



Winters City Council Meeting
City Council Chambers
318 First Street
Tuesday, October 20, 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*

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 Re (pp 1-10)
- B. Jordan Infrastructure Agreement (pp 11-28)
- C. Project Completion and Acceptance - 2008-09 Prop 1B Seal Coats (pp 29-30)
- D. City of Winters Letter of Support on Behalf of Steve Karr, Board of Director, Putah Creek Trout (pp 31-34)

PRESENTATIONS

DISCUSSION ITEMS

1. Public Hearing and Second Reading by Title Only and Adoption of Ordinance 2009-12, An Ordinance of the City Council of the City of Winters, Repealing and Re-Adopting Chapter 13.04 of the Winters Municipal Code Pertaining to Water Service, and Amending Chapter 13.08 of the Winters Municipal Code Pertaining to Billing for Wastewater Services, and Resolution 2009-52, A Resolution of the City Council of the City of Winters, Setting Rates and Payment Options for the Installation of Water Meters for those Properties Currently not Metered (pp 35-54)
2. Winters History Project Update (pp 55-80)
3. Gateway Properties Process (pp 81-82)

COMMUNITY DEVELOPMENT AGENCY

- 1.
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CITY MANAGER REPORT

INFORMATION ONLY

EXECUTIVE SESSION

ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the October 20, 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 October 15, 2009, and made available to the public during normal business hours.

Nancy Jensen for Nanci G. Mills
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.

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

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

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Wednesday at 10:00 a.m.

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Minutes of the City of Winters
City Council Meeting
Held on October 6, 2009

7:00 p.m. – City Council
Executive Session

AGENDA

Conference with Labor Negotiators pursuant to
Government Code Section 54957.6
Agency Negotiators John W. Donlevy Jr. and Nanci Mills
Employee Organization(s): Winters Police Officer's Association

7:30 p.m. – Regular Meeting of the City Council
AGENDA

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

Present: Council Members Cecilia Aguiar-Curry, Harold Anderson, Woody Fridae, and Mayor Martin
Absent: Council Member Stone
Staff: City Manager John Donlevy, City Attorney John Wallace, Community Development Director Nellie Dyer, Director of Financial Management Shelly Gunby, Environmental Manager Carol Scianna, Winters Fire Captain Brad Lopez, and City Clerk Nanci Mills.

Winters Fire Captain Brad Lopez led the Pledge of Allegiance.

Approval of Agenda: City Manager Donlevy requested that Consent Item E, Jordan Infrastructure Agreement, be continued to the October 20th City Council Meeting. He also requested that Community Development Agency Item #1, the Award for Acquisition of Two (2) Emergency Standby Generators for the New

Police-Fire Facility and City Well Projects, be moved to the Consent Calendar as new Item E and to concurrently open the Community Development Agency.

Motion by Council Member Fridae and seconded by Council Member Aguiar-Curry to approve the Consent Calendar with the above referenced changes. Motion carried unanimously, with one absent.

COUNCIL/STAFF COMMENTS: Council Member Fridae wanted to comment that the street repairs around town look great and he has received many positive comments from residents. Also, many of the recent improvements done in town have been completed during a good bidding climate, stretching redevelopment funds.

Council Member Aguiar-Curry, along with Council Member Anderson, recently attended the annual League of California Cities conference and attended many informative workshops. As the voting representative selected by the Council, she voted yes on the Social Host Liability resolution, and the resolution regarding revenue and taxation divesting from bank and financial institutions who failed to cooperate with foreclosure prevention efforts was withdrawn. There were two additional resolutions she voted on: voted in favor of additional Constitutional protection for local government revenues, and opposed rural modifications to accommodate Southern California regarding the installation of above-ground equipment. She also wanted to thank all the volunteers who working on the Festival de la Comunidad and the Carnitas cook-off, which was a success, and anticipates the festival going just as well next year. A small profit was made this year without have to borrow any money from the City, which is what they wanted to do. The League of California Cities is also sponsoring a Healthy Eating for Active-Living Cities campaign, where she and Ana Kormos gave a presentation about the Winters Farmers Market and the benefits we have received from the Winters Healthcare grant, which include the diabetes program, the community garden, and the farmers market. They will be working on a campaign to help reduce costs associated with obesity. The second Yolo County Leadership Summit will be held on October 12 @ 6:00 p.m. and she encouraged all City Council and School Board members throughout the County to attend, as well as the Supervisors. Also, legislative briefing will take place in Sacramento on 11/17. Due to the cost of attending for so many cities, webinars will be provided.

Mayor Martin added that the town is shaping up, Winters is changing and he likes it. It looks fantastic. The new street surfaces, the new library, the new Public Safety Facility are all phenomenal.

PUBLIC COMMENTS

Steve Karr, Board of Directors of Putah Creek Trout, gave a brief update regarding pending fishing regulation changes and requested a letter of support from the Council. The Council invited him to return to the October 20th meeting as an agenda item for a more in-depth update.

Winters resident Marie Rojo-Heilman addressed the Council regarding Consent Item C, Seed Money for the Winters Community Dinner, which is scheduled for November 22nd. She thanked the Council for their generous contribution of \$750 last year, where 641 people were fed. But due to the current economy, there is an even greater need this year. Winters High School students are planning to prepare 10 turkeys as part of the school curriculum, free entertainment will be provided, as well as transportation to the dinner, if needed. Council Member Fridae remarked that it is great that Marie continues to do this.

CONSENT CALENDAR

- A. Minutes of the Regular Meeting of the Winters City Council Held on September 15, 2009
- B. Minutes of the Special Meeting of the Winters Community Development Agency Held on September 28, 2009
- C. Seed Money for Winters Community Dinner
- D. Project Acceptance – 2008 Water & Sewer Main Rehabilitation, Project No. 08-0
 - Jordan Infrastructure Agreement – ***Continued to the October 20th City Council meeting.***
- E. Award for Acquisition of Two (2) Emergency Standby Generators for the New Police-Fire Facility and City Well Projects – ***Moved from Community Development Agency Item #1***

City Manager Donlevy gave a brief overview. As a point of order, Agency Chairman Fridae opened the Community Development Agency to be heard concurrently with the City Council. Council Member Anderson asked if the City had addressed the poor job done on a curb at a Winters residence during the recent street re-surfacing. Environmental Manager Scianna replied there was no film on that specific section, but after reviewing the area believed there was an existing crack and the subsequent work in the area made it worse. Repairs will be completed in the fall at this residence, as well as any others that have been reported, and the resident in question has been advised. Council Member Anderson added that the paving company who completed the work was far from consumer-friendly.

Motion by Council Member Anderson and seconded by Council Member Aguiar-Curry to approve the consent calendar with the noted changes. Motion carried unanimously, with one absent.

City Manager Donlevy gave an overview of the Executive Session, which took place immediately preceding the City Council meeting regarding negotiations with the Winters Police Officer's Association. Present were Mayor Martin, Council Members Aguiar-Curry and Anderson, City Manager Donlevy and City Clerk Mills, with Council Members Fridae and Stone absent. Staff is requesting Council to provide direction to staff to return to the Winters Police Officer's Association with a last and final offer regarding certain issues in the Memorandum of Understanding.

Motion by Council Member Anderson and seconded by Council Member Aguiar-Curry to authorize the City Manager to present the final and best offer to the Winters Police Officer's Association. Motion carried 3-1-1, with Council Member Stone absent and Council Member Fridae abstaining.

PRESENTATIONS: None

DISCUSSION ITEMS

1. City Hall Re-Organization

City Manager Donlevy gave an overview of the staff report, and explained the anticipated General Fund savings due to the reallocation of the Building Department staff to the Water Fund and Finance Department. With the slow-down in the economy, the Building Department has issued only 12 permits in the last month. City Manager Donlevy is recommending modifying the hours of availability of the Building Department to Tuesdays and Thursdays from 9am-12pm and by appointment. Council Member Aguiar-Curry said she has a hard time with the decreased hours of the Building & Planning department. City Manager Donlevy agreed these changes may have an impact, but it is an economic reality. Affected employees will be re-assigned to other tasks, but appointments will be taken for legitimate business. The demand in the Building and Planning Department is currently not there. It will take some getting used to. Council Member Fridae agreed with Council Member Aguiar-Curry and suggested the attitude be monitored and modified if needed. Mayor Martin asked what the net loss would be? City Manager Donlevy replied 2 employees, one from Recreation and one from Finance are leaving/retiring and not being replaced. There have been progressive cutbacks, with Public Works having 30% less workforce, and five positions out of 35 are vacant with no plans to fill them. Mayor Martin said the City is a mighty group and some residents think there are too many City employees. Council Member Anderson said the economy has been down for a couple of years and he anticipates it being down a couple more and said the City has to adjust and be ready for change. Council Member Aguiar-Curry wanted assurance there would be a dedicated person from 9am-12pm on the days stated. City Manager Donlevy said the times of availability will

be advertised. Council Member Aguiar-Curry also asked about the possibility of volunteers or retirees assisting at the counter.

Motion by Council Member Fridae and seconded by Council Member Anderson to approve staff recommendation to modify the counter hours of the Building Department to Tuesdays and Thursdays from 9:00 a.m. to 12:00 p.m. and by appointment; building inspections on Tuesdays and Thursdays for limited hours; reallocation of positions from Community Development between the Water Fund and Finance Department; and the reallocation of recreation and financial management positions. Motion carried unanimously, with Council Member Stone absent.

2. Fiscal Sustainability

City Manager Donlevy gave an overview of Review Session 2, where the objective is to make recommendations based on a series of key work areas. The first session was informational, this presentation will be to identify weaknesses and hurdles, and the third session will be to seek out the solution and receive direction. The projection of City Services includes: Life Safety, Property Values, Community, Recreation and Safety. The City's weaknesses are: the current business base has the same footprint as 100 years ago, there are fewer businesses, and less traffic, and the recommended population at the time of the 1991 General Plan Economic Study was 15,000 and dropped to 12,500 at the time of adoption.

Fiscal Things to Consider: 1% of business activity earned in sales tax; 10% of hotel rate; 17.5 % of 1% of assessed property value.

Winters Fun Facts: Largest business property value: \$4,000,000; Downtown Assessed Value: Less than \$7,000,000

Location is important. One Grant Avenue business produced more sales tax than downtown combined. Eighteen Grant Avenue businesses produced twice as much as thirty-two downtown businesses. Eight of top 10 revenue generators are on Grant Avenue.

The following are Issues to reconcile: shift from Road 89 and Railroad Avenue to I-505; current traffic patterns; Grant Avenue as key economic corridor; Railroad Avenue, which is currently undeveloped, undevelopable and costly to develop.

Council Member Anderson suggested receiving the census information be received from SACOG, as it will be years before the current census is out. City Manager Donlevy said Winters has the highest per capita income in Yolo County. Council Member Anderson asked for strategy and policy to build downtown out. City Manager Donlevy said he would seek out solutions and direction.

Council Member Fridae said he would like to see the Gateway Master Plan opened up for input. We have one chance to do it right. The document should be dynamic and should say what Winters is all about. It doesn't look unique, doesn't reach out, and doesn't have a unique take on what Winters is.

Council Member Aguiar-Curry has received several requests from community members for public workshops to be held regarding the Gateway Master Plan.

City Manager Donlevy said there are two key elements of development. Staff will bring back an overall strategy, not just staff recommendation. The Gateway property is undeniably the most developable piece of property we have.

Council Member Anderson asked if Cal Trans has a Grant Avenue Study. City Manager Donlevy said it is not finalized and added that he would like to take the Grant Avenue planning documents for the Corridor Study, City Circulation, Access Study, and Pedestrian Study, and make them into one, reconcile the conflicts and come in with a scope at a public workshop.

3. Second Reading and Adoption of Ordinance 2009-11, an Ordinance of the City Council of the City of Winters, Changing the Starting Time of the City Council Meetings

Motion by Council Member Anderson and seconded by Council Member Curry to adopt Ordinance No. 2009-11, changing the starting time of the City Council meetings from 7:30 p.m. to 6:30 p.m. Motion carried with the following roll call vote:

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

4. Introduction and Waive the First Reading of Ordinance 2009-12, An Ordinance of the City Council of the City of Winters Repealing and Re-Adopting Chapter 13.04 of the Winters Municipal Code Pertaining to Water Service, and Amending Chapter 13.08 of the Winters Municipal Code Pertaining to Billing for Wastewater Services

Director of Financial Management Shelly Gunby gave an overview. Mayor Martin asked if service was going to be expanded outside the City and City Manager Donlevy replied there are no plans to expand outside the City. Council Member Anderson added that in previous years, the Council has declined service outside

the City, and if service is started for one, the City would be obligated to do it for others. Council Member Anderson also inquired about the reference of service connection fee. Shelly responded that the City currently does not charge a service connection fee, but this gives the City the authority to do so. This would be separate from the development impact fee. Shelly added a service connection fee would only be charged for a new connection to the water system, such as a newly-constructed home, and would not be charged in conjunction with the installation of water meters.

Mayor Martin asked about penalties for water wasters. Shelly indicated that City representatives would start by talking to the offender and encouraging them to conserve water to avoid penalties and fines. Shelly noted this would be a complaint-based system. Council Member Anderson asked how this would be enforced. City Manager Donlevy said this is conservation-based and the enforcement would require an addendum. Mayor Martin added that under the water meter system, residents could save money by using less water.

Council Member Fridae said the language is difficult to prove and hard to measure, but suggested the Ordinance be put in place and then go back and look at it as situations come up. He suggested checking the conservation efforts of surrounding cities.

Motion by Council Member Fridae and seconded by Council Member Aguiar-Curry to approve staff recommendation to introduce and waive the first reading of Ordinance 2009-12 and schedule a public hearing and second reading at the October 20th City Council meeting. Motion carried with the following roll call vote:

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

5. Second Hearing and Possible Adoption of Ordinance 2009-10 adding Chapter 17.58 to the Winters Municipal Code pertaining to Form Based Code for Downtown and Rezoning Areas in the Downtown Central Business District and Resolution 2009-43 amending the City of Winters General Plan and Land Use Map

Council Member Anderson stepped down due to a possible conflict of interest.

Community Development Director Nellie Dyer asked Council to approve staff recommendation by finalizing and adopting the Negative Declaration for the Form Based Code, waive the second reading, read by title only and adopt Ordinance 2009-10, adding Chapter 17.58 to the Winters Municipal Code regarding a Form Based Code for Downtown and Rezoning Areas in the Downtown Central

Business District, and approve Resolution 2009-43, amending the City of Winters General Plan and Land Use Map.

Based on public comments received pertaining to the detached single family residences on Main Street received at the 9/1/09 City Council meeting, and at the continued public hearing and first reading at the 9/15/09 City Council meeting, staff suggested that Council could revise the Form Based Code by splitting Main Street into two zones, Main Street DA and Main Street DB.

Mayor Martin asked if this would include the businesses up to First Street. Nellie confirmed it would include the businesses on Main Street between First and Second Streets, or Main Street DB.

Motion by Council Member Aguiar-Curry and seconded by Council Member Fridae to approve staff recommendation and adopt the Negative Declaration for the Form Based Code, and adopt Ordinance 2009-10, adding Chapter 17.58 to the Winters Municipal Code regarding a Form Based Code for Downtown and Rezoning Areas in the Downtown Central Business District, and approve Resolution 2009-43, amending the City of Winters General Plan and Land Use Map. Motion carried with the following roll call vote:

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

Council Member Anderson returned to the dais at this time.

6. Request Approval to Fund and Construct Grant Avenue Widening and Safety Improvements, Phase 2, Project No. 09-05

City Manager Donlevy gave a brief overview of the project, citing funds from the American Recovery and Reinvestment Act (\$400,000) and TDA (\$55,000) to be used for this project. This is a sister project to the re-alignment and various improvements to Walnut Lane. Negotiations are under way with the Andersons to install sidewalks, and City Manager Donlevy assured Council that sidewalks will be installed. Council Member Anderson said this area begs for a roundabout and City Manager Donlevy confirmed that this concept does allow for a roundabout. Council Member Fridae requested staff to come back to Council with an update on the sidewalks.

Motion by Council Member Fridae and seconded by Council Member Anderson to approve the Project Budget Sheet for Grant Avenue Widening and Safety Improvements, Phase 2, Project No. 09-05, and authorize the City Manager to expend funds within the Project Budget Sheet approvals for executing consultant

services agreements on behalf of the City. Motion carried unanimously, with one absent.

COMMUNITY DEVELOPMENT AGENCY

1. Award for Acquisition of Two (2) Emergency Standby Generators for the New Police-Fire Facility and City Well Projects

Moved to new Consent Item E.

2. Grant Avenue Commercial Property

City Manager Donlevy gave a brief overview, asking the Board of Directors to authorize the advertisement of a Request for Proposals, which will include the following seven elements: Project Proposers, Project Descriptions, Site Plan, Off-Site Improvements, Timeline, Financing, and Past Projects and Ability to Perform. He also identified the key criteria to be included in the project proposals, ie: quality of the overall project, architectural components and the ability to implement the project within an aggressive time period.

Agency Member Martin asked how the City will negotiate the cost of the property, as any improvements made will increase the value of the property. City Manager Donlevy said it would involve aggressive negotiations.

Motion by Agency Chairman Fridae and seconded by Agency Member Anderson to authorize the advertisement of a Request for Proposals for development projects for the Grant Avenue Commercial Property. Motion carried unanimously, with one absent.

CITY MANAGER REPORT: City Manager Donlevy said he is proud of the accomplishments the City has made and is proud of the entire staff, which is thin, but strong. During his tenure he has worked with 14 Council members. The recent seal treatments over 40% of the City's streets and \$600,000 in street repairs makes it nice to be associated with Winters. He is happy to be working and there is a lot going on.

Council Member Anderson added that he recently attended a SACOG meeting and reported that Davis is the only area City whose foreclosure rate is up.

Council Member Aguiar-Curry added that the next Local Government Commission meeting is scheduled for October 27th where there will be a great guest speaker.

INFORMATION ONLY: None

ADJOURNMENT

Mayor Michael Martin adjourned the meeting at 10:25 p.m.

Michael Martin, MAYOR

ATTEST:

Nanci G. Mills, City Clerk



Office of the City Attorney
John C. Wallace, City Attorney
Steven Rudolph, Asst. City Attorney
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Winters, CA 95694
(530) 795-4910/FAX (530) 795-4935
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October 15, 2009

To: Winters City Council

From: John C. Wallace, City Attorney

Through: John W. Donlevy, Jr. City Manager 

Re: October 20, 2009 Agenda Consent Item
Public Infrastructure Agreement (Jordan)

The City staff has reached agreement on the Jordan property for the extension of City services to I-505. The City Council needs to (1) approve the extension by motion; and (2) authorize the Mayor, City Clerk and staff to execute the agreement. The agreement will be recorded, the City receiving a permanent right of way therefrom. The legal description is referenced only, as it is being checked for accuracy. Approval is recommended.

318 First Street
Winters, CA 95694
Phone 530.795.4910
Fax 530.795.4935

COUNCIL MEMBERS
Cecilia Aguiar-Curry
Harold Anderson
Tom Stone

MAYOR
Michael Martin
MAYOR PRO TEM
Woody Fridae

CITY CLERK
Nanci Mills
TREASURER
Michael Sebastian

CITY MANAGER
John W. Donlevy, J

**Recording Requested by
and when Recorded, return to:**

City of Winters
318 First Street
Winters, CA 95694
Attn: City Manager

EXEMPT FROM RECORDING FEES PER
GOVERNMENT CODE §§6103, 27383

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

PUBLIC INFRASTRUCTURE AGREEMENT

This Public Infrastructure Agreement ("**Agreement**"), dated _____, 2009 ("**Effective Date**") is executed by and between **JORDAN FAMILY PARTNERSHIP IVII**, a California Partnership ("**Owner**") and the City of Winters, a municipal corporation (the "**City**"). Owner and City are hereinafter collectively referred to as the "**Parties**."

RECITALS

A. Owner is the owner in fee of the real property (the "**Property**") located within City of Winters on Grant Avenue, known as APN Nos. 038-070-28, 038-070-30, and 038-070-31.

B. City has requested and Owner is willing to dedicate to City a permanent public utility easement to the City, as more particularly described and depicted in Exhibit A, attached hereto and incorporated herein by this reference, for the purpose of construction, installation, removal, repair, replacement, reconstruction, maintenance, operation and use of utilities such as water distribution systems, sewer collection systems, sewer pump station, electrical and cable facilities, and associated appurtenances, over, along, upon, under, and across the easement area.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows.

1. Dedication. Owner hereby grants to City, the following dedications upon the terms and conditions set forth in this Agreement:

A permanent non-exclusive public utility easement as more particularly described and depicted in Exhibit A attached hereto for the purpose of construction, installation, removal, repair, replacement, reconstruction, maintenance, operation and use of utilities such as water distribution systems, sewer collection systems, electrical facilities, and associated appurtenances, over, along, upon, under, and across the easement area. The permanent public utility easement shall be at a width of sixty (60) feet. All facilities shall be installed at a depth of at least five (5) feet below the surface so as to not

interfere with the development of the Property, so as not to interfere with farming operations.

2. Temporary Construction Easement. Owners agrees to grant City a temporary construction easement of an additional ten (10) feet on either side of the public utility dedications described in paragraphs 1 above. The construction easement shall include use of the existing dirt roadway along the west side of the Property. City shall endeavor not to otherwise interrupt the Owner's use of the property.

3. Character of Dedications; Successors in Interest. The public utility dedications created by this Agreement, and the public facilities in, on or under such dedications (the "**Improvements**") are expressly for the benefit of the City, public utilities and agencies maintaining the Improvements and the general public, and shall be binding upon Owner and its successors in interest. Whenever a reference in this Agreement is made to City or Owner, such reference shall be deemed to also mean a reference to the successors in interest of each such Party (or Parties), as applicable, as if in every case so expressed.

4. No Interference or Barriers.

(a) City shall make a good faith effort to insure that the activities permitted under this Agreement do not interfere with or disrupt Owner's existing or future use of the Property, including but not limited to the continuation of farming operations on unimproved areas within the public utility easement.

(b) The Parties shall not prevent, impair or discourage the use or exercise of the dedications granted by this Agreement or the free access and movement across the Property and dedicated areas.

5. Construction and Maintenance.

(a) At City's sole cost and expense, City may construct, maintain, replace and reconstruct all Improvements.

(b) City shall perform all construction, maintenance and repair obligations hereunder in a manner so as to minimize disruption in the use of the Property and dedicated areas during the course of such work.

(c) City shall monitor and control all vehicle access to, from and across the dedicated areas.

(d) City shall review and control the landscaping, planting, trimming, maintenance and/or removal of any trees or other plants within the dedicated areas

(e) City shall review and control all signage and other appurtenances in the dedicated areas.

(f) As a result of the grant of the dedications contained in this Agreement, Owner shall have no obligation to pay for or to construct, maintain, repair, replace or reconstruct Improvements upon or through the dedicated areas.

6. Reimbursement. City and Owner understand and agree that the costs of engineering, planning, and constructing Improvements shall be paid initially by the City, but shall be subject to reimbursement on a pro-rata basis, upon the subsequent development of the Property, as more particularly described in Exhibit B, attached hereto and incorporated herein by this reference.

7. Indemnification. City shall indemnify, defend and hold Owner harmless from and against all liability, loss, claim, demand, action, suit, legal or administrative proceeding, penalty, fine, damage, judgment, expenses (including reasonable attorneys' fees and costs of litigation) and costs (all of the foregoing, collectively "**Claims**") arising out of or related to the grant of the dedications contained in this Agreement, or City's construction and/or maintenance of Improvements in the dedicated areas, including any damage to crops. This indemnification shall not extend to Claims caused by the negligence or willful misconduct of the Owner.

8. Taxes. Owner shall be responsible for payment of all taxes, assessments, and fees, including without limitation real estate taxes and possessory interest taxes, in any, payable with respect to the public utility easement area, until such time as the public right of way is constructed.

9. Insurance.

(a) City shall at all times during the term of this Agreement maintain, in full force and effect, general liability insurance in the amount of not less than One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) annual aggregate, including coverage for injury to or death of persons and damage to or destruction of property resulting from the construction, use, operation, repair and maintenance of the dedicated areas and the Improvements.

(b) City shall furnish to Owner, within thirty (30) days of the Effective Date of this Agreement, evidence that the insurance referred to in this Section is in full force and effect. Each policy of insurance shall: (i) name the Owner as an additional insured, (ii) stipulate that the insurance is primary insurance and that no insurance or self-insurance of Owner will be called upon to contribute to a loss, and (iii) provide that the policy may not be cancelled or amended without at least thirty (30) days prior written notice to City.

10. Enforcement; Events of Default; Remedies. An event of default under this Agreement shall occur if a Party fails to fulfill or perform any obligation required to be fulfilled or performed by such Party hereunder and the failure of such Party to cure such default within ten (10) days after receipt of written notice thereof (or in the case of a

nonmonetary default, the failure to commence to cure such default within thirty (30) days and thereafter to proceed with due diligence to cure such default. Upon the occurrence of an event of default hereunder, either Party may pursue all remedies at law or in equity, expressly including the remedy of specific performance of this Agreement. The remedies afforded hereunder are cumulative. Failure to provide notice of any default shall not constitute a waiver of such default.

11. Reservation of Rights. Owner reserves the right to use or permit others to use the easement in any manner of for any purpose not inconsistent with the rights granted to City in this Agreement, as long as that use does not interfere with the City's use of the easement.

11.2. Miscellaneous.

(a) No Joint Venture. No provision of this Agreement shall be deemed to constitute the Parties as partners, principal and agent, or joint venturers with one another. Each Party represents and warrants to the other that no brokers have been retained or consulted in connection with this transaction other than as disclosed in writing to the other Party.

(b) No Waiver. No waiver of, acquiescence in or consent to any breach of any term, covenant or condition hereof shall be construed as, or constitute a waiver of, acquiescence in, or consent to, any other, further or succeeding breach of the same or any other term, covenant or condition.

(c) Notices. Except as otherwise specified herein, all notices to be sent pursuant to this Agreement shall be made in writing, and sent to the Parties at their respective addresses specified below or to such other address as a Party may designate by written notice delivered to the other parties in accordance with this Section. All such notices shall be sent by:

(i) personal delivery, in which case notice is effective upon delivery;

(ii) certified or registered mail, return receipt requested, in which case notice shall be deemed delivered on receipt if delivery is confirmed by a return receipt;

(iii) nationally recognized overnight courier, with charges prepaid or charged to the sender's account, in which case notice is effective on delivery if delivery is confirmed by the delivery service;

(iv) facsimile transmission, in which case notice shall be deemed delivered upon transmittal, provided that (a) a duplicate copy of the notice is promptly delivered by first-class or certified mail or by overnight delivery, or (b) a transmission report is generated reflecting the accurate transmission thereof. Any notice given by facsimile shall be considered to have been received on the next business day if it is received after 5:00 p.m. recipient's time or on a

nonbusiness day.

**City: City of Winters
318 First Street
Winters, CA 95694
ATTN: John Donlevy, City Manager**

**Owner: Mary L. Jordan
10411 Pittsburgh Road
Nevada City, CA 95959
Phone: (530) 272-5400**

**Copy to: Jordan Family Partnership 4
c/o Denise Gilbert
1600 Executive Court
Sacramento, CA 95825
Phone: (916) 973-2800**

(d) Further Assurances. The Parties agree to execute, acknowledge and deliver to the other such other documents and instruments, and to undertake such other actions, as either shall reasonably request as may be necessary to carry out the intent of this Agreement.

(e) Governing Law; Venue. This Agreement shall be construed in accordance with the laws of the State of California without regard to principles of conflicts of law. Any action to enforce or interpret this Agreement shall be filed in the Superior Court of Yolo County, California or in the Federal Court for the Eastern District of California.

(f) Severability. If any term, provision, covenant or condition contained in this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of this Agreement shall continue in full force and effect.

(g) Attorneys' Fees. In any action at law or in equity, arbitration or other proceeding arising in connection with this Agreement, the prevailing Party shall recover reasonable attorneys' fees (including the allocated costs of staff counsel) and other costs, including but not limited to court costs and expert and consultants' fees incurred in connection with such action in addition to any other relief awarded, and such attorneys' fees and costs shall be included in any judgment in such action.

(h) Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement.

(i) Amendments. This Agreement may be modified or amended, in whole or in part, only by an instrument in writing, executed and acknowledged by the Parties, and recorded in the Official Records of Yolo County.

(j) Assignment. This Agreement shall not be assigned by City without the prior written consent of Owner.

(k) Captions; Construction; Entire Agreement. The section headings used in this Agreement are for convenience only and are not intended to affect the interpretation or construction of the provisions herein contained. The Parties acknowledge that this Agreement is the product of negotiation and compromise on the part of both Parties, and the Parties agree, that since both Parties have participated in the negotiation and drafting of this Agreement, this Agreement shall not be construed as if prepared by one of the Parties, but rather according to its fair meaning as a whole, as if both Parties had prepared it. This Agreement contains the entire agreement of the Parties with respect to the subject matter hereof, and all prior negotiations, documents and discussions with respect thereto are hereby superseded.

SIGNATURES ON FOLLOWING PAGE.

IN WITNESS WHEREOF, the Parties have executed this Public Infrastructure Agreement as of the Effective Date.

OWNER, JORDAN FAMILY PARTNERSHIP II

By: _____
 ,General Partner

CITY OF WINTERS, a municipal corporation ("City")

By: _____
 JOHN W. DONLEVY, JR., City Manager

Attest:

By: _____
 NANCI G. MILLS, City Clerk

Approved as to Form:

By: _____
 JOHN C. WALLACE, City Attorney

SIGNATURES MUST BE NOTARIZED.

SIGNATURES CONTINUE ON FOLLOWING PAGE.

STATE OF CALIFORNIA)
) ss.
COUNTY OF YOLO)

On _____ before me, _____,
personally appeared _____,
personally known to me (or proved to me that on the basis of satisfactory evidence) to
be the person(s) whose name(s) is/are subscribed to the within instrument and
acknowledged to me that he/she/they executed the same in his/her/their authorized
capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or
the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California
that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public

STATE OF CALIFORNIA)
) ss.
COUNTY OF YOLO)

On _____ before me, _____,
personally appeared _____,
personally known to me (or proved to me that on the basis of satisfactory evidence) to
be the person(s) whose name(s) is/are subscribed to the within instrument and
acknowledged to me that he/she/they executed the same in his/her/their authorized
capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or
the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California
that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public

EXHIBIT A

**Recording Requested by
and when Recorded, return to:**

City of Winters
318 First Street
Winters, CA 95694
Attn: City Manager

EXEMPT FROM RECORDING FEES PER
GOVERNMENT CODE §§6103, 27383

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

YOLO COUNTY APNs 038-070-28, 038-070-30, 038-070-31

GRANT DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

The undersigned Grantor, JORDAN FAMILY PARTNERSHIP IV, a California Partnership,

GRANTS TO CITY OF WINTERS, A MUNICIPAL CORPORATION, all the following dedications of real property situated in the County of Yolo, State of California, described as follows:

1. A permanent public utility easement as more particularly described and depicted in Attachment 1 hereto for the purpose of construction, installation, removal, repair, replacement, reconstruction, maintenance, operation and use of utilities such as water distribution systems, sewer collection systems, sewer pump station, electrical facilities, and associated appurtenances, over, along, upon, under, and across the easement area. The permanent public utility easement shall be at a width of sixty (60) feet. All facilities shall be installed at a depth of at least five (5) feet below the surface so as not to interfere with farming operations.

Conditions/Covenants

1. The dedications and covenants herein contained shall be equitable servitudes and covenants running with the land pursuant to the applicable law of the State of California.
2. The dedications and covenants herein shall inure to the benefit of and bind the successors and assigns of the respective parties hereto.
3. The dedications and covenants herein shall be subject to the terms and conditions in the Public Infrastructure Agreement between the Grantor and the Grantee dated _____, 2009.

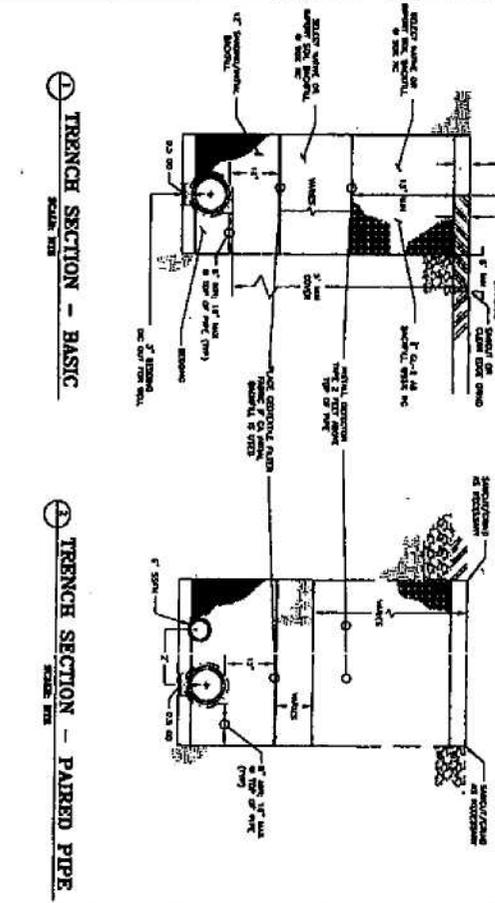
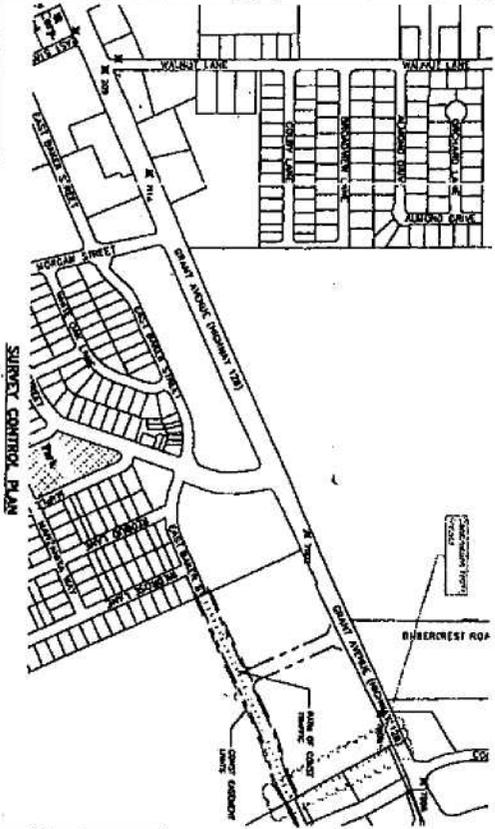
4. The persons signing below represent that they are the Parties with an interest in the real property described herein.

JORDAN FAMILY PARTNERSHIP IV, a California Partnership

By: _____
General Partner

Dated: _____

NO.	REVISION	DATE	BY	DESCRIPTION
1	ISSUED FOR PERMITS	11/15/11	DTI	ISSUED FOR PERMITS
2	ISSUED FOR PERMITS	11/15/11	DTI	ISSUED FOR PERMITS
3	ISSUED FOR PERMITS	11/15/11	DTI	ISSUED FOR PERMITS
4	ISSUED FOR PERMITS	11/15/11	DTI	ISSUED FOR PERMITS
5	ISSUED FOR PERMITS	11/15/11	DTI	ISSUED FOR PERMITS
6	ISSUED FOR PERMITS	11/15/11	DTI	ISSUED FOR PERMITS
7	ISSUED FOR PERMITS	11/15/11	DTI	ISSUED FOR PERMITS
8	ISSUED FOR PERMITS	11/15/11	DTI	ISSUED FOR PERMITS
9	ISSUED FOR PERMITS	11/15/11	DTI	ISSUED FOR PERMITS
10	ISSUED FOR PERMITS	11/15/11	DTI	ISSUED FOR PERMITS



- NOTES
1. SEE PLAN FOR TRENCH LOCATION AND WIDTH.
 2. SEE PLAN FOR TRENCH DEPTH AND SLOPE.
 3. SEE PLAN FOR TRENCH BACKFILL AND FINISH.
 4. SEE PLAN FOR TRENCH PROTECTION AND SAFETY.
 5. SEE PLAN FOR TRENCH DRAINAGE AND EROSION CONTROL.
 6. SEE PLAN FOR TRENCH UTILITY MARKING.
 7. SEE PLAN FOR TRENCH SIGNAGE AND LIGHTING.
 8. SEE PLAN FOR TRENCH RECORDING AND DOCUMENTATION.
 9. SEE PLAN FOR TRENCH INSPECTION AND TESTING.
 10. SEE PLAN FOR TRENCH CLOSURE AND RESTORATION.

GENERAL NOTES

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF WINTERS AND THE CALIFORNIA DEPARTMENT OF WATER RESOURCES.
2. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND UTILITIES AT ALL TIMES.
3. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES FROM DAMAGE.
4. THE CONTRACTOR SHALL MAINTAIN PROPER RECORDING AND DOCUMENTATION OF ALL WORK.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE SAFETY OF ALL PERSONNEL AND THE PUBLIC.
6. THE CONTRACTOR SHALL MAINTAIN PROPER DRAINAGE AND EROSION CONTROL MEASURES.
7. THE CONTRACTOR SHALL USE PROPER SIGNAGE AND LIGHTING FOR ALL TRENCHES.
8. THE CONTRACTOR SHALL RECORD ALL TRENCH LOCATIONS AND DEPTHS.
9. THE CONTRACTOR SHALL INSPECT AND TEST ALL TRENCHES AS REQUIRED.
10. THE CONTRACTOR SHALL RESTORE ALL TRENCHES TO ORIGINAL OR BETTER CONDITION.

PERMITS

CITY OF WINTERS
 I-505/GATEWAY UTILITIES PHASE 1
 PROJECT NO. 08-08.01

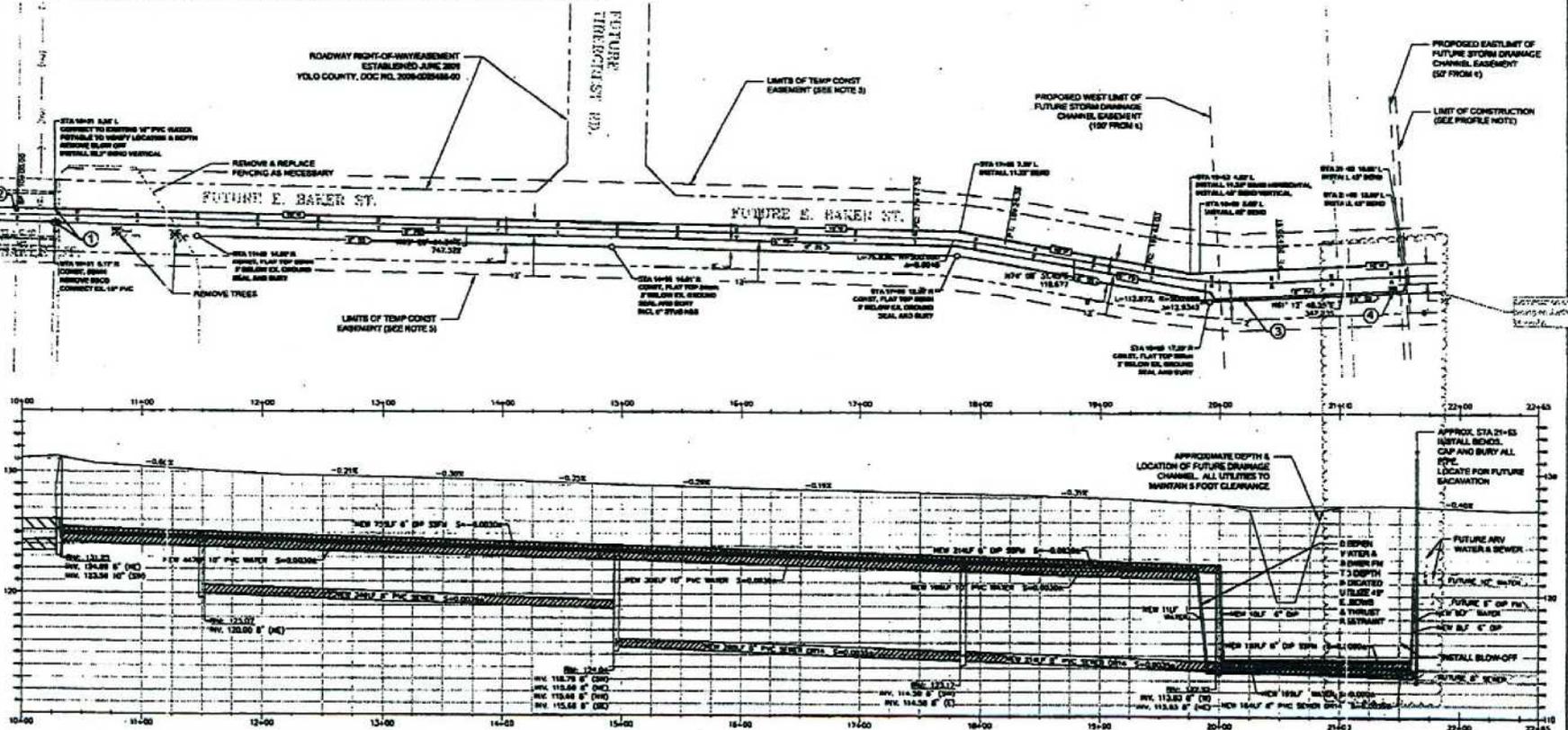
REVISIONS

NO.	DATE	DESCRIPTION
1	11/15/11	ISSUED FOR PERMITS
2	11/15/11	ISSUED FOR PERMITS
3	11/15/11	ISSUED FOR PERMITS
4	11/15/11	ISSUED FOR PERMITS
5	11/15/11	ISSUED FOR PERMITS
6	11/15/11	ISSUED FOR PERMITS
7	11/15/11	ISSUED FOR PERMITS
8	11/15/11	ISSUED FOR PERMITS
9	11/15/11	ISSUED FOR PERMITS
10	11/15/11	ISSUED FOR PERMITS

I-505/GATEWAY UTILITIES PHASE 1

- CONSTRUCTION NOTES**
- CONTRACTOR SHALL FORTHWITH EXISTING UTILITIES IN EAST BAKER PRIOR TO EXCAVATION TO VERIFY DEPTH AND LOCATION.
 - E. BAKER STREET ALIGNMENT COORDINATE AT STATION 10+00 IS EASTING 8373410.3319, NORTHING 1833989.4100.
 - CONSTRUCT TRENCH FOR DECAL 2, SHEET DT1 OR, AT CONTRACTOR'S OPTION, 8" FM ALIGNMENT MAY BE HELD AT 8" OFFSET TO 8" SS ALIGNMENT.
 - INSTALL 4" SADDLE 3"INCH AND BLOW-OFF WITH ANGLE VALVE ON 10" WATER MAIN. BURY BLOW-OFF 5 FEET UNDERGROUND AND LOCKE.

- NOTE:**
- ALL WATER AND SEWER UTILITIES ARE TO BE CONSTRUCTED WITHIN EXISTING UNDEVELOPED ROAD RIGHT-OF-WAY. CONTRACTOR SHALL STAKE ROW TO VERIFY CONSTRUCTION LIMIT AND UTILITY LOCATIONS ARE PER DESIGN.
 - CONTRACTOR SHALL WORK WITHIN ROW AND 10 FOOT CONSTRUCTION EASEMENT OUTSIDE OF ROW. NO EQUIPMENT OR MATERIALS SHALL BE PLACED OUTSIDE OF THE STAKED ROW.
 - ALL MANHOLES IN UNDEVELOPED OPEN GROUND SHALL BE CONSTRUCTED WITH CONCENTRIC FLAT TOP COVERS CAPABLE OF H2O LOADING. INSTALL COVER PLATE AND BURY 3" MINIMUM UNDER EXISTING GROUND SURFACE.
 - AS A MINIMUM, CONTRACTOR SHALL ESTABLISH STABILIZED CONSTRUCTION ENTRANCES FOR ALL CONSTRUCTION VEHICLES ENTERING OR EXITING THE SITE. OTHER BEST MANAGEMENT PRACTICES (BMPs) MAY BE NECESSARY IN ADDITION TO ESTABLISHING PROPER SEDIMENT CONTROLS. ALL WATER POLLUTION CONTROL MEASURES SHALL CONFORM TO THE CONSTRUCTION SITE BEST MANAGEMENT PRACTICES MANUAL, PUBLISHED BY CALTRANS, CITY STANDARDS AND TEN PROJECT SPECIFICATIONS.
 - ALL CONSTRUCTION ACTIVITY SHALL BE KEPT WITHIN THE 80 FOOT WIDE STRIP COMPRISED OF TEMPORARY CONSTRUCTION EASEMENT AND PUBLIC ROW FOR FUTURE ROADS. CONTRACTOR SHALL STAKE LIMITS OF ALLOWED WORK AREA.
 - CONSTRUCTION TRAFFIC SHALL FOLLOW PATH DEPICTED BY PATH LAYED OUT ON SURVEY CONTROL PLAN IN SHEET DT1.



DESIGNED BY	
DRAWN BY	
CHECKED BY	

REV.	DATE	DESCRIPTION	BY	APP'D.

PONTICELLO ENTERPRISES
 BY JAMES E. FLETCHER
 DATE 08/27/2008 PER CHG 2082
 REGISTRATION NUMBER 2008-0000

PONTICELLO ENTERPRISES
 CIVIL ENGINEERS
 6700 Santa Monica Blvd., Suite 100
 Culver City, CA 90230
 Phone: (310) 554-8800
 Fax: (310) 554-8800

CITY OF WINTERS
 I-505/GATEWAY UTILITIES PHASE 1
 PROJECT NO. 08-08.01
 CITY OF WINTERS YUBA COUNTY
 E. BAKER EXT PLAN & PROFILE 10+00 - 21+55

PRELIMINARY

SCALE
 H: 1" = 40'
 V: 1" = 3'

DATE: AUG 2, 2008
 JOB NO. 08-08

SHEET
 U1
 3 OF 3

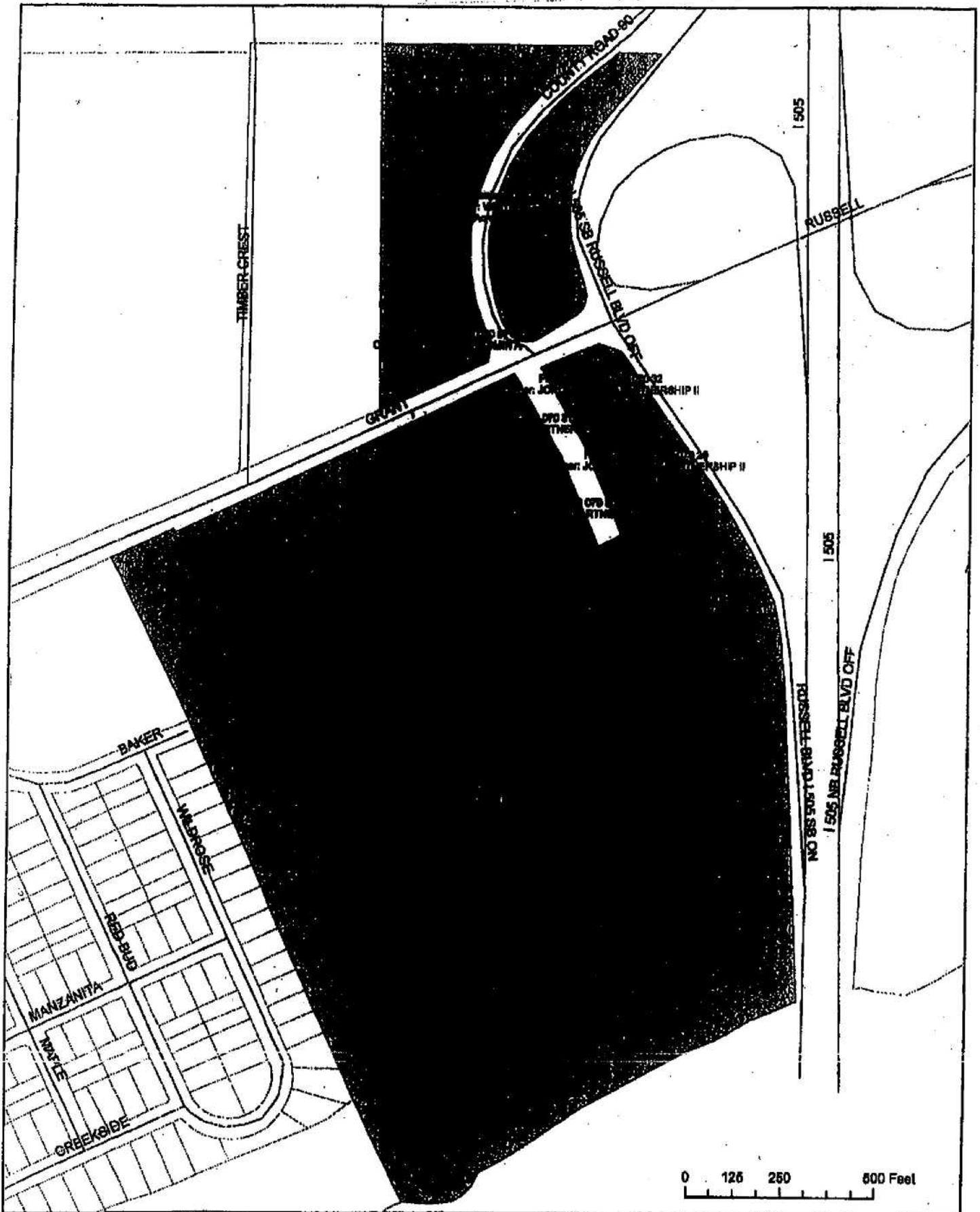
EXHIBIT B

REIMBURSEMENT STANDARDS AND CONDITIONS

Reimbursement to the City of Winters for the cost of installing the Improvements as described in this Agreement shall be as follows:

1. The costs of constructing the Improvements will be reimbursable to the City only upon the development of the benefiting properties located on both north and south of Grant Avenue, as depicted in the attached map.
2. The costs of constructing the Improvements shall be divided among the properties by the acreage as identified in the attached table.
3. The actual cost of the Improvements will be established once the City has accepted a bid for construction of the Improvements. Upon establishment of the actual cost, the City shall establish a fixed reimburseable cost for the Improvements, which will be subject to an annual inflationary increase based on an "Engineers Cost Index."
4. The City agrees that the annual inflationary increase for the actual cost of the Improvements shall not exceed three and one half (3.5%) percent annually. The City further agrees that the inflationary increase will not begin until July 1, 2014.
5. The dedicated areas and one hundred feet (100) from Putah Creek shall be excluded from the acreage subject to reimbursement.
6. The zone of benefit will not be a Mello Roos or other type of associated assessment district.
7. This Agreement shall be in effect for fifteen years (15) from the Effective Date.

I-505



Prepared by Jenna Michaelis, Winters Community Development Department - 5/12/09

Grant Avenue/I-505 Property Ownership

Parcel Number	Site Address	Property Owner	Acreage	Total Acreage
038 050 60	I-505 & RUSSELL BLVD	ALI ASHRAF YASMIN	5.71	
038 050 57	989 E GRANT AVE	ALI ASHRAF YASMIN A	1.01	6.72
038 070 28	T8N R1W	JORDAN FAM PARTNERSHIP II	9.43	
038 070 31	PCL 3 GATEWAY DR	JORDAN FAMILY PARTNERSHIP II	0.97	
038 070 32	PCL 1 GATEWAY DR	JORDAN FAMILY PARTNERSHIP II	1.08	
038 070 29	PCL 2 GATEWAY DR	JORDAN FAMILY PARTNERSHIP II	1.57	
038 070 30	PCL 4 GATEWAY DR	JORDAN FAMILY PARTNERSHIP II	0.89	13.94
038 070 12	800 E GRANT AVE/ 800A	NEWKOM NANCY C TR ETAL	46.79	46.79
038 050 63	I-505/GRANT AVE	WINTERS LLC	3.33	3.33
		Total Acres		70.78

Summary

Property Owner	Total Acreage	% of Total
ALI ASHRAF YASMIN	6.72	9.5
JORDAN FAM PARTNERSHIP II	13.94	19.7
NEWKOM NANCY C TR ETAL	46.79	66.1
WINTERS LLC	3.33	4.7



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers
DATE: October 20, 2009
THROUGH: John W. Donlevy, Jr., City Manager 
FROM: Nick Ponticello, City Engineer
SUBJECT: Project Completion and Acceptance
2008/09 Prop 1B Seal Coats

RECOMMENDATION: Staff recommends the City Council accept the 2008/09 Prop 1B Seal Coats, Project No. 033-08 as complete and direct the City Clerk to file a Notice of Completion with the County Recorder's Office.

BACKGROUND: The construction contract for the 2008/09 Prop 1B Seal Coats was awarded on June 16, 2009 to Graham Contractors, Inc. of San Jose, CA as the lowest responsible, responsive bidder with a bid of \$314,821.07. Since the winning bid was more than \$200,000 less than the intended funding, the Council authorized the negotiated addition of other street segments to the seal coat work list. The added had already been identified as needing the proposed treatments, but had been held out of the project due to the estimated budgetary limitation. The budgeted limit for construction with all of the additions was \$475,000. The final construction cost was \$466,233.94. The total cost of executing the project with all engineering and management costs was \$510,350.

The original project included 6.7 mile of road to be treated. With the added street segments, the total project placed surface treatments (seal coats) on 9.0 miles of road. Preventative maintenance was performed on an additional 0.7 miles of road. Among those which were seal coated were the 1.2 miles of road which underwent heavy underground construction activity on the city's water and sewer system just a few months earlier this year, specifically Russell Street, Walnut Street, and portions of East Edwards Street and Second Street.

All work required under the construction contract is complete and ready for acceptance by the City.

FISCAL IMPACT: The project was funded from two sources. The primary funding was the four hundred thousand dollars (\$400,000) in Proposition 1B state funds. The remainder of the funding for the additional work came from the city's Local Transportation Fund (LTF) from the Transportation Development Act (TDA) program funds. The amount coming from LTF funds is one hundred ten thousand three hundred fifty dollars (\$110,350).

No attachments



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers
DATE: October 20, 2009
FROM: John W. Donlevy, Jr., City Manager: *JWD*
SUBJECT: Putah Creek Trout- Support of Catch and Release

RECOMMENDATION:

That the City Council authorize a letter in support of the proposal by Putah Creek Trout in their application to the Department of Fish and Game for increased regulation during the non-planting period for year round zero limit on Putah Creek.

BACKGROUND:

The City has received a request from the Putah Creek Trout organization to support their request to the California Department of Fish and Game for year round zero limit (Catch and Release) with artificial barbless lures only.

For the past few years and based on litigation, the State DFG has ceased planting trout throughout most of the State waterways. This has caused a considerable impact on the levels of fish in lakes and streams, including Putah Creek. Putah Creek Trout is advocating for the zero limit regulation in hopes of sustaining the existing population until the planting process is re-established.

Attached is a letter outlining their proposal.

Staff is recommending qualified support for this request. The exception would be that once stocking of the Putah Creek is commenced, that the zero limit regulation would be lifted.

FISCAL IMPACT: None by this action.



1411 W Covell Blvd Suite 106 PMB187
Davis CA 95616
putahcreektrout@gmail.com
www.putahcreektrout.org

October 6, 2009

To: Members of the Winters City Council

Putah Creek Trout is requesting a Letter of Support from the Council for the fishing regulation change submitted to the Fish and Game Commission. This regulation change makes the fishing between Monticello Dam and Lake Solano year around zero limit (Catch and Release) with artificial barbless lures only.

PCT submitted this regulation change, along with the Department of Fish and Game, to the Commission when a court ordered cessation of supplemental planting of fish in November of 2008. Due to the complexity of the interim "no plant" decision, we became alarmed that the lack of the usual catchable "planters" would result in additional pressure on the wild population of trout present in the stream. We were further concerned that the lack of planting could continue for several years until the terms of the court's decision could be met by DFG. Our fears seem justified as angler success has declined this year (based on angler surveys) and the complexity of the court required Environmental Impact Report provides no clear or quick solution to the problem.

We realize that there are always pluses and minuses to changes in the law and this change request is no exception. We believe that conservation and protection of this limited resource far outweighs the negative impact on those fishermen who like to keep some of the fish they catch. While monitoring several online fishing forum sites, we were surprised to find almost no opposition to the zero limit change. Our group will work on alternative ways to provide "put and take" fishing within the local area.

The regulation change process is now in the public comment period, ending the first week of November. In addition to hundreds of letters of support from members of local fishing communities, we have also received over 140 signatures on petitions from the general public. We believe it is very important to also have the support of local government, businesses, and conservation groups. We have obtained written support from Audubon Society, Putah Creek Council, and Tuleyome, and have contacted the Lower Putah Creek Coordinating Committee through Mr. Rich Marovich to see if we can arrange a meeting with their board before the public comment period ends. We have also made requests for support to Yolo County Parks and Recreation and State Senator Lois Wolk that are currently under their review.

We hope the Council is willing to support this important initial step in bringing the fishery back to a better state and for the benefit of all those that utilize this recreational resource. We are happy to meet with you to answer any questions and address any concerns you might have.

Regards,

Steve Karr, Ph.D.
Secretary Treasurer, Putah Creek Trout

To: Winters City Council, City Manager, City Attorney, Environmental Services Manager

Re: Request for Letter of Support from the Council for Putah Creek Trout's request for regulation change (zero bag, catch and release only) in the IDR and request from Harold Anderson for information on a catchable planted trout "put and take" fishery in Winters's reach of Putah Creek

Dear Council members:

Thank you for putting PCT on next week's agenda with our request for an LOS. I have continued to research the potential impact of the DFG EIR on effects of "invasive species" on native species (the basis of the "no plant" list developed by DFG). Our group is concerned that, based on the EIR, planting will not be resumed in the IDR for a number of years. This is based on:

1. PC being kept on the original "no plant" list in November 2008, while several hundred others were removed from the list. This indicates that DFG has concerns about "planter" impacts on the Wild Trout and other native species within the IDR.
2. The ongoing DFG Wild Trout status evaluation (on going for the past two years, before the "no plant" edict was ever on the horizon) indicates that DFG feels that a Wild Trout fishery will be self-sustaining under proper management plans.
3. Should the Wild Trout be shown to be of native trout lineage, it will trigger a continuation of the "no plant" policy.

We do believe there is a potential for a "win-win" solution for those using the fishery by establishing a bag limit for wild Trout, once the population in the Creek recovers in numbers, if a catch and release, zero bag limit is adopted. We base this on the following:

1. According to DFG, as the resident population increases in numbers under catch and release, there will be a shift in the size distribution from many small fish (under 10 inches), few medium-sized fish (10 to 16 inches), and very few large (trophy) fish to many more medium-sized fish. To allow medium-sized fish to grow to trophy size, some of them must be harvested to provide enough food for the growth to large size (they call it the biomass equation-the Creek can support a finite weight/number of fish based on available food). This type of harvest was probably already happening during the "put and take" regulations, as almost 70% of the fish caught in angler surveys were reported as wild fish.
2. To maintain the balance in size distribution, it makes sense to establish a bag limit of 2-5 fish with a maximum size (say 16 inches) that would allow harvest of the medium-sized fish. Their removal would allow the smaller fish to replace them. This reduced bag/slot size approach to harvest has worked in the past in similar situations in a number of streams and rivers in the western US.
3. If this is to work for PC, it requires at least a three-year evaluation, which would be part of the Wild Trout designation evaluation program already ongoing. Catch and release for three years would also coincide with the usual regulation evaluation and change cycle.
4. Our group will support a reduced bag and slot regulation in 2012 for the Creek if the Wild Trout biologists believe it is good for the fishery.

Re: Mr. Anderson's request for information on the possibility of establishing a catchable planted fishery within the city, I have gathered the following:

1. You may face an uphill battle with DFG due to the fact that this portion of the Creek will likely have an anadromous water designation because of the endangered Chinook salmon that now spawn (if somewhat erratically) in this reach. A lot of effort has gone into reestablishing this population. This threat could be compounded if steelhead were also able to reestablish permanently.

2. It is the policy of the Fish and Game Commission to not plant in anadromous waters if there is any potential threat to the wild anadromous fish present there (section VIII). Trout and steelhead both feed on salmon eggs, so that could be an immediate threat.
3. My DFG contact recommended the city take the following actions:
 - if you have worked with a Department biologist during the salmon spawning habitat restoration, the city should contact that person with a request for an opinion on the desirability/feasibility of putting hatchery trout in this part of the Creek. Otherwise, contact the local region biologist for an opinion. We can help with making that contact
 - prepare a draft proposal and management plan to submit to DFG. We can provide examples of already established plans in place for other waters.
4. Our group is ready to assist the City as needed.

Regards,

Steve Karr, Ph.D.
Secretary-Treasurer
Putah Creek Trout
1411 W Covell Blvd Suite 106-PMB 187
Davis CA 95616
(530)753-8885
sleekarr@aim.com

CONFIDENTIALITY: The information contained in this email message may be privileged and confidential. If you are not the intended recipient, any dissemination, distribution or copying this email or any of its contents is strictly prohibited.



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers

DATE: October 20, 2009

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

FROM: Shelly A. Gunby, Director of Financial Management *Shelly*
Carol Scianna, Environmental Services Manager *Carol*
Elliot Landes, Associate *Elliot Landes*

SUBJECT: Public Hearing and Second Reading by Title only and Adoption of Ordinance 2009-12, An Ordinance of the City Council of the City of Winters Repealing and Re-Adopting Chapter 13.04 of the Winters Municipal Code Pertaining to Water Service and Amending Chapter 13.08 of the Winters Municipal Code Pertaining to Billing for Wastewater Services and adoption of Resolutions 2009-52, A Resolution of the City Council of the City of Winters, Setting Rates and Payment Options for the Installation of Water Meters for those Properties Currently not Metered

RECOMMENDATION:

Staff recommends the City Council take the following actions;

1. Receive this staff report
2. Hold a Public Hearing of Ordinance 2009-12.
3. Read by title only and adopt Ordinance 2009-12.
4. Review and Adopt Resolution 2009-52, setting rates and payment options for the installation of water meters for those properties not currently metered.
5. Review outline of the Water Meter Installation Plan and authorize staff to move forward with the plan. (Exhibit A)
6. Authorize the City Manager to issue a purchase order for equipment as detailed in Exhibit B.

BACKGROUND:

- A. On October 6, 2009, Staff introduced Ordinance 2009-12 repealing and re-adopting chapter 13.04 of the Winters Municipal code pertaining to Water Services and amending Chapter 13.08 of the Winters Municipal Code pertaining to billing for Wastewater

Services. The purpose of the ordinance was to address certain issues in the management of our water and wastewater funds, particularly, in the area of the installation of meters for those properties that currently do not have meters in place in order to facilitate a consumption based billing system for the water utility.

- B. Resolution 2009-52, A Resolution of the City Council of the City of Winters, Setting Rates and Payment Options for the Installation of Water Meters for those Properties Currently not Metered sets the prices and payment options for installing meters on those properties not currently metered. Staff has requested an updated quote from the vendor, but it was not available at the time the staff report was prepared. Should we receive a savings due to quantity discounts, the rates will be adjusted accordingly, charging our customers only for the actual cost to the City.
- C. Attachment A is the Water Meter Installation Plan proposed by staff.
- D. Attached as Exhibit B is the cost of the equipment for this project. This includes the cost of retrofitting or replacing existing meters with radio read meters, installing meters at those properties without meters, and the cost of the software, meter reading equipment and training.

FISCAL IMPACT:

Staff has recently become aware of potential grants available that could help with the funding of the project. Currently the funding source for this project is as follows:

2007 Water bond proceeds	\$447,016.95
Loan from Redevelopment Agency	350,000.00
Loan from Water O & M	<u>115,284.05</u>
Total Projected Cost	\$912,301.00
Amount to be collected from property Owners	<u>684,420.00</u>
City Cost	\$227,881.00

Exhibit A
Water Meter Installation Plan

1. October 20, 2009 Council Meeting
 - a. Adoption of Ordinance 2009-12
 - b. Adoption of Resolution 2009-52
 - c. Authorize staff to proceed with installation plan
 - d. Authorize City Manager to issue purchase order (orders) for equipment as needed.
2. Order equipment
 - a. Order equipment for pilot program and to replace existing residential meters
 - b. City Water Staff will:
 - i. Replace all existing commercial Sensus meters with Badger radio read meters. (approx 60)
 - ii. Replace existing residential Sensus meters with Badger radio read meters.
 - c. Make connection to MOMS (accounting system) with direction and training from National Meter and Automation.
 - d. Switch to radio read for these accounts
3. Unmetered Commercial Accounts
 - a. Establish deadline for commercial accounts without meters to have them installed. We recommend March 15, 2010.
 - b. Meet with business owners to provide instructions and options for installation of meters.
 - c. Order Badger radio read meters as needed.
 - d. Begin radio read consumption based billing as soon as the meter is installed.
4. City Water Staff
 - a. Re-count residential meters
 - b. Identify sites that do not have meters
 - c. Identify sites that are meter ready with pits.
 - d. Adapt newer 1 ½" and larger Sensus meters for retrofit to the Badger radio read system.
 - e. Issue purchase order for new meters to be installed by contractor selected below.
5. Bid package for pit installation
 - a. Bid opening January 15, 2010
 - b. Bid to include installation of pits and new Badger radio read meters at residences without meters.
6. Installation of pits and meters from February 15, 2010 to June 15, 2010
7. Begin radio read of residential meters July 2010
 - a. Start reading monthly, and adding "your water bill would have been" \$XXX.XX on all residential bills.
8. Begin billing on consumption basis July 2011

**Exhibit B
Cost of Meter Equipment**

Overall meter order						
	Total		Commercial		Residential	
Item						
Total	471,872			71,431		400,441
Estimated cost of pits	401,500			42,000		359,500
Total with sales tax	912,301	1.0825		119,324		792,977
	model	count	cost	extend		
Initial Commercial Order						
Laptop system		1	12500	12,500		
Handheld		1	4500	4,500		
3/4" Meter with Orion transmitter	#35	32	195	6,240		
1" Meter with Orion transmitter	#55	33	240	7,920		
1 1/2" Meter with Orion transmitter	#120	29	405	11,745		
2" Meter with Orion transmitter	#170	28	516	14,441		
Sensus/Orion reg./transmitter	3/4" to 2"	31	195	6,045		
Sensus/Orion reg./transmitter	2" to 6"	4	223	892		
Box for 3/4" to 1"		50	44	2,200		
Box for 1 1/2", 2"		44	74	3,256		
Fittings		94	18	1,692		
Residential Order						
3/4" Meter with Orion transmitter	#35	1585	195	309,075		
1" Meter with Orion transmitter	#55	34	240	8,160		
1 1/2" Meter with Orion transmitter	#120	0	405	0		
2" Meter with Orion transmitter	#170	0	516	0		
Sensus/Orion reg./transmitter	3/4" to 2"	200	195	39,000		
Sensus/Orion reg./transmitter	2" to 6"		223	0		
Box for 3/4" to 1"		713	44	31,372		
Box for 1 1/2", 2"		0	74	0		
Fittings		713	18	12,834		

ORDINANCE NO. 2009-12

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WINTERS
REPEALING AND RE-ADOPTING CHAPTER 13.04 OF THE WINTERES
MUNICIPAL CODE PERTAINING TO WATER SERVICE, AND AMENDING
CHAPTER 13.08 OF THE WINTERS MUNICIPAL CODE PERTAINING TO
BILLING FOR WASTEWATER SERVICES.**

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

SECTION 1. Repeal and Re-Adoption of Chapter 13.04

Chapter 13.04, "Water Service" is hereby repealed in its entirety and re-adopted as follows:

Section 13.04.010 City Water Service

The Water Department of the City of Winters shall furnish a safe and potable water supply in accordance with applicable state and federal law.

Section 13.04.020 Definitions

Words used in this Chapter 13.04 are defined as hereinafter provided:

"Applicant" means any person, group of person, firm, corporation or association who applies for use of the city's water system.

"City" means the City of Winters.

"City Water System" means those City facilities used to provide water service to Consumers.

"Consumer" means any person, group of persons, firm, corporation, or association receiving Water Service from the City.

"Director" means the Director of Financial Management of the City.

"Minimum Charge" means the periodic charge to be paid by a Consumer if connected to the City Water System, even if no water is used during the period for which such charge is made.

"Premises" means the real property to which water service is or will be provided.

"Water Department" means the City of Winters Water Department.

“Water Distribution Facilities” means the water lines, pipes and associated equipment owned by the City and necessary to deliver water to Consumers.

“Water Service” means a connection through which water is supplied or is available to a Consumer from the City Water System.

Section 13.04.030 Application for Water Service

- A. After the effective date of this chapter, no person shall connect a hose, pipe or other conduit to the City Water System before first applying for Water Service with the Water Department, submitting a deposit to guarantee payment for such Water Service in the amount of two hundred dollars (\$200), and receiving authorization from the Water Department to make the requested connection.
- B. Existing Consumers shall not be required to increase the amount of the deposit prior to moving to a new location within the City, unless Water Service has been terminated in accordance with the provisions of Section 13.04.090. New property owners or tenants shall be required to submit the deposit specified in Section 13.04.030A prior to receiving Water Service.
- C. Existing Consumers who own real property but do not reside on the Premises, may have the Water Service account transferred to the tenant or occupant of the Premises, upon the payment of the deposit specified in Section 13.04.030A.

Section 13.04.040 New Connection Application

- A. Any person requesting Water Service from the City for Premises where Water Distribution Facilities are not installed shall apply to the Water Department for permission to install the Water Distribution Facilities. The application shall contain improvement plans for the proposed Water Distribution Facilities that conform to the City Improvement Standards and Construction Specifications, and other requirements of the Water Department.
- B. After the Water Department certifies in writing that the improvement plans submitted conform to the requirements specified in paragraph A above, and the Applicant has obtained an encroachment permit from the City for any work to be performed on City owned property, the Applicant may install the Water Distribution Facilities. All costs associated with the installation Water Distribution Facilities shall be the responsibility of the Applicant.
- C. The Water Department shall inspect and approve all work before the Water Distribution Facilities are connected to the City Water System and/or are placed into service.

- D. After the Water Department issues a notice of completion, all Water Distribution Facilities on the “street-side” of the water meter, and the water meter, shall automatically become the property of the City.

Section 13.04.050 Service Connection Fee

A service connection fee for connection to the City’s Water System shall be established by resolution of the City Council, and shall be paid at the time of application to install Water Distribution Facilities, or prior to connection to the City Water System for those Premises where Water Distribution Facilities are already installed. The service connection fee shall be in addition to any other fees or charges imposed by the City, including but not limited to, development impact fees.

Section 13.04.060 Rates

Any rates, charges and fees authorized or imposed by this chapter shall be established by resolution of the City Council, which may be amended from time to time.

Section 13.04.070 Billing

The charges, rates and fees imposed for City Water Service to a Consumer by this chapter shall be billed monthly in a manner determined by the Director, together with the charges for any other utility services rendered to a Consumer by the City.

Section 13.04.080 Lien

Bills for Water Service shall be payable monthly. If a Consumer is also the owner of the Premises being supplied Water Service, all charges for Water Service that are not paid for in a timely manner may be assessed against the Consumer and become and remain a lien on the Consumer’s Premises until such charges are paid.

In the alternative, pursuant to Section 5470 et seq., of the California Health and Safety Code, the City Council may elect to have such delinquent charges collected on the tax roll in such manner and at the same time as its general taxes and shall give the notice, hold a hearing, prepare and file a report as to such delinquencies as required by the California Health and Safety Code. Such delinquent charges shall thereafter, pursuant to said code, constitute a lien against the Premises against which the charges have been imposed.

Section 13.04.090 Discontinuance of Service

Water Service may be discontinued for the following reasons:

- A. Nonpayment of Bills. A Consumer’s Water Service shall be discontinued if the Consumer’s bill is not paid within sixty (60) days of the due date.

Prior to the discontinuance of Water Service for nonpayment of the bill, the Director shall cause a written notice to be mailed to the Consumer, informing the Consumer that Water Service will be discontinued for nonpayment of charges. The written notice shall inform the Consumer of an opportunity for a hearing with the Director to present objections to the outstanding bill and the deadline for requesting a hearing. The deadline for requesting a hearing shall be ten (10) days from the date of the written notice.

If a hearing is not timely requested, or if a hearing has been requested and the person requesting the hearing fails to appear for it, and a continuance has not been requested and approved by the Director, the Water Department shall discontinue Water Service.

Not less than five (5) days prior to the scheduled discontinuance of Water Service, a second notice shall be mailed postage prepaid to the Consumer. Not less than seventy-two hours (72) prior to the scheduled discontinuance, a copy of the notice shall be posted on the Premises where Water Service is to be discontinued. Not less than twenty-four (24) hours prior to the scheduled discontinuance of Water Service, a final notice shall be posted on the Premises where Water Service is to be discontinued.

The Director shall also have the authority to delay the date of Water Service discontinuance by up to fifteen (15) additional calendar days if the Premises served is a dwelling and if a tenant of the Premises requests such a delay.

- B. Noncompliance with Regulations. If a Consumer fails to comply with any of the regulations of this chapter, the Water Department has the right to discontinue Water Service after providing written notice of the violation and an opportunity for a hearing to the Consumer in accordance with the procedures provided in this section. If a Consumer corrects the violation within the time stated in the written notice, to the satisfaction of the Water Department, then Water Service will not be discontinued.
- C. Consumers About to Vacate Premises. Each Consumer about to vacate any Premises receiving Water Service shall give thirty (30) days written notice of his or her intention to vacate the Premises to the Water Department and specify the date for Water Service to be discontinued. Otherwise, the Consumer will be held responsible for all water furnished to such Premises until the City becomes aware that the Consumer has vacated the Premises and arranges for termination of Water Service. A Consumer shall not receive Water Service at a new location until any outstanding bills for City Water Service at another location have been paid in full.

Section 13.04.100 Account Disputes

Any Consumer desiring to dispute a bill for Water Service or any portion thereof may request a hearing on the matter within ten (10) days of receiving the bill. Upon receipt of

a request for hearing, a hearing shall be scheduled not later than ten (10) days from the date of the request. The hearing shall be conducted in an informal manner by the Director, who is authorized to review disputed bills and to correct any errors. At the hearing, evidence may be presented and shall be considered in determining whether the correct amount has been charged for the service which has been rendered. At the conclusion of the hearing, the Director shall make a decision based upon the evidence and shall have the authority to adjust the amount due in a fair and equitable manner, or permit the Consumer to amortize the unpaid balance of his or her account over a reasonable period of time pursuant to an amortization agreement. The decision of the Director shall be final, unless timely appealed to the City Council in accordance with procedures provided in Chapter 2.44 of this Code.

Section 13.04.110 Reconnection of Service

In the event that Water Service to any Premises is discontinued in accordance with this chapter, Water Service to that Premises shall not be restored until the following amounts are paid: (1) any unpaid and past due bills, (2) a reconnection fee, in the amount established by resolution of the City Council to cover the administrative costs of discontinuing and restoring Water Service to the Premises, and (3) a deposit in the amount of two hundred dollars (\$200).

Section 13.04.120 Use after Shut Off

Whenever the Water Department has shut off Water Service to any Premises, it shall be unlawful for any person to turn on or restore Water Service to such Premises, until Water Service is restored by the Water Department in the manner specified in Section 13.04.110. Failure to comply with this section shall result in the imposition of a fine in the amount of one hundred dollars (\$100.00) for a first violation; (2) a fine of two hundred dollars (\$200) for a second violation within one year; (3) a fine of five hundred dollars (\$500) for each additional violation within one year.

Section 13.04.130 Cross Connections

It shall be unlawful for any Consumer to allow any person to attach a pipe or hose connection to the plumbing on his or her lot or parcel for the purpose of providing water to any other lot or parcel. A violation of this section shall result in the imposition of a fine in the amount of one hundred dollars (\$100.00) for a first violation; (2) a fine of two hundred dollars (\$200) for a second violation within one year; (3) a fine of five hundred dollars (\$500) for each additional violation within one year.

Section 13.04.140 Water Rates Outside City Limits

- A. The rates to be charged for Water Service furnished to Premises outside the City shall be established by resolution of the City Council.
- B. No Water Service shall be furnished to Premises outside the City without the

express approval of the Yolo County Local Agency Formation Commission (LAFCO) and the City Council.

Section 13.04.150 Stand-by Emergency Service

Where Water Service is maintained for emergency purposes only, the monthly charge shall be the Minimum Charge that is applicable to the type of Premises.

Section 13.04.160 Private Fire Protection

Where Water Service is provided solely for private fire protection, the Consumer shall be required to pay for the actual cost of installing necessary Water Distribution Facilities. Such Water Services shall be used only for fire suppression . If any person shall use such Water Service for other than fire suppression purposes, the Water Department shall collect a fine in the amount of one hundred dollars (\$100.00) for each unlawful use, plus the metered rate for the water used. A fine of two hundred dollars (\$200) shall be charged for a second violation within one year and a fine of five hundred dollars (\$500) shall be charged for each additional violation within one year.

Section 13.04.170 Construction Water

Water for dust control, compaction and other construction purposes obtained from the City's water supply shall be paid for at the metered rate, subject to a minimum charge. The metered rate and minimum charge shall be set by resolution of the City Council. All such charges shall be paid in full prior to the issuance of a building permit for the applicable Premises. The cost of placing and removing a temporary connection and meter shall be paid for by the party requesting water in advance of the delivery of water.

Section 13.04.180 Leaky Fixtures

It shall be unlawful for any Consumer to maintain or allow on his or her Premises a leaky or faulty water pipe, connection, or device. The failure to repair or disconnect the faulty pipe, connection or device within ten (10) days after being notified in writing to do so by the Water Department shall be sufficient cause for the discontinuance of Water Service to the Premises until such time as repairs have been made.

Section 13.04.190 Wasteful Use of Water

It shall be unlawful for any person to waste water. Any of the following acts or omissions shall constitute the waste of water:

- A. Excessive application of water for irrigation.
- B. Allowing an unrestricted flow of water from a tap, hose, faucet, pipe, sprinkler, or nozzle, beyond the amount of water reasonably necessary for the intended purpose, such as washing or cleaning.

- C. Allowing any fixture, pipe or mechanical equipment to leak or discharge water.
- D. Maintaining ponds, waterways, decorative basins or swimming pools without water recirculation devices or with leaks.
- E. Discharging water from, overflowing or refilling, swimming pools, decorative basins or ponds in excess of the frequency reasonably necessary to maintain the health, maintenance or structural considerations of the pool, basin or pond.
- F. Application of water to an impervious surface, other than for cleaning, or incidentally applied during irrigation.
- G. Irrigation of lawns or landscaping when it is raining.

Section 13.04.200 Inspection

It shall be unlawful for any person to interfere or attempt to interfere with the inspection by Water Department employees of any water fixture, pipe, connection or device to which City water is connected; provided that, before entering occupied dwellings or Premises for the purpose of making an inspection, the consent of the occupant thereof shall be secured. If consent is not secured, the Water Department employee shall take steps to effect an inspection as provided by law.

Section 13.04.210 Fire Hydrants

- A. No person other than authorized employees of the Water Department or Fire Department or other persons duly authorized by the city manager shall open or operate any public fire hydrant or attach any hose, tubing or pipe thereto for any purpose, without first obtaining a permit from the Water Department.
- B. No person, whether authorized to open a public fire hydrant or not, shall leave a public fire hydrant open or leave the cap off the nozzle of a public fire hydrant after having ceased to use it. Any person that opens or operates a public fire hydrant, whether or not authorized as provided herein, shall indemnify and hold harmless the city, its officers and employees from any claims, actions, costs (including attorney fees), damages or other liability resulting or arising therefrom.
- C. No person shall block or obstruct any public fire hydrant in such a manner that interferes with its operation, use, maintenance or repair.

Section 13.04.220 Encroachment Permit Required for Construction Activities in City Streets

No person shall make any excavations, install any water pipes, gas pipes, sewer pipes, drain pipes or do any other construction in or upon City streets, without first obtaining an

encroachment permit therefore from the City building department and notifying the Water Department ten (10) days prior to such work.

Section 13.04.230 Discontinuance of Service—No Liability

Water Service may be discontinued at any time without notice to Consumers for repairs to Water Distribution Facilities or for any other reason, and the City shall not be liable for any damage or costs resulting from such discontinuance. Where feasible, the Water Department shall provide reasonable notice to Consumers for planned maintenance or repairs to the City's Water Distribution Facilities. The City does not guarantee, and shall not be liable for any failure in continuity of water service or water pressure.

Section 13.04.240 Purpose of Water Meter Installation Requirements

- A. The provisions of California Water Code Sections 521, et seq., impose certain requirements for the installation and use of water meters. The City has enacted regulations requiring the installation of water meters, in part, to implement these state laws and further advance the water conservation goals of the City of Winters.
- B. Water furnished or used without any method of determination of the quantities of water used by the person to whom the water is furnished has caused, and will continue to cause, waste and unreasonable use of water, and this waste and unreasonable use should be identified, isolated, and eliminated.
- C. Water metering and volumetric pricing are among the most efficient conservation tools, providing information on how much water is being used and pricing to encourage conservation.
- D. Without water meters, it is impossible for homeowners and businesses to know how much water they are using, thereby inhibiting conservation, punishing those who conserve, and rewarding those who waste water.
- E. Existing law requires the installation of a water meter as a condition of water service provided pursuant to a connection installed on or after January 1, 1992, but the continuing widespread absence of water meters and the lack of volumetric pricing could result in the inefficient use of water for municipal and industrial uses.

Section 13.04.250 Installation of water meters on water service connections made on or after January 1, 1992.

- A. In accordance with the provisions of California Water Code Section 525, no new water service connections may be attached to the City water distribution system, unless such connection is equipped with a water meter. As used in this section, "new water service connection" includes any existing water service connection that is used to provide water to buildings or residential units that was constructed on or after January 1, 1992. Fire service connections are exempt from the provisions of this chapter. The superintendent of the water department may adopt standards and requirements to implement the provisions of this section.

- B. Prior to the installation of a water meter in accordance with the terms of this section, the Consumer shall pay all applicable fees, which may be established from time to time by resolution of the City Council, to recover the costs incurred by the City in providing, installing or supervising the installation of a water meter.
- C. Water meters for water service connections made on or after January 1, 1992 shall be installed by the City or under the City's supervision in accordance with all applicable City water and building codes, regulations, and standards, as such standards may be established from time to time.
- D. A water meter for a water service connection made on or after January 1, 1992 shall not be installed by a party other than the City unless a water meter installation inspection has been completed prior installation of the water meter.
- E. No occupancy permit for any structure served by a water service connection made on or after January 1, 1992 shall be issued until meter installation is complete, inspected by the City, and deemed to be in compliance with all applicable City regulations and standards.

Section 13.04.260 Installation of meter upon sale of property.

- A. Upon the sale of any property receiving Water Service from the City through an unmetered water service connection, notice of such sale shall be given to the Water Department. Water Service shall not be provided to the Premises after the transfer of property ownership until meter installation is complete, inspected by the City, and deemed to be in compliance with all applicable City regulations and standards. Notwithstanding the above provision, the Director is authorized to accept a cash security deposit to cover the estimated cost of meter installation, in lieu of meter installation, if in the best interests of the City, or upon a showing of good cause by the new property owner.
- B. Water meters shall be installed by the City or under the City's supervision in accordance with all applicable City water and building codes, regulations, and standards, as such standards may be established from time to time. A water meter shall not be installed by a party other than the City unless a water meter installation inspection has been completed prior installation of the water meter.

Section 13.04.270 Phased meter installation program.

- A. The City shall install water meters on all existing unmetered water service connections through a phased meter installation program. The phased meter installation program shall be approved by resolution of the City Council. Consumers shall pay such rates, fees and/or charges as may be established from time to time by resolution of the City Council to fund, among other costs, the development and implementation of the phased meter installation program.

- B. In accordance with California Water Code Section 521(g), a low-income reduction for water meter costs shall be offered to qualifying households to relieve any unreasonable burden placed on low income families. Any household with a total income no greater than that specified by the U.S. Department of Housing and Urban Development as "very low income" may apply for a reduction in the water meter installation charge. An application for a reduced charge shall be filed with the Director. The amount of the installation charge reduction shall be established by resolution of the City Council.

Section 13.04.280 Reading meters.

The Consumer receiving Water Service shall keep water meters unobstructed and accessible for reading, maintenance and repair, and shall provide City employees and/or its contractors access to the Premises where the Consumer receives Water Service as may be required by the City for such purposes. Compliance with this section shall be a condition of receiving or continuing to receive Water Service.

Section 13.04.290 Testing meters.

- A. Any Consumer may request in writing that the meter through which water is being furnished be examined and tested by the City to determine whether the meter is registering accurately the amount of water that is being delivered through it. Upon receipt of such request, the City shall examine and test the meter. If the meter is found to register over or under three percent (3%) more or less water than actually passes through it, the Consumer's water bill will be adjusted accordingly. If the meter is found to register a variance of three percent (3%) or less, no billing adjustment will be made. Meter testing will be performed at a Consumer's request, at no charge to the Consumer, not more than once every twelve (12) months.
- B. If a Consumer requests more frequent testing, the Consumer's request shall be accompanied by a deposit of an amount established by resolution of the City council, to recover testing and inspection costs incurred by the City. Upon receipt of such request, the City shall examine and test the meter. If the meter is found to register over or under three percent (3%) more or less water than actually passes through it, the Consumer's water bill will be adjusted accordingly and the deposit shall be returned, without interest. If the meter is found to register a variance of three percent (3%) or less, no billing adjustment will be made and the deposit shall be used by the City to pay its inspection and testing costs.

Section 13.04.300 Water meter use – Indemnity.

No person other than authorized employees of the City or other persons duly authorized by the City shall install, maintain, repair, move, replace, adjust, tamper with, manipulate, damage, disconnect or remove any water meter. Any person or entity performing any of

the foregoing actions without the authorization of the City, shall pay the City's costs of investigating and repairing any resulting damage and/or replacing any removed item(s), and shall indemnify and hold harmless City, its officers and employees from any claims, actions, costs (including attorney fees), damages or other liability resulting or arising from such damage or unauthorized removal.

SECTION 2. Amendment of Code.

The definitions in Section 13.08.020 of Chapter 13.08 of the Winters Municipal Code entitled, "Definitions," is hereby amended to read as follows:

"Applicant" as used herein, means any person, group of persons, firm, corporation or association who applies for use of the city's wastewater collection, treatment, and disposal system.

"Consumer" as used herein, means any person, group of persons, firm, corporation, or association having a connection into the water system owned and operated by the City.

"Director" as used herein, means the Director of Financial Management of the City.

SECTION 3. Amendment of Code.

Subsections 13.08.130(B) and (C) of Chapter 13.08 of the Winters Municipal Code entitled, "Enforcement," is hereby amended to read as follows:

B. Delinquencies.

1. **Penalty Fee.** In the event the Consumer fails to pay the sewer service charge, connection fee, sewer rental charge, industrial cost recovery, monitoring fees, and other required charges and fees by the fifteenth (15) of the month following presentation of a bill by the City therefor, a penalty for late payment in the amount of ten (10) percent shall be added to such bill, and the Director shall collect such penalty in addition to the delinquent charge. In the event that Consumers or persons fail to pay the storm sewer charges and storm drainage charges by the fifteenth day of the month following presentation of a bill by the City therefor, a penalty for late payment in the amount of ten (10) percent shall be added to the bill, and collected as described above.
2. Prior to the discontinuance of sewer service for nonpayment of the bill, or nonpayment of a portion thereof, the Director shall cause a written notice to be mailed to the Consumer, informing the Consumer that water service will be discontinued for nonpayment of charges. The written notice shall contain notice of an opportunity for a hearing with the

Director to present objections to an outstanding bill. The deadline for requesting a hearing shall be no more than ten (10) days after the date of mailing the written notice.

If a hearing is not timely requested, or if a hearing has been requested and the person requesting the hearing fails to appear for it or have it continued within a reasonable time as determined by the Director, the City shall discontinue sewer service.

Not less than five (5) days prior to the scheduled discontinuance of sewer service, a second notice shall be mailed postage prepaid to the Consumer. Not less than seventy-two hours prior to the scheduled discontinuance, a copy of the notice shall be posted on the premises where sewer service is to be discontinued. Not less than twenty-four (24) hours prior to the scheduled discontinuance of sewer service, a final notice shall be posted on the premises where sewer service is to be discontinued.

The Director shall also have the authority to delay the date of sewer service discontinuance by up to fifteen (15) additional calendar days if the premises served is a dwelling and if a tenant of the premises requests such a delay.

3. Court Action. In addition to remedies listed above under discontinuance of services, at the option of the city, the city may file a civil action against the Consumer for the collection of any amounts due and unpaid. Such remedy shall be cumulative and in addition to any other remedy provided in this chapter.
4. Lien. Bills for sewer service shall be payable monthly in advance. If a customer is also the real property owner of the premises being supplied sewer service by the city, all unpaid charges for sewer service may be assessed against the customer and become and remain a lien on the customer's real property until such charges are paid.

In the alternative, the council, pursuant to Sections 5470 through 5473a of the Health and Safety Code of the state, may elect to have such delinquent charges collected on the tax roll in such manner and at the same time as its general taxes and shall give the notice, hold the hearing, and prepare and file the report as to such delinquencies as required by the Health and Safety Code of the state. Such delinquent charges shall thereafter, pursuant to said Code, constitute a lien against the lot or parcel of land against which the charges have been imposed.

5. Reconnection of Service. Sewer service shall not be restored until all charges, including the expense of service restoration have been paid.

7. Ownership and Occupancy. Change of ownership or occupancy of premises found delinquent shall not be cause for reducing or eliminating these penalties.

C. Account Disputes

Any Consumer desiring to dispute a bill for sewer service or any portion thereof may request a hearing on the matter within ten (10) days of receiving the bill. Upon receipt of a request for hearing, a hearing shall be scheduled not later than ten (10) days from the date of the request. The hearing shall be conducted in an informal manner by the Director, who is authorized to review disputed bills and to correct any errors. At the hearing, evidence may be presented and shall be considered in determining whether the correct amount has been charged for the service which has been rendered. At the conclusion of the hearing, the Director shall make a decision based upon the evidence and shall have the authority to adjust the amount due in a fair and equitable manner, or permit the Consumer to amortize the unpaid balance of his or her account over a reasonable period of time pursuant to an amortization agreement. The decision of the Director shall be final, unless timely appealed to city council in accordance with procedures provided in Chapter 2.44 of this code.

SECTION 4. Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction or preempted by state legislation, such decision or legislation shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Winters hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to any such decision or preemptive legislation.

SECTION 5. Effective Date.

This Ordinance shall be in full force and effective 30 days after its adoption and shall be published and posted as required by law.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Winters, California, held on October 6, 2009, and was passed and adopted at a regular meeting of the City Council held on October 20, 2009 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor

ATTEST:

City Clerk

1292334.3

RESOLUTION 2009-52

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS SETTING RATES AND PAYMENT OPTIONS FOR THE INSTALLATION OF WATER METERS FOR THOSE PROPERTIES CURRENTLY NOT METERED.

WHEREAS, the City finds it prudent to install meters on all properties receiving water service through the city water system and

WHEREAS, the cost of installing such meters is the responsibility of the owner of the property on which the meter is installed and

WHEREAS, the cost of such meters is:

City of Winters
Proposed Water Meter Installation Program

Meter Installation for Units with Existing Pits (Both Residential and Commercial)								
Meter Size	Meter Type	Meter and Fittings including sales tax	Installation Labor	Total for units with existing Pit	Direct Cost	Quarterly Pmt Plan	Monthly Payment Plan (60 mo)	Amount for Lien on Property **
3/4"	disc	\$ 239.00	\$ 100.00	\$ 339.00	\$ 339.00	\$ 86.43	\$ 6.09	\$ 339.00
1"	disc	\$ 250.00	\$ 100.00	\$ 350.00	\$ 350.00	\$ 89.15	\$ 6.29	\$ 350.00
1-1/2 "	disc	\$ 482.00	\$ 125.00	\$ 607.00	\$ 607.00	\$ 154.61	\$ 10.91	\$ 607.00
2"	disc	\$ 613.00	\$ 150.00	\$ 763.00	\$ 763.00	\$ 194.34	\$ 13.71	\$ 763.00
2"	Compound with Strainer	\$ 2,149.00	\$ 150.00	\$ 2,299.00	\$ 2,299.00	\$ 585.57	\$ 41.31	\$ 2,299.00
4"	Compound with Strainer	\$ 4,842.00	\$ 250.00	\$ 5,092.00	\$ 5,092.00	\$ 1,296.96	\$ 91.37	\$ 5,092.00
6"	Compound with Strainer	\$ 7,183.00	\$ 400.00	\$ 7,583.00	\$ 7,583.00	\$ 1,931.43	\$ 137.07	\$ 7,583.00

Meter Installation for Units Requiring Pits (Both Residential and Commercial)								
Meter Size	Meter Type	Meter, Box, Fittings including sales tax	Labor for Building Pit & Meter Install	Total for Units Requiring Pits	Direct Cost	Quarterly Pmt Plan	Monthly Payment Plan (60 mo)	Amount for Lien on Property **
3/4"	disc	\$ 286.00	\$ 500.00	\$ 786.00	\$ 786.00	\$ 200.20	\$ 14.12	\$ 786.00
1"	disc	\$ 340.00	\$ 500.00	\$ 840.00	\$ 840.00	\$ 213.95	\$ 15.09	\$ 840.00
1-1/2 "	disc	\$ 562.00	\$ 500.00	\$ 1,062.00	\$ 1,062.00	\$ 270.50	\$ 19.08	\$ 1,062.00
2"	disc	\$ 693.00	\$ 600.00	\$ 1,293.00	\$ 1,293.00	\$ 329.33	\$ 23.23	\$ 1,293.00
2"	Compound with Strainer	\$ 2,229.00	\$ 600.00	\$ 2,829.00	\$ 2,829.00	\$ 720.56	\$ 50.83	\$ 2,829.00
4"	Compound with Strainer	\$ 5,967.00	\$ 1,200.00	\$ 7,167.00	\$ 7,167.00	\$ 1,825.47	\$ 128.98	\$ 7,167.00
6"	Compound with Strainer	\$ 8,308.00	\$ 2,500.00	\$ 10,808.00	\$ 10,808.00	\$ 2,752.85	\$ 194.21	\$ 10,808.00

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Winters hereby approves the rates and payment as presented above.

PASSED AND ADOPTED by the City Council, City of Winters, and this 20th day of October 2009 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Mike Martin, MAYOR

ATTEST:

Nanci G. Mills, CITY CLERK

Report

To the Winters City Council

From the Winters History Committee

Tuesday, October 20, 2009

On March 3, 2009, the Winters City Council approved the recommendations of City Manager John Donlevy to:

1. Receive a presentation (proposing the collection and exhibit of historic photographs for the benefit of the citizens of Winters); and
2. Establish an ad-hoc committee called the Winters History Committee to administer the collection and exhibit; and
3. Appoint Joann Larkey, Woody Fridae and Evelyne Rominger as community representatives to the Committee; and
4. Authorize the City Attorney to work with the Committee to develop a trust.

During the weeks that followed, the Committee broadened the name of the proposed Historic Photo Exhibit, "Winters a Taste of History" (name of the first exhibit) to the more inclusive name of the **Winters History Project**, which could include subsequent exhibits. The Committee also proceeded to draft a set of **Goals and Mission** statements (See attachment 1); and it solicited funds using the **Winters History Project Donor/Receipt Form** (See attachment 2) to cover the cost of printing, matting, framing, promoting and installing the **first exhibit of 58 images** that now belong to the citizens of Winters.

Twenty-one individuals and businesses generously responded, donating a total of \$2,025 in increments of from \$25 to \$500 each. Other individuals advanced funds for the initial exhibit, with the understanding that they would be repaid when adequate funds became available. Most of those incurred expenses have been submitted to the City of Winters and have now been paid in full.

The Committee also drafted a series of **Image Index, Release, Frame Log** and **Loan Forms** to help manage the photographic collections. (See attachments 3-6.) Note: drafting of the **Release Form** is currently under review.

On June 6, 2009, the Winters History Committee met with Shelly Gunby, the City of Winters Finance Director to work out the details of the City of Winters' special **Winters History Project tax-deductible account** regarding the submission of donations and the payment of incurred expenses. Special forms were provided for these purposes (See attachments 7 & 8), and the Committee agreed to acknowledge each donation with the **WHP Donation/ Receipt Form** (See attachment 9). It was determined by the City Attorney and the City Manager that because the Winters History Project has access to the City of Winters' tax-deductible status, a special trust agreement would be costly and unnecessary. With this decision, the **Winters History Committee** agreed.

By mutual agreement between the **Winters History Committee** and the **Winters Center for the Arts**, the initial historic photographic exhibit, entitled "**Winters: A Taste of History**," opened to the public with a gala reception on July 3, 2009 at the **Winters Center for the Arts/ Participation Gallery**, 18 Main Street. (See attachment 10). The exhibit closed on August 30, after being viewed by an appreciative audience from Winters and many other communities.

Jill Coursin, Winters History Project Coordinator, did a very artistic installation of the exhibit and facilitated the de-installation as well. The exhibit was enhanced greatly by the generous inclusion of many fruit and nut industry-related artifacts that were loaned by local growers. Proceeds from the **"Buy a Tree" Program sponsored by Four Winds Growers** added another \$70 to the Winters History Project Fund during the exhibit at the **Winters Center for the Arts**.

In addition, the **Winters History Committee** sponsored the **Winters Horticultural Symposium** as a fundraiser on August 26. This well-attended event celebrated the Legacy of John Reid Wolfskill, the founder of the fruit industry in the Sacramento Valley who settled on the Mexican Land Grant Rancho Rio de Los Putos in 1842. This **Symposium** was made possible through the cooperation of many people, in particular **Professor Theodore DeJong who directs research at the Wolfskill Experimental Orchards** near Winters and **Carolyn DeBuse, Yolo and Solano County Farm Advisor for Orchard Systems** who led morning tours of this important research facility; **John Pickerel of the Buckhorn Steak and Roadhouse** who catered a luncheon for 100; **Dave Fleming who made the Winters Opera House** available for a re-enactment of a UC Farmers' Institute which was held there in 1897; and **the local growers who participated in the afternoon program**. The day's activities concluded with a wine-tasting reception held at the **Winters Center for the Arts**, where participants could view the historic photograph exhibit. **Net proceeds from the Symposium augmented the Winters History Project's funds by \$2,184.55.**

Currently, the collection has been divided and moved to the new **Winters Visitors Center**, the adjacent **Berryessa Gap Wine Tasting Room** and the **VeloCity Bicycle Center**. The owners of each of these three venues have signed duplicate **Loan Forms** (see attachments 6) and each received duplicate copies of the forms and individual photographs listed thereon.

In addition, sleeved copies of photographs and their captions currently on exhibit have been provided at the **Winters Visitors Center and Berryessa Gap Wine Tasting Room** for the convenience of visitors. An informational statement about the **Winters History Projects** has also been included in each booklet (See attachment 11). One **Composite Map of the Winters Area In Yolo and Solano counties**, originally drawn in 1991 and recently updated by Jena Michaelis of the Winters Planning Department, has since been added to the exhibit at the **Winters Visitors Center and copies been given to the City of Winters** (See attachment 12).

All Winters businesses are hereby invited by the **Winters History Committee** to add to the pictorial record and tell the history of their respective businesses. And when funding becomes available, the Committee is contemplating more exhibits with such themes as **Putah Creek, Pioneer Settlers in Buckeye Township or Downtown Winters**. Woody Fridae is currently scanning four more private collections that provide on-going possibilities.

Fund-raising is also an on-going reality. (See the **Financial Report**, attachment 13). In this regard, the **Winters History Committee** requests that the name of **Jack Graf** be added to the committee to assist with financial record keeping. The Committee also requests the appointment of **Gloria Lopez**. Both have been instrumental in promoting the **Winters History Project** and have indicated their willingness to serve.

Respectfully submitted,

Joann L. Larkey, Woody Fridae and Evelyne Rominger,
Winters History Committee

Comments and Questions by Council:

Presentations by Winters History Committee:

Action Items:

1. Approve the name change of what was originally called the Winters Historic Photo Fund or the "Winters: A Taste of History" Project to The Winters History Project.
2. Approve the additional appointments of Jack Graf and Gloria Lopez to the Winters History Committee.



The Winters History Project

Goals & Mission

The WINTERS HISTORY PROJECT's primary goals and mission are to provide historical context and a profound Sense of Place for all residents and visitors through celebration of the historic and horticultural legacy of WINTERS, California.

The Winters History Project is creating exhibits to include the interactive and progressive collaboration of residents, merchants, businesses and civic organizations along with several exhibit venues.

The Winters History Project will contribute to the marketing and promotion of historic downtown WINTERS as a creative Historic Destination incorporating historic documentation, art, theater, music and culinary venues.

Determining a permanent exhibit location is the longer term mission for this collaborative exhibit process.

The Winters History Project

Presents

WINTERS: A TASTE OF HISTORY

Historic Photographs & Horticultural Heritage

Exhibit Overview

- Provide historic context for WINTERS through Sense of Place
- Exhibit WINTERS photo selection from archival photo collection with Joann L. Larkey's publication, summary text and historic artifacts
- Feature exhibit curator Joann L. Larkey, author of *WINTERS: A Heritage of Horticulture - A Harmony of Purpose*, published in 1991 by Yolo County Historical Society
- Promote WINTERS' contribution to Northern CA horticulture
- Develop interactive process with the city's residents, merchants, businesses, civic and cultural organizations with multiple exhibit venues
- Enhance core historic photograph collection with additional photos, artifacts and contributions as exhibit moves to various locations
- Create and host events to compliment photo history exhibit such as historic enactments, music and art activities
- Celebrate ethnically diverse contributions to horticultural and business development of the area
- Encourage marketing and promotion of downtown WINTERS as a creative Historic Destination
- Collaborate with local Main St. WINTERS venues for progressive tours to linked locations.

HENRY BRINCK, Pres.

J. E. SACKETT, Secy.

F. W. WILSON, Treas. Manager.

R. L. MICHAH, Ass't Mgr.



WINTERS DRIED FRUIT CO.

PACKERS & SHIPPERS



CORRES. ARNOLD & LIEBERS

CABLE ADDRESS: "WINTECK"

Winters, Cal.

May 1968, 1968

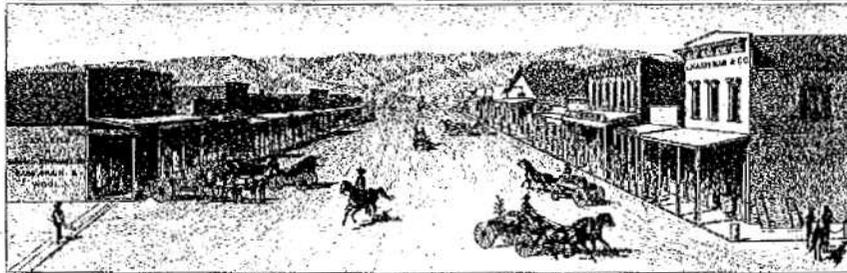
Checks Payable to CITY OF WINTERS-WINTERS HISTORY PROJECT

Winters City Hall, 318 First St. Winters, CA 95694

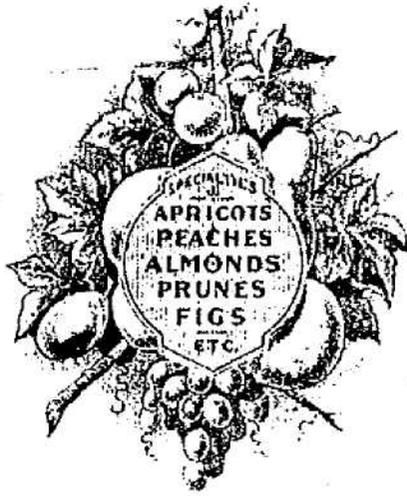
Tax-Deductible Receipt

Donation suggestions of \$25 to \$250

Winters History Project will mail a signed and dated copy
of your receipt back to the address listed



With thanks for your support of The Winters History Project



Winters History Project

Donor/Receipt Form

Checks Payable to CITY OF WINTERS-WINTERS HISTORY PROJECT

Winters City Hall, 318 First St. Winters, CA 95694

Tax-Deductible Receipt – *DONOR COPY*

Donor Name(s): _____

Address: _____

Phone: _____ Email: _____

Donation Amount: \$ _____

Signature(s) _____

Date: _____

Received by _____

Date: _____

Winters History Project

Winters: A Taste of History Exhibit Image Index, 7/2/09

1. c.1890 Earliest Pioneer Settlers, John and Milton Wolfskill and their wives.
2. 1875 Original Map of the Town of Winters.
3. 1875 First Train of the Vaca Valley Railroad crossing the new bridge at Putah Creek at Winters.
4. 1879 Lithograph of Farm & Residence of Benjamin Ely (former site of Buckeye).
5. 1879 Lithograph of Town and Main St. of Winters, Cal
6. 1891 Frank & A.B. Wilson, cyclists who completed a 251-mile ride, Winters to San Jose.
7. 1892 Aftermath of April 19 earthquake, Main St., looking east from 1st Street
8. 1892 Local citizens survey earthquake damage to east wall of Hotel DeVilbiss.
9. 1893 New Refrigerated Fruit Car at Earl Fruit Co.' shipping facility, Winters.
10. 1897 Interior of the Winters Opera House, decorated for a UC Farmers' Institute.
11. 1897 New Masonic Hall on the NE corner of Main and First streets.
12. c. 1896 Men gathered in front of the Winters Post Office at 13 Main Street.
13. c. 1903 Members of the Winters Cycling Club prepare for a ride to Folsom and back.
14. 1906 Label depicting 3 Winters children, used on the Rivlary brand of canned peaches.
15. Yolano Crate Label for Royal Apricots shipped by William Brink and Sons, since 1888.
16. 1908 Dedication of new Railroad & Bi-County bridges over Putah Creek at Winters.
17. 1908 View of Main Street, looking west from Railroad.
18. 1910 Harvest Crew in Apricot Dry Yard on Joseph Young Ranch.
19. 1911 Citizens enjoying boating and swimming on Lake Winters.
20. 1911 Map of Fruit Packing, Canning & Shipping District, east of the railroad tracks.
21. 1934 Japanese funeral gathering shows Buddhist Temple and Asian Business Community.
22. c 1930 56 members of Japanese Community in front of Winters Opera House.
23. c 1940 Produce Crate Label used by Winters Members of the California Fruit Exchange.
24. c 1950 Produce Crate Label for Carl Holmes, Winters Grower and Packer.
25. 1976 Yolano Harvest Trails Produce Crate Label for Lindeman Valley Royal Apricots, a direct marketing promotion in Yolo and Solano counties.
26. c 1975 Ransdell Ranch Crate Labels for Winters Apricots.
27. c 1976 Ransdell Ranch Crate Label for Organic Royal Apricots.
28. Golden Peak Apricots, grown and packed generic Produce Crate Label.
29. 1998 P. O. Cachet commemorating the centennial of Winter's incorporation as a city.
30. 1911 4th of July parade on Main Street.
31. 1897 Subdivision Map of Susan Wolfskill holdings in Rancho Rio de Los Putos.
32. 1939 Juan Lorenzo and his grocery delivery truck.
33. 1937 Olive School with identified Spanish and Japanese students.
34. 1975 Mexican farm workers scraping apricot trays on Nick Lopez Ranch.
35. 2007 Hispanic women sorting almonds at Mariani Nut Company.
36. 1890 J. R. Wolfskill Home and Family
37. 1991 Drawings of Historic Main Street buildings by UCD students.

38. Andrew and Maria Stevenson, Vaca Valley Railroad Co. & founders of Winters.
39. 1991 Composite Map of the Winters Area, showing Wolfskill land grant & Buckeye town site.
40. 1916 Winters Float of new High School, entered in the Yolo Causeway Parade (executed with dried fruit donated by the Winters Dried Fruit Company).
41. c. 1975 Apricot Dry Yard on Nicholas Ramos Ranch
42. 1934 Carmen Martin Shoveling Almonds on the E. R. Crum Ranch
43. 1934 Martin Bros. Harvesting Almonds on the E. R. Crum Ranch
44. 1910 Fruit Wagon Delivery to the Winters Growers Packing Shed in Winters
45. c. 1970 Winters Spraying in the Frank Molina Almond Orchard
46. c. 1890 Women fruit workers on William Womack Ranch.
47. 1965 Fruit Crate Label used by Tufts Ranch, Growers and Packers
48. 1975 Fruit Crate Label for by Tufts Ranch
49. Fruit Crate Label used by Earl Fruit Company of San Francisco
50. 1979 Local Women Packing Peaches at Tufts Ranch Packing house
51. 1914 Letterhead of Winters Dried Fruit Company
52. 1880 William Baker Home and Family
53. 1997 Women Fork Lift Drivers at Mariani Nut Company – Almond Plant
54. 1896 Subdivision of McMahan Tract
55. c. 1860 Theodore Winters and Brothers or a Young Theodore Winters
56. c. 1960 Braceros working in a Tomato Field near Winters.
57. Undated Bees Pollinating an Almond Orchard In Full Bloom
58. Overview Text, "Winters: A Taste of History Exhibit

RELEASE FORM

WINTERS HISTORY PROJECT

For the Winters: A Taste of History Historic Photo Exhibit

The undersigned has permitted the Winters History project to borrow or make copies of certain photographs of

copies of which are attached hereto, with the understanding that such photographs may be included in an exhibit or a future publication of historical photographs of the Winters, California area.

The undersigned warrants to the Winters History Project that publication of the photographs submitted by the undersigned will not, to the undersigned's knowledge, (1) violate any copyright law; or (2) infringe in any way on the literary property of another.

It is agreed that the undersigned has not right or interest of any kind whatsoever against the Winters History Project with respect to these photographs and any interests or rights that the undersigned may hereby released and waived. Nothing contained herein shall affect or impair any rights to use the photographs that the undersigned may have.

IN WITNESS WHEREOF, the undersigned has executed this Release as this _____ day of _____, 20_____.

It is further agreed that the undersigned grants to the Winters History Project the right to make digital prints of the following listed images:

available for sale to benefit the on-going Winters History Project.

Date:



FRAME LOG

Winters History Project

Numbered frames, 1-66, plus custom frames that are included in the collection.

Mark the number on the back of each frame so that the Winters History Committee can track the location of each framed image, and the extra frames that will be used as the exhibit collection is expanded.

Loan Agreement

Winters History Project

The Winters History Project hereby agrees to loan the following enumerated framed or foam core-mounted images to The Winters Visitors Center for exhibit at 11 Main Street, Winters from August 30 to 2009:

Photo No.	Frame Size	Title of Photo	Type of Photo
WHP 1	G 16 x 20 V	1890 John Reid and Milton Wolfskills	Black & White
WHP 3	B&G 11 x 17 H	1875 First Train Crossing Putah Creek Bridge	Black & White
WHP 4	Cust. 20 x 34 H	1879 Benjamin Ely Residence & Farm, Buckeye	Lithograph
WHP 5	G 16 x 20 H	1879 Town of Winters, Main Street	Lithograph
WHP 7	B 16 x 20 H	1892 Earthquake Damage on Main Street	Black & White
WHP 8	B 16 x 20 H	1892 Earthquake Damage to Hotel DeVilbiss	Black & White
WHP 9	B&G 11 x 17 H	1893 New Refrigerated Car, Earl Fruit Co.	Black & White
WHP 14	G 11 x 17 H	1906 Rivalry Peach Fruit Crate Label	Color
WHP 16	B&G 11 x 17 H	1908 Dedication of Railroad & Yosolano Bridges	Black & White
WHP 17	B 16 x 20 H	1908 View of Main Street West of Railroad	Black & White
WHP 18	G 16 x 20H	1910 Harvest Crew in Apricot Dry Yard, Young Ranch	Black & White
WHP 19	B&G 11 x 17 H	1911 Boating & Swimming in Lake Winters	Black & White
WHP 23,15,28	G 16x20 V	3 Fruit Crate Labels (CA Fruit Exchange, Yosolano & Golden Peak	Color
WHP 24,26	G 16 x 20 V	2 Fruit Crate Labels (Wincot/Holmes & Ransdell	Color
WHP 27,25	G 16 x 20 V	2 Fruit Crate Labels (Ransdell Organic Apricots & Lindeman ApricotsYolano Harvest Trail	Color
WHP 31	Foam Core 20x34 H	1897 Susan Wolfskill Subdivision Map	Black & White
WHP 34	G 11 x 17 H	c. 1975 Mexican Farm Workers on Nick Lopez Ranch	Color
WHP 35	G 11 x 17 H	2007 Hispanic Women Sorting Almonds, Mariani Nut Co.	Color
WHP 38	G 16 x 20 V	1858 Andrew and Maria Stevenson	Black & White
WHP 41	G 11 x 17 H	1975 Apricot Dry Yard, Nicholas Lopez Ranch	Color
WHP 44	B 16 x 20 H	1910 Fruit Delivery at Winters Fruit Growers	Color
WHP 50	G 11 x 17H	1979 Woman Packing Peaches, Tufts Ranch	Color
WHP 55	G 16 x 20 V	c. 1860 Theodore Winters & Brothers	Black & White
WHP 56	B 11 x17 H	c. 1960 Braceros working in Tomato Field	Black & White
WHP 58	Foam Core x V	2009 Exhibit Overview	Black & White

Signed by _____ representing the Winters History Project
Date: _____

Received by _____ representing the Winters Visitors
Center
Date: _____

Winters History Project

Return of Loaned Images

Returned by _____ representing the Winters Vitors Center
Date: _____

Received by _____ representing the Winters History Project
Date: _____



Loan Agreement

Winters History Project

The Winters History Project hereby agrees to loan the following enumerated framed or foam core-mounted images to Berryessa Gap Vineyards for exhibit at 18 Main Street, Winters from August 30 to 2009:

Photo No.	Frame Size	Title of Photo	Type of Photo
WHP 2	B 11 x 14	1875 Original Town Map of Winters	Black & White
WHP 3	B 16 x 20	1875 First Train Train over Putah Creek Bridge	Black & White
WHP 9	B 16 x 29	1893 New Refrigerated Fruit Car at Winters	Black & White
WHP 10	B 16 x 20	1897 UC Farmers' Institute in Winters Opera House	Black & White
WHP 11	B 11 x 14	1897 Masonic Hall at First and Main Streets, Winters	Black & White
WHP 12	B 11 x 14	1896 Men in front of Winters P. O., at 11 Main St.	Black & White
WHP 16	B 16 x 20	1908 Dedication of New Railroad & Yololano bridges	Black & White
WHP 19	B 16 x 20	1911 Citizens Enjoying Boating & Swimming, Putah Cr.	Black & White
WHP 20	Foamcore 16x20	1911 Sanborn Map of Fruit Packing, Cannery,	Black & White lam.
WHP 21	B 16 x 20	c.1933 Japanese Funeral of Mrs. K. Nishida	Black & White
WHP 22	B 16 x 20	c 1930 Japanese Families Gather on Main St.	Black & White
WHP 29	B 11 x 14	1998 P. O. Cachet commemorating Winters' Incorp.	Sepia
WHP 30	B 11 x 14	1911 Fourth of July Parade on Main Street	Black & White
WHP 32	B 11 x 14	1939 Juan Lorenzo & his Grocery Delivery Wagon	Sepia
WHP 33	B 11 x 14	1937 Japanese & Spanish Students at Olive School	Black & White
WHP 36	B 11 x 14	1890 J. R. Wolfskill Family & Residence	Black & White
WHP 40	G 11 x 14	1916 Winters, Float of High School in Causeway Parade	Blk & White
WHP 42	G 11 x 14	1934 Carmen Martin Shoveling Almonds on Crum Ranch	Sepia
WHP 43	G 11 x 14	1934 Martin Bros. Harvesting Almonds on Crum Ranch	Sepia

Winters History Project

Loan Agreement (cont.)

Photo No.	Frame Size	Title of Photo	Type of Photo
WHP 45	G 11 x 14	c. 1970 Winter Spraying in an Almond Orchard	Black & White
WHP 46	B 16 x 20	1890 Women Feeding the Fruit Workers	Black & White
WHP 47,49,48	G 16 x 20	3 Fruit Crate Labels-Earl Fruit, 2 Tufts Ranch	Colored
WHP 51	G 11 x 14	1914 Letterhead for Winters Dried Fruit Co.	Black & White
WHP 52	B 16 x 20	1890 William & Margaret Baker Home & Family	Black & White
WHP 53	B 11 x 14	1997 Mariani Nut Co., Women Forklift Drivers	Black & White
WHP 57	B 11 x 14	c. 1960 Spring Pollinators in Almond Orchard	Black & White
WHP 58	17 x 11, foam core	2009 Winters: A Taste of History Overview	Black & White, lamine

Signed by *James P. Parky* representing the Winters History Project
 Date: *Sept 1, 2009*

Received by *Barry G. Berry* representing the Winters Visitors Center
 Date: *9/20/09* *Berry G. Berry*

Winters History Project

Return of Loaned Images

Returned by _____ representing the Winters Visitors Center
 Date: _____

Received by _____ representing the Winters History Project
 Date: _____

Loan Agreement

Winters History Project

The Winters History Project hereby agrees to loan the following enumerated framed or foamcore-mounted images to Velo City Bicycle Center for exhibit at 41 Main Street, Winters, CA from September 1, 2009 to 2009.

Photo No.	Frame Size:	Title of Photo	Type of Photo:
WHP 6	B 11 x 14	1891 Frank & A.B. Wilson, cyclists	Black & White
WHP 13	B 11 x 14	c. 1903 Winters Cycling Club, ride to Folsom	Black & White

Signed by *James Barber* representing the Winters History Project
Date: _____

Received by *[Signature]* representing the Velo City Bicycle Center.
Date: 10/07/09

Winters History Project

Return of Loaned Images

Returned by _____ representing the Velo City Bicycle Center
Date: _____

Received by _____ representing the Winters History Project
Date: _____

Winters History Project

EXHIBIT APPLICATION FORM

Name of Applicant:

Address and business affiliation:

Tel. No.

email address:

Requests the use of Photo No. _____ from the Winters History Project Collection for a special exhibit, which will be hung from _____ to _____ at _____ (insert dates and location of exhibit).

(Signature of Applicant)

Date:

Request received by _____ of the Winters History Committee

Date:

Request approved/denied by the Winters History Committee

Date:

Once the request has been approved a Loan Form will be jointly signed by the applicant and a member of the Winters History Committee.



Check Request

Payee: _____ Date Requested: _____
_____ Date Needed: _____
_____ Amount: _____

Vendor #: _____
Description: _____

Acct. No.	Account Description	Amount
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Requested By: _____ Approved By: _____
Prepared By: _____ Check No.: _____



Winters History Project

Donor/Receipt Form

Checks Payable to CITY OF WINTERS-WINTERS HISTORY PROJECT

Winters City Hall, 318 First St. Winters, CA 95694

Tax-Deductible Receipt – *WINTERS FINANCE DEPT COPY*

Donor Name(s): _____

Address: _____

Phone: _____ Email: _____

Donation Amount: \$ _____

Signature(s) _____

Date: _____

Received by _____

Date: _____

Winters: A Taste of History by Joann L. Larkey, Curator

This initial exhibit of the collaborative Winters History Project seeks to give viewers a Sense of Place and a "Taste" of the extensive photographic record that documents the agricultural, civic and cultural history of the Winters area that is located in both the southwestern Yolo and northeastern Solano counties of California. Images drawn from private and public collections celebrate, in particular, the legacy of the first American pioneer of this area, John Reid Wolfskill who in 1842 planted the first fruit trees and grape vines grown in the Sacramento Valley. These were planted near the north bank of what is now Putah Creek, on the Wolfskill families' Mexican Land Grant, *Rancho Rio de Los Putos*. The previous year John had visited and selected this land for its soil fertility, adequate water supply and mild climate.

Alone in the wilderness for several years, John Wolfskill welcomed Southern Patwin residents of the pre-historic village of *Liwai* who returned to their ancestral lands in the mid-1840s from disbanded Mission settlements. These Native American families assisted him with construction of the first homes, helped manage his increasing herds of cattle and horses and helped harvest the first grain crops as the native grasslands were gradually converted to agricultural production. Before and after the discovery of gold in the Sierra Nevada, followed by the great westward migration overland and by sea, the generous and hospitable Wolfskill also welcomed new immigrants to California, which became part of the United States of America in 1848.

By the early 1850s, Wolfskill's successful example of the area's adaptability for horticultural crops was followed by others who settled on lands bordering Putah Creek, in the Vaca and Pleasants valleys and elsewhere in the Sacramento Valley. This legacy, augmented by university research and dedicated growers in successive generations, has continued to the present day. Production and processing of fruit, nuts, grapes, olives and citrus crops continues to be the economic base of the Winters economy and has contributed significantly to the development of the City of Winters which was founded in 1875 and has a current population of approximately 7,000.

Subdivisions of the Wolfskill ranch and settlement of government lands lying north of what is now Grant Avenue in Winters and SH 128 began in the mid-1850s. As a result, more families came to live in the Buckeye Township of southwestern Yolo County where ranchers continue to raise large grain crops and graze livestock in the Blue Ridge Mountains that form the western boundary of the Sacramento Valley.

This exhibit also acknowledges contributions made by successive ethnic groups – Native American, Chinese, Japanese, Mexican and American who provided labor and have culturally enriched the agricultural, business and professional community in the Winters area.

These digitally scanned images that have in some cases been edited for contrast and clarity represent a small fraction of the photographic documentation of Winters history that is available in public and private collections. Projected plans of the citizen volunteer Winters History Project include additional collaborative exhibits in other venues as funds become available. The creation of a permanent home for the expanding collection is the long term goal of this project.



Winters History Project

The Winters History Project is an expanding interactive model for a “museum without walls” with a long term goal of a permanent museum location.

Please contact Edmund Lis, Director of the Winters Visitors Center and / or Joann Larkey, Yolo County Historian with photo image contribution and / or exhibit concepts for the ongoing Winters History Project.

The WHP has registration, scanning / copying procedures in place so that original photographs can remain with individuals and families.

Joann Larkey, Yolo County Historian and curator of the first exhibit *Winters: A Taste of History* and the Winters History Committee will supervise additional contributions.

Current exhibits include downtown venues at the Winters Visitors Center, Berryessa Gap wine tasting room, Ace Hardware and VeloCity bike shop.

Winters History Committee

Joann Larkey
Woody Fridae
Evelyne Rominger

Winters Visitors Center

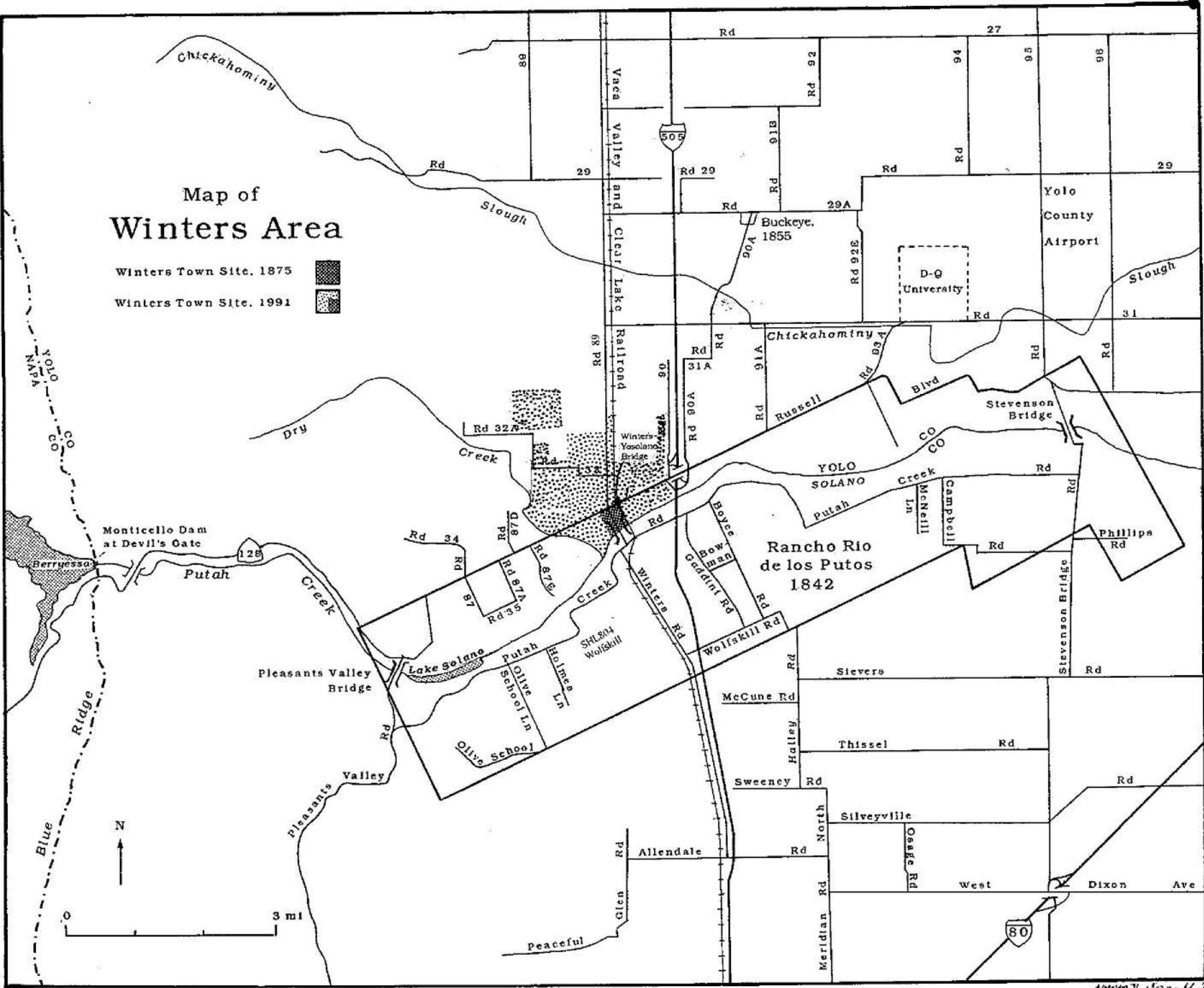
Edmund Lis
Director of the Winters Chamber of Commerce
11 Main St.
Winters, CA
95694
(530) 795-2329
chamberwinters@yahoo.com

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Map of Winters Area

Winters Town Site, 1875 

Winters Town Site, 1991 



Authoring: M. Perna, Michaelis, D.F.

Financial Report
Winters History Project
October 16, 2009

After the **City Council** approved the creation of a project to collect and exhibit historic photographs and appointed the **Winters History Committee** on March 3, 2009, the Winters History Committee developed a 4-page funding packet to be used for soliciting and acknowledging donations made to the Winters History Project (See attachment 13). **The effort to raise more funds and develop more exhibits in other venues is on-going.**

For a copy of Shelly Gunby's 9/21/09 Financial Report for the Historical Photo Display/Winters History Project account with the City of Winters, (See attachment 14).

Income from donations, dated April 6-9/10/2009 totals:	\$ 1460.00
Income from Winters Horticultural Symposium totals:	\$ 1175.00
	\$ 2635.00
Expenses paid to Jill Coursin, 6/18/009 for photo printing & matting	\$ -493.52
Balance, 9/21/09 According to City accounting,	\$2075.00

Since 9/21/09 approximately \$ 1883.29 in income has been deposited or pledged, and some \$2261.81 in incurred expenses has been paid. This leaves a **current balance of approximately \$1696.48**. These figures will be reviewed and reflected in the next quarterly statement on December 31, 2009.

Every effort is being made to keep accurate records, acknowledge donations with tax-deductible receipts promptly and generated the greatest amount of transparency in the funding of the **Winters History Project**. This project is operated entirely with volunteer contributions, even though the **City of Winters** owns title, **for the benefit of the citizens of Winters**, to the resulting collection of framed historic images.

Respectfully submitted,

Joann Larkey, Woody Fridae and Evelyne Rominger
Winters History Committee

Report Date: 09/21/09
 Run Date: 09/21/09 14:01
 Run by: SHELLY GUNBY DIR OF FIN MGNT

City of Winters
 G/L Trial Balance - Detail in the Order of FUND
 For All Accounts
 With a Mask of 845 *****

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Page: 1
 ID #: GLTB
 CTL: WIN

Beginning of: July 1, 2009 (01-10) Thru Ending of: September 30, 2009 (03-10)

G/L Account No	Ctr	Cal.	Fiscal	Date	Jrnl	Line	Description	Activity Amt	Balances	Extension
845 10999							Historical Phot Cash Balance			
							Balance July 1, 2009 (01-10)		.00	
Jul 2009 01-2010				08/28/09	00-02	0038	AUTO-FUND BALANCE	360.00		360.00
Aug 2009 02-2010				08/28/09	00-02	0030	AUTO-FUND BALANCE	280.00		640.00
Aug 2009 02-2010				09/21/09	00-03	0013	AUTO-FUND BALANCE	1,265.00		1,905.00
Sep 2009 03-2010				09/21/09	00-01	0021	AUTO-FUND BALANCE	170.00		2,075.00
** Budget not Applicable **								Activity ---->	2,075.00	
							Balance September 30, 2009 (03-10)	689.48+	2,075.00	2686.48 2,075.00
845 49101							Historical Phot Contributions			
							Balance July 1, 2009 (01-10)		.00	
Jul 2009 01-2010				07/06/09	10-01	0054	CH-Code 49101 000-07132 L0019 CONTRIBUTIONS EVELYNE ROMINGER WINTERS HISTORY PROJECT	-100.00		-100.00
Jul 2009 01-2010				07/06/09	10-01	0066	CH-Code 49101 000-07132 L0020 CONTRIBUTIONS NEWTON WALLACE WINTERS HISTORY PROJECT	-25.00		-125.00
Jul 2009 01-2010				07/08/09	10-01	0120	CH-Code 49101 000-07418 L0003 CONTRIBUTIONS T.W STALLARD WINTERS HISTORY PROJECT	-50.00		-175.00
Jul 2009 01-2010				07/10/09	10-01	0182	CH-Code 49101 000-07722 L0017 CONTRIBUTIONS GEORGEANNE BRENNAN WINTERS HISTORY PROJECT	-50.00		-225.00
Jul 2009 01-2010				07/14/09	10-01	0229	CH-Code 49101 000-07857 L0005 CONTRIBUTIONS AL GRAF WINTERS HISTORY PROJECT	-50.00		-275.00
Jul 2009 01-2010				07/21/09	10-01	0396	CH-Code 49101 000-08663 L0041 CONTRIBUTIONS JANET KIMES WINTERS HISTORY PROJECT	-50.00		-325.00
Jul 2009 01-2010				07/28/09	10-01	0521	CH-Code 49101 000-08882 L0005 CONTRIBUTIONS RON RIESNER WINTERS HISTORY PROJECT	-35.00		-360.00
Aug 2009 02-2010				08/04/09	10-00	0068	CH-Code 49101 000-09179 L0027 CONTRIBUTIONS EAGLE DRUG WINTERS HISTORY PROJECT	-100.00		-460.00
Aug 2009 02-2010				08/20/09	10-00	0315	CH-Code 49101 000-10536 L0012 CONTRIBUTIONS WINTERS HISTORY PROJECT	-180.00		-640.00
Aug 2009 02-2010				08/24/09	10-01	0013	CH-Code 49101 000-10651 L0001 CONTRIBUTIONS WINTERS HISTORY PROJECT	-90.00		-730.00
Aug 2009 02-2010				08/31/09	10-01	0096	CH-Code 49101 000-10743 L0002 CONTRIBUTIONS WINTERS HISTORY PROJECT	-1,175.00		-1,905.00
Sep 2009 03-2010				09/17/09	10-00	0212	CH-Code 49101 000-12076 L0009 CONTRIBUTIONS WINTERS PARTICIPATION GALLERY FOR ARTS WINTERS HIS	-70.00		-1,975.00
Sep 2009 03-2010				09/17/09	10-00	0213	CH-Code 49101 000-12076 L0010 CONTRIBUTIONS VALERIE WHITWORTH WINTERS HISTORY PROJECT	-100.00		-2,075.00
Annual Budget					.00		Remaining Balance	Activity ---->	-2,075.00	
							Balance September 30, 2009 (03-10)		-2,075.00	.00
Total for FUND 845 ---->									.00	
REPORT TOTAL ---->									.00	

(14)

Beginning of: July 1, 2008 (01-09) Thru Ending of: June 30, 2009 (12-09)

G/L	Account No	Clr	Cal.	Fiscal	Date	Jrnl	Line	Description	Activity Amt	Balances	Extension
845	10999							Historical Phot Cash Balance			
								Balance July 1, 2008 (01-09)		.00	
Apr 2009	10-2009				04/23/09	00-01	0028	AUTO-FUND BALANCE	200.00		200.00
May 2009	11-2009				05/21/09	00-02	0035	AUTO-FUND BALANCE	80.00		280.00
May 2009	11-2009				06/10/09	00-05	0019	AUTO-FUND BALANCE	350.00		630.00
Jun 2009	12-2009				06/30/09	00-04	0040	AUTO-FUND BALANCE	-268.52		361.48
Jun 2009	12-2009				09/10/09	00-56	0015	AUTO-FUND BALANCE	250.00		611.48
** Budget not Applicable **									Activity ---->	611.48	
Balance June 30, 2009 (12-09)										611.48	611.48
845	20100							Historical Phot Accounts Payable			
Balance July 1, 2008 (01-09)										.00	
Jun 2009	12-2009				06/18/09	04-17	0573	Invoices 06/18/09	-493.52		-493.52
Jun 2009	12-2009				06/22/09	03-00	0070	Check Update 06/22/09 A/P Auto Checks PY-CP-CL	493.52		.00
** Budget not Applicable **									Activity ---->	.00	
Balance June 30, 2009 (12-09)										.00	611.48
845	49101							Historical Phot Contributions			
Balance July 1, 2008 (01-09)										.00	
Apr 2009	10-2009				04/06/09	10-01	0097	CH-Code 49101 000-01824 L0005 CONTRIBUTIONS DONLEVY HISTORICAL PHOTO DISPLAY	-100.00		-100.00
Apr 2009	10-2009				04/06/09	10-01	0098	CH-Code 49101 000-01824 L0006 CONTRIBUTIONS STONE HISTORICAL PHOT DISPLAY	-100.00		-200.00
May 2009	11-2009				05/13/09	10-04	0198	CH-Code 49101 000-04413 L0001 CONTRIBUTIONS WINTERS HISTORY PROJECT DONATION	-30.00		-230.00
May 2009	11-2009				05/14/09	10-04	0224	CH-Code 49101 000-04520 L0011 CONTRIBUTIONS RICH MAROVICH WINTERS HITOY PROJECT	-50.00		-280.00
May 2009	11-2009				05/19/09	10-03	0075	CH-Code 49101 000-04827 L0020 CONTRIBUTIONS FIRST NORTHERN BANK HISTORY PROJECT DONATION	-250.00		-530.00
May 2009	11-2009				05/21/09	10-03	0136	CH-Code 49101 000-04931 L0009 CONTRIBUTIONS WINTERS HISTORY PROJECT CHRIS FLORIS	-100.00		-630.00
Jun 2009	12-2009				06/23/09	10-06	0558	CH-Code 49101 000-06856 L0017 CONTRIBUTIONS WINTERS HISTORY PROJECT	-25.00		-655.00
Jun 2009	12-2009				06/26/09	10-06	0549	CH-Code 49101 000-06969 L0013 CONTRIBUTIONS WINTERS HISTORY PROJECT DONATION-MC NAMARA	-200.00		-855.00
Jun 2009	12-2009				09/10/09	00-58	0064	Reclassify Sarah and Don Hardy Contribution t correct fund	-250.00		-1,105.00
Annual Budget						.00		Remaining Balance	1,105.00	Activity ---->	-1,105.00
Balance June 30, 2009 (12-09)										-1,105.00	-493.52
845	52219 999							Historical Phot Misc Office Sup Non-department			
Balance July 1, 2008 (01-09)										.00	
Jun 2009	12-2009				06/16/09	04-17	0574	Vendor COU06 Invoice A90618 Line 0001 EXPENSES FOR HISTORY PROJECT PHOTO EXHIBIT JILL COURSIK	493.52		493.52
Annual Budget						.00		Remaining Balance	-493.52	Activity ---->	493.52
Balance June 30, 2009 (12-09)										493.52	.00
Total for FUND 845 ---->										.00	
REPORT TOTAL ---->										.00	



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers
DATE: October 20, 2009
FROM: John W. Donlevy, Jr., City Manager 
SUBJECT: Gateway Planning Processes

RECOMMENDATION:

That the City Council receive recommendations and provide direction regarding public input processes for architectural and infrastructure planning.

BACKGROUND:

The City Council has requested Staff to report on potential public processes regarding the "gateway" properties and right of way on Grant Ave. and the I505 interchange. This input would surround the architectural design characteristics and roadway design and landscaping components.

Staff has been working on the following:

- **Grant Ave. Corridor:** Coordinating a public process with Caltrans to consolidate the multiple existing plans which make up the design concepts for the Grant Ave. corridor. Staff has made contact and Caltrans is considering leading a process to integrate the plans into a single, agreed upon document to facilitate design and infrastructure. This would include a public design and workshop process.
- **Gateway Design, Architecture and Planning Process:** This would include a City facilitated process to allow public input into the design elements along the Grant Ave. Corridor at I505. Property owners would be included and ultimately, the design elements would be integrated into a final planning and land use package with would be considered by the City Council.

The recommended processes are to allow the public input into the anticipated look and design elements of this corridor. These processes would also allow integration and

recommendation on the final zoning for the properties in the "Gateway Master Plan" to allowed desired economic development to occur on the properties.

Funding for extensive planning efforts is very limited. The Grant Ave. Corridor Process will be funded and facilitated by Caltrans. The Gateway Design facilitation will be funded by the City's General Fund.

FISCAL IMPACT:

The Grant Ave. Corridor Process will be funded by Caltrans. The Design Facilitation will cost approximately \$5,000.