



Winters City Council Meeting
City Council Chambers
318 First Street
Tuesday, September 4, 2012

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*

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 - Grant Avenue Commercial Project, APN's 003-370-028, 003-370-029, 003-370-030 - Real Property Negotiator City Manager John W. Donlevy, Jr.

6:30 p.m. – Regular Meeting

AGENDA

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

Roll Call

Pledge of Allegiance

Approval of Agenda

COUNCIL/STAFF COMMENTS

PUBLIC COMMENTS

At this time, any member of the public may address the City Council on matters, which are not listed on this agenda. Citizens should reserve their comments for matter listed on this agenda at the time the item is considered by the Council. An exception is made for members of the public for whom it would create a hardship to stay until their item is heard. Those individuals may address the item after the public has spoken on issues that are not listed on the agenda. Presentations may be limited to accommodate all speakers within the time available. Public comments may also be continued to later in the meeting should the time allotted for public comment expire.

CONSENT CALENDAR

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

- A. Minutes of the Regular Meeting of the Winters City Council Held on August 21, 2012 (pp 1-7)
- B. Approval of Amplified Sound Permit Application for the Festival de la Comunidad (pp 8-10)
- C. Approval of Street Closure for Rootstock's Tempranillo Festival Flamenco Dance Performance (pp 11-13)

DISCUSSION ITEMS

- 1. Resolution 2012-33, a Resolution of the City Council of the City of Winters, Approving a Ballot Measure for the November 6, 2012 Statewide Election Establishing the Appointed Office of Director of Finance (pp 14-26)

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

- 1.
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CITY MANAGER REPORT

ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the September 4, 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 Thursday, August 30, 2012, and made available to the public during normal business hours.

Nancy Jensen for Nanci Mills

Nanci G. Mills, City Clerk

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General Notes: Meeting facilities are accessible to persons with disabilities. To arrange aid or services to modify or accommodate persons with disability to participate in a public meeting, contact the City Clerk.

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

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Wednesday at 10:00 a.m.

Videotapes of City Council meetings are available for review at the Winters Branch of the Yolo County Library.



Minutes of the Winters City Council Meeting
Held on Tuesday, August 21, 2012

Executive Session

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

Pursuant to Government Code Section 54956.8 – Real Estate Negotiations – Grant Avenue Commercial Project, APN's 003-370-028, 003-370-029, 003- 370-030 – Real Property Negotiator City Manager John W. Donlevy Jr.

Pursuant to Government Code Section 54956.8 – Real Estate Negotiations - Downtown Hotel between Railroad Avenue, Abbey Street, First Street and Newt's Expressway, Winters, CA, Real Property Negotiator City Manager John W. Donlevy, Jr.

Pursuant to Government Code Section 54957 - Public Employee Performance Evaluation – City Manager

Pursuant to Government Code Section 54957 - Public Employee Performance Evaluation – City Attorney

The Executive Session convened at 5:07 p.m. Council provided direction to the City's real estate negotiators regarding the listed properties. There was no reportable action. The Executive Session recessed at 5:59 p.m.

The second Executive Session convened following the adjournment of the City Council meeting at 7:48 p.m. Council discussed the performance evaluations for both the City Manager and City Attorney. There was no reportable action from either session. The Executive session was adjourned at 9:28 p.m.

Community Choice Aggregation Workshop

Council Member Anderson introduced Stephen Souza, Supervisor Don Saylor and John Mott-Smith, who spoke on behalf of the Community Choice Aggregation.

Mr. Souza reported that in 2002, AB 117 was passed, giving cities and counties the ability to aggregate their purchasing of energy and not be beholden to one provider. In 2008, the San Joaquin County Irrigation District tried but failed. The City of San Francisco started the process and the CPCU approved their implementation papers, giving them the ability to sell electricity to the public as the Marin Energy Authority. Prior to approval, there were many steps to complete, including financial capacity, a plan indicating where the electricity was to be purchased from, and the necessary liquidity to do it.

Supervisor Don Saylor said the County, like Winters, has created a Climate Action Plan (CAP), which has required a few action steps, which were voluntary. A large source of emission, which contributes to the carbon footprint, was due to vehicle travel in the unincorporated areas. The action spelled out in the County's CAP is to explore the Community Choice Aggregation (CCA), but they can't do it alone. The CCA approach sets up the opportunity to purchase power from various sources. It could also involve creation of power-generating facilities (solar or wind).

The CCA exploration is part of the County's General Plan and the Climate Action Plan calls for it, but the County can't do it alone. The first step was to contact a member of each of the four City Councils within the County to form an exploratory committee. After forming a summary of issues, it was suggested that each representative bring in two people from the community each to continue the discussion. From the unincorporated area, Paul Muller and Tony Turkovich were contacted, both of whom have faced challenges with PG&E and Air Quality Management District regulations and who bring interesting insights to the committee. The other jurisdictions brought in business and community members who have insights or perspectives to share.

As the committee continues its' exploration, outreach is also needed. They decided to let each jurisdiction consider whether they are interested. The County Board of Supervisors adopted a resolution and gave copies to each jurisdiction. Upon Council Member Anderson's request, a copy of said resolution has been provided to Council for review.

Mayor Aguiar-Curry asked if a monetary commitment would be required and Mr. Saylor said yes, at some point, some of which will go toward a feasibility study.

Council Member Martin asked if the Marin Energy Authority had a board and a budget. Mr. Mott-Smith said every jurisdiction has representation. The CCA is not a private utility, it is a partnership between utility & jurisdiction. PG&E will continue providing the services they do now, except they will not set the rates or determine where the energy comes from. The potential benefits of the CCA would be the involvement of local governments, accountability for electrical rates and from where

the power comes from, and to achieve the carbon-reduction targets in your Climate Action Plan. For example, Yolo County's Climate Action Plan would see a 40% reduction of their carbon footprint with the implementation of this plan. Other benefits include financing and the possible construction of local power generators. The potential downside is that if a CCA is formed, every customer is assumed to be in the CCA. Customers could opt out and go back to PG&E after a lengthy process. Also, the cost of the energy is an uncertainty and rates may not be lower. This process is to determine if it's feasible.

Council Member Anderson asked if the rate payers in Marin are able to select the levels purchased. Mr. Mott-Smith said there are two options: the default level, or light green, is approximately the same rate as the utilities and contains 45% renewable energy. For premium level, which contains 100% renewable energy, the cost is 10% more.

Mr. Souza said each resident has the potential to produce energy and have control over it. The transmission of the energy is shorter and can be a resource to all residents and businesses. The program has the capacity to lend money for production to residents and businesses and the panels later become owned by the purchaser. Council Member Martin asked if bonding was available in the initial stages or down the road. Mr. Mott-Smith said following financial analysis, the bonding would come later.

Council Member Fridae asked about installing photo voltaic cells, where energy can be sold to the PG&E at a fixed rate even though the energy produced during the day is worth more than the energy they sell to you at night. It is a disincentive for them to give you the real value of electricity generated, which is more during the day and said this entity should offer incentives to participants. Mr. Souza said this is accurate and Mr. Mott-Smith added that the CCA can set the price and sell the energy for what it's worth. Council Member Cowan said that PG&E must buy back the excess energy generated as of last year, which was confirmed by Mr. Souza. The CCA could set the price, either wholesale or some other base rate, which would be governed by the board.

Council Member Anderson said a stream of income will be anticipated and asked if there were limits as to where it could be spent. Mr. Souza said the City could become its own CCA and place the money into the general fund and the CPCU would govern the provisions of the CCA. Mr. Mott-Smith said the documents of the JPA would dictate what can be done with the income. Council Member Fridae said we have more to explore. Supervisor Saylor said they are currently in the exploratory stage and gauging the level of interest from the various councils. Council Member Martin asked if the residents or the Council decides. Mr. Souza said with an obligation for money, it would require a 2/3 threshold. An advisory vote would require a 50% threshold.

Council Member Anderson said PG&E, by law, must have 20% green element by 2020 as a floor target and Mr. Mott-Smith said that figure was actually 33%. Council Member Anderson said the underlying key is to create additional generating capacity. The policy is to seek more small generators.

Mayor Aguiar-Curry asked if there was state or federal funding available for this. Mr. Mott-Smith said there is an implementation/feasibility study for all jurisdictions combined costing approximately \$200,000 - \$300,000. There is a movement to organize resources to provide bridge funding to start up the CCA's. A lot of start-up costs are involved.

Council Member Fridae asked out the obligation would be split – population or jurisdiction? If Winters is required to pay an equal amount, we stand to gain much less. Supervisor Saylor said an equitable range would be based on population and budget. Council Member Martin asked if it might be based on usage. Supervisor Saylor used LAFCO as an example, saying they had a determination process that utilized several criteria to gauge interest and cost.

Mayor Aguiar-Curry asked if Marin completed a feasibility study and suggested taking their lessons learned and proceed. Her greatest fear is planning with no product or implementation. Will this be a benefit for us? There was a meeting today with Yolo Leaders Group and it was suggested inviting someone from Marin Energy to the next meeting. We are building trust as we go forward, but we are in no position to create a resolution.

Supervisor Saylor said there are two documents that Council should receive: a scoping report and a draft resolution, which would be a statement of interest with no commitment. Council Member Martin asked which State agency would oversee the approval and Mr. Souza said the P.U.C.

Mayor Aguiar-Curry encouraged the members of the City Council, Planning Commission and School Board to attend the next Yolo Leaders meeting in September. The more education, the better.

Regular Meeting

Mayor Aguiar-Curry called the meeting to order at 7:00 p.m.

Present: Council Members Harold Anderson, Wade Cowan, Woody Fridae,
Michael Martin, Mayor Cecilia Aguiar-Curry
Absent: None
Staff: City Manager John Donlevy, City Attorney John Wallace, City Clerk
Nanci Mills, Redevelopment/Housing Manager Dan Maguire,
Management Analyst Tracy Jensen.

APPROVAL OF AGENDA: City Manager Donlevy said there we no changes to the agenda.

COUNCIL/STAFF COMMENTS: Council Member Fridae reminded everyone of the Earthquake Festival will be on Friday, August 24. Council Member Cowan attended the Chamber of Commerce Board meeting and reported the Visitor's Center received 223 visitors in the month of July. The next Chamber Mixer will be sponsored by and held between Main Street Cellars and Camelot Realty, where they have a rib cook-off in place of the chili cook-off due to lack of space. Attended the Affordable Housing Steering Committee meeting, where Jim Hildebrand talked about options and ways to create affordable housing, so hopefully we can move forward with building some houses. Attended the Yolo County Fair Gala event.

Mayor Aguiar-Curry attended the SACOG Board of Directors meeting on 8/16; attended the Yolo County Fair Gala event with Council Members Anderson, Cowan and Fridae; attended an Ultra Light Rail Symposium in Davis; attended the Yolo Leaders meeting on 8/21, with the next meeting scheduled for 9/19; attended the Davis City Council mixer; attended the California Broadband Council meeting at the State Capitol on 8/14 with Brian Horn of Winters Broadband, who gave a great presentation, stressing the need for rural broadband and wireless in rural communities and will be meeting and touring with Congressman Garamendi tomorrow on the subject; had dinner at Chancellor Catavia's house, where local Winters author Georganne Brennan and Davis author Ann Evans, as well as local Winters products were showcased. Berryessa Gap owner Mike Anderson also gave a presentation. The Earthquake Festival is Friday, August 24th and the Festival de la Comunidad is Sunday, September 29th; Happy Birthday to Council Member Fridae, who celebrated a birthday yesterday.

Council Member Anderson attended the Lower Putah Creek Coordinating Committee meeting at the Vacaville Irrigation District on 8/9; on the morning of 8/11, the entire Council participated in the Waggoner school work day; attended the Yolo County Transportation District meeting on 8/13; attended the Putah Creek grant committee tour for the final grant for completing the Putah creek park. The tour was successful and several park agencies were impressed with the project. The final grant results will not be known until October or November. Attended the Affordable Housing Steering Committee meeting with Council Member Cowan on 8/14; attended the Yolo County Fair Gala Opening on 8/15; attended a mixer with folks from Davis at Preserve on 8/17.

Mayor Aguiar-Curry thanked the Council members for attending various meetings, thanked Council Member Anderson for all his hard work on the creek, and also thanked Bill Biasi because we have a good shot at the grant.

PUBLIC COMMENTS: Margo Heekin, Stewardship Coordinator at Yolo Land Trust invited Council to attend "A Day in the Country" on Sunday, September 9, 2012,

from 3:00 pm to 6:00 pm at Terrain Ruisseau, 4029 Putah Creek Road, Winters. Mayor Aguiar-Curry said it is well worth the price of admission.

CONSENT CALENDAR

- A. Minutes of the Regular Meeting of the Winters City Council Held on August 7, 2012
- B. Introduction and Consideration of Five Resolutions presented by the League of California Cities Regarding Environmental Quality, Public Safety and Revenue & Taxation
- C. Resolution 2012-32, A Resolution of the City Council of the City of Winters Approving and Agreement for Professional Consulting Services to the City of Winters by AK& Company for SB 90 State Mandated Cost Reimbursement in the Amount of \$3,000

City Manager Donlevy gave an overview. Motion by Council Member Martin, second by Council Member Cowan to approve the consent calendar. Motion carried unanimously.

DISCUSSION ITEMS

1. **Approval of Lease Agreement Between the City of Winters and RISE for that Certain Property at 201 First Street, Winters, CA**

Council Members Anderson and Fridae recused themselves due to a possible conflict of interest.

Housing/Economic Development Manager Dan Maguire gave an overview, asking Council to approve and authorize a lease agreement for half of the building at 201 First Street, approximately 3,700 sq. ft., to be occupied by RISE for \$1,400/month. Council Member Martin asked what the other half would be used for. City Manager Donlevy said the programs at the Dance Studio at 305 First Street would be transferred.

Tico Zendejas said he was excited and pleased to bring this item to Council. RISE's long term vision and goals are to bring services, funding and resources to rural Winters. Mayor Aguiar-Curry said RISE is important to the entire community by offering various services, including youth mental wellness services. Council Member Martin said the seniors are underserved and could benefit from new services offered by RISE through their grant writing efforts.

Council Member Cowan said this is a great fit and a great use of the building. The money generated by the lease, as well as the building being put to good use is a win-win.

Motion by Council Member Cowan, second by Council Member Martin to approve and authorize the execution of a lease agreement between the City and RISE (Rural Innovations in Social Economics, Inc.) for the property at 201 First Street. Motion carried unanimously 3-0, with two absent.

Council Members Anderson and Fridae returned to their seats.

2. Yolo County Measure H

City Manager Donlevy gave an overview. Mayor Aguiar-Curry said she totally supports an appointed Director of Finance and not an elected Director of Finance. Council Member Anderson what the purpose of this position would be. City Manager Donlevy said checks and balances or transparency. This appointment would save the County approximately \$80,000 and has already been approved by the Yolo County Board of Supervisors. Council Member Fridae recommended Yolo County Measure H be brought back to Council at the 9/4/12 City Council meeting in the form of a resolution.

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

1.

CITY MANAGER REPORT: The project at I-505 & Grant and Matsumoto Lane is moving along. There will be a tremendous amount of work this week and next to make Arco/Burger King operational. The traffic signal has not yet been installed. The Grand Opening is scheduled for sometime in October. The Yolo Managers Group met last week and City Manager Donlevy was voted chairman of the Yolo County Emergency Medical Council. The Agricultural Hub concept will be discussed at the SACOG meeting scheduled for next week. The round-about at Walnut & Grant made the first cut. The basic design for Orchard Village Park has gone through the Planning Commission and City Council and hopes to be completed by June, 2013.

ADJOURNMENT: The meeting was adjourned into Executive Session at 7:48 p.m.

Cecilia Aguiar-Curry, MAYOR

ATTEST:

Nanci G. Mills, City Clerk



STAFF REPORT

TO: Honorable Mayor and Council Members
DATE: September 4, 2012
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Mary Jo Rodolfa, Management Analyst
SUBJECT: Approval of Amplified Sound Permit Application for the Festival de la Comunidad

RECOMMENDATION:

Approve the amplified sound permit application for the Festival de la Comunidad.

BACKGROUND:

The City of Winters Hispanic Advisory Committee is requesting this amplified sound permit for the annual Festival de la Comunidad and Carnitas Cook-Off to be held on September 29, 2012. This will be the fifth year for the festival.

Per the Noise Ordinance, the amplified sound permit requires Council approval on the attached form.

FISCAL IMPACT:

None

Date of Application: _____ To City Council: _____

Name of Person(s)/ Organization: City of Winters Hispanic Advisory Committee Contact: Mary Jo Rodalfa Mgmt. Analyst
Business Address: 318 First St. Telephone: 795-4910 x111
Winters, CA 95694
Telephone: 795-4910 x 111

Type of Event: Festival de la Comunidad & Carnitas Cook-off
- This is an annual family friendly community event.
Purpose of Event: (ie; fundraiser, parade, festival, etc.): Festival
Date/Time of Event: Sat. Sept. 29, 2012 From: 5 p.m. To: 10 p.m.
Location/Address of Event: Rotary Park & Winters Community Center
Railroad Ave & East Main Street

Rated Output of Amplifier in Watts: 300 Number of Speakers: 4

I have provided a list of and contacted all property owners adjacent to and within 300 feet of the event. Their approval of this event is indicated by their signature on the attached petition. Complaints about the sound will result in a warning and a request to reduce the volume. Additional complaints will result in the cessation of amplified sound. All amplified sound must be extinguished no later 10:00 p.m. pursuant to Winters Municipal Code Title VI; Chapter 7-Noise Control. Signing below certifies that all information contained within this application is correct. In the event that any of this information is found to be fraudulent, it may result in an automatic denial of this application.

Signature: Mary Jo Rodalfa

For City Use Only

Proof of Insurance: N/A (Not City Property) Yes No
Rental Fee Paid: N/A (Not City Property) Yes No
Police Department: Approved Denied Date: _____
Authorized Signature: _____
City Council: Approved Denied Date: _____
Authorized Signature: _____



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Councilmembers
DATE : September 4, 2012
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Nanci G. Mills, Director of Administrative Services
SUBJECT: Street Closure for Rootstock's Tempranillo Festival

RECOMMENDATION:

Approve the closure of Main Street between Railroad Avenue and the mid-block crosswalk to allow for the Tempranillo Festival Flaminco Dance Performance, scheduled for Saturday, September 8, 2012 from 2:00 p.m. to 5:00 p.m., sponsored by Rootstock.

BACKGROUND:

Linda Hinds of Rootstock has requested the closure of Main Street between Railroad Avenue and the mid-block crosswalk for the date and time specified above.

Ms. Hinds has notified the Main Street business owners located within this area of the requested closure date. She has provided the names and signatures of those business owners who have acknowledged and agreed to these requests. She has requested that closure notification be posted on all affected streets a minimum of 24 hours prior to the scheduled closures and barricades be placed at the Main/Railroad and Main/First intersections.

As per the City's Street Closure Ordinance, this request requires Council approval of identified streets on the attached form.

FISCAL IMPACT: TBD (signage, barricade placement)



City of Winters Request for Street Closure

This application is for citizens or groups that have occasion to request that streets be temporarily closed for such things as bicycle races, running contests, block parties and other such events requiring the re-routing of traffic. For a parade or amplified sound an additional permit is required.

A request to close streets shall be filed with the Police and Public Works Departments at least ten (10) business days prior to the date the street would be closed.

There shall be no closure of the following streets without Council approval:

1. Main Street
2. Railroad Street
3. Grant Avenue
4. Valley Oak Drive
5. Abbey Street

Request to close these streets shall be processed in much the same manner except that the request shall be submitted to the City Council by the Police Department. Requests to close the streets herein listed shall be submitted at least thirty (30) business days prior to the street closure.

Requests for street closures that are not submitted by the minimum time lines may be granted only by the Winters City Council.

Name: Winters Roots Rock Organization: 5
 Address: 22 Main St Mailing Address: 22 Main St
 Telephone: 530 794-6008 Today's Date: 8-29-12

Streets Requested: Closed for 2 hrs on Saturday Sept 8, 2pm-5pm
 Date of Street Closure: 9-8-12 Time of Street Closure: 2pm-5pm
 Description of Activity: Plumero ~~Amplified Sound~~ Dancers Demo

Services Requested of City: Signage & barricade placement

APPROVED: _____ Police Department _____ Public Works Department

Rootstock

3-5pm show - Flamenco

City of Winters Request for Street Closure

Please provide a listing of the names and signatures of people living on the street (s) to be closed and acknowledging that they know why the closure is requested and that they agree to the closure. Attach additional sheets if necessary.

Spir A Yarn - 14 Main St, Winters CA *Laura Bailey*
18 Main St *D. Whitworth*
Winters Health Care 23 main St.
Lamm
Bernyssa Gap 315 Main St. *Megan King*
Ireland Agency 26 Main St *Lisa Henderson*
Winters Chamber of Commerce 11 Main St *the Seba*
Portah Creek Cafe 1 main st
Buckhorn 2 main *[Signature]*



**CITY COUNCIL
STAFF REPORT**

TO: Mayor and Council Members
DATE: September 4, 2012
FROM: John W. Donlevy, Jr., City Manager 
SUBJECT: Adoption of Resolution 2012-33 in Support of Yolo County Measure H – a Ballot Measure Submitting to the Voters of Yolo County the Question of Whether the County of Yolo Should Establish the Appointed Office of Director of Finance

RECOMMENDATIONS: Staff recommends that the City Council of the City of Winters adopt Resolution 2012-33 in support of Yolo County Measure H – a ballot measure submitting to the voters of Yolo County the question of whether the County of Yolo should establish the appointed office of Director of Finance.

BACKGROUND: At their August 21, 2012 meeting the City Council received a staff report and supporting attachments as an information item on Yolo County's proposed Measure H, a ballot measure that would submit to the voters the question of whether the appointed office of Director of Finance should be established. At that time the Council expressed interest in a resolution supporting Yolo County Measure H. The proposed resolution is attached hereto as Attachment A.

Currently Yolo County's organizational structure is designed to promote a separation of operations and finance. The current structure includes the office of Auditor-Controller/Treasurer-Tax Collector which oversees most countywide accounting, auditing, collections, cash management and investment activity and the office of the County Administrator which develops, recommends and monitors the annual budget and relevant fiscal policies, and plans for long-term capital costs. Although the two offices have worked closely together, the County's Long Term Financial Plan (LTFP) workgroup after evaluating the County's future needs recommends that the County develop an organizational structure that would support an integrated approach to

budgeting, accounting, financial forecasting and fiscal planning while maintaining adequate accountability and that would also provide centralized financial support for small departments while allowing larger County departments continued flexibility and decentralization as it relates to their specialized financial needs.

County staff in reviewing the recommendations of the LTFP working group and the experience of six other California counties is proposing that the County move towards the creation of a Department of Finance office that would integrate the long-term financial planning and budgeting functions currently located in the office of the County Administrator with the financial functions currently performed by the Auditor-Controller/Treasurer-Tax Collector's office. An appointed Director of Finance position would be created to facilitate the future integration and to promote stability and ensure continuity as the organization structural changes are put into place.

Based on the review of the experiences of six other counties and upon the results of a pilot project instituted by the County of Yolo it is anticipated that this integrated approach to financial management will improve efficiency and reduce duplication of fiscal functions resulting in significant cost savings while maintaining accountability.

The establishment of a Board appointed Director of Finance position will allow the County to set specific requirements of experience and education exceeding the minimum set by state law for elected officials for the position. It will also allow for a broader pool of applicants for the position residing both within and outside of the County. Policies, including the creation of a Finance Oversight Committee, will be established to ensure continued accountability to the present stakeholder groups (i.e. the Board of Supervisors, cities, special districts, school districts and the public at large) and to ensure that the Director of Finance would be selected with input from the stakeholder groups. The Finance Oversight Committee members will include those with financial expertise and representation by all of the stakeholder groups, including the City of Winters. Annual audits will continue to be required and will be enhanced to require an examination of the internal controls within the Department of Finance. The County is also recommending the designation of an Audit Manager position that would have direct access to the Finance Oversight Committee.

The move from an elected Auditor-Controller/Treasurer-Tax Collector model to an Appointed Director of Finance/Department of Finance model is allowed under California Government Code section 26980 upon the approval of a majority of the electorate. The transition would become effective upon the expiration of the current elected incumbent's term (in this instance December 2014) or his resignation from office, whichever comes first.

The County of Yolo on July 24, 2012 adopted Yolo County Resolution 12-86 calling for a special election to be consolidated with the November 6, 2012 statewide election to submit to the voters the question of whether the appointive office of Director of Finance shall be established. If the majority of the voters favor the establishment of the office, the Board of Supervisors shall, by ordinance, create the office effective at the end of the incumbent's term. Attached for your reference are staff reports to the Board of

Supervisors, County of Yolo Board of Supervisors Resolution No. 12-86, Argument Against Measure H authored by Thomas Randall, Jr. and a Rebuttal to Argument Against Measure H prepared by Supervisor Don Saylor.

Resolution 2012-33 if adopted by the City Council of the City of Winters would provide support to Yolo County's efforts for the passage of Measure H and the move to establish the County of Yolo appointed office Director of Finance.

FISCAL IMPACT: None

ATTACHMENTS:

- A. Resolution 2012-33 - A Resolution of the City Council of the City of Winters in Support of Yolo County Measure H
- B. June 6, 2012 -- Board of Supervisors, County of Yolo, Department of Finance Update Staff Report prepared by Patrick S. Blacklock, County Administrator
- C. July 24, 2012 -- Board of Supervisors, County of Yolo, DOF Election Resolution Staff Report prepared by Patrick S. Blacklock, County Administrator Preliminary Building Elevations for the Phase II addition
- D. County of Yolo Resolution No. 12-86
- E. Argument Against Measure H
- F. Rebuttal to Argument Against Measure H

RESOLUTION No. 2012-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS IN SUPPORT OF YOLO COUNTY MEASURE H

WHEREAS, the County of Yolo has placed Measure H, a ballot measure submitting to the voters of Yolo County the question of whether the County of Yolo should establish the appointed office of Director of Finance, on the November 6, 2012 ballot, and

WHEREAS, the City of Winters is supportive of the Yolo County Board of Supervisors' fundamental goal of creating a fiscally sustainable County government, and

WHEREAS, the County of Yolo through its long-term financial planning process identified a need to develop an organizational structure that supports an integrated approach to budgeting, accounting, financial forecasting, and fiscal planning while maintaining accountability, and

WHEREAS, Yolo County proposes to modernize financial management, improve efficiency, and reduce duplication of fiscal functions by creating a Board appointed Director of Finance position, and

WHEREAS, formalizing the consolidation of financial functions carried out by the office of Auditor-Controller/Treasurer-Tax Collector and the office of the County Administrator through the creation of a Department of Finance will achieve significant cost savings and efficiencies, and

WHEREAS, the establishment of a Board appointed Director of Finance position will ensure that future candidates possess high levels of experience and education exceeding the minimum set by State law for elected officials, expand the number of interested and qualified candidates from within and outside of the County and allow implementation of performance standards and evaluations to hold the Director of Finance accountable, and

WHEREAS, independent financial oversight of Yolo County's Department of Finance would be ensured by the Board of Supervisors requiring an annual, independent audit of the Department's internal controls be conducted by a qualified outside auditor, and

WHEREAS, accountability to Treasury stakeholders and the public would occur through the creation of a finance oversight committee with representatives of the County, cities, special districts, school districts and members of the public,

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Winters supports Yolo County Measure H and the establishment of a County of Yolo appointive office of Director of Finance.

PASSED AND ADOPTED by the City Council, City of Winters, this 4th day of September 2012 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Cecilia Aguiar Curry, Mayor

ATTEST:

Nanci G. Mills, CITY CLERK



County of Yolo

www.yolocounty.org

To: Supervisor Jim Provenza, Chair
and Members of the Board of Supervisors

Regular-General Government # 42.

Board of Supervisors

County Administrator

Meeting Date: 06/19/2012

Brief Title: Department of Finance Update

From: Patrick S. Blacklock, County Administrator

Staff Contact: Patrick S. Blacklock, County Administrator, x8151

Subject

Receive staff report on potential consolidation of the County's financial management structure and provide policy direction on actions to further integrate fiscal functions currently performed by the County Administrator's Office with those of the Auditor-Controller/Treasurer-Tax Collector's office, including the creation of an appointed Director of Finance position. (No general fund impact) (Blacklock/Newens) (*15 minutes)

Recommended Action

Receive staff report and provide policy direction on actions to further integrate fiscal functions currently performed by the County Administrator's Office with those of the Auditor-Controller/Treasurer-Tax Collectors office, including the creation of an appointed Director of Finance position.

Strategic Plan Goal(s)

Advance innovation
Collaborate to maximize success
Provide fiscally sound, dynamic and responsive services

Reason for Recommended Action/Background

Background

The Board of Supervisors has developed strategic plan goals to direct the development and administration of the County organization. The Board's adopted goals include:

- Advancing innovation
- Collaborating to maximize success
- Providing fiscally sound, dynamic and responsive services

In a complementary process, the County has created a Long Term Financial Plan (LTFP) workgroup, comprised of staff from a cross section of County departments, which has recommended that the County evaluate the current organizational model as it relates to financial functions and begin to plan for future needs.

The current organizational structure of the County promotes a separation between operations and finance. While the Auditor-Controller/Treasurer-Tax Collector's office oversees most countywide accounting, auditing, collections, cash management and investment activity, the County Administrator's

office develops, recommends and monitors the annual budget and relevant fiscal policies, and plans for long-term capital costs. While this year's budget process has included a higher level of collaboration between these two offices, the fundamental division between these functional areas remains.

In evaluating the County's future needs, the LTFP workgroup has identified the following themes:

- Small departments may not have sufficient staffing to support decentralization of financial functions;
- Larger departments, or those with subject matter specific accounting needs [for example, Medi Cal billing], will find centralization difficult; and
- Efficiencies could be found in having a single finance department that can serve smaller departments in addition to managing countywide finances.

Accordingly, the workgroup recommended that the County research an organizational structure supporting an integrated approach to budgeting, accounting, financial forecasting, and fiscal planning while maintaining adequate accountability. Finally, the workgroup recommended evaluating a structure that allows both centralized financial support for smaller departments and continued flexibility and decentralization for larger departments or those with specialized financial needs, as departments currently have varying degrees of finance responsibility, ranging from department-specific accounting, to grant management, to full cash management and investment for one department.

Recommended Action:

As a preliminary step, staff recommends that the County explore the feasibility of, and take steps toward, the creation of an appointed Director of Finance position to facilitate future integration of the long-term financial planning and budgeting functions currently located in the County Administrator's office with the financial functions currently housed in the Auditor-Controller/ Treasurer-Tax Collector's office under a Department of Finance. The appointed position will promote stability and ensure continuity as future organizational changes are researched and implemented.

The California Government Code section 26980 allows a transition from an elected Auditor-Controller/ Treasure-Tax Collector to an appointed Director of Finance upon approval by the majority of the electorate. If such a ballot measure were approved at a future election, the transition would only become effective upon the expiration of the incumbent elected official's term or his resignation from office, whichever comes first. The current elected Auditor-Controller/Treasurer-Tax Collector's term will end in December 2014.

In examining a potential transition, staff recommends the Board consider the following issues:

Experience of Other Counties – The Department of Finance/Director of Finance model has become increasingly popular among counties given the increased complexity of financial management and integration of financial systems. Six California counties have combined the offices of Auditor-Controller and Treasurer-Tax Collector under an appointed Director of Finance.

Marin and Kings, counties somewhat similar to Yolo in terms of population size, began the transition upon approval by voters in 2008 and 2004, respectively. Two small, rural counties, Mono and Glenn, and two urban charter counties, Sacramento and Santa Clara, have also adopted this model. Additionally, Sonoma County is contemplating a transition to a Department of Finance model.

Efficiencies and Cost Savings – Based on other counties' experiences, cost savings are anticipated to occur upon the change. In Yolo County, long-term cost savings could be realized from consolidating financial functions and expertise that currently exists in the County Administrator's Office, the Auditor-Controller/Treasurer-Tax Collector's office, and other small departments that could benefit from centralizing financial functions.

Quality of Candidates – State law imposes basic technical qualifications for eligibility to the elected

office of Auditor-Controller/Treasurer-Tax Collector. Creating an appointive office will allow the County to require more specific standards of education and experience in selecting the Director of Finance and allow access to a broader pool of applicants, thereby expanding the number of interested and qualified candidates for this increasingly specialized and complex position.

Policies to Enhance Stakeholder Accountability – The transition away from an elected position should be coupled with a control that will ensure continued accountability to the present stakeholders. In this regard the County should, concurrently with this transition, create a Finance Oversight Committee, whose members would have financial expertise and include representation by all stakeholder groups, including the cities, special districts, school districts, and the public at large, in addition to the Board of Supervisors.

Assurances of Independence – The Director of Finance should be selected by the Board of Supervisors with input from other stakeholder groups. To ensure independence from undue political influence from elected officials, the Director of Finance should only be dismissed from the position through an enhanced removal process. Potential measures to achieve this goal could include a combination of the following: a requirement for a public hearing, requirement for a super-majority vote of the Board of Supervisors, or a specified role for the Finance Oversight Committee in reviewing the removal of the Director.

Accessibility to Constituents – While the accountability to voters would be indirect under the Director of Finance model, direct access for cities, special districts, and other constituents should be strengthened by requiring broad representation on a robust Finance Oversight Committee.

Strengthened Audit Function and Internal Controls – An annual audit of financial operations by an independent auditor would still be required under the Director of Finance model. The audit scope should be enhanced to require an examination of the internal controls within the Department of Finance. Furthermore, the County should designate the position of Audit Manager, allowing the person in this role to have direct access to the Finance Oversight Committee.

Next Steps:

If the Board elects to pursue a transition to an appointed Director of Finance as part of its continuing long term financial planning process, staff will return to the Board in July with recommended ballot language and a resolution to place the question before the voters. The next available election will occur in November 2012. The August 7th Board meeting would be the last possible date for the Board to place a measure on the November 2012 general election ballot.

Other Agency Involvement

Auditor-Controller/Treasurer-Tax Collector

Fiscal Impact	
No Fiscal Impact:	True
Total Cost of Recommended Action:	\$
Amount Budgeted:	\$
Net Variance from Budget:	\$
On-going Commitment's Annual Cost:	\$
 Source of Funds	
General Fund	\$0



County of Yolo
www.yolocounty.org

To: Supervisor Jim Provenza, Chair
and Members of the Board of Supervisors

Regular-General Government # 31.

Board of Supervisors

County Administrator

Meeting Date: 07/24/2012

Brief Title: DOF Election Resolution

From: Patrick Blacklock, County Administrator

Staff Contact: Patrick Blacklock, County Administrator, x8151

Subject

Adopt resolution placing the question of whether the County should create the appointed office of Director of Finance before the voters at the November 6, 2012 statewide election. (No general fund impact) (Blacklock/Newens) (*10 minutes)

Recommended Action

Adopt resolution (Attachment A) submitting to the voters of Yolo County at the November 6, 2012 statewide election the question of whether the County should create by ordinance the appointed office of Director of Finance.

Strategic Plan Goal(s)

Advance innovation
Collaborate to maximize success
Provide fiscally sound, dynamic and responsive services

Reason for Recommended Action/Background

At its July 10 meeting, the Board of Supervisors directed staff to return to the Board with final proposed ballot language to place the question of whether the County should create the appointed office of Director of Finance before the voters at the statewide election on November 6, 2012.

The attached resolution makes clarifying edits to the proposed ballot measure based on feedback received at the July 10 meeting. Specifically, the amended resolution clarifies that the position of Director of Finance will be appointed by the Board of Supervisors; indicates that the Board of Supervisors is responsible for causing an annual independent audit of the Department of Finance's internal controls to be carried out; and provides a framework for the composition of the finance oversight committee.

If the attached resolution is adopted by the Board of Supervisors, a special election will be called to submit to the voters the question of whether the County of Yolo should establish the appointed office of Director of Finance. The special election will be consolidated with the statewide election to be held on November 6, 2012.

Other Agency Involvement

Auditor-Controller/Treasurer-Tax Collector

JUL 27 2012

RESOLUTION NO. 12-86

CLERK OF THE BOARD
BY Rupita Ramirez
DEPUTY

A RESOLUTION OF THE YOLO COUNTY BOARD OF SUPERVISORS CALLING AN ELECTION TO SUBMIT TO THE VOTERS OF YOLO COUNTY A PROPOSAL FOR THE ESTABLISHMENT OF THE OFFICE OF DIRECTOR OF FINANCE AND ORDERING THAT THE ELECTION BE CONSOLIDATED WITH THE STATEWIDE ELECTION TO BE HELD NOVEMBER 6, 2012

WHEREAS, the Board of Supervisors has instituted a long-term financial planning process with the fundamental goal of creating a fiscally sustainable County government; and

WHEREAS, the County wishes to create an organizational structure that supports an integrated approach to budgeting, accounting, financial forecasting, and fiscal planning while maintaining accountability; and

WHEREAS, to modernize financial management, improve efficiency, and reduce duplication of fiscal functions, several California counties have created a Board-appointed Director of Finance position and a consolidated Department of Finance; and

WHEREAS, a pilot project to better integrate the financial staff in the Yolo County Auditor-Controller/Treasurer-Tax Collector's office with the staff responsible for countywide fiscal planning in the County Administrator's Office has allowed the County to hold positions vacant and achieve significant cost savings; and

WHEREAS, formalizing the consolidation of these financial functions through creation of a Department of Finance will sustain the savings and efficiencies achieved through the pilot project and create opportunities to build further efficiencies; and

WHEREAS, the creation of a Board-appointed Director of Finance position will ensure that future candidates possess the same high levels of experience and education as the incumbent Auditor-Controller/Treasurer-Tax Collector by allowing the County to establish standards for the position that exceed the minimum qualifications set by State law, expand the number of interested and qualified candidates and promote stability through prompt filling of vacancies by allowing recruitment from within the County and beyond, and allow implementation of performance standards and evaluations to hold the Director of Finance accountable; and

WHEREAS, independent financial oversight of the Department of Finance would be ensured by the Board of Supervisors requiring an annual, independent audit of the Department's internal controls be conducted by a qualified outside auditor; and

WHEREAS, accountability to Treasury stakeholders and the public would be strengthened through creation of a finance oversight committee with representatives of the County, cities, special districts, school districts and members of the public; and

WHEREAS, the incumbent Auditor-Controller/Treasurer Tax-Collector has been fully engaged in the County's long-term financial planning process and in efforts to streamline County financial functions through collaboration and the sharing of staff resources and responsibilities, and would be well-positioned to play a leadership role in implementing further consolidation of the County's financial operations under a Department of Finance model, as appropriate; and

WHEREAS, the question of whether the appointive office of Director of Finance shall be established must be submitted to the electors of the County; and if a majority of the voters voting on the question

at such an election favor the establishment of the office, the Board of Supervisors shall, by ordinance, create the office effective at the end of the incumbent's term;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors as follows:

1. An election is hereby called to be held on November 6, 2012, to be held throughout the County to submit to the electors of the County the following question:

Shall the County of Yolo consolidate the offices of Auditor, Controller, Tax Collector and Treasurer and other countywide fiscal functions under a Department of Finance by establishing an appointed Director of Finance, create an independent finance oversight committee, and require an annual independent audit of the Department of Finance?

2. The County Clerk is directed to give notice of the election as required by law.
3. The election called by this resolution shall be consolidated with the statewide election to be held throughout the County on November 6, 2012, and that the election called herein and the statewide election be held in all respects as if there were only one election.

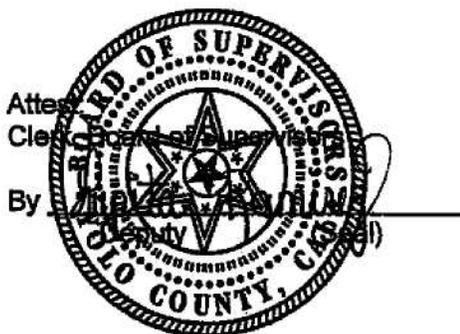
PASSED AND ADOPTED by the Board of Supervisors of the County of Yolo, State of California, this 24th day of July 2012 by the following vote:

AYES: Chamberlain, McGowan, Saylor, Rexroad, Provenza.
NOES: None.
ABSENT: None.
ABSTENTION: None.



 Jim Provenza, Chairman
 Yolo County Board of Supervisors

Approved as to Form:
 Robyn Truitt Drivon, County Counsel
 By 
 Daniel Cederborg, Assistant County Counsel



ARGUMENT AGAINST MEASURE H

Similarly worded ballot measures have already been defeated twice in 1986 and in 1998, but the self interested politicians are unresponsive to the voters.

Keeping the office of Auditor/Controller and Treasurer/Tax Collector with its elective status is essential to provide for an autonomous independent working relationship between this office and the Board of Supervisors. Making this an appointed position by the Board of Supervisors instead of an elected position is terrible for the citizens of Yolo County because that person does not work for the voters anymore, but for those who appointed him/her. This relationship is necessary to reduce the potential negative effects of political cronyism likely to be involved in an appointed process. That decision rightly belongs to the voters and not to the interested politician who will be the only ones to select the auditor/controller office holder. Even the proposition of such idea does not make sense.

The passage of Measure H could set a negative precedent. It's passage could encourage the Board of Supervisors to place additional ballot measures in upcoming elections with proposals to covert the selection status of other county offices from elected to appointed. Contrary to the concept of democracy and the right of voters to elect elected office holders that serves them.

This measure is just an attempt to take the voters right away to elect the holder of this office with the pursuit of a political power grab to take the selection process for this office from the voters and place it into the hands of a few politicians as opposed to the masses of the voters. It is an undemocratic idea. Vote NO on Measure H.

More information on this page: <http://www.yvm.net/vme/no-on-h>

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Rebuttal to Argument Against Measure H

Our democratic system grants voters the ability to elect officials who will make decisions in the best interest of this county and its citizens. Voters rightly expect their elected officials to work tirelessly to examine and implement the best practices in the interest of Yolo County. That is precisely why Measure H is being proposed.

The economy we are in today is the toughest in the past 70 years. Yolo County is seeking ways to save money and improve accountability and service. Measure H is a successful cost-savings model being put into practice throughout the state.

Measure H enhances public transparency and accountability beyond that currently in place, by establishing a Finance Oversight Committee comprised of public representatives and requires an annual independent audit of the internal controls of the Department of Finance.

By transitioning to an appointed Director of Finance, Yolo County will move to a modern model that is being implemented throughout the state to create savings and efficiency. This model will save Yolo County \$180,000 annually and organize the department's planning and management functions. Given the complexities of financial management and integration of financial systems, long-term costs savings will be realized from consolidating the financial expertise that exists in county departments.