



Winters City Council Meeting
City Council Chambers
318 First Street
Tuesday, August 7, 2012
6:30 p.m.
AGENDA

Members of the City Council

*Cecilia Aguiar-Curry, Mayor
Woody Fridae, Mayor Pro-Tempore
Harold Anderson
Wade Cowan
Michael Martin*

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

NOTICE TO THE PUBLIC

The numerical order of items on this agenda is for convenience of reference; **times listed are estimates.** Items may be taken out of order upon request of the Mayor or Councilmembers. Persons may address the City Council on agenda items by completing a "Request to Address the City Council" and present it to the City Clerk prior to the start of the meeting. Speakers shall restrict their comments to issues that are within the subject jurisdiction of the City Council and limit their comments to three (3) minutes per person. The Brown Act, with certain exceptions, does not permit the City Council to discuss or take action on issues that are not listed on the agenda.

6:30 PM Call to Order

 Roll Call

 Pledge of Allegiance

 Approval of Agenda

6:35 PM **COUNCIL/STAFF COMMENTS**

6:40 PM 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.

6:45 PM CONSENT CALENDAR

All matters listed under the consent calendar are considered routine and non-controversial, require no discussion and are expected to have unanimous Council support and may be enacted by the City Council in one motion in the form listed below. There will be no separate discussion of these items. However, before the City Council votes on the motion to adopt, members of the City Council, staff, or the public may request that specific items be removed from the Consent Calendar for separate discussion and action. Items(s) removed will be discussed later in the meeting as time permits.

- A. Minutes of the Regular Meeting of the Winters City Council Held on Tuesday, July 17, 2012 (pp 1-8)
- B. Minutes of the Joint Meeting of the Winters City Council and Winters Joint Unified School District Board Held on Tuesday, July 12, 2012 (pp 9-12)
- C. Resolution 2012-30, A Resolution of the City Council of the City of Winters Confirming Delinquent Utility Bills (pp 13-17)

DISCUSSION ITEMS

- 6:50 PM** 1. Waive Second Reading and Adopt Ordinance 2012-06, an Ordinance of the City Council of the City of Winters Approving Zoning Changes of Certain Properties in the I-505/Grant Avenue Planning Area (pp 18-28)
- 7:15 PM** 2. Purchase and Installation of In-Car Camera System for the Winters Police Department (pp 29-31)
- 7:35 PM** 3. Conversion to Paperless Agendas and Purchase of iPads (pp 32-33)
- 7:55 PM** 4. Economic Development Concepts- Agricultural Industrial/Aggregation Hub for West Yolo County (pp 34-38)

8:10 PM 5. Putah Creek Appointments (pp 39)

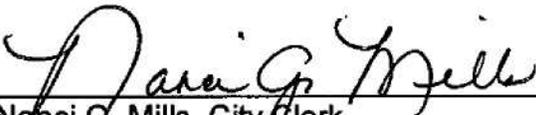
**CITY OF WINTERS AS SUCCESSOR AGENCY TO THE WINTERS
COMMUNITY DEVELOPMENT AGENCY**

8:25 PM 1. Resolution 2012-31, A Resolution of the City of Winters as Successor Agency to the Winters Community Development Agency Adopting the Recognized Obligation Payment Schedule for the period January 1, 2013-June 30, 2013 as required by AB1484 (pp 40-50)

8:30 PM **CITY MANAGER REPORT**

8:35 PM **ADJOURNMENT**

I declare under penalty of perjury that the foregoing agenda for the August 7, 2012 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, and made available to the public during normal business hours.



Nanci G. Mills, City Clerk

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

The city does not transcribe its proceedings. Anyone who desires a verbatim record of this meeting should arrange for attendance by a court reporter or for

other acceptable means of recordation. Such arrangements will be at the sole expense of the individual requesting the recordation.

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

Winters Library – 708 Railroad Avenue

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

Winters Joint Unified School District – 909 W. Grant Avenue

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

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City Council meetings are broadcast live on Wave Cable Channel 20, and rerun the next day at 10:00 a.m. The agenda and agenda reports are also available on the City's website at www.cityofwinters.org.



Minutes of the Winters City Council Meeting
Held on Tuesday, July 17, 2012

6:00 p.m. – Executive Session

AGENDA

Safe Harbor for Closed Session – Pursuant to Government Code Section 54954.5

Pursuant to Government Code Section 54956.8 – Real Estate Negotiations – 314 Railroad Avenue, Winters, CA, APN # 003 204 006, Real Property Negotiator City Manager John W. Donlevy, Jr.

City Manager Donlevy said there was no reportable action taken in closed session.

6:30 p.m. – Regular Meeting

AGENDA

Mayor Aguiar-Curry called the meeting to order at 6:35 p.m.

Present: Council Members Harold Anderson, Wade Cowan, Woody Fridae, Michael Martin and Mayor Cecilia Aguiar-Curry.

Absent: None

Staff: City Manager John Donlevy, City Attorney John Wallace, City Clerk Nanci Mills, Housing Programs Manager Dan Maguire, Environmental Services Manager Carol Scianna, City Planner Jim Bermudez, Planning Consultant Heidi Tschudin, Assistant City Attorney Kara Ueda, and Management Analyst Tracy Jensen.

Debra DeAngelo led the Pledge of Allegiance.

Approval of Agenda: City Manager Donlevy said there were no changes to the agenda. Motion by Council Member Fridae, second by Council Member Martin to approve the agenda. Motion carried unanimously.

COUNCIL/STAFF COMMENTS: Council Member Anderson attended a Yolo County Transportation District technical committee meeting on 7/9, and attended a Winters Putah Creek Park Committee meeting on 7/16.

Council Member Fridae attended an initial Joint Power Authority meeting regarding habitat for the County on 7/15, where newly elected chair and co-chair positions were established by those in attendance. JPA will not formally meet again until September.

Council Member Cowan attended the Chamber Mixer at Preserve on 7/9, attended the joint meeting of the Winters City Council and Winters School Board on 7/12; attended the Buckhorn Car Show on 7/10, which just keeps getting better and better; attended the Chamber Board meeting on 7/13, followed by a meeting downtown to discuss possible Wave founding sites. Staff member Elliot Landes provided some real nice mock-ups placed at various sites for local business owners to look at..

Mayor Aguiar-Curry attended a Valley Vision meeting in Sacramento on 7/10, along with City Clerk Nanci Mills, regarding a broadband consortium in conjunction with Winters Broadband and Vista Resort; attended the Yolo County Economic Development Formation Committee meeting on 7/12; also attended a Water Resource Association Technical and Executive Committee meeting on 7/12 and thanked Carol Scianna for taking over the Technical meetings and will be working with Kirk Balasek regarding potential funding available for the west side IRWMP (Integrated Regional Water Management Plan); attended the Hispanic Advisory Committee meeting on 7/9, where Solano College gave a presentation and thanked Council Member Martin for arranging it, as it was beneficial to those who were present; the Festival de la Comunidad will be held on 9/29 and the committee is looking for cooks and donations; met with RISE on 7/10 regarding a Resource Center; attended the joint City Council/School Board meeting on 7/12; thanked Scott & Kathy Dozier and John Donlevy for the staff barbecue on 7/3; thanked Joe the Butcher, Fred Reyes, Nanci Mills, the Jordan Family, Scott Dozier and John Donlevy for the 4th of July fireworks, which was the best display to date; thanked Susan Olson and Patty Rominger and all those involved with the Farm to School program.

PUBLIC COMMENTS: None

CONSENT CALENDAR

- A. Minutes of the Regular Meeting of the Winters City Council Held on July 3, 2012
- B. Authorize Issuance of Professional Services Contract for Environmental Consulting Services to BSK Associates for Environmental Mitigation for the Orchard Village Park Construction Project
- C. Street Closure Request by Winters District Chamber of Commerce Requesting Approval of a Temporary Street Closure on August 24th for the Earthquake Street Festival, including Main Street from Railroad Avenue to First Street and East Main Street from Railroad Avenue to Elliot Street
- D. Approve Proposal from ZSI, Inc. for Modifying the Design for the El Rio Villa Lift Station (SPS4) and East Street Headworks (SPS2) Motor Control Centers (MCC's) in the Amount not to Exceed \$23,750

City Manager Donlevy gave a brief overview. Mayor Aguiar-Curry asked if BSK Associates will receive the Federal mileage rate reimbursement. City Manager Donlevy said the mileage will be addressed prior to the execution of the contract. Motion by Council Member Martin, second by Council Member Anderson to approve the consent calendar. Motion carried unanimously.

DISCUSSION ITEMS

1. Public Hearing to Consider Proposed I-505/Grant Avenue Planning Area Land Use Modification Project

City Manager Donlevy said this item represents a considerable amount of work that has occurred over a four-year period and encompasses the final cleanup for a number of planning and land use issues that coincide with many different projects and master plans that have been put together over an 8 year period.

One issue arose last night prior to this meeting, which was the receipt of a letter from resident Sally Brown, which accused the Council of violating the Brown Act regarding tonight's agenda and this item.

City Manager Donlevy said tonight's meeting is the result of the recommendation given by the Planning Commission and the issues being discussed have been encompassed in many different public processes and put forth over the last couple of years. Some of the clean up items tonight have been covered in two storm drain master plans (Putah Creek & Moody Slough), the City's water master plan and sewer master plan, and many improvements being discussed tonight have been included in numerous discussions regarding subdivision projects.

Many of the things being combined and completed tonight include the Complete streets process, which included three public meetings held within the community and facilitated at a joint meeting of the Winters City Council and Planning Commission, as well as individual Council and Planning Commission meetings. Much of this information was also included in many discussions held with the Economic Development Advisory Committee, including 12 individual meetings, 2 facilitated public workshops, and whose recommendations came before the Planning Commission and City Council.

When you're talking about the Brown Act, you're talking about transparency. The I-505/Grant Avenue noticing/publicity timeline is summarized as follows: 41 full packets to agencies, 51 notices to agencies, 11 full packets sent to property owners, 244 notices sent to property owners within 500' of project area (includes within the City limits and in the County); 4/10/12 – Agenda posted for the April 23, 2012 Planning Commission with agenda item on I-505 Planning Area Update; 4/19/12 – Article in the Winters Express that the I-505 Planning Area Update would be on the April 23, 2012 Planning Commission agenda; 4/23/12 – Planning Commission Meeting – I-505 Planning Area Update. Agenda was posted on April 10, 2012 and the agenda appeared in the April 19 edition of the Winters Express; 4/25/12 – I-505/Grant Avenue Planning Area Initial Study documents posted on the City website; 4/26/12 – Article in the Winters Express reporting on the update given by City Manager John Donlevy at the April 23, 2012 Planning Commission meeting; 4/27/12- Complete packets mailed to 25 agencies; 5/2/12 – Notice of Intent and Notice of Public Hearing Full Packet filed with Office of Planning and Research; 5/3/12 – Notice appeared in the Winters Express for the June 26, 2012 Planning Commission meeting; 5/3/12- Complete packets sent electronically to City Council Members, Planning Commission and Department Heads; 5/7/2012 – Notice sent to property owners of 232 parcels within the City limits; 5/7/12 – Notice sent to 51 agencies; 5/8/12 – Full packets mailed to 7 agencies and 9 property owners; 5/8/12 – Full packet posted on the City website; 5/9/12 – Full packets again emailed to City Council, Planning Commission and Department heads; 5/9/12 – Notice sent to 6 property owners from County list and full packets mailed to 2 bordering property owners from County list; 6/21/12 – Article with agenda item appeared in the Winters Express for the June 26, 2012 Planning Commission meeting; 6/26/12 – Item heard at Planning Commission meeting; Notice of Hearing and Intent appeared in Winters Express on May 3, 2012; Planning Commission Agenda posted on June 19, 2012 and the agenda appeared in the June 21, 2012 edition of the Winters Express; 7/5/12 – Article appeared in the Winters Express reporting on the action taken at the June 26, 2012 Planning Commission meeting; 7/5/12 – Notice appeared in the Winters Express for the July 17, 2012 City Council meeting; 7/12/12 – Article with agenda item appeared in the Winters Express for the July 17, 2012 City Council meeting; 7/13/12 – Agenda posted for the July 17, 2012 City Council meeting.

Mayor Aguiar-Curry asked Council whether they wanted proceed and hear this item as an action item or an information item. Council Member Anderson made a

motion to go forward with the public hearing and continue the matter to the next regularly scheduled Council meeting. Council Member Martin seconded the motion. Council Member Fridae suggested Council hear the item first, discuss and decide whether the item should be carried over. Council Member Fridae suggested Council hear the item first, discuss and then decide whether the item should be carried over, saying Council has done due process. Mayor Aguiar-Curry requested moving forward as planned and holding the second reading of the Ordinance in August. Council Member Cowan agreed, saying why should we wait? This item has been through Planning Commission and City Council meetings, has been talked about and noticed for 2 years and recommended by the Economic Development Advisory Committee.

After Council discussed the issue with City Attorney Ueda, Council Member Anderson rescinded his prior motion and make a motion to continue with this item and hold the second public reading at the August 7th City Council meeting. The motion was seconded by Council Member Martin and was approved unanimously.

City Planner Bermudez gave an overview of the proposed changes included in the staff report, which would affect approximately 80 acres. Within the agenda packet is a Land Use Modifications Project Initial Study/Negative Declaration and a Mitigation Monitoring Plan, where Cal Trans has requested that Mitigation Measure #13 be modified. Mr. Bermudez also distributed a new action plan as a result of 10 years of planning and economic studies and said action will be critical. Council Member Anderson asked if a copy has been provided to the public.

Mayor Aguiar-Curry opened the public hearing at 7:11 p.m.

Sally Brown, 24 East Main Street, provided a written statement, asking Council to study and develop a plan for incorporating the proposed Putah Creek Diversion Channel into an Open Space Preserve as set forth in the City's General Plan and to develop a citywide system of bike routes as part of the Winters Bikeway System Master Plan. Council Member Cowan asked staff if Council is adopting the plan put before them tonight as the plan for that area. City Manager Donlevy said no, this is a conceptual plan only.

Jeff Tenpas, 24 East Main Street, provided Council with correspondence expressing his concern over proposed changes to the zoning designation that may affect traffic, air quality and jobs.

Eric Doud, 15 Main Street, was concerned that the proposed changes are not in line with the General Plan and the Highway Service Commercial zoning designation would provide lower-end jobs. Mr. Doud recommended proposed businesses be approved by the Planning Commission so they don't compete with the downtown and to allow public discussion. Mr. Doud also said the Economic

Development Advisory Committee (EDAC) spent most of their time on design guidelines and didn't get around to the economic numbers for the gateway area.

Mayor Aguiar-Curry closed the public hearing at 7:26 p.m.

Council Member Martin said he would be in favor of a flood channel that is more natural and would offer public access and bike paths on both sides instead of a concrete canal and is in favor of the realignment. Council Member Fridae asked if the detention ponds that feed into the flood channel are conceptual designs. City Manager Donlevy said any revisions to the detention ponds and drainage channel would trigger costly revisions to the Putah Creek and Moody Slough storm drain master plans. Council Member Anderson asked if the flood channel could be utilized by cyclists and pedestrians except when there is flooding, approximately every 100 years. City Manager Donlevy said it would not be safe in the event water had to be released and cyclists and pedestrians were in the flood channel.

Mayor Aguiar-Curry reminded Council members that only the relocation of the flood channel, as well as zoning designations were the issues at hand tonight. Council Member Cowan verified that the EDAC, after much discussion, wanted the flood channel to be a buffer separating commercial and residential areas, to include pedestrian and bike traffic and to be as natural as possible and is written that way into the Grant Avenue Design Guidelines.

Council Member Fridae voiced his concern about Winters looking like Dixon, the lack of clarity regarding the businesses that will be allowed in the gateway area, and whether they would compete with the downtown businesses. He asked staff to come back to Council with a clearer definition of the uses permitted.

Council Member Cowan said Council Member Fridae's concerns were heard last year, resulting in the formation by the City Council of the EDAC, formed from a cross section of community members. If the current design guidelines for Grant Avenue are utilized, it would be impossible for Winters to look like Dixon. There is a checklist in the guidelines that would apply to those who are interested in building. The cleanup of the zoning is essential to this process.

Council Member Fridae asked if the review of permitted uses would be possible. City Manager Donlevy said except for lodging, the permitted uses are completely different from those in the downtown area, which would be prohibited under the Form Based Code guidelines. Council Member Fridae added that there is a list of things not permitted in the downtown area and asked if there was a list of things not permitted in the gateway area? City Manager Donlevy said the Form Based Code makes the downtown unique, and different zoning allows for different uses and different businesses.

Mayor Aguiar-Curry said she hears fear, fear of the unknown about what we're putting in the gateway area. We have the flexibility to change the zoning based on this matrix. People are afraid we're going to make a bad decision and agreed that nobody wants 10 fast food businesses.

Council Member Fridae said he is cautious, not fearful and wants to avoid being put in the position where we can't say no.

Motion by Council Member Cowan to adopt Resolutions 2012-29, 2012-27, 2012-28, waive the first reading and read my title only Ordinance 2012-06, rescind the 1993 Gateway Master Plan and certify that the City Council has determined that the Negative Declaration is the appropriate level of environmental review under CEQA and finds that the Negative Declaration represents the independent judgment of the City. Motion seconded by Council Member Fridae for discussion and asked if Council was willing to at least review the land uses in the gateway area.

Mayor Aguiar-Curry said that had already been done and asked Mr. Bermudez to clarify conditional use and permitted use. Mr. Bermudez said this General Plan amendment and zoning matrix allows permitted uses, non-permitted uses and conditional uses. Council has the ability to convene and consider changes should there be an influx of one type of business. There is a mechanism in place that allows Council to come back and consider zoning changes. Development will happen incrementally and at a slow pace, allowing ample time for everyone to review any future projects. Mr. Bermudez said we're being asked to do something that has already been done, what EDAC has done, making it seem like we're going backwards instead of forward.

Council Member Fridae asked if a workshop could be scheduled to avoid any conflict with the downtown businesses. Mayor Aguiar-Curry said public workshops have already been conducted and there will be an opportunity for input on all projects submitted. Council Member Cowan said all projects received will have to go through the Planning Commission before coming to the City Council for consideration. City Manager Donlevy said if something is permitted, it's permitted. All projects submitted will have to go through site plan review, design review, and public improvements before going to Planning Commission and City Council. He voiced his concern about sitting back and picking which types of businesses are allowed in the area. Council Member Fridae said he was concerned that staff and Council were being hasty in moving forward without more scrutiny, decisions that might cause regret later.

Mayor Aguiar-Curry called for a vote for the motion on the floor, which resulted as follows:

AYES: Council Member Anderson, Cowan, Martin, Mayor Aguiar-Curry

NOES: Council Member Fridae

ABSENT: None

ABSTAIN: None

CITY OF WINTERS AS SUCCESSOR AGENCY TO THE WINTERS
COMMUNITY DEVELOPMENT AGENCY

1.

CITY MANAGER REPORT: None

INFORMATION ONLY: None

ADJOURNMENT: Mayor Aguiar-Curry adjourned the meeting at 8:20 p.m.

Cecilia Aguiar-Curry, Mayor

ATTEST:

Nanci G. Mills, City Clerk



Minutes of the Joint Winters City Council
Winters Joint Unified School District
Meeting Held on July 12, 2012
Public Safety Facility

6:30 p.m. – Joint Meeting

MINUTES

A. Call to Order

Mayor Pro Tem Woody Fridae and President Dan Maguire called the meeting to order at 6:30 p.m.

Pledge of Allegiance

Present: Council Members Harold Anderson, Wade Cowan, Woody Fridae, and Mayor Cecilia Aguiar-Curry

Absent: Mike Martin

Present: Matt Brickey, David Hyde, Dan Maguire, Michael Olivas, David Reynoso, Robyn Rominger, and Robert Warren

Staff: City Manager John Donlevy and Nanci Mills

Staff: Superintendent Brent Cushenberry and Kathy Colagrossi

School Board President Dan Maguire requested that Agenda Item C be moved before Agenda Item B.

Motion by Trustee Warren to approve the agenda as amended, second by Trustee Rominger. Motion passed unanimously.

B. Council/Trustee Comments:

Board President Maguire gave an overview of the premise of the meeting between the two agencies. He explained the fiscal and declining enrollment, budget reductions, and the dwindling funding resources.

Mayor Pro Tem Fridae shared the City's challenges and changes made during the challenging economy and that tonight's meeting as an opportunity to open communication between both agencies.

C. Presentation

Bianca Cox, City of Winters Afterschool Program Coordinator, gave an overview of the program. She listed the three components that make up the program 1) academic, which includes homework help, 2) education enrichment, and 3) recreation. The program does fill up and there is a waiting list. Enrollment numbers are set by the amount of the grant funding.

There was discussion on how to meet the needs of students that are not currently being served. Possible increased grant funding to allow more children in to the program, volunteerism, and collaboration with RISE.

D. Discussion Items

1. Crossing Guards
The School Board requested that the City of Winters help with the costs of providing crossing guards. The City asked about the possibility of having volunteers or high school students that may be in need of providing community services hours.

It was decided that further discussion in regards to this topic would be in further detail at a 2x3 meeting.

2. Review and Discussion of Joint Use Agreements
 - a) Swimming Pool
There was a discussion regards cost and maintenance duty. A need for a designated employee or volunteer to take on the maintenance. This item will be on the next 2x3 meeting agenda.
 - b) Library
The Council and Board indicated that the hours of operation were different than what was in the actual agreement. School Board President Maguire indicated that the County has the same fiscal

crisis as the School District. Superintendent Cushenberry indicated that he had met with the Yolo County librarians to review the reduction of staff and hours of operation.

c) **Joint Use Facilities Agreement**

The Board commented on the cost of water and how much it costs to irrigate the playing fields and was asking if the City could offer some help. City Manager Donlevy expressed that the joint use agreement is for the use of the Community Center and High School gym, for either agency's events. He indicated that the use of fields by Little League, soccer or other agencies do not go through the City. Discussion will continue on how to provide a lower cost watering solution for maintenance of fields.

3. **Water Rates**

Discussion of this took place in the above item and it was decided to continue the conversation at the 2x3 meetings.

4. **School Impact Fees**

Board President Maguire stated that the City Council had reviewed the current developer agreements and has extended them to allow for the housing market to improve. City Council has taken action to reduce their impact fees, which include school impact fees as imbedded as part of the agreement. This is subject to determination by the School Board and that the City does not set the school impact fees.

5. **Solar Projects**

Board President Maguire indicated that solar projects have been discussed at previous meetings and the Board and Council may want to add this discussion to explore collaborative projects.

6. **How to Improve Communication**

Board President Maguire stated that sitting down like this is good. Superintendent Cushenberry stated that he and City Manager Donlevy will be meeting on a biweekly basis and believes that improved communication starts with them. Having consistent 2x3 meetings would be beneficial.

E. Closing Comments

City Council

1. Mayor Aguiar-Curry stated she would close the meeting with the following comments.
 - The people make the City great

- The City Council and School Board are important to the Community and for the services they provide to the citizens
- More collaboration is needed
- Looks forward to moving forward and working together

Board of Trustees

2. Board President Maguire included that a common issue for the two agencies is economic development and that to stimulate growth. Issues of importance are:
 - Housing
 - School District and Public SafetyConfident that both agencies can work together.

Meeting adjourned at 8:02 p.m.

Cecilia Aguiar-Curry, Mayor

ATTEST:

Nanci G. Mills, City Clerk



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers
DATE: August 7, 2012
THROUGH: John W. Donlevy, Jr., City Manager *JWD*
FROM: Shelly A. Gunby, Director of Financial Management *Shelly*
SUBJECT: Resolution 2012-30 Confirming Delinquent Utility Bills

RECOMMENDATION:

Staff recommends that the City Council approve Resolution 2012-30 A Resolution of the City Council of the City of Winters Confirming Delinquent Utility Bills.

BACKGROUND:

The City of Winters bills each property owner for water, sewer and municipal services tax on a monthly basis. The Finance Department has procedures in place to collect charges that are not paid on a timely basis. This resolution allows for the unpaid amounts to be placed on the property owner's property as a lien, and be assessed to the property owner on the property tax bill issued by the County of Yolo. Past due amounts are collected by the County of Yolo at the time property taxes are paid, and then remitted to the City of Winters, thereby preventing accounts from becoming uncollectible.

FISCAL IMPACT:

None

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS
CONFIRMING DELINQUENT UTILITY BILLS**

WHEREAS, the City of Winters provides utility services within the city limits;
and

WHEREAS, the Municipal Code of the City of Winters by its terms provides that the owners of the respective real properties are the recipient of said services, and liable for the costs therefor; and

WHEREAS, several of said property owners have failed to pay for said utility services;

NOW THEREFORE, the City Council of the City of Winters does hereby resolve as follows:

The City of Winters has delinquent accounts regarding the accounts and in the amounts included on Attachment A.

PASSED AND ADOPTED by the City Council, City of Winters, this 7th day of August 2012 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Cecilia Aguiar-Curry, Mayor

ATTEST:

Nanci G. Mills, CITY CLERK

City of Winters	
Resolution 2012-30	
Exhibit A	
APN	Amount
003-444-004	77.18
003-463-009	187.52
003-492-030	288.32
003-192-003	222.02
003-410-006	206.96
003-273-001	204.84
003-501-012	228.16
003-130-015	87.58
038-202-002	215.67
038-205-017	222.86
038-201-007	167.08
038-203-021	185.76
038-203-008	183.90
003-360-015	1,494.74
003-404-009	414.94
003-471-017	485.97
003-160-014	116.41
003-160-044	135.55
038-203-001	262.08
003-230-009	223.50
003-380-018	244.06
003-380-026	220.74
003-380-012	234.94
003-276-001	217.74
003-410-042	144.56
030-392-007	330.99
003-182-085	147.18
003-492-056	301.96
003-464-005	166.14

City of Winters	
Resolution 2012-30	
Exhibit A	
APN	Amount
003-461-008	418.05
003-461-003	220.74
003-462-001	198.06
003-445-003	600.95
003-442-004	208.31
003-480-027	204.53
038-190-053	212.26
038-190-025	226.04
038-190-049	191.52
003-154-010	306.55
003-405-002	56.10
003-402-024	220.32
003-146-001	261.44
003-450-014	394.78
003-480-036	82.28
003-243-008	208.83
003-241-002	290.93
003-153-017	219.04
003-424-012	324.20
003-424-028	212.58
003-423-013	344.23
003-513-012	247.24
003-342-023	138.44
003-511-012	239.82
003-516-013	149.06
003-322-020	191.21
003-410-016	634.24
003-341-029	207.20
003-441-009	637.20

City of Winters	
Resolution 2012-30	
Exhibit A	
APN	Amount
003-471-015	237.70
030-361-009	188.28
003-474-002	142.26
030-372-001	241.30
003-492-013	126.10
003-392-013	182.58
003-421-008	224.34
003-424-026	720.53
003-410-032	323.56
003-492-053	211.20
003-792-032	132.56
003-441-006	549.94
003-442-009	119.78
003-472-009	458.17
003-392-015	104.11
003-391-002	219.68
003-272-019	190.00
003-273-007	338.39



**CITY COUNCIL STAFF REPORT
August 7, 2012**

TO: Honorable Mayor and Members of the City Council
THROUGH: John W. Donlevy, Jr, City Manager *[Signature]*
FROM: Jim Bermudez, Planner
SUBJECT: Second Reading and Adoption of Ordinance No. 2012-06

Recommendation: That the City Council takes the following action:

1. Waive the second reading and adopt Ordinance No. 2012-06 approving zoning changes of certain properties in the I-505/Grant Avenue Planning Area.

Project Background:

After conducting a public hearing on July 17, 2012, the City Council Adopted Resolution No. 2012-29 approving a General Plan Amendment and waived the first reading and read by title only Ordinance No. 2012-06, which will Rezone certain properties in the I-505/Grant Avenue Planning Area.

Summary of Project: The following associated Resolutions were also adopted July 17, 2012:

Resolution No. 2012-27, a Resolution of the City Council of the City of Winters adopting a mitigated Negative Declaration pursuant to the California Environmental Quality Act for approval of the I-505/Grant Avenue planning area land use modifications project (SCH #2012052002).

Resolution No. 2012-28, a Resolution of the Winters City Council amending the 2008 Winters Storm Drainage Master Plan to change the conceptual alignment of the Putah Creek Diversion Channel.

Resolution No. 2012-29, a Resolution of the City Council of the City of Winters amending portions of the General Plan Land Use Diagram from Light Industrial to Highway Service Commercial, from Planned Commercial to Neighborhood Commercial, from Planned Commercial/Business Park to Highway Service Commercial, from Planned Commercial /Business Park to Business/Industrial Park, and amending the text to eliminate the Planned Commercial and Planned Commercial/Business park for the I-505/Grant Avenue Planning Area.

Recommended City Council Action: Staff recommends the City Council take the following actions:

1. Waive the second reading and adopt Ordinance No. 2012-06 approving zoning changes of certain properties in the I-505/Grant Avenue Planning Area.

ATTACHMENTS:

- Resolution 2012-27, Finalizing and Approving the Mitigated Negative Declaration and Mitigation Monitoring Plan for the I-505/Grant Avenue Planning Area Land Use Modifications Project
- Resolution 2012-28, Amendment to the 2008 Winters Storm Drain Master Plan
- Resolution 2012-29, Amending the General Plan Land Use Diagram from Light Industrial to Highway Service Commercial; Planned Commercial to Neighborhood Commercial; Planned Commercial/Business Park to Highway Service Commercial; Planned Commercial/Business Park to Business/Industrial Park; and Text Amendments Eliminating the Planned Commercial and Planned Commercial/Business Park for the I-505/Grant Avenue Planning Area

ORDINANCE No. 2012-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WINTERS AMENDING THE WINTERS ZONING MAP FROM LIGHT INDUSTRIAL TO HIGHWAY SERVICES COMMERCIAL AND PLANNED COMMERCIAL TO NEIGHBORHOOD COMMERCIAL

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

Section 1. Purpose and Authority

The purpose of this Ordinance is to amend the Winters Zoning Map from Light Industrial to Highway Services Commercial and Planned Commercial to Neighborhood Commercial as depicted on attached Exhibit A. This Ordinance is authorized pursuant to Government Code Section 95864 through 65869.5 and Resolution No. 97-03 of the City of Winters.

Section 2 Findings

In adopting this Ordinance, the City Council makes the following findings:

- (a) The proposed zone amendment is consistent with the City of Winters General Plan and all specific plans; and
- (b) The public health, safety and general welfare warrant the change of zone;
- (c) The Planning Commission recommends approval of the requested amendments; and
- (d) A Negative Declaration was prepared and circulated in accordance with the California Environmental Quality Act (CEQA) which analyzed the impacts associated with the change of zone.

Section 3. Action

- 1. The City Council hereby approves Ordinance 2012-06 amending the City of Winters Zoning Map from M1 to C-H and PC to C-1 totaling 21.7 acres as shown on attached Exhibit A.

Section 4. Severability

If any provision or section of this Ordinance is determined to be unenforceable, invalid, or unlawful, such determination shall not affect the enforceability of the remaining provisions of the Ordinance.

Section 5. Effective Date and Publication

This Ordinance shall take effect 30 days after its adoption, and within 15 days following its passage, shall be published at least once in a paper of general circulation published and circulated in the City of Winters.

PASSED AND ADOPTED by the City Council of the City of Winters this ____ day of _____, 2012 by the following votes:

AYES:

NOES:

ABSENT:
ABSTAIN:

Cecilia Aguiar Curry, Mayor

ATTEST:

APPROVED AS TO FORM:

Nanci G. Mills, City Clerk

John C. Wallace, City Attorney

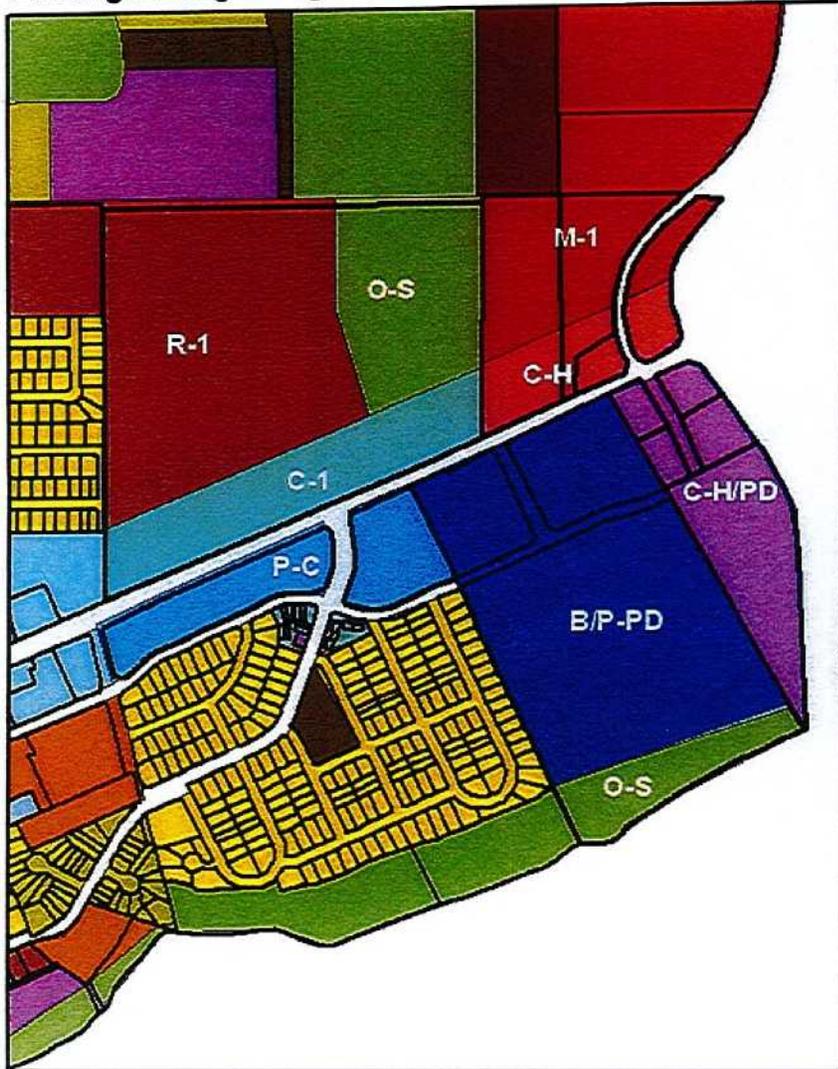
Exhibit A: Rezoning 21.7 Acres

CODIFY X UNCODIFY ___

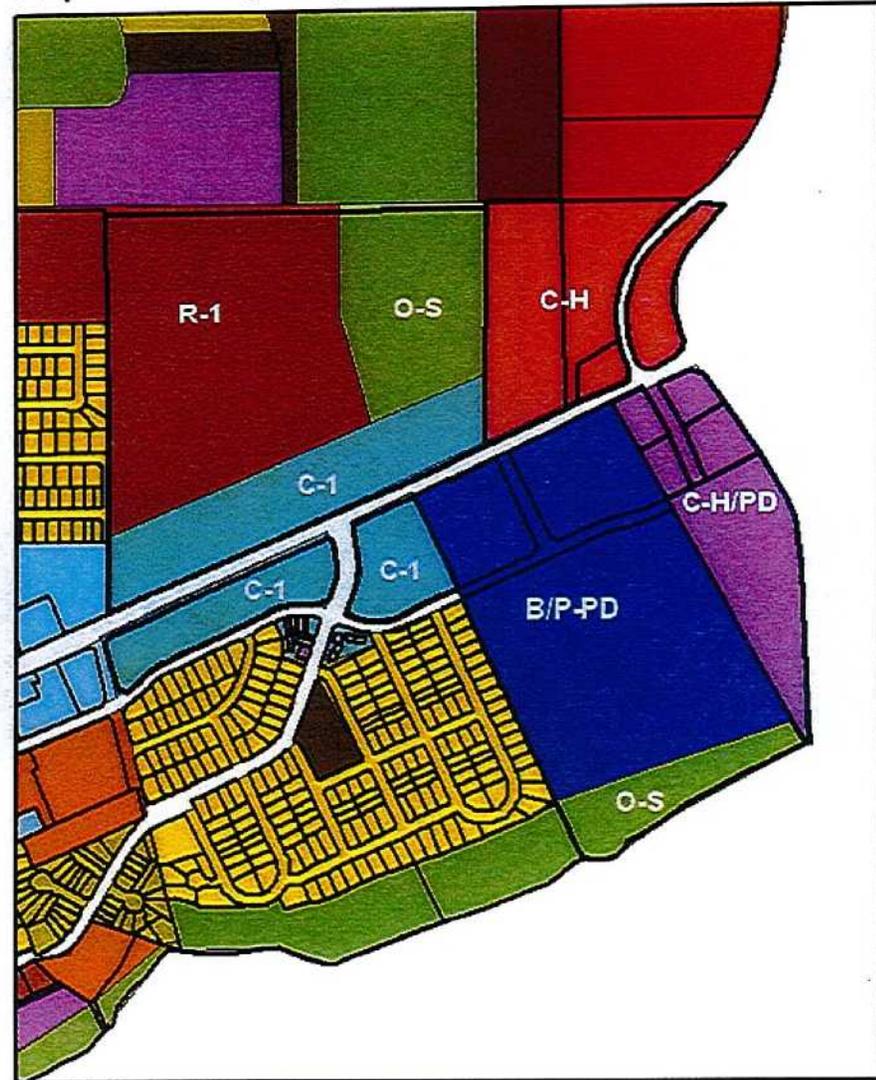
Zoning Designations

EXHIBIT A

Existing Zoning Designation



Proposed Zoning Designation



RESOLUTION 2012-27

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS
FINALIZING AND APPROVING THE MITIGATED NEGATIVE DECLARATION
AND MITIGATION MONITORING PLAN FOR THE
I-505/GRANT AVENUE PLANNING AREA LAND USE MODIFICATIONS PROJECT**

WHEREAS, the project area consists of the following parcels totaling 140.1 acres on the north and south sides of State Route 128 and Interstate 505 in the eastern area of the City of Winters in Yolo County, California: 038-050-63 (Ghai); 038-050-57 and 038-050-60 (Ali); 038-050-29 (Manas); 038-050-18 (Skreeden); 038-070-28 to -32 (Jordan); 038-070-37 to -39 (McClish); 038-070-35 (Robada); and 038-190-35 (Christie);

WHEREAS, on May 19, 1992 the city adopted the General Plan and certified the General Plan EIR. The General Plan identifies that a variety of urban land uses will be developed on these parcels;

WHEREAS, on May 2, 2012 a draft Mitigated Negative Declaration (SCH #2012052002) was released for public review for a 30-day period during which time 14 timely comment letters were received;

WHEREAS, all comments received have been fully addressed in the staff report to the Planning Commission and City Council;

WHEREAS, a legally noticed public hearing on the project has been held before the Planning Commission on June 26, 2012 in order to receive input and testimony;

WHEREAS, a legally noticed public hearing on the project has been held before the City Council on July 17, 2012 in order to receive input and testimony;

WHEREAS, in response to comments received, the Project Description, Initial Study, and Mitigation Monitoring Plan were modified in order to clarify, amplify, and/or make insignificant modifications to the draft Mitigated Negative Declaration; and

WHEREAS, pursuant to Section 15070(b)(2) of the CEQA Guidelines, the City of Winters, as the applicant for this project, has agreed to implement or require implementation of the mitigation measures identified in the Final Mitigation Monitoring Plan.

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

1. The City Council has considered the draft Mitigated Negative Declaration before making a decision on the project.

2. The City Council has considered comments received on the draft Mitigated Negative Declaration during the public review process;
3. The City Council finds that the environmental checklist/initial study identified potentially significant effects, but: a) mitigation measures have been identified which would avoid the effects or mitigate the effects to a point where no significant impact would occur; and b) there is no substantial evidence, in light of the whole record before the City, that the project as revised to include the mitigation measures would have a significant effect on the environment.
4. The Final Mitigated Negative Declaration reflects the independent judgment and analysis of the City of Winters.
5. The Final Mitigated Negative Declaration has been prepared in compliance with CEQA and the State CEQA Guidelines, and as amended/revised (see summary below) is determined to be complete and final:
 - a. The Conditional Use Permit, site plan review, and height variance for a three-story hotel on 6.6 acres on APN 038-050-60 (Ali) is deleted from the project description and not a part of the project or the CEQA determination at this time.
 - b. The issuance of demolition permits for various structures is deleted from the project description and not a part of the project or the CEQA determination at this time.
 - c. Mitigation Measure #13 is modified to provide for review of project-specific traffic information by Caltrans.
6. The custodian of the documents, and other materials, which constitute the record of proceedings is the Community Development Director. The location of these items is the office of the Community Development Department at City Hall, 318 First Street, Winters, California 95694.
7. The Final Mitigation Monitoring Plan in Exhibit A, attached hereto and incorporated herein by this reference is hereby adopted to ensure implementation of mitigation measures identified in the Final Mitigated Negative Declaration. The City Council finds that these mitigation measures are fully enforceable as conditions of approval of the project, and shall be binding on future applicants, property owners, and affected parties.
8. The City Council has determined that no special findings related to proximity to public use airports, pursuant to Section 15074(e) of the CEQA Guidelines, are required.
9. The City Council hereby adopts the Final Mitigated Negative Declaration in Exhibit B attached hereto and incorporated herein by this reference.

10. The City Council hereby confirms that the modified mitigation measures have been made conditions of approval and are incorporated fully into the project approval.

11. A Notice of Determination (NOD) shall be filed with the County Clerk immediately following approval of the project. Appropriate Department of Fish and Game fees shall be filed.

I HEREBY CERTIFY THAT the foregoing resolution was duly and regularly adopted by the City Council of the City of Winters, County of Yolo, State of California, on the 17th day of July, 2012 by the following vote:

AYES: Council Members Anderson, Cowan, Fridae, Martin, Mayor Aguiar-Curry

NOES: None

ABSENT: None

ABSTAIN: None


Cecilia Aguiar Curry, Mayor

ATTEST:


Nanci G. Mills, City Clerk

Exhibits:

A – Final Mitigation Monitoring Plan (revisions in strike out/underline)

B – Final Mitigated Negative Declaration and Initial Study (revisions in strike out/underline)

I505.ND Reso.doc

RESOLUTION NO. 2012-28**AMENDMENT TO THE 2008 WINTERS STORM DRAINAGE MASTER PLAN**

WHEREAS, the Moody Slough and Putah Creek/Dry Creek Drainage Subbasins include a mix of existing and planned land uses within the City and agricultural land outside of the City, within the unincorporated area of Yolo County, and;

WHEREAS, the General Plan includes a designated Flood Overlay Zone (FOZ) totaling approximately 964 acres that includes ±350 acres within the City's Urban Limit Line (ULL) but outside of the City limits, plus ±614 acres within the City's boundaries, and;

WHEREAS, the FOZ is defined as the area affected by or contributing to the City's flood problem and for this reason includes lands that fall both within and outside of the federal 100-year floodplain. The purpose of identifying the FOZ was to ensure the inclusion of those properties in the funding mechanism for improvements to reduce or eliminate the 100-year flood hazard, and;

WHEREAS, General Plan policies (particularly Policies I.A.9 and IV.D.4) have generally precluded most development in the FOZ from proceeding until such time as a comprehensive solution for storm drainage has been put into place, and;

WHEREAS, the General Plan EIR refers to the need for a comprehensive flooding/storm drainage program, but does not provide CEQA clearance for adoption/implementation of such a program or for construction of specific improvements that resolve drainage and flood control issues, and;

WHEREAS, the 1992 Storm Drainage Master Plan (which has not been amended or updated since adoption) specifically defers to a future action (which the subject project constitutes) to identify and adopt a comprehensive solution to the 100-year flooding problem, and;

WHEREAS, the adoption of the 2008 Winters Storm Drainage Master Plan superseded the 1992 City Storm Drainage Master Plan and serves to partially satisfy Policies I.A.9 and IV.D.4 of the General Plan, thus potentially opening up the 964-acre FOZ area for potential development without benefit of implementation of the proposed comprehensive drainage improvement, and;

WHEREAS, General Plan policies serve to control growth in the FOZ area until the necessary capital improvements have appropriate CEQA clearance thus allowing construction to commence and/or until a timetable for actual construction has been developed and approved, and;

WHEREAS, the new policies approved in 2008 would control the phasing and direction of growth within the FOZ area, and would give priority to non-residential uses until a better citywide jobs/housing match has been achieved, and;

WHEREAS, the proposed amendments to the land use designations to correct inconsistencies between the General Plan and Zoning designations would further define and delineate the conceptual alignment of the Putah Creek Diversion Channel,

NOW, THEREFORE, BE IT RESOLVED that the Winters City Council hereby finds as follows:

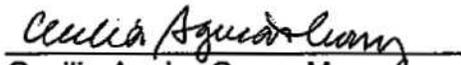
- 1) The 2008 Winters Storm Drainage Master Plan is hereby amended to move the conceptual alignment of the Putah Creek Diversion Channel to the west from the location where it is currently depicted (see Figure 5 of the Putah Creek/Dry Creek Subbasin Drainage Report) to a new alignment where it will fall on the easterly property line of the Skreeden Property (APN 038-050-16) (approximately 350 feet west of the currently depicted alignment) on the north side of SR-128 and fall on the westerly property line of the McClish Property (various APNs) (approximately 1,100 feet west of the currently depicted alignment) on the south side of SR 128 to add the following new policies to the Land Use Element and the Public Facilities and Services Element:

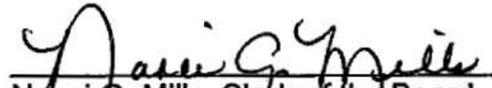
IT IS HEREBY CERTIFIED that the foregoing Resolution No. 2012-28 was duly introduced and legally adopted by the City Council at its regular meeting held on this 17th day of July 2012, by the following roll call vote:

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

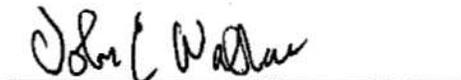
Approved:

Attested:


Cecilia Aguiar Curry, Mayor


Nanci G. Mills, Clerk of the Board

Approved As to Form:


John C. Wallace, City Attorney

RESOLUTION 2012-29

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS AMENDING THE GENERAL PLAN LAND USE DIAGRAM FROM LIGHT INDUSTRIAL TO HIGHWAY SERVICE COMMERCIAL, PLANNED COMMERCIAL TO NEIGHBORHOOD COMMERCIAL, PLANNED COMMERCIAL/BUSINESS PARK TO HIGHWAY SERVICE COMMERCIAL, PLANNED COMMERCIAL/BUSINESS PARK TO BUSINESS/INDUSTRIAL PARK AND TEXT AMENDMENTS ELIMINATING THE PLANNED COMMERCIAL AND PLANNED COMMERCIAL/BUSINESS PARK FOR THE I-505/GRANT AVENUE PLANNING AREA

WHEREAS, The City of Winters initiated a proposed amendment of the General Plan Land Use Diagram from Light Industrial to Highway Service Commercial, Planned Commercial to Neighborhood Commercial, Planned Commercial/Business Park to Highway Service Commercial, Planned Commercial/Business Park to Business /Industrial Park and text amendments eliminating the Planned Commercial and Planned Commercial/Business Park for the I-505/Grant Avenue Planning Area for approximately 80.9 acres;

WHEREAS, on June 26, 2012, the Winters Planning Commission conducted a public hearing and recommended approval of the proposed General Plan amendment and rezone to the Winters City Council; and

WHEREAS, a Negative Declaration on the General Plan amendment has been prepared and circulated for comments in accordance with the California Environmental Quality Act; and

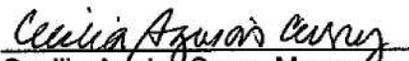
WHEREAS, the City Council finds that the public health, safety and general welfare warrant the General Plan amendment.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Winters has considered and hereby approves the Negative Declaration prepared for the amendment.

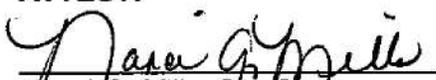
BE IT THEREFORE FURTHER RESOLVED, that the City Council amends the Winters General Plan Land Use Diagram from LI to HSC, PC to NC, PCB to HSC, PCB to BIP and eliminate PC and PCB as shown on attached Exhibit A.

PASSED AND ADOPTED by the City Council of the City of Winters this 17th day of July, 2012, by the following vote:

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


Cecilia Aguiar Curry, Mayor

ATTEST:


Nanci G. Mills, City Clerk



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Councilmembers
DATE : August 7, 2012
THROUGH: John W. Donlevy, Jr., City Manager 
FROM: Sergio Gutierrez, Chief of Police 
SUBJECT: Purchase In-Car Camera System

RECOMMENDATIONS

Staff is recommending the approval of (1) award the contract to Watch Guard Video, (2) purchase and installation of the Watch Guard 4RE In-Car Camera Systems for all Winters Police patrol vehicles from Watch Guard Video, and (3) authorize the expenditures in the amount of \$65,572.66.

BACKGROUND:

In a previous Information Report presented to the City on April 19, 2011, staff spoke about the many benefits of in-car camera systems and provided a power point presentation on its technical capabilities.

As a recap of the previous Information Report, the in-car camera system can record both video and audio interaction between the police officers and the public during contacts or police action. These situations could range from a citizen contact, traffic stop, a pursuit, a disturbance, an altercation, or a shooting. In all these situations, recordings can be used as evidence, administrative review of personnel matters, identifying suspects, vehicles, officer safety, training tools, etc.

Police operations are mainly at patrol levels. Police officers' interactions with the public are usually a result of some level of enforcement action. Occasionally after an enforcement contact, a citizen complaint may be made claiming police misconduct and violation of department policy. The review of a complaint tasks a police administrator with several hours of investigation. A simple video review, when feasible, often speaks for itself and can quickly provide a conclusion to the validity of a complaint.

In an article published by the International Association of Chief of Police [IACP], "93% of all complaints filed against officers with cameras, the officers are exonerated." In addition, a survey revealed that there was a 97% reduction in filed complaints against officers when the complainant was informed they were being recorded by a mobile police video system. This included withdraws of complaints.

Every law enforcement agency is facing fiscal challenges requiring a reduction of officers in our region. Yolo County Sheriff's Department normally had about five to seven deputies on duty during a grave yard shift. This has been reduced to about three to four deputies for the entire county with an extended response time of up to 40 minutes to help back-up Winters Police officers for priority calls.

Regarding the issue of officer safety, the in-car camera system serves as a very critical tool. Typically, public interactions are completed without any further incidents. However, there are those few incidents when a police officer is confronted with a violent subject and escalates beyond one officer's ability to control. The subject may escape after incapacitating an officer, leaving the officer incapable of identifying the subject, or to an even more tragic result.

An example of this involved Sacramento Sheriff Deputy Jeffrey Mitchell who was killed in October 2006. There were no in-car cameras in Sacramento County Sheriff's patrol cars at that time. Deputy Mitchell was killed while patrolling the rural areas of Sacramento County after some sort of interaction with one or more suspect. Other than the murder(s), no one may be able to know what happened to Deputy Mitchell. Sadly, to this day, the suspect(s) have yet to be identified and brought to justice. Shortly after his death, the Sacramento County Sheriff's Department installed in-car camera systems.

In 2008 Yolo County Sheriff Deputy Jose "Tony" Diaz was killed after a pursuit with a suspect in the rural area of Dunnigan. An in-car camera installed in his assigned patrol vehicle captured the video footage of the initial contact, the pursuit, and the shooting that caused the tragic death of Deputy Diaz. The video was used as key evidence during the investigation and proved instrumental during the trial of his murder to aid prosecutors with a conviction of the suspect.

Videos are also excellent training tools because it captures the details to evaluate and improve techniques. It can broaden the potential use for developing training videos within the organization and other law enforcement agencies.

During the 1990s the police department had an older in-car camera system that used VHS cassettes, which recorded from a VCR installed in the trunk. The equipment was bulky taking up trunk space. This also required the storage of VHS cassettes inside the police department. The average recording time for a VHS cassette was four (4) hours, which limited the capacity in recording time. The officer was responsible for replacing the cassette with a new one.

The latest technology for in-camera systems have the capability to record onto a CD/DVD or upload onto a server through a Wi-Fi access point. Copies can be made on a CD/DVD or a flash-drive for evidentiary purposes. The benefits to a wireless system are the elimination of needing to manually remove any external data storage devices making it seamless in collecting data.

The data is automatically uploaded when the patrol car is parked at the police department. This type of uploading maintains the best level of integrity protection that prevents tampering with the authenticity of the data recordings. Several agencies in the region have similar systems and have proven effective for their operational needs.

The latest technology has provided a very simple method of capturing recordings for law enforcement. During the month of July [2012], Watch Guard provided a demo kit and installed it into one of our police vehicles. Police staff has expressed how simple it was to operate during its evaluation period.

The in-car camera systems would be regulated through current department policy similar to other law enforcement agencies in the region and state. The policy would dictate what is mandatory and optional in recording certain types of police action. The police department is currently the only agency in the county that does not have an in-car camera system.

There was a delay implementing the project because our new facility had not been completed. We needed to have a better assessment of what capabilities we had available to make this system operate successfully. Now that the facility is complete, we can move forward with the in-car camera system.

I also conducted research for "officer worn cameras or body worn cameras." These are mobile cameras worn on the officers' uniforms that capture up-close interaction with the public. They would be used for the same purpose as the in-car cameras.

I have looked at two other vendors who offer similar products and have found that Watch Guard Video provides a complete package necessary for our department with the lowest cost overall. Staff has discussed the funding source to pay for this project with the Finance Director. She confirmed funding would come from the Traffic Safety Fund.

It is recommended that Watch Guard Video be awarded the contract. The quote is currently \$65,572.66; however, staff has requested \$75,700.00, which includes a contingency.

ALTERNATIVES:

None by this action

FISCAL IMPACTS:

Up to \$75,700.00 paid out of the Traffic Safety Fund.



TO: Honorable Mayor and Council Members
DATE: August 7, 2012
THROUGH: John W. Donlevy, Jr., City Manager *JD*
FROM: Nanci G. Mills, Director of Administrative Services/City Clerk *Nanci*
SUBJECT: Conversion to Paperless Agendas and Purchase of Apple iPads

RECOMMENDATION:

Approval of the Conversion to Automated Agenda Packets and Purchase of Apple iPads for use by the City Council and Department Heads at a cost of \$7,900.

BACKGROUND:

With the advancement of technology, many cities in California have moved to or are moving toward Agenda Management software and digital (paperless) agendas. Agenda Management Software companies can charge \$50,000-\$80,000 for software and implementation of their programs. The City Clerk has been working to implement an in-house automated Agenda Management process using available staff, process improvements, and updated technology. We are continually improving our processes in a cost effective manner while not falling behind other jurisdictions in service delivery.

The next step in the improvement of the City's Agenda Management Process is to go "paperless" and promote access to agenda material with the use of a iPad. Currently 20 full packets of the Agenda are printed for each Council meeting, with an average of \$248 per cost per meeting. This is a cost of approximately \$6,778 per year. By going digital and eliminating printing costs, staff time, tabs, and binders, the iPads would be paid for in just over a year.

The Apple iPad received the highest rating and is also substantially cheaper than a laptop. Accessing agenda material, as well as other city documents, through the use of an iPad will replace the paper agenda packets with more efficient, less costly electronic versions that give the added value of versatility and mobility while conducting the City's business. This assists the City in becoming a "sustainable green" agency and promoted the City as being proactive by using new technology to save resources. The digital and writable agenda can be accessed by Council and staff as well as the public and media.

The City will provide the iPad and cover. Any additional accessories will need to be purchased by the user.

In cases where City Council Members or management staff will be acquiring their own device, the City will pay a one-time \$100 stipend to cover the projected public use of the iPad. The iPad, except during time being used for official business, are not subject to City of Winters Internet Policy or FPPC regulations.

In order to have an orderly transition and to create the best changeover experience staff can prepare for training to be held when you receive your new iPad.

FISCAL IMPACT:

To be funded by Fund 427-52213 Equipment Replacement Fund - Computers

The iPad will remain City property and will be returned when a Council or staff member leaves City employment.



**CITY COUNCIL
STAFF REPORT**

TO: Mayor and City Council
DATE: August 7, 2012
FROM: John W. Donlevy, Jr., City Manager *JWD*
SUBJECT: Winters Aggregation Hub- Agricultural Industrial Concept

RECOMMENDATION:

That the City Council receive a staff report regarding the potential consideration of citing an aggregation hub for agricultural purposes for western Yolo County.

BACKGROUND:

A key element of much of the regional discussion on the "rural urban connection strategy" (RUCS) has centered on the expansion of agricultural based cooperative industrial projects, often referred to as "aggregation hubs". The topic has become a main focus of the Sacramento Area Council of Governments (SACOG) in the past four (4) years and is increasingly becoming a recognized solution for small and medium size farms ability to meet future regulatory mandates.

In recent months, Staff has begun very preliminary discussions with Yolo County on the potential for working together to explore such a concept for western Yolo County. The idea is to develop the potential for the economic and industrial expansion for agricultural purposes within the western region of the County.

Conceptually, the hub would include the following elements:

- Processing
- Distribution
- Storage
- Research
- Marketing/Brokerage
- Regulatory
- Financing
- Value Adding
- Farm Supply

The concept is “regional”, meaning the industrial complex would partner with multiple areas, farms, businesses and entities. For Winters, the concept could include:

- Winters
- Capay Valley
- Solano County
- Yolo County
- UC Davis
- SACOG
- USDA
- State Dept of Agriculture

The focus from the government side would be to streamline the process for allowing private development to make such a venture happen. This role would include planning, zoning and infrastructure design and development to facilitate an ease of such a venture occurring.

The focus from the private sector would be the accumulation of partners and participants in the citing and development of such a complex.

DISCUSSION:

Staff has developed the attached outline of the process for advancing this concept and is seeking input and concurrence from the City Council to pursue the idea of an aggregation hub with local partners, both public and private.

Considerations which will need to be pursued will include:

- Location (sites)
- Regions interested in participation
- Partners- both Public and Private
- Process
- Funding

Staff is requesting input from the City Council regarding this concept.

FISCAL IMPACT:

None by this action.

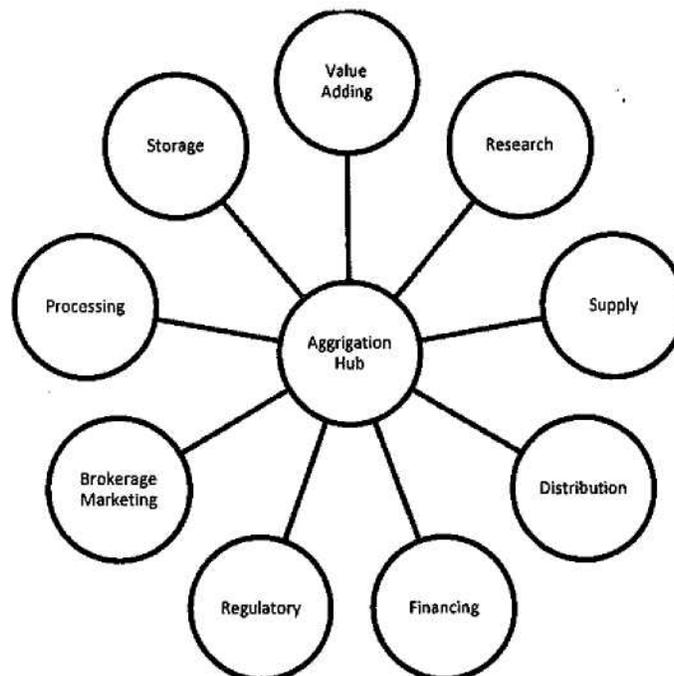
Winters/Yolo County Aggregation Hub Proposal

Yolo County and its cities share an important position in the regional production and distribution of food within the Sacramento Region. As the host for UC Davis and the producer of a wide variety of agricultural products, the logical next step in the advancement of economic development, agricultural production and innovation would be the development of “hubs” to facilitate the expansion of production capacity, technology transfer between the University and local farming industry and the economic growth and job creation on a local level.

In recent years, SACOG has launched a high priority initiative, the Rural Urban Connection Strategy (RUCS) to help facilitate the agricultural connection to economic development and interface within the Sacramento Region.

Concept:

The aggregation hub will work on the basis of locating on a regional basis and within proximity to farming areas. The idea is to centralize those functions critical to the farming operations which then aid in the overall economic efficiencies to reduce costs and maximize the benefits to both the farmers and consumers of the products.



Key Task Areas for Winters/Yolo County Aggregation/Innovation Hub:

1. Site Identification
2. Land Use Overview- Existing
3. Property Owner/Farmer Consultations and Outreach

4. Business/Industry Outreach- Capay/Winters/Solano
5. RUCS Connection Analysis
6. Planning Process- Future/Conceptual
7. Marketing/Outreach/Find a Developer!

Site Identification:

- Mapping
- Property Owners
- APN's
- Restrictions – Williamson Act, Zoning, etc.
- County General Plan Issues
- Utilities, Phase I, etc.

Land Use Overview:

- County Planning Issues
- General Plan
- Correlation with Winters General Plan

Property Owner Consultation:

- Contacts
 - Property Owners
 - Neighbors
 - Key Winters Regional Businesses
- Pre-Plan Meetings
 - City and County Reps
 - Informal Discussion

Business/Industry Outreach:

- Winters
- Capay
- Solano County – Winters
- UC Davis
- Next Economy Stuff
- USDA

Key will include an inventory of overall businesses of West Yolo County. Find ways to maximize and expand existing, value adding opportunities and genuine need and opportunity.

RUCS Connection/SACOG:

- Data Acquisition
- Business Identification and Trends
- David Shabazian/Monica Hernandez

- Planning Applications/SACOG Cooperative Agreement
- Develop a City/County "RED Team" to make this happen

Planning:

- Utility Plan
- Conceptual Plan
- Planning Process Outline with Needs
- Streamlining Overview
- Land Plan
- Next Economy Plan
- Business List
- Implementation and Strategic Plan
- UC Davis Tech Transfer Agreement

Marketing/Outreach

- Red Team
- Marketing Plan
- Business Identification
- Find a Developer
- Incentives



**CITY COUNCIL
STAFF REPORT**

TO: Mayor and City Council
DATE: August 7, 2012
FROM: John W. Donlevy, Jr., City Manager 
SUBJECT: Putah Creek Committee Appointments

RECOMMENDATION:

That the City Council ratify the appointments of Sally Brown and Kurt Balasak to the Winters Putah Creek Committee.

BACKGROUND:

Appointments to the Winters Putah Creek Committee are made by individual City Council Members. With the election of Councilmember Wade Cowan a vacancy was created and Councilmember Woody Fridae's appointment, Mitch Korcyl has moved creating a vacancy.

At the July 3, 2012 City Council meeting, both Councilmembers announced their appointments. This item is to simply formalize the appointments through an agenda item.

FISCAL IMPACT:

None by this action.



WINTERS COMMUNITY DEVELOPMENT AGENCY
STAFF REPORT

TO: Honorable Chair and Boardmembers
DATE: August 7, 2012
THROUGH: John W. Donlevy, Jr., City Manager *JD*
FROM: Shelly A. Gunby, Director of Financial Management *Shelly*
SUBJECT: Consideration of Resolution 2012-31 of the City of Winters as Successor Agency to the Winters Community Development Agency adopting a Recognized Obligation Payment Schedule pursuant to AB1X 26.

RECOMMENDATION:

That the City of Winters as Successor Agency to the Winters Community Development Agency adopt the attached Resolution adopting a Recognized Obligation Payment Schedule in compliance with AB1X 26

SUMMARY:

In accordance with Health and Safety Code Section 34177, added by Assembly Bill 1X 26, the City of Winters as Successor Agency to the Winters Community Development Agency ("Agency") is required to adopt a Recognized Obligation Payment Schedule (ROPS) for each 6 month period beginning January 2012. AB1484 passed on June 27, 2012 requires that the January -June 2013 ROPS be submitted to the Yolo County Auditor, the Department of Finance and the State Controller's office by September 1, 2012. To expedite the process, the ROPS was submitted to the Oversight Board on August 7, 2012, the only Oversight Board meeting scheduled between the effective date and the due date of the ROPS.

DISCUSSION

AB 1X 26 suspended all new redevelopment activities and incurrence of indebtedness by terminating virtually all otherwise legal functions of the Agency and mandating a liquidation of any assets for the benefit of local taxing agencies. Some debts are allowed to be repaid, but any such remittances are to be managed by a successor agency, that would function primarily as a debt repayment administrator. The successor agency cannot continue or initiate any new redevelopment projects or programs. The activities of the successor agency will be overseen by an oversight board, comprised primarily of representatives of other taxing agencies, until such time as the remaining debts of the former redevelopment agency are paid off, all Agency assets liquidated

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and all property taxes are redirected to local taxing agencies.

Under Health and Safety Code Section 34177, the ROPS must list all of the “enforceable obligations” of the Agency, and must be certified by an independent external auditor and is subject to approval by the Department of Finance, The State Controller and must be posted on the successor agency’s website. “Recognized obligations” include: bonds; loans legally required to be repaid pursuant to a payment schedule with mandatory repayment terms; payments required by the federal government, preexisting obligations to the state or obligations imposed by state law; judgments, settlements or binding arbitration decisions that bind the agency; legally binding and enforceable agreements or contracts; and contracts or agreements necessary for the continued administration or operation of the agency, including agreements to purchase or rent office space, equipment and supplies.

FISCAL IMPACT:

Without the approved ROPS, the City, as successor agency would not be able to pay the obligations of the former redevelopment agency, including making debt service payments on the 2004 and 2007 tax allocation bonds.

ATTACHMENTS:

Recognized Obligations Payment Schedule (ROPS)
Resolution 2012-11

**CITY OF WINTERS AS SUCCESSOR AGENCY TO THE WINTERS
COMMUNITY DEVELOPMENT AGENCY
RESOLUTION 2012-31**

**A RESOLUTION OF THE CITY OF WINTERS AS SUCCESSOR AGENCY TO
THE WINTERS COMMUNITY DEVELOPMENT AGENCY ADOPTING A
RECOGNIZED OBLIGATION PAYMENT SCHEDULE PURSUANT TO
HEALTH AND SAFETY CODE SECTION 34177**

WHEREAS, the City of Winters as Successor Agency to the Winters Community Development Agency (“Agency”) is the successor agency to the dissolved redevelopment agency, existing and exercising its powers pursuant to California Redevelopment Law, Health and Safety Code Section 34173 *et seq.* (“CRL”); and

WHEREAS, pursuant to subdivision (g) of Section 34177 (l)(l) of the CRL (enacted pursuant to Assembly Bill x1 26), the Successor Agency is required to adopt a Draft Recognized Obligation Payment Schedule that lists all of the enforceable obligations that are “enforceable obligations” within the meaning of subdivision (l) of Section 34177 of the CRL and which includes the following information about each such obligation:

- (A) Enforceable Obligation
- (B) The payee
- (C) Payment due Dates January 1, 2013 through June 30, 2013
- (D) Source of Payment

WHEREAS, a Recognized Obligation Payment Schedule, a copy of which is attached, has been presented to the City of Winters as Successor Agency, the City of Winters as Successor Agency is familiar with the contents thereof, and the City Manager has recommended approval of said Schedule subject to the contingencies and reservation of rights set forth in this Resolution: and

WHEREAS, the City of Winters as Successor Agency reserves the right to amend the Recognized Obligation Payments Schedule; and

WHEREAS, in adopting the Recognized Obligations Payment Schedule, the City of Winters as Successor Agency does not intend to waive, nor shall the City of Winters as Successor Agency be deemed to have waived any rights the City of Winters as Successor Agency or its successor may have pursuant to or in connection with any obligation listed on such Schedule, including without limitation, the right to modify, amend, terminate or challenge any obligation listed on such Schedule;

NOW, THEREFORE BE IT RESOLVED BY THE CITY OF WINTERS AS SUCCESSOR AGENCY TO THE WINTERS COMMUNITY DEVELOPMENT AGENCY that it hereby:

1. Finds that the Recitals set forth are true and correct, and are incorporated herein by reference.

2. Adopts the Recognized Obligation Payment Schedule attached hereto, subject to all reservations of rights and contingencies set forth above.
3. Authorizes the City Manager or designee to take all actions necessary to implement this Resolution, including, without limitation, the posting of this Resolution and the Recognized Obligation Payment Schedule to the City's website, and the provision of the notice of adoption of this Resolution and such Schedule to the County Auditor-Controller, the State Controller and the State Department of Finance.
4. Declares that if any provision, sentence, clause, section, or part of this Resolution is found to be unconstitutional, illegal, or invalid, such finding shall affect only such provision, sentence, clause, section, part, and shall not affect or impair any of the remaining parts.

PASSED AND ADOPTED by the City of Winters as Successor Agency to the Community Development Agency this 7th day of August, 2012 by the following vote:

AYES;
NOES;
ABSTAIN;
ABSENT;

Woody Fridae, Chair

ATTEST:

Nanci G. Mills, City Clerk

Instructions for Recognized Obligation Payment Schedule (ROPs)

General Instructions:
 There are four forms: RPTTF - Redevelopment Property Tax Trust Fund, Other - for items funded from other sources, including bond proceeds, reserves, and other funding the Low and Moderate Income Housing Fund (where an agency has escrowed balances). There are also forms for the Administrative Allowance and Pass through payments.
 Only for January through June 2012 ROPs (not include expenditures for pass-through payments). Starting with the July through December 2012 ROPs, per HSC section 34188 (a) (1), the county auditor/ controller will make the required pass-through payments prior to transferring money into the successor agency's Redevelopment Obligation Reserve Fund for items listed in an oversight board approved ROPs. Therefore, starting with the July 2012 ROPs, pass through payments do not need to be listed.
 The totals from the Other, Administrative Allowance and Pass thru pages are added to the RPTTF to calculate the grand total at the bottom of that form.
 Although not required, an agency may be interested in completing one set of forms for each of its project areas.

Specific instructions by Column Heading:

Project Name or Debt Obligation	Estimated Obligation Payment, when payment was incurred with the enforceable obligation payment, which include the following:	Reference to ABX1 26, §34187(d) for the definition of an enforceable obligation. Check date for each listed item, supporting documentation is not required to be provided in the ROPs, however, it is advisable to maintain such documentation and it may be requested by OCA.
	<p>Bonds: Includes debt service, reserve set-asides and any other payments related to the repayment of bonds, notes, yields certificates, debentures, or other obligations. Examples include tax allocation bonds, revenue bonds, certificates of participation (COPs), and California Infrastructure and Economic Development Bank (IBank) bonds. Other payments related to bond could include bond agent fees, fees of credit for 1 year, containing associate fees, etc.</p> <p>Loans or Advances Backowed by Agency: Includes loans or monies borrowed for legal purposes. Examples include loans from the LMIHF endowment loans from the sponsoring entity—i.e. the city, county, or city and county that created the agency. Other examples include repayment of loans from other public agencies, loans to CalPFA, HUD Section 101.</p>	<p>The schedule should include all sponsoring entity - Agency loan agreements. Note: Sponsoring Entity - Agency loan agreements are only enforceable if entered into the first two years of the agency's existence or if they were entered into during the agency, or imposing individual obligations within prior to December 31, 2010.</p>
	<p>Payments required by the federal and state governments or in connection with agency employees.</p>	<p>Includes payments such as salaries, pension payments, pension obligation debt service, and unemployment payments. Does not include pass-through payments.</p>
	<p>Contracts and settlements</p> <p>Legal binding and enforceable contracts or contracts includes all obligations of agency not listed above, both housing and non-housing. Please note: report all regardless of source of funding, such as those that will be funded with bond or other debt proceeds. Examples include obligations such as contribution contracts; Disposition and Development Agreements (DDAs), Owner Participation Agreements (OPAs), pre-development loans, Community Franchise District (CFD) retrofits/renovations, rent subsidies, and professional services (contract, design, etc.).</p> <p>Reserve for other items, such as a matching grant or pro-rata payment to other entities, such as a matching grant or pro-rata payment.</p>	<p>Includes payments related to court or other binding decisions.</p> <p>Per ABX1 26, §34187 (d)(5), includes any legally binding and enforceable agreement or contract that is not otherwise void as violating the debt limit or public policy. However, as noted above, pursuant to ABX1 26, §34171, (d)(2), the definition of enforceable obligations to be paid by a Successor Agency does not include any agreements, contracts, or arrangements between the sponsoring entity and the agency, except for two specific categories of loans as defined in the schedule.</p> <p>§34188 (d)(2) states that the definition of the ROPs term, Please also refer discuss with your legal counsel whether an agreement such as an Escrowed Repayment Agreement (ERA) should be listed as an enforceable obligation under §34187 and §34188 Enforceable Obligations, or included in the "Other Obligations Payment Schedule" portion of this form. For DDAs or OPAs, please provide a breakdown of the various projects and corresponding expenditures associated with each DDADA project.</p>
	<p>Contracts or agreements, operators for continued administration or operation of agency such as, but not limited to, office space rent, equipment supplies, insurance, and services.</p>	<p>Per ABX1 26, §34187 (d)(9), includes contracts or agreements necessary for continued administration or operation of the agency including, but not limited to, agreements to purchase or rent office space, equipment and supplies, and pay-related expenses pursuant to §33127 and for carrying insurance pursuant to §33134.</p>
	<p>Receipt of debt or obligation payments.</p>	<p>Include name of public agency, entity or other organization to receive payment.</p>
	<p>Description of the nature of the work, project, service, facility or other thing paid for which the payment is to be made.</p>	
Project Area	<p>List the areas of the former redevelopment project area from which the payment was received.</p>	
Total Outstanding Debt or Obligation	<p>Total remaining debt or obligation, including principal and interest, as applicable.</p>	
Total Due During Fiscal Year	<p>Total payments (including principal and interest) for the entire fiscal year, including months which may have already passed. For bonds, include all payments due from the fiscal year's tax increment, even if actually paid outside of the close of the fiscal year.</p>	<p>Although this amount is not required by §34188, it may be prudent to include the total amount for purposes of preparing the Recognized Obligation Payment Schedule (ROPs) or SOI. Please note estimates for the remaining term of obligation. The SOI is a good source for the data.</p> <p>While not required to be included on the schedule, this column is included to help with monthly payment calculations for those payments that are budgeted on an annual basis, rather than on a monthly basis.</p>
Funding Source	<p>List the funding source from which the obligation is to be made.</p>	<p>Sources include the Redevelopment Property Tax Trust Fund, Other, including Bond Proceeds, LMIHF, and Other (rents, interest, reserves, etc.) and the Administrative Allowance.</p> <p>Nonprofits should use made in cases where an agency is estimating the amount to be paid in any given month.</p>
Payments by Month	<p>Estimate payments by month for applicable period. Please note payments that have to be made in month prior to their due date should be listed in the month preceding the actual debt service payment due date. For bonds, separate out payments that are required for reserves necessary to fund the entire fiscal year's indebtedness obligations. These additional payments can be shown in June with a footnote as to when the actual payments are due.</p>	

**RECOGNIZED OBLIGATION PAYMENT SCHEDULE - CONSOLIDATED
FILED FOR THE January 1, 2013 to June 30, 2013 PERIOD**

Name of Successor Agency City of Winters as Successor Agency to the Winters Community Development Agency

	Current	
	Total Outstanding Debt or Obligation	Total Due During Fiscal Year
Outstanding Debt or Obligation	\$ 46,642,266.18	\$ 2,233,416.37
	Total Due for Six Month Period	
Outstanding Debt or Obligation	\$ 1,543,980.30	
Available Revenues other than anticipated funding from RPTTF	\$ -	
Enforceable Obligations paid with RPTTF	\$ 1,252,430.08	
Administrative Cost paid with RPTTF	\$ 124,000.00	
Pass-through Payments paid with RPTTF	\$ 167,550.22	
Administrative Allowance (greater of 5% of anticipated Funding from RPTTF or 250,000. Note: Calculation should not include pass-through payments made with RPTTF. The RPTTF Administrative Cost figure above should not exceed this Administrative Cost Allowance figure)	\$ 62,621.50	

Certification of Oversight Board Chairman:
Pursuant to Section 34177(l) of the Health and Safety code,
I hereby certify that the above is a true and accurate Recognized
Enforceable Payment Schedule for the above named agency.

Oversight
Board Chair

Larry Justus
Name Title

8/6/2012

Signature Date

Name of Redevelopment Agency:
 Project Area(s)

Winners Community Development Agency
 RDA Project Area All

FORM B - All Revenue Sources Other Than Redevelopment Property Tax Trust Fund (RPTTF)

RECOGNIZED OBLIGATION PAYMENT SCHEDULE
 Per AB 28 - Section 44177 (1)

Project Name / Debt Obligation	Contract/Agreement Execution Date	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012-2013**	Funding Source	Payable from Other Revenue Sources						Total	
								January 2013	February 2013	March 2013	April 2013	May 2013	June 2013		
11															
21															
31															
41															
51															
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281															
291															
301															
311															
321															
331															
339															
Totals - LMHIF															
Totals - Bond Proceeds															
Totals - Other															
Grand Total - This Page															

* The Preliminary Debt Recognized Obligation Payment Schedule (ROPS) is to be completed by 2/1/2012 by the successor agency, and subsequently be approved by the oversight board before the final ROPS is submitted to the State Controller and State Department of Finance by April 16, 2012. It is not a requirement that the Agency Upon Procedures Audit be completed before submitting the final Oversight Approved ROPS to the State Controller and State Department of Finance.

** All total due during fiscal year and payment amounts are projected.

*** Funding sources from the successor agency: (For fiscal 2011-12 only, reference to RPTTF could also mean tax increment allocated to the Agency prior to February 1, 2012)

RPTTF - Redevelopment Property Tax Trust Fund Other - reserves, rents, interest earnings, etc.

LMHIF - Low and Moderate Income Housing Fund Adm'n - Successor Agency Administrative Allowance

Name of Redevelopment Agency Winters Community Development Agency
 Project Area(s) RDA Project Area All

FORM D - Pass-Through Payments

OTHER OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34177 (*)

Project Name / Debt Obligation	Payee	Description	Project Area	Total Outstanding Debt or Obligation	Total Due During Fiscal Year 2012-2013**	Source of Fund***	Pass Through and Other Payments ****						Total
							Payments by month						
							January 2013	February 2013	March 2013	April 2013	May 2013	June 2013	
1) County Pass through	Yolo County	Yolo County Pass through Agreement	CDA Project Area	12,176,329.00	262,428.00	RPTTF	131,214.00					0.00	\$ 131,214.00
2) Pass Through	Solano Community College	Pass through Agreement	CDA Project Area	1,208,974.06	26,599.94	RPTTF	13,299.97		0.00			0.00	\$ 13,299.97
3) Pass Through	Mosquito Vector District	Pass through Agreement	CDA Project Area	252,943.00	7,485.24	RPTTF	3,742.62			0.00		0.00	\$ 3,742.62
4) Pass Through	Winters Cemetery District	Pass through Agreement	CDA Project Area	1,843,937.93	38,587.26	RPTTF	19,293.63	0.00				0.00	\$ 19,293.63
5)													\$ -
6)													\$ -
7)													\$ -
8)													\$ -
9)													\$ -
10)													\$ -
11)													\$ -
12)													\$ -
13)													\$ -
14)													\$ -
15)													\$ -
Totals - Other Obligations				\$ 15,480,183.99	\$ 335,100.44	\$ -	\$ 167,550.22	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 167,550.22

* The Preliminary Draft Recognized Obligation Payment Schedule (ROPS) is to be completed by 3/1/2012 by the successor agency, and subsequently be approved by the oversight board before the final ROPS is submitted to the State Controller and State Department of Finance by April 15, 2012. It is not a requirement that the Agreed Upon Procedures Audit be completed before submitting the final Oversight Approved ROPS to the State Controller and State Department of Finance.

** All total due during fiscal year, and payment amounts are projected.

*** Funding sources from the successor agency: (For fiscal 2011-12 only, references to RPTTF could also mean tax increment allocated to the Agency prior to February 1, 2012.)

RPTTF - Redevelopment Property Tax Trust Fund Bonds - Bond proceeds Other - reserves, rents, interest earnings, etc

LMRHF - Low and Moderate Income Housing Fund Admin - Successor Agency Administrative Allowance

**** - Only the January through June 2012 ROPS should include expenditures for pass-through payments. Starting with the July through December 2012 ROPS, per HSC section 34183 (a) (1), the county auditor controller will make the required pass-through payments prior to transferring money into the successor agency's Redevelopment Obligation Retirement Fund for items listed in an oversight board approved ROPS.

**Conditional Waiver and Release
Upon Final Payment**

Upon receipt by the undersigned of a check from: **City of Winters, 318 First St,
Winters, California, 95694**

In the sum of Sixty four thousand four hundred nineteen dollars and 67 cents
(\$64,419.67 _____)

Payable to: Bobo Construction

and when the check has been properly endorsed and has been paid by the bank which it
is drawn this document shall become effective to release any mechanic's lien, stop
notice, or bond right the undersigned has

on the job of **City of Winters, Public Safety Facility**

located at: 700 Main Street

This release covers the final payment to the undersigned for all labor, services,
equipment or material furnished on the job(s), except for:

1) Disputed claims for additional work in the amount of: Eighty nine thousand, five
hundred thirty two dollar and 31 cents (\$89,532.31 _____).

and/or

2) Retention amount (10% of the total contract) of: _____
(\$ _____).

Before any recipient of this document relies on it, the party should verify evidence of
payment to the undersigned.

Dated: _____ Company Name: _____

Signature: _____

By: _____ Title: _____

Address: _____
