



Winters City Council Meeting  
City Council Chambers  
318 First Street  
Tuesday, November 6, 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*

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**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.

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

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 Tuesday, October 16, 2012
- B. Award for Construction of 2012 Sewer Main Rehabilitation, Project No. 12-01
- C. Application for Parade Permit and Amplified Sound Permit Application – St. Anthony's Parish "Our Lady of Guadalupe Celebration"

## DISCUSSION ITEMS

1. Capital Improvement Projects Report
2. Approval of Alley Activation Plan, an Addendum to the Winters Downtown Master Plan
3. Habitat Conservation Program JPA (Under Separate Cover)

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

- 1.
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## CITY MANAGER REPORT

### INFORMATION ONLY

### ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the November 6, 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 November 1, 2012, and made available to the public during normal business hours.



Nanci G. Mills, City Clerk

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Wednesday at 10:00 a.m.

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Minutes of the Regular Meeting of the Winters City Council  
Held on October 16, 2012

Mayor Aguiar-Curry called the meeting to order at 6:30 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, Chief of Police Sergio Gutierrez, Director of Financial Management Shelly Gunby, Housing/Redevelopment Manager Dan Maguire, Public Works Superintendent Eric Lucero, Environmental Services Manager Carol Scianna, and Management Analysts Mary Jo Rodolfa and Tracy Jensen.

Christine Crawford of LAFCO led the Pledge of Allegiance.

**Approval of Agenda:** Council Member Cowan requested Discussion Item 3 be moved to Discussion Item 5. Council Member Anderson requested that Consent Item F be moved to Discussion 6. Council Member Fridae initially made a motion to approve the agenda and then as a point of order, made an amended motion to approve the agenda with said changes. Seconded by Council Member Martin. Motion carried unanimously.

**COUNCIL/STAFF COMMENTS:** None

**PUBLIC COMMENTS:** None

**CONSENT CALENDAR**

- A. Minutes of the Regular Meeting of the Winters City Council Held on Tuesday, September 18, 2012
- B. Minutes of the Regular Meeting of the Winters City Council Held on Tuesday, October 2, 2012
- C. Approval of Resolution 2012-36, A Resolution of the City Council of the City of Winters Adopting the 2012 Yolo County Operational Area Multi-Jurisdictional Hazard Mitigation Plan Update
- D. Approve an Exclusive Negotiating Rights Agreement Extension between the City and Presidio Companies in Regards to the Downtown Hotel Project
- E. Street Closure Request by Winters District Chamber of Commerce Requesting Approval of a Temporary Street Closure on October 27<sup>th</sup> for the Harvest Festival, Main Street from the Mid-Block Crossing to Railroad Avenue
- F. Approve Wastewater Expenditures in the Amount of \$74,105.87 for Ongoing Operations and Repairs **(Moved to Discussion Item 6)**
- G. Approve proposal from ZSI, Inc for additional modifications in the design for East Street Headworks (SPS2) Motor Control Centers (MCCs) in the amount not to exceed \$7,500

City Manager Donlevy gave an overview of Items A – G, excluding F, and included a Parade Permit submitted by Waggoner Elementary for a Halloween Parade to be held on 10/31/12. Council Member Anderson requested a correction to the 9/18/12 minutes as he had recused himself from the Executive Session portion of the meeting. Motion by Council Member Anderson, second by Council Member Martin to approve the Consent Calendar as amended. Motion carried unanimously.

**PRESENTATIONS:** Christine Crawford, Executive Officer of LAFCO, gave a power point presentation entitled Yolo County Animal Services Study and introduced Steve Pinkerton, Davis City Manager and consultants Tammie Murrell and Sue Marks-Gibbs, who spoke regarding shared services. Ms. Marks-Gibbs said in Yolo County, the Sheriff Department's top priority is law enforcement and an independent department is needed to run animal services. Budget cuts across the board have affected animal services and more resources are needed due to rising intake. It is important to get the animals out into the community, attract more volunteers, increase revenue and decrease pet population. The current animal shelter is old, overcrowded and inefficient, with bad drainage and ventilation. More room is needed to allow people to meet and learn about the animals. The study presented tonight recommends forming a shared service JPA with some type of two-tiered governance, ie: board of directors or executive committee. Draft language is being developed and will come back to Council.

Council Member Fridae asked how they know it will be more cost efficient and said volunteers, board and staff would be needed. Ms. Crawford said the cost effectiveness is theoretical and the consolidation would require fewer board

members. Council Member Fridae said he thought it was an excellent idea to combine JPAs. As Animal Services is not a law enforcement priority, how would the JPA become a law enforcement agency when confronting a dangerous animal? Ms. Murrell said the JPA would have a letter of understanding and would have a field division consisting of law enforcement officers who would issue warrants and arrests.

Council Member Anderson said in reading the report there was a lot of money in uncollected license fees and asked how the County could get in on it. City Manager Donlevy said the glaring issue is the importance of putting in management structure focused on service and that the Sheriff's department is not a collection agency. The proposal being presented tonight allows focus on increasing services, revenue, and a mandatory spay/neuter program. Council Member Anderson said spay/neuter is everyone's answer, but what about older sporting dogs? Ms. Murrell said there are a number of exemptions written into ordinances and municipal codes.

Shawna Ludwig, Winters resident and a 4H swine leader, said the current animal shelter is not welcoming and not cleaned correctly, making it hard to get disease out of the unsealed concrete floor.

Evelyn Dale, El Macero resident and shelter volunteer in Yolo and Sacramento counties, has adopted pets from Yolo County Animal Services and said 1,584 concerned residents in Yolo County have signed a petition to support moving animal services out of law enforcement.

Lori Lubin, Davis resident, said the model is flawed in that the LAFCO report shows improvement in all areas.

Janet Krovoza, Davis resident and professional fund raiser and member of Yolo County PAWS said fund raising is not included in the LAFCO report, which could have tremendous potential.

Renee Lancaster, Woodland resident and businesswoman, has been involved in dog rescue at her board and training facility, Yolo Canine Academy, where the priority is to remove animal services from the Sheriff's department. Ms. Lancaster was in law enforcement as a canine handler for 22 years and said a shelter can be run more efficiently in a JPA or private foundation. She commended consultants Tammie Murrell and Sue Marks-Gibbs and agreed that with the current pet overpopulation a license and spay program is recommended. A division apart from law enforcement is needed and we need a group to take over. Our current shelter is not a friendly place to go.

City Manager Donlevy said as we proceed, this item will come back in several forms and recommendations will be forthcoming. He recently met with Lori Lubin, who emphasized that her passion for animal services is critical. Fund raising will be the key. Stakeholders and decision makers must bring fund raising and money to the table to go beyond what government can do. People

like animals more than they like people and help will be needed to cover some of the revenue gaps.

Council Member Martin asked if there was a lot of administrative overhead and whether administrative costs are included in the budget. Ms. Crawford said the benefits paid to employees of the Sheriff's department is 60% and the JPA recommends a 30% benefit package. Mayor Aguiar-Curry asked if the SPCA or any other groups had contributed to the budget and asked how non-profits are handled. Ms. Crawford said there are more contributions in kind (non-monetary), and in labor and other resources and that the revenue figures do not include potential fund raising or donations to the foundation. Council Member Fridae referenced the model of Santa Cruz, where spay/neuter is required by law. He said it is better to encourage people and give financial incentive instead of insisting by law and asked why both models couldn't work. Ms. Crawford said they are not there yet and they're still setting it up. Mayor Aguiar-Curry thanked Ms. Crawford, consultants Tammie Murrell and Sue Marks-Gibbs, Davis representatives and speakers for appearing at tonight's meeting.

## **DISCUSSION ITEMS**

### **1. Public Hearing to Consider Approval of the Sale of a Parcel of Land on Grant Avenue between East and Morgan Streets to Yolo Federal Credit Union – Purchase and Sale Agreement**

Dan Maguire gave an overview and said the carve-out sale from the Grant Avenue property will extend to Baker Street. An offer was received from a competing interest, so Yolo Federal Credit Union revised their letter of intent. They want to be part of the community and is offering \$6/sq. ft. Council Member Aguiar-Curry opened the public hearing at 7:50 p.m. and closed the public hearing at 7:50 p.m. Mayor Aguiar-Curry asked if the property could be subdivided by the purchaser, and if so, compliment each other's property and avoid a hodge-podge effect. City Manager Donlevy said Laugenour and Meikle will come in and do a two-way ingress and egress, and will also help us find access easements, rules, and conditions to overall property. They will also define what needs to be done on Baker Street, ie: curb, gutter, sidewalk, storm drain, etc. The Grant Avenue Design Guidelines will make sure of the design. Council Member Cowan said the Economic Development Advisory Committee spent a lot of time addressing this issue and the Grant Avenue Design Guidelines are in place, which addresses connectivity issues extensively.

Motion by Council Member Cowan, second by Council Member Anderson to approve the purchase and sale agreement of a parcel of land on Grant Avenue between East and Morgan Streets to Yolo Federal Credit Union. Motion carried unanimously.

**2. Approve a Contract for Services with Laugenour and Meikle for Land Surveying Services for Lot Line Adjustments for the City-Owned Grant Avenue Commercial project**

Housing Program/Redevelopment Manager Dan Maguire gave an overview. City Manager Donlevy referenced Dan's efforts for economic development to make it easier to get to a desired end result. Laugenour and Meikle is familiar with this property and will help facilitate the process.

Motion by Council Member Martin, second by Council Member Anderson to approve a Land Survey Services Work Order with Laugenour & Meikle in the amount of \$2,800.00 to prepare lot line adjustments for the Grant Avenue Commercial Project associated with the Cross Development and Yolo Federal Credit Union Purchase and Sale Agreements, and authorize the City Manager to execute a Consultant Services Agreement with Laugenour & Meikle. Motion carried unanimously.

**3. Approve Staff Recommendation for City Staff to Resume the Operations, Maintenance and Management of all Wastewater Operations in Lieu of Renewing Contract with Southwest Water, Inc. (SWW) or Another Service Provider**

City Manager Donlevy gave an overview and said there were three issues to focus on: provide expansion of explanation of services and who does them, a vision on overall progression of the organization and how services are provided, and review the budget. City Manager Donlevy said of the dozen components that make up the wastewater services, the City does nine of them and does the other three in conjunction with Southwest Water. The City is ultimately responsible for compliance and submits information to the Regional Water Board with the exception of the Annual Report, which is submitted by Southwest Water. Environmental Services Manager Carol Scianna said there have been no issues with compliance since the Cease & Desist Order. Contractor Larry Walker & Associates is trying to utilize recycled water and also provides monthly waste discharge requirement reports.

Council Member Martin asked about the customer service provided by Southwest Water. Ms. Scianna said she had no complaints. Council Member Martin asked who is responsible for cleaning the sewer lines. Ms. Scianna said Southwest Water cleans the number of square feet of storm drains as required by the contract and provides a report to the City. The construction of the Sewer Main Rehabilitation will make this less of an issue. City Manager Donlevy said the collection system had a major issue regarding the collection maintenance at Russell & downtown, where 10-20 buried manholes were found by an incoming company. The City proposes to clean lines and increase overall video inspection. Mr. Donlevy added that the City is under a microscope following the Cease & Desist order.

Council Member Martin asked if Southwest Water was found to be negligent, is the City liable. Ms. Scianna said this would be negotiable and Mr. Donlevy added that under the contract, gross negligence by an employee can result in a fine. Ultimately, it is the City's system and they City's liability.

Public Works Superintendent Eric Lucero addressed Council's concerns regarding financial feasibility and the overburden on staff. He reviewed the 2014 expectations to promote employees from within by gaining education and licensing, making the public works department stronger. Under staff's proposal to cross train, in two years time 7-8 people will be capable of water distribution and 4-5 people will be capable of waste water by integrating the maintenance and service division. Council Member Cowan asked if the cost and time for training in 2014 are included in the budget. Director of Financial Management Shelly Gunby showed the sewer system expenditures for 2006-2012, with Southwest Water being the biggest part of the pie. Southwest manages 29% and City staff manages 71% of the duties. Ms. Gunby said the budget includes a contingency for overtime, as there will be someone on-call every week, plus an additional \$10K for any unknown costs. Currently, the water system has \$4K for overtime.

Council Member Martin asked about a \$147K fixed asset purchase, replacement, and depreciation. Ms. Gunby said all equipment purchased by the City is paid for over a five year period and the depreciation is moved into a capital equipment replacement fund, where it will be fully funded to be replaced after five years. Council Member Martin said overtime costs can get away from you and Ms. Gunby said overtime and standby time were included in the budget presented. City Manager Donlevy said there is currently someone on call 7 days a week. Mayor Aguiar-Curry asked if this employee was dedicated to wastewater only. Ms. Gunby said the on-call employee would be devoted to all public works duties. City Manager Donlevy added that currently we also get called out if there is a sewer issue. Council Member Cowan asked about salaries and benefits, six months vs. entire year. Ms. Gunby said the 2012-2013 budget that reflects these allocations has been approved and as more staff is allocated into sewer, the general fund will see more savings and funding will be available to hire more staff. Mayor Aguiar-Curry said she didn't want to see the parks suffer by staff time being moved into sewer. Ms. Gunby said park staff is a backfill position and that park issues and funding come out of a totally separate account. The City-Wide Maintenance Assessment District is backfilled by the general fund, which will free up general fund funds for new employees and savings can be allocated to increased maintenance.

Council Member Martin said CalPERS is an unknown and we know what the cost is with contracted labor. Ms. Gunby said the Southwest contract includes an escalator and can fluctuate based on an engineering cost index. Mayor Aguiar-Curry asked if the City knows what the escalator is or whether it is negotiable. Ms. Gunby said she was not involved in the contract process. Mayor Aguiar-Curry asked about the wastewater system for Yolo County housing. City

Manager Donlevy said the County has a contract with the City to provide sewer service, where wastewater is pumped to our wastewater treatment facility via the lift station. Council Member Anderson asked where Consent Item F, wastewater expenditures of \$74,105.87 came from and whether it was budgeted. Ms. Gunby said as per the staff report, this amount is for ongoing operations and repairs and will be funded through Sewer Operations & Maintenance and Service Contracts. Council Member Martin asked if the two large amounts to Southwest Water for September service including CPI adjustment and October service including maintenance and repair expenses are under contract. Ms. Gunby said the repair and maintenance portions have been budgeted. City Manager Donlevy said the primary reason the City wants to resume operations of the City facilities is to gain overall control of the efficiency and quality of the maintenance operations. Since the Cease and Desist order, the City is trying to fix what is broken by spending years doing nothing but repairing. Council Member Martin asked if the repair costs being approved were due to the delay of repairs. City Manager Donlevy said the pumps being repaired seize up due to non-use. Southwest Water comes to us and we have to come up with a solution. The City was advised by legal to try and get out of the contract six years ago when the Cease and Desist order occurred. We are reviewing now because it's time. Every aspect of the wastewater facility should be used all of the time. The whole irrigation system is set up to be automated, allowing maintenance to be allocated elsewhere. The wiring is all rotted out and the error was on our part for not bringing all expenses to Council. The City Manager approved payments as discretionary expenses, including the replacement of five pumps at Carter Ranch at \$5K each. Council Member Anderson said he didn't like this information coming to Council after it's already been spent. Ms. Gunby said the warrant registers were discontinued by request. Council Member Anderson asked if the City has a two-tiered CalPERS plan. City Manager Donlevy said the general employees have 2% @ 55. Ms. Gunby said there were not huge spikes with the misc. employees plan and as of 1/1/13, 2% @ 60 will be in place.

Council Member Fridae said in the big picture, some of the pluses would be more control of the integrated management, some savings on personnel costs, taking on the overall system maintenance, and upgrade more systematically to reduce the risk of breakdown. The capital outlay will more than offset the lower personnel costs. Ms. Gunby said overall it would be a wash, as she has budgeted on the high side so there is too much and not enough. Spending will probably stay pretty much the same.

City Manager Donlevy said contract costs are unknown. An option is to put together a bid package, take it out to bid and see what's out there. He estimated less than a 5% deviation from what has been estimated and said this would be staff's recommendation. Mayor Aguiar-Curry asked if it was necessary to go out to bid as the possible regulatory changes are not known. City Manager Donlevy said compliance has nothing to do with the maintenance agreement. Southwest Water provides the information and the City has to deal with all of the regulatory issues. Council Member Fridae asked if a bid could be secured by 12/2/12. City

Manager Donlevy said all options are open. We can extend the contract with Southwest Water but they are not interested in short term. Keeping operations going is not a problem. Our organization is as strong as it's ever been, including three Grade 3 operators. We already do these things and we want direct management. Council Member Fridae said we have made it difficult for Public Works Superintendent Eric Lucero by making him a go-between. The cost is about the same (initial capital outlay) and Eric has worked hard to demonstrate as to what they can do and what they're already doing. We should trust our people. Council Member Anderson said staff recommendation, including cross training is a good way to go.

Roger Migchaelbrink, a Grade 5 operator, identified the specific reasons for the electrical costs and understands the desire to save money and enhance services for citizens. City Manager Donlevy said due to the Cease & Desist order, the City performs water monitoring and forwards monthly reports to the State Water Resources Control Board. Southwest Water provides the information and the City certifies the data. The regional board required this process as part of the Cease & Desist order. Council Member Martin asked about the pump that was not functioning. Mr. Migchaelbrink said there is a self-watering lubricating pump that triggers the water pump. The system unknowingly plugged and ran dry. Council Member Martin asked if a recommendation had been made to the City about the pump. Mr. Migchaelbrink said a long list of recommendations had been given to the City, but the City was not called for on-call issues. The irrigation system is automated with 24 volt wiring but is not used. Council Member Martin said the City should know about any issues that arise and Mr. Migchaelbrink said Southwest Water is bringing their experience forward to bridge the gaps that have come to exist. There is history – none of us are blameless.

Southwest Regional Manager Kathy Stone said she is not going to debate and defend. Southwest Water is involved in compliance and permits and is the primary contact for the regional board. They prepare and Roger signs monthly and annual reports, which are given to the City. Reports are given, things need to be done, weekly meetings are held. A wish list was given to the City Manager in February, which included the spray fields and rails. The issue would be to hire three more people as the City currently has two. The City has a fixed cost with Southwest Water and the preliminary contract, which was sent to the City Manager, can be negotiated. Ms. Stone thought the City's estimate was low. Council Member Martin said the City Manager had issues with the wording of the contract. Ms. Stone said the scope is straightforward. Mayor Aguiar-Curry asked if Council could receive the contract prior to meeting so we can talk apples to apples. City Manager Donlevy said the preliminary contract is the same contract we have now, including the issues from 2006/2007 and doesn't include a termination clause. Ms. Stone said the preliminary contract does include a breach of contract clause. City Manager Donlevy said it would take a herculean effort to cancel the submitted contract and Ms. Stone said it could be negotiated

and the termination verbiage can be added by legal, but the scope is straightforward.

Facility Manager Jim Keating is proud to take ownership of the facility for the last six months and under the current supervision has made tremendous strides. Council Member Martin asked where the City will be when Mr. Keating moves up the ladder and said the City has not received consistency. Mr. Keating said there has been consistency in the last six months and a change of management can be negotiated. City Manager Donlevy said the Southwest Water staff has been outstanding and has managed the plant for the past 22 years, including 8 different managers in 10 years. Southwest Water is not interested in a short term basis.

Council Member Fridae recommended bringing the maintenance operations in house for stability. Council Member Anderson said it would be the chance to strengthen city work force. Council Member Martin said the issue would be controlling costs and outsourcing. Council Member Anderson said cost control and quality control are both important. Mayor Aguiar-Curry has a vision of where we're going with the wastewater treatment facility, expanding the ponds, and alternate use of water. Are we capable of taking on steps to work with RWQB? What is the City cost? What is the cost for rate payers? What are the development fees? Are we prepared to bring an additional burden to the current staff?

Council Member Fridae made a motion to approve staff recommendation. Second by Council Member Anderson. Mayor Aguiar-Curry recommended waiting to see what the price was going to be. We don't know what the contract looks like. Council Member Cowan said he had a problem in doing it without knowing what Southwest Water offers. It boils down to in-house vs. contract out, not the lack of confidence in staff and he is not convinced it won't cost more money. The public works staff is already short staffed and this will lay more on. Things aren't getting done due to staff shortage. He wants to see a Southwest Water proposal, not for 10 years, but we haven't seen what's being proposed. There are too many unanswered questions. Council Member Fridae said Ms. Stone said it was going to be the same. Southwest Water didn't come to the meeting on the Monday following the last meeting; Southwest Water does not want to make it work and we're losing patience in the process. Ms. Stone said she sent the contract to City Manager Donlevy for mark-up and couldn't meet on Monday due to a prior personal appointment. She has been waiting for track changes since February and has not received anything. City Manager Donlevy said the scope and preamble are the same and the City is at a frustration standpoint. Council Member Martin asked if the City could view contracts negotiated with other cities. Ms. Stone said yes, other than the cost. She can provide access to Corning, Red Bluff, Willows contracts. What does the City want to change? The price will stay the same if the scope stays the same. Mayor Aguiar-Curry asked if Southwest Water was willing to change the CPI. Ms. Stone said yes, the City will know the fixed price. Council Member Fridae said

this will have an impact on staff and taking it in-house will make it easier. If this is voted down, he will insist on seeing everything spelled out at the next meeting. City Manager Donlevy said Southwest Water is again delegating to the City, inheriting frustration. Mayor Aguiar-Curry said there was a motion on the table. Council Member Anderson said he has faith in the staff. Mayor Aguiar-Curry said we don't have the right level of staff and need training time. We would have to hire on staff so staff can be trained to 2014 and this won't happen overnight. Council Member Fridae said the City should train from within, recognize employees and give them the opportunity for advancement. Mayor Aguiar-Curry is not in support of the motion and wants to see a contract, wants to look at the whole picture. Mr. Lucero said Ms. Stone has a contract on the table and only a change of scope will change the price. Council Members Anderson and Fridae voted yes, Mayor Aguiar-Curry and Council Members Cowan and Martin voted no. The motion died on the floor.

Ms. Stone asked to sit down with City Manager Donlevy, Mr. Migchaelbrink, Mr. Keating, Mr. Lucero and Ms. Scianna to negotiate a three-year contract and see what major changes need to be made. City Manager Donlevy said he would not accept a contract without a termination clause. Ms. Stone reiterated the contract has a breach of contract clause. City Attorney Wallace referred to the Cease & Desist six years ago that wasn't covered. Ms. Stone said something can be written up and run by Southwest Water's legal department. Ms. Scianna confirmed that Council wants to see a contract and asked where it would go. Council Member Martin said he wants to look at contracts of cities of comparable size to Winters. City Manager Donlevy said staff would be more than happy to sit down and address aspects of the contract. Council Member Anderson asked what the term of the agreement would be. Ms. Stone said that had not been determined, this would be a draft only. City Attorney Wallace said continuing a meeting to a non-meeting date needs a motion. Motion by Council Member Cowan, second by Council Member Martin to continue meeting to November 1, 2012 @ 6:00 p.m. Motion carried unanimously. City Manager Donlevy requested his calendar be cleared for Ms. Stone's convenience.

#### **4. Approval of Access Point/Repeater Agreement with Winters Broadband, LLC**

City Manager Donlevy gave an overview and asked Council to consider attaching a repeater box on the old police department tower.

Owner Brian Horn gave a power point presentation and provided the background of Winters Broadband. He is offering free service to public service, schools, and library under one condition: if they are paying for existing services, cancel contract and use the money to buy schoolbooks or supplies. Winters Broadband has nothing to gain. Mr. Horn also offered to come up with a website including hot spots in Winters.

Council Member Martin asked what the costs were compared to other providers. Mr. Horn said this is a free service and has nothing to do with their business side. Mayor Aguiar-Curry said the Wintun Indians gave the Winters PTA the ability to have iPads at school, which is attractive to outside visitors and is a point of interest of outside investors and visionaries. RISE, a non-profit organization, is benefiting from this free service. Every child and business should have internet capability. Mr. Horn said cameras can be used for surveillance on towers. Council Member Fridae said he would support a resolution to make this an easier process. This is a fantastic opportunity for further access at no cost and it can't be beat. Mr. Fridae thanked Mr. Horn for bringing this to Council.

Motion by Council Member Cowan, second by Council Member Martin to approve the Access Point/Repeater Agreement with Winters Broadband, LLC. Motion carried unanimously.

**5. Grant Deed for Public Right-of-Way and Public Utility Easement by Roman Catholic Bishop of Sacramento for St. Anthony's Expansion**

City Attorney Wallace said in order for the City to formally accept the Grant Deed/Public Right-of-Way and Public Utility Easement by the Roman Catholic Bishop of Sacramento for St. Anthony's expansion and have it recorded, the Council must officially "accept" the easements and authorize recordation. Council Member Anderson asked if any improvements have been made by St. Anthony's Church and City Attorney Wallace said yes.

Motion by Council Member Martin, second by Council Member Fridae for acceptance of the Grant Deed for Public Right-of-Way and Public Utility Easement and authorize the Mayor and City Clerk to execute the acceptance. Motion carried unanimously.

**6. Approve Wastewater Expenditures in the Amount of \$74,105.87 for Ongoing Operations and Repairs (Moved to Discussion Item 6)**

Environmental Services Manager Carol Scianna said the rail replacement (\$6,206.42) contained in the total expenditures exceeds the \$5K limit and must be approved by Council.

Motion by Council Member Anderson, second by Council Member Martin to approve wastewater expenditures in the amount of \$74,105.87 for ongoing operations and repairs. Motion carried unanimously.

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

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**CITY MANAGER REPORT:** City Manager Donlevy reported that he received a response from the Department of Finance regarding the "recognized obligation payment schedule" (ROPS), where four items were disallowed, including the loan between the City and the Agency in the amount of \$629,000, funding for the Winters Visitor's Center (\$92,600 annually), and a cemetery pass-through agreement mis-calculation. The City lost approximately \$800,000 tonight.

**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 54956.9 – Anticipated Litigation - 314 Railroad Avenue, Winters, CA, APN # 003 204 006, 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

Council Member Anderson recused himself due to a possible conflict of interest.

City Manager/Real Property Negotiator Donlevy said there was no reportable action taken in Executive Session.

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**ADJOURNMENT:** Council unanimously agreed to continue the meeting to Thursday, November 1<sup>st</sup> at 6:00 p.m. in Council Chambers to further discuss the City Wastewater Operations – Evaluation of Maintenance Options. Meeting was adjourned at 11:20 p.m.

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Cecilia Aguiar-Curry, MAYOR

**Attest:**

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Nanci G. Mills, City Clerk



## STAFF REPORT

**TO:** Honorable Mayor and Council Members  
**DATE:** November 6, 2012  
**THROUGH:** John W. Donlevy, Jr., City Manager  
**FROM:** Nick Ponticello, City Engineer  
**SUBJECT:** Award for Construction of 2012 Sewer Main Rehabilitation, Project No. 12-01

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**RECOMMENDATION:** Staff recommends the City Council (1) award a construction contract for the 2012 Sewer Main Rehabilitation, Project No. 12-01, to Southwest Pipeline and Trenchless Corp. for One Million Four Hundred Fifty Seven Thousand Four Hundred Sixty One Dollars (\$1,457,461); and, (2) authorize a construction funding limit of One Million Five Hundred Seventy Thousand Dollars (\$1,570,000) for the contract plus contingency; and, (3) authorize the City Manager to execute the Contract on the City's behalf; and, (4) approve the attached revised PBS based on the following recommendations.

**BACKGROUND:** On February 7, 2012, City Council authorized the project budget and design of the subject project. The construction plus contingency was estimated to be \$1,474,155. Design was estimate to be \$134,000. During the design phase, City Engineering identified opportunities for a more cost efficient construction that would allow more of the City's aging and deficient sewer mains to be rehabilitated with the same amount of money. The original plan was to rehabilitate 5,700 feet of sewer main. With the final plan, the construction contractor will rehabilitate 19,300 feet of sewer main including the City's 18" trunk sewer main in East Street. This was achieved by relying more heavily on non-dig cured-in-place pipe lining technology and performing less above ground dig and replace methods. As a result of this change, both the construction cost per linear foot of sewer main and the design cost was greatly reduced. The actual design cost was \$37,000 with a net savings of \$97,000. Staff would like to shift some of this saving into construction contingency for a total authorized construction budget of \$1,570,000. While this additional contingency may not be used, it will allow for field adjustments during construction for unexpected conditions without returning to Council for approval.

Attached to this staff report is a revised PBS that adjusts the project budget based on the recommended award and requested contingency.

The bid opening for the 2012 Sewer Main Rehabilitation project was October 19, 2012. Two bids were received and the lowest bidder, Southwest Pipeline and Trenchless Corporation for \$1,457,461, was deemed complete by Staff.

**ALTERNATIVES:** None recommended by staff.

**FISCAL IMPACT:** The cost of this project is being paid through 2007 Sewer Bond.

Attachment: Detailed bid tabulation  
Revised PBS (CIP: 12-01)

No. ITEM DESCRIPTION	Unit	Quantity	Southwest Pipeline & Trenchless Corp		Repipe California	
			Unit Price	Extended Price	Unit Price	Extended Price
<b>Lump Sum Items</b>						
1 Mobilization and Demobilization	LS	1	\$ 40,000.00	\$ 40,000.00	\$ 60,000.00	\$ 60,000.00
2 Prepare Water Pollution Control Plan (WPPCP)	LS	1	\$ 1,000.00	\$ 1,000.00	\$ 5,000.00	\$ 5,000.00
3 Perform Water Pollution Control Measures	LS	1	\$ 2,500.00	\$ 2,500.00	\$ 10,000.00	\$ 10,000.00
4 Post-Construction and Non-Construction Pipe Cleaning and CCTV Inspection	LF	2,949	\$ 5.00	\$ 14,745.00	\$ 4.59	\$ 13,535.91
5 Spot Repair of Existing 6-Inch Pipe by Open-Cut Method	EA	8	\$ 4,250.00	\$ 34,000.00	\$ 4,370.00	\$ 34,960.00
6 Spot Repair Lateral Connection by Open Cut Method	EA	46	\$ 2,500.00	\$ 115,000.00	\$ 2,415.00	\$ 111,090.00
7 Replace Existing Lateral by Open-Cut Method	EA	46	\$ 2,800.00	\$ 128,800.00	\$ 2,645.00	\$ 121,670.00
8 Install New or Replace Existing Property Line Cleanout by Open-Cut Method	EA	46	\$ 1,650.00	\$ 75,900.00	\$ 1,725.00	\$ 79,350.00
8A Install New Backyard Property Line Cleanout by Open-Cut Method	EA	46	\$ 1,750.00	\$ 80,500.00	\$ 1,725.00	\$ 79,350.00
9 Replace Existing 6-Inch With 6-Inch Sewer Main by Open-Cut Method	LF	463	\$ 300.00	\$ 138,900.00	\$ 345.00	\$ 159,735.00
10 CIPP Lining of 6-Inch Sewer Main	LF	12,041	\$ 33.00	\$ 397,353.00	\$ 60.00	\$ 722,460.00
11 CIPP Lining of 8-Inch Sewer Main	LF	4,235	\$ 31.00	\$ 131,285.00	\$ 53.00	\$ 224,455.00
12 CIPP Lining of 10-Inch Sewer Main	LF	766	\$ 35.00	\$ 26,810.00	\$ 58.00	\$ 44,428.00
13 CIPP Lining of 12-Inch Sewer Main	LF	190	\$ 43.00	\$ 8,170.00	\$ 95.00	\$ 18,050.00
14 CIPP Lining of 18-Inch Sewer Main	LF	1,608	\$ 81.00	\$ 130,248.00	\$ 115.00	\$ 184,920.00
15 Raise or Reset Manhole Frame & Cover	EA	1	\$ 2,000.00	\$ 2,000.00	\$ 3,500.00	\$ 3,500.00
16 Dig and Replace Sewer Manhole	EA	3	\$ 7,400.00	\$ 22,200.00	\$ 17,000.00	\$ 51,000.00
17 Install New Sewer Manhole	EA	2	\$ 6,300.00	\$ 12,600.00	\$ 3,500.00	\$ 7,000.00
18 Construct New or Replace Flushing Branch	EA	7	\$ 2,000.00	\$ 14,000.00	\$ 2,700.00	\$ 18,900.00
19 Traffic Control	LS	1	\$ 20,000.00	\$ 20,000.00	\$ 25,000.00	\$ 25,000.00
20 Sheeting, Shoring and Bracing	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 28,000.00	\$ 28,000.00
21 Sewage Flow Control	LS	1	\$ 25,000.00	\$ 25,000.00	\$ 130,000.00	\$ 130,000.00
22 Pre-Construction Lateral CCTV Inspection	EA	230	\$ 115.00	\$ 26,450.00	\$ 163.00	\$ 37,490.00
<b>TOTAL BID (All Items) =</b>				<b>\$ 1,457,461.00</b>		<b>\$ 2,169,893.91</b>

Listed Subcontractors

Open Cut  
Cleaning/CCTV

Navajo Pipeline

Ferrin Sierra  
NORCAL

**City of Winters**  
**2012 Sewer Main Rehabilitation**  
**Project Budget Sheet**

**CIP#: 12-01**

**MPPFP#(s):**

**Last Updated: Nov 2012**

**Original Approval: Feb 2012**

**Project Owner: Public Works**

**Project Manager: Jim Fletter**

**Project Resource: Ponticello Enterprises**

**Description:**

The project includes the replacement or lining of approximately 5,700 linear feet of sewer main, repair or replacement of up to 125 sewer laterals.

**Authority:**

The City is responsible for the operation and maintenance of the City's wastewater collection system including sewer infrastructure in the public right-of-way.

<b>Budget:</b>							
	<b>Item</b>		<b>Amount</b>		<b>Item</b>		<b>Amount</b>
	Project Management		\$ 35,000		Other		
	Design		\$ 38,155		Construction		\$ 1,457,461
	CM, Testing, Insp.		\$ 98,000		Contingency		\$ 112,539
<b>Project Total:</b>							<b>\$ 1,741,155</b>

<b>Financing Schedule:</b>		Project Start: Feb 2012		Project Completion: Jan 2013		
Phases: Pre-Design, Design, Bid, and Construction						
<b>Fund Code:</b>						
<b>Name:</b>	Sewer Bond					
<b>FY 11/12:</b>	\$ 11,615					\$ 11,615
<b>FY 12/13:</b>	\$ 1,729,540					\$ 1,729,540
<b>FY 13/14:</b>						\$ -
<b>FY 14/15:</b>						\$ -
<b>Fund Totals:</b>	\$ 1,741,155	\$ -	\$ -	\$ -	\$ -	\$ 1,741,155
<b>Ratios:</b>	100.0%	0.0%	0.0%	0.0%	0.0%	100.0%

**Recommended for Submittal**

**Jim Fletter, Project Engineer**

**Nov 2012**

**Recommended for Approval (Dept. Head)**

Alan Mitchell, Assistant City Engineer

(date)

**Finance Department Approval**

Shelly Gunby, Director of Finance

(date)

**City Manager Approval**

John Donlevy, City Manager

(date)



**CITY COUNCIL  
STAFF REPORT**

**TO:** Honorable Mayor and Councilmembers  
**DATE :** November 6, 2012  
**THROUGH:** John W. Donlevy, Jr., City Manager  
**FROM:** Nanci G. Mills, Director of Administrative Services  
**SUBJECT:** Parade Permit and Amplified Sound Permit Requests for  
St. Anthony Parish on Sunday, December 9, 2012 for Our Lady of  
Guadalupe Celebration

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**RECOMMENDATION:** Staff is recommending the approval of the Application for Parade Permit and Amplified Sound Permit submitted by St. Anthony's Parish. The parade route is from 301 Main Street to 511 Main Street, Winters, and is indicated on the enclosed map.

**BACKGROUND:** The procession is scheduled to take place on Sunday, December 9, 2012 between the hours of 12:00 p.m. to 12:30 p.m. It will start from St. Anthony's Church at 301 Main Street and proceed to the Parish Hall located at 511 Main Street, approximately one-quarter mile.

**FISCAL IMPACT:** A request will be submitted to the Winters Police Department to make one car available to lead the procession unless diverted to a priority call, and recommended a barricade be placed at Main and Cody Streets warning drivers traveling south from Grant Avenue of the procession ahead.

\* An Amplified Sound permit application is attached. Please note that the mariachi will not be using any amplified sound equipment

12-12:30

APPLICATION FOR PARADE PERMIT

NOTE: To be submitted \_\_\_\_\_ days prior to the event.

NOTE: If amplification system is to be used a separate permit is required.

DATE OF APPLICATION: 11-1-12

NAME OF ORGANIZATION: ST Anthony's Church

ADDRESS: 511 Main St Winters, CA 95694 TELEPHONE # 795-2230

PURPOSE OF PARADE: Our lady of Guadalupe Celebration

TYPE OF CONVEYENCE: Walking

NUMBER OF PERSONS OR ENTRIES ENROLLED 200

TYPE OF SAFETY MEASURES PROVIDED: Crossing Guards with Safety vests and Stop signs

CITY SERVICES REQUIRED: \_\_\_\_\_

DATE & TIME OF PARADE: 12/09/12 12:00- 12:30pm

PROVIDE MAP OF PARADE ROUTE.

DATE: 11-1-12 c.c. \_\_\_\_\_

SIGNATURE OF AUTHORIZED APPLICANT: Dawn Barber

FIRE CHIEF: \_\_\_\_\_ POLICE CHIEF: \_\_\_\_\_

APPROVED BY CITY COUNCIL: \_\_\_\_\_

DATE: \_\_\_\_\_ BY: \_\_\_\_\_

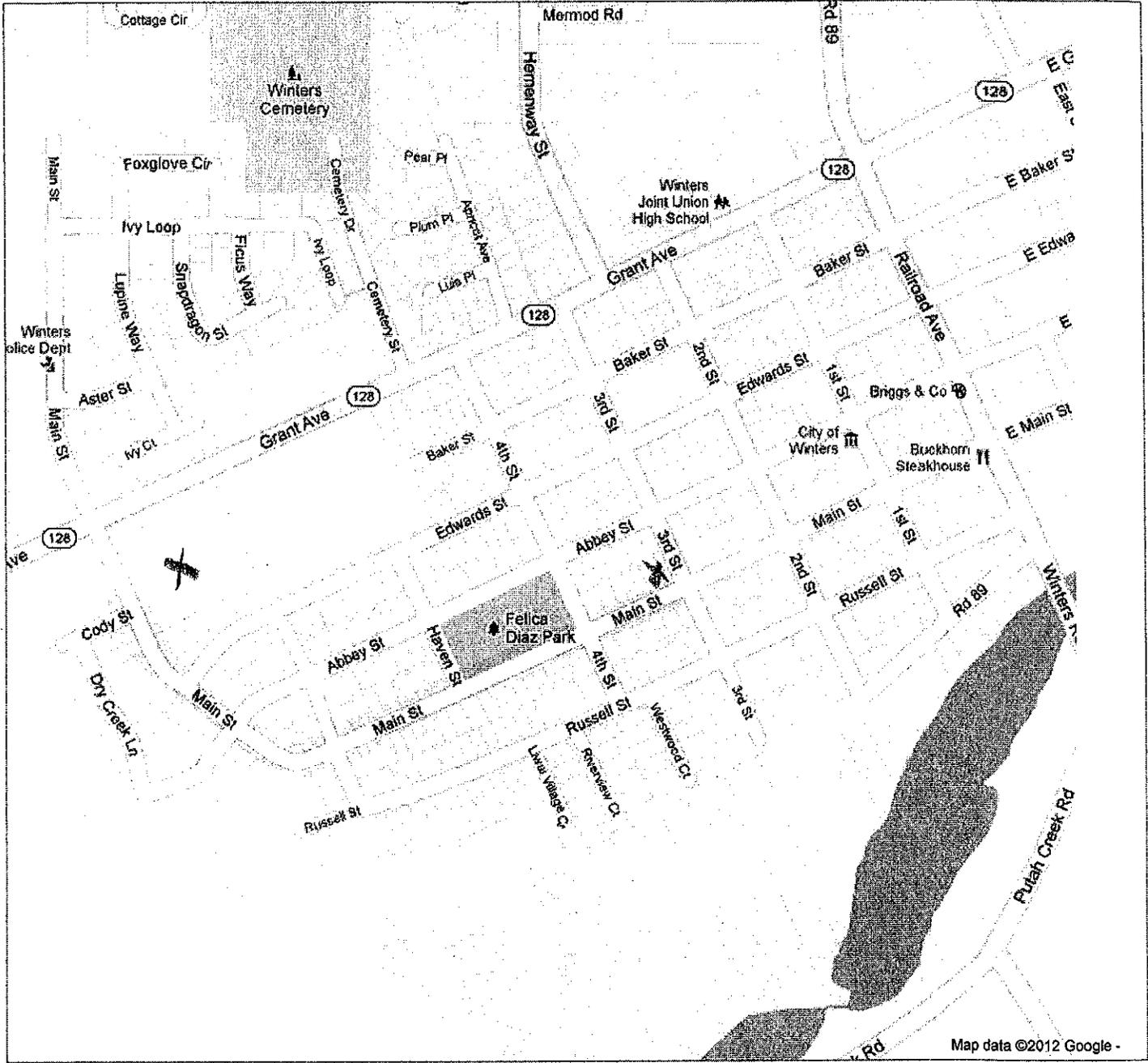
DENIED BY CITY COUNCIL:

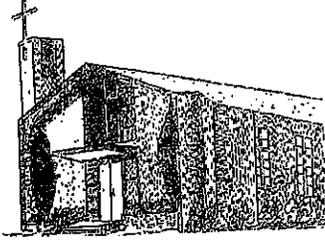
DATE: \_\_\_\_\_ BY: \_\_\_\_\_

REASON(S) FOR DENIAL: \_\_\_\_\_

\_\_\_\_\_

To see all the details that are visible on the screen, use the "Print" link next to the map.





ST. ANTHONY PARISH  
511 Main Street  
Winters, CA 95694  
(530) 795-2230

October 8, 2012

Dear Neighbors:

On Sunday, December 9, 2012 the community of St. Anthony Parish will hold a procession starting at St. Anthony Church at 301 Main Street and ending at the Parish Hall at 511 Main Street. This procession will be in honor of Our Lady of Guadalupe, the Patron Saint of the Americas. At 12pm the procession will walk up Main Street accompanied by live music and will reach the Parish Hall just before 12:30pm.

We warmly invite all of our neighbors to join us in this special celebration.

If you have any questions, please do not hesitate to contact our office at 795-2230.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rev. Michael J. Hebda". The signature is written in dark ink and is positioned above the printed name.

Rev. Michael J. Hebda  
Pastor

Date of Application: 11-1-12

To City Council: \_\_\_\_\_

Name of Person(s)/ Organization: St Anthony's Parish

Contact: Dawn Barrera

Business Address: 511 Main St

Telephone: 795-2230

Winters, CA 95694

Telephone: 795-2230

Type of Event: Our Lady of Guadalupe Celebration  
Parade up Main St

Purpose of Event: (ie; fundraiser parade festival, etc.): Parade

Date/Time of Event: 12/9/12 From: 12 noon To: 12:30 pm

Location/Address of Event: Start @ St Anthony's Church progress  
down Main St to St Anthony's Hall

Rated Output of Amplifier in Watts: There will be mariachi playing. There will NOT be amplified sound. Number of Speakers: many

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: Dawn Barrera

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: \_\_\_\_\_

Address	Owner's Last Name	Object	Approve/Sign	NH*
423 main st	Borrelle		[Signature]	
* 431 Main St				✓
430 Main St.	Guelden		K. Mietgen	
433 Main St	Houses for rent			
434 Main St	Robert Ferguson		Robert Ferguson	
433 main	Pats Raja		[Signature]	
* 435 Main St				✓
* 437 Main St				✓
438 main st	[Signature]			
439 Main St				✓
206 Emory St.	Janet Aquinas		Janet Aquinas	
* 204 Emory St				✓
* 205 Emory St				✓
202 Emory St				✓
203 Emory St	Gonzalez		[Signature]	
455 MAIN STREET	TRANSKI		[Signature]	
459 main St	Mercado		[Signature]	
463 Main St	URITHLOPOD		[Signature]	
* 462 Main St				✓
* 464 Main St				✓
* 469 Main St				✓
468 main st.	PAT PINE		[Signature]	
471 Abbey St.	POYKIN		[Signature]	
* 472 Main St	Fierro		Adela Fierros	
* 476 Main St.	visited twice nobody at home			✓
480 Main St	Romero		Susan Romero	
484 Main St	House for sale			
474 EDWARDS ST. WINTERS	Bedolla		[Signature]	
475 Edward St	House for rent			
492 Main	Pickens		[Signature]	

\* NH-Attempted to contact but noone was home.

..and copy of letter left

Address	Owner's Last Name	Object	Approve/Sign	NH*
300 MAIN ST	Quintana		<i>[Signature]</i>	
* 302 Main St.	house empty			
304 main	Graf		Carrisa Gray	
305 main st	Chronic		<i>[Signature]</i>	
* 307 Main St	Haines		Rich Haines	
306 Main St	HEINES		RICK	
308 Main St.	Gaona		Alex	
* <del>2011 Main St</del> 4th	DARLING		Cheryl	
200 4th St	Uchi Dela Tru		Hani Dela Tru	
316 Russell St	Gray		Margaret Gray	
311 Russell St.	McLaughlin		Nancy McLaughlin	
307 Russell St	Meyers		Stephan Meyers	
305 Russell St.				
127 Westwood St.	Reyes		<i>[Signature]</i>	
303 Russell St.	<del>Darling</del>			✓
301 Russell St.				✓
211 Russell St	Orella		ER Orella	
<del>Westwood</del>	4209 RUSSELL		<i>[Signature]</i>	
410 MAIN ST	VALLECILLO		<i>[Signature]</i>	
406 Main St	Sponsler		Jinda Sponsler	
408 MAIN ST.	KASTNER		<i>[Signature]</i>	
412 Main Street	Chavez		Dana Chavez	
* 414 Main St.				✓
* 416 Main St				✓
* 418 Main St.	visited fence no body is at home			✓
* 422 Main St.				✓
421 MAIN	<i>[Signature]</i>		<i>[Signature]</i>	
* 427 Main				✓
* 428 Main				✓
428 Main	Mack,		Cree	

\* NH-Attempted to contact but noone was home.  
and copy of letter left.





CITY COUNCIL  
STAFF REPORT

TO: Honorable Mayor and Council members  
DATE: November 6, 2012  
FROM: John W. Donlevy, Jr., City Manager,   
SUBJECT: Capital Improvement Projects Report

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**RECOMMENDATION:** That the City Council accept the Capital Improvement Projects Report.

**BACKGROUND:** The City of Winters is committed to having in place a method to follow the progress of its major capital projects. City staff serving as project managers on major capital projects prepare bi-weekly status reports of the projects for which they are responsible. The reports are reviewed by the project managers in a conference call/meeting setting with the City Manager. Included in the report is the current status of each project along with accomplishments since the last report and any difficulties encountered or anticipated. The biweekly report and meeting allow the City Manager to quickly learn the status of any major capital project and take appropriate action as necessary in relation to a project.

A copy of the Capital Projects Report for the October 31, 2012 biweekly meeting is attached for the Council's review and to inform the Council of the status of the City's current capital improvement projects.

**FISCAL IMPACT:** None.

**ATTACHMENTS:** Capital Projects Report for October 31, 2012

Capital Projects Report  
October 31, 2012

Project Name	Project Description	Status	PM
Putah Creek Bridge Upgrade – Solano County, Project No. 01-05	Located on Railroad Avenue, over Putah Creek. Scope includes replacement of the existing structurally deficient and functionally obsolete structure	See attached.	AM
Putah Creek Bridge - N Bank Improvement - Winters, Project No. 08-07	Located on the N. Bank of Putah Creek. Scope includes a maintenance road and access for bicycles and pedestrians, which ties into the new bridge, environmental mitigation plantings, and a pre-fabricated ped/bike bridge over the Creek.	Construction is moving along on the entire length of the trail, with rip rap, retaining walls, and rough grading. An additional retaining wall is needed, as well as rip rap material that exceeds the contract quantity, which will result in added cost that is covered within the contingency. A major concern was expressed about access down to the creek bed, and we will work with the contractor to address this. Subsequent work by Rich Marovich can provide for additional access points, and Carol will coordinate with him. The endowment account has been established and funded with the balance of the escrow funds, and the documentation was sent to F&WS and Caltrans for their approval so that we can request reimbursement.	AM
Orchard Village Park	Acquisition and development of a 3.4 acre park, to include a trail/exercise path, sports field, community garden, open space, and landscaping.	Dan McGuire is the project manager and the City Engineer continues to provide support for infrastructure and frontage improvements.	DM
Railroad Ave./Dry Slough Bridge Replacement	Replace existing structurally-deficient 2-lane bridge.	Pre-Design is underway. Title Report shows adequate right of way for improvements but a temporary easement will be required for the temporary bypass bridge during construction. Geotech Report and Topo are completed. APE Map was approved by Caltrans. Coordination with utility conflicts is critical.	AM
Grant Ave. (Hwy 128) and Walnut Ln. Roundabout	Design intersection roundabout at Grant Ave. (Hwy 128) and Walnut Ln. to include pedestrian and landscape improvements.	Topo survey was performed and the geometric completed, which will be reviewed discussed with Caltrans this week. The Caltrans process for approval appears to be lengthy. Staff discussed with Engineer the concerns with cost estimate, and desire to modify if possible to bring cost down. Staff will start looking for opportunities for Con funding. A project update was sent to SACOG.	AM

Capital Projects Report  
 October 31, 2012

Project Name	Project Description	Status	PM
Matsumoto Rd/Grant Ave. Signal Improvements	Signalization and road widening associated with Burger King development.	The Signal is live!!! Punchlist items will be worked on and the project closed out.	AM
2012 Sewer Rehabilitation Project	Rehabilitation of poor condition gravity sewer main, completion of MCC replacement at East Street Pump Station, and rehabilitation or replacement of El Rio Villa Pump Station.	Bids for the sewer main rehabilitation were opened on 10/18/12. The staff report for award to Southwest Pipeline and Trenchless for \$1.45MM was submitted for the 11/6/12 Council meeting. ZSI is scheduling review of the design draft for ESPS & ERV with the City staff.	JF

**Putah Creek Bridge Upgrade – Solano County, Project No. 01-05**

Utilities

AT&T critical utilities (poles, joint poles and critical telecom lines) will be relocated by the end of the year.

PG&E joint poles (Loc. 30, 31, 34, 35) are relocated.

PG&E overhead power lines will be relocated starting mid-November, 2012.

Wave Broadband completed relocation of the service to the community center.

Right-of-Way

ROW Cert was approved by Caltrans.

Hazardous Materials Pre-Con Assessment

BSK has submitted the EDR report and the Final Phase II report, which shows no asbestos on Bridge and no tainted soils adjacent to Biasi. Bridge paint does contain lead. The construction documents will be adjusted accordingly.

Design/Constructability Review

County received the Constructability Review from Quincy Engineering and submitted all comments (from Solano County, City of Winters and Quincy) to MGE.

County working out water line relocation with MGE to ensure that temporary water service is maintained and permanent water service is restored as part of this contract.

Landscaping

The project will plan for "replace in kind" of landscaping but City staff will review and provide direction otherwise.

VE/B

Elderberrry Bush relocations are being coordinated with Rich Marovich for winter move. County is looking at cost-allocation and eligibility for reimbursement through the federal funds.

County Board Approvals

Public outreach should begin soon. Traffic circulation signage plan is available with some modification forthcoming from MGE in the Bid Set. All other traffic control during construction will be provided as part of the Contractor's TCP. City staff and City Engineer need to review signage plan in relation to potential concerns within city limits.

Construction Funding Request

CFR planned for submittal to Caltrans. E76 authorization anticipated for November 2012, which is required prior to bid call.

Project Advertisement

The MGE contract plans should go final by late November, 2012, with project advertisement planned for December/January. Bid opening planned for February/March 2013, with construction slated to commence in May 2013 earlier if feasible.



CITY COUNCIL  
STAFF REPORT

**TO:** Honorable Mayor and Council Members  
**DATE:** November 6, 2012  
**FROM:** John W. Donlevy, Jr., City Manager  
**SUBJECT:** Approval of Alley Activation Plan, an Addendum to the Winters Downtown Master Plan

---

**RECOMMENDATION:** That the City Council approve the Alley Activation Visioning Plan, an Addendum to the Winters Downtown Master Plan.

**BACKGROUND:** In December of 2010, City staff submitted an application to the Local Government Commission (LGC) for a \$15,000 grant for technical assistance in the development of a visioning plan for the activation of the downtown alley known as “Newt’s Expressway.” The application was approved in late spring, 2011 and Terry Bottomley of Bottomley Design and Planning was contracted with to facilitate stakeholder and community meetings and prepare graphics.

The visioning plan is an addendum to the Downtown Master Plan and includes design concepts for pedestrian and bicycle improvements, beautification features, outdoor spaces and seating. The activation of the alleyway will allow for an attractive expansion of the downtown core area. Several comments were received at the stakeholder and community meetings and they are incorporated into the visioning plan. The visioning plan is conceptual in nature, actual design plans including build out details will go before the Winters Planning Commission through the regular approval process thus allowing for further public comment.

On October 30, 2012 the Winters Planning Commission took action to approve the attached Alley Activation Visioning Plan and recommend its approval by the Winters City Council.

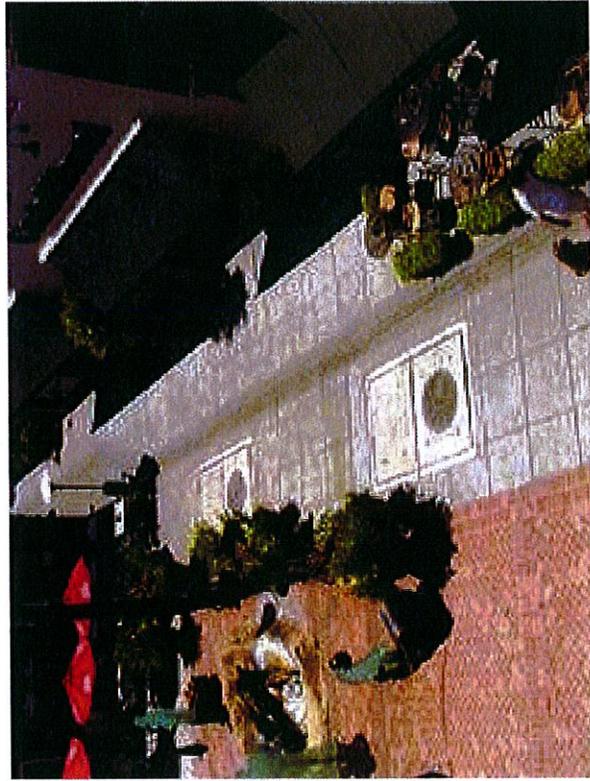
**FISCAL IMPACT:** None by this action.

**ATTACHMENTS:** Alley Activation Visioning Plan, an Addendum to the Winters Downtown Master Plan

October 2012

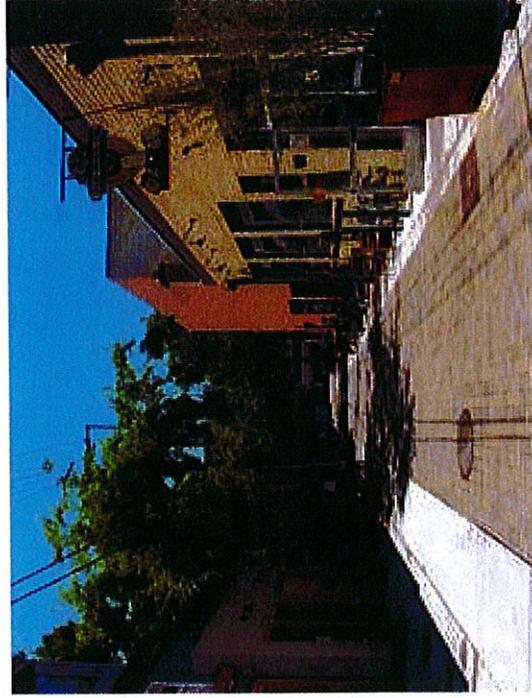
**CITY OF WINTERS**  
**ALLEY ACTIVATION VISIONING PLAN**  
**an Addendum to the Downtown Master Plan**

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## I. Foreword

In late Spring of 2011 the City of Winters was awarded a grant from the Local Government Commission (LGC) for technical assistance in the development of a visioning plan for the activation of the alley known as “Newt’s Expressway” located between Railroad Avenue, First, Main and Abbey Streets. This visioning plan will serve as an addendum to the City of Winters Downtown Master Plan.



Sacramento-Alley between L and Capitol, 17th and 18th

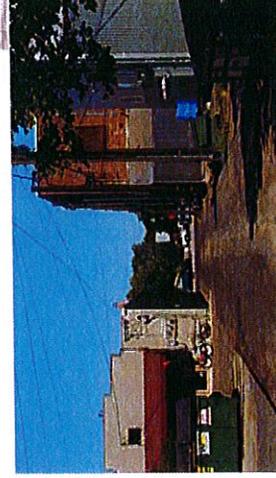
## II. Visioning Plan

Creation of conceptual design ideas to enhance connectivity by providing pedestrian and bicycle improvements and to develop outdoor spaces and seating in the Core Block A alley, including a mid-block paseo between Main and Abbey Streets.

Activating the alley in a manner consistent with the Historic District to provide for vibrant public space and an extension of the core downtown area.

## III. Today’s Situation

Uneven, cracked pavement; overgrown weeds; unconcealed dumpsters; overhead utilities; poor lighting



**IV. Vision: Clean-Up/Fix-Up**

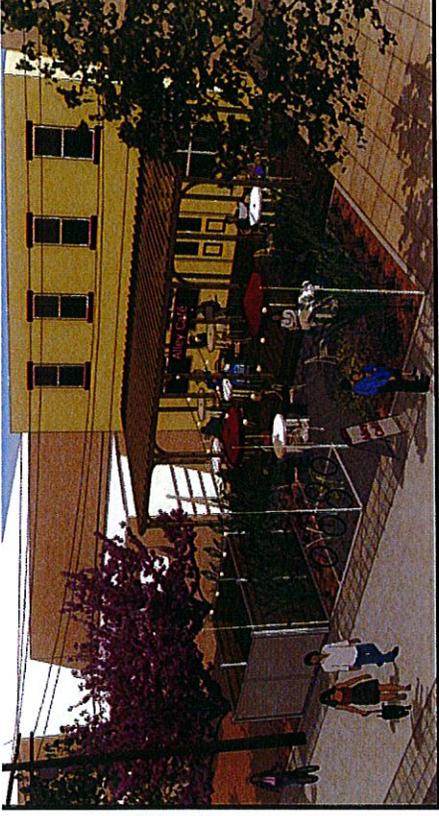
1. Enclose dumpsters using complementary materials
2. Replace old paving, pervious as feasible
3. Upgrade fencing materials
4. Rear building paint-up/fix-up
5. Add landscape materials, potted or permanent
6. Formalize/pave parking areas

**V. Vision: Reuse with Leasable Area**

1. Building renovation
2. Replace temporary structure(s) and parking with usable / leasable space
3. Enclose dumpsters, use complementary materials
4. Add landscape materials, potted or permanent
5. Provide area lighting, signage, bike parking

**VI. Vision: New Infill Construction**

1. New rear building addition / construction
2. Incorporate signage, lighting per downtown guidelines
3. Add landscape materials, consider greenwalls, etc
4. Provide seating, bike parking, amenities



**VII. Recommendations**

Guidelines for Private Site and Building Renovations

1. Improvements will conform with Form Based Code criteria
2. Use of way finding signage
3. Establishment of a commercial corridor (utilizing both sides of buildings)

Trash Management

1. Consideration of compactors
2. Site/building locations - architectural dumpsters
3. Common area(s) sites

Public Area Improvements

1. Alley paving and lighting

2. Paseo improvements program - art park, water conservation display, water feature, paving improvements
3. Utility undergrounding
4. Pedestrian link
5. Public spaces
6. Amenities - bicycle racks, seating, landscaping, etc.