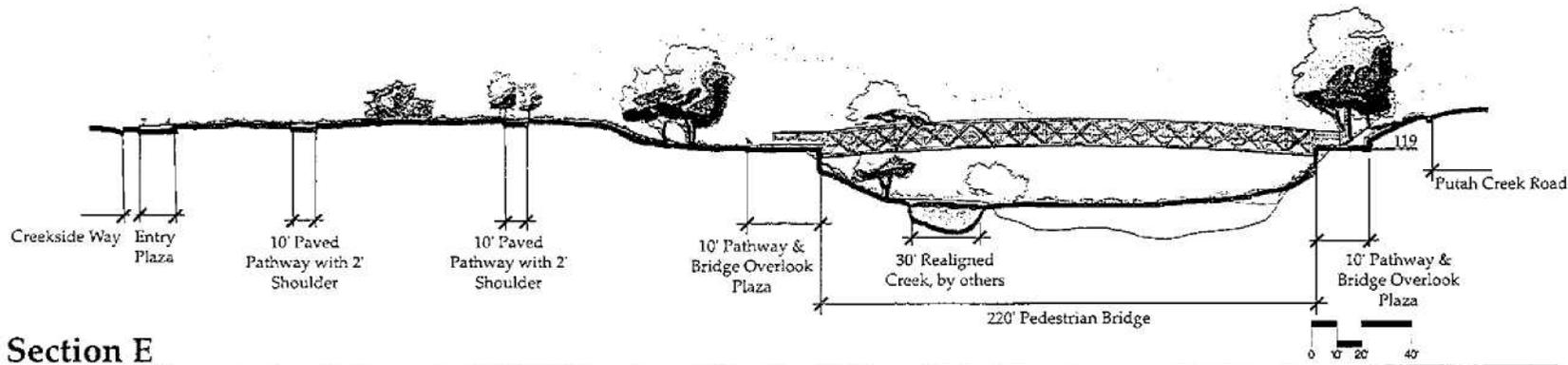


# Schematic Design - Sections

August 10, 2009



**Section D**



**Section E**

Callander Associates

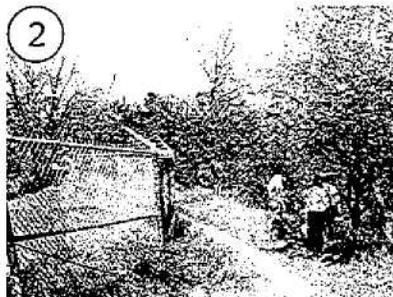
Landscape Architecture  
Trail Planning

Putah Creek Bridge Replacement -  
North Bank Improvements



# Existing Site Images

August 10, 2009



**Callander Associates**  
Landscape Architecture  
Trail Planning

**Putah Creek Bridge Replacement -  
North Bank Improvements**





CITY COUNCIL  
STAFF REPORT

TO: Honorable Mayor and Councilmembers  
DATE: August 18, 2009  
THROUGH: John W. Donlevy, Jr., City Manager *JD*  
FROM: Carol Scianna, Environmental Services Manager *CS*  
SUBJECT: Accept Recommendations from the Winters Putah Creek Committee Regarding North Bank Improvement Trail Design

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**RECOMMENDATION:** Staff recommends that the Council take under advisement the recommendations from the Winters Putah Creek Committee Regarding North Bank Improvement Trail. Although the committee members did not reach a consensus regarding the trail width there was a consensus that the trail material should be asphalt with the use of concrete on the 400 ft. section behind the Creekside Apartments which is lower and in the floodplain. Committee members were split in their preferences for the trail width ranging from 10 ft to 5 ft. Several committee members felt a possible compromise would be an 8 ft asphalt with 2 ft shoulder of DG, crushed rock fines or similar stable softer material.

**Specifics regarding a more narrow trail preference are:**

- A narrow path (5-6') is more consistent with a nature preserve, may contribute less to "heat island" effect, may diminish rainwater runoff
- A narrow path will be less costly to install and maintain, and would allow more funds to be allocated to the pedestrian bridge
- A narrow path could be patrolled on bicycle, off-road vehicle and/or electric car, reducing gas consumption and emissions

**Specifics regarding a 10 ft minimum trail width are:**

- allow adequate room for maintenance and emergency vehicle access- Fire Department has requested and additional 1 ft shoulder on both sides of the trail
- allow for adequate room for multi-use activities such as bicycles, skaters, joggers
- narrow trail maybe prone to damage from vehicles
- lower trails are planned to be narrower and more natural, upper trail should be wider to allow space for multi-use activities

-Wider trails allows better access for mobility impaired persons

**BACKGROUND:**

The Putah Creek Nature Park Masterplan calls for a 10 ft trail and it also specifies a stabilized earth and decomposed granite, asphalt was not recommended due to an assumption of higher costs and aesthetics. Several WPCC members recently toured three sites with Callender Associates and while they preferred the look of the poly pavement (stabilized earth) options they found the reliability and costs made asphalt a better choice. The WPCC will be meeting on August 17, 2009 to continue discussion on trail width options and if consensus is found recommendations will be presented at the Council meeting on August 18, 2009

**FISCAL IMPACT:** Unknown