



Winters City Council Meeting
City Council Chambers
318 First Street
Tuesday, April 2, 2013
6:30 p.m.

Members of the City Council

Cecilia Aguiar-Curry, Mayor
Woody Fridae, Mayor Pro-Tempore
Harold Anderson
Wade Cowan
Bruce Guelden

** Amended*

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

5:45 p.m. – Executive Session

AGENDA

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

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

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 Tuesday, March 19, 2013 (pp 4-9)
- B. 77th Annual Winters Youth Day Parade Permit Application and Street Closure Request (pp 10-14)
- C. Proclamation of the City Council of the City of Winters Declaring April 2013 as Child Abuse Prevention Month (pp 15)

PRESENTATIONS

Swearing-In of Chaplain Jim Wilson for the Winters Police Department's Chaplaincy Program

Proclamation of the City Council of the City of Winters Declaring April 2013 as Child Abuse Prevention Month Presented to a Representative of the Yolo County Children's Alliance

DISCUSSION ITEMS

- 1. Resolution 2013-08, A Resolution of the City Council of the City of Winters Approving a Budget Adjustment in the Amount of \$5,000 from Beverage Recycling Grant Funds (pp 16-17)
- 2. Animal Services Contract Request for Approval (pp 18-25)
- 3. Design/Sight Review Process (under separate cover)

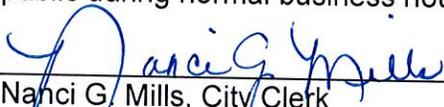
CITY OF WINTERS AS SUCCESSOR AGENCY TO THE WINTERS
COMMUNITY DEVELOPMENT AGENCY

1.

CITY MANAGER REPORT

ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the April 2, 2013 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 March 28, 2013, and made available to the public during normal business hours.



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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City Hall – Finance Office - 318 First Street
During Council meetings – Right side as you enter the Council Chambers*

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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, March 19, 2013

Executive Session

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

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

No reportable action was taken in Executive Session. Present were Mayor Aguiar-Curry, Council Members Anderson, Cowan, Fridae and Guelden and City Attorney Wallace.

Regular Meeting

Mayor Aguiar-Curry called the meeting to order at 6:30 p.m.

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

Absent: None

Staff: City Manager John Donlevy, City Attorney John Wallace, City Clerk Nanci Mills, Environmental Services Manager Carol Scianna, Housing Programs Manager Dan Maguire, Public Works Supervisor Eric Lucero, and Management Analyst Tracy Jensen.

Debra DeAngelo led the Pledge of Allegiance.

Approval of Agenda: City Manager Donlevy requested that the first four Proclamations under Presentations be moved to the Consent Calendar as Items F, G, H, and I.

Motion by Council Member Fridae to approve the consent calendar with said changes, second by Council Member Cowan. Motion carried unanimously.

COUNCIL/STAFF COMMENTS: On 3/6, Council Member Anderson, along with Council Member Cowan and City Manager Donlevy, met with Kevin Perry of Urban Rain Design regarding Grant Avenue/Hwy. 128 and how to address drainage without installing blacktop and pipes; attended a Yolo Non-Profit meeting with Mayor Aguiar-Curry and Meg Stallard on 3/7; attended a dedication ceremony at the Kaiser/Vacaville Emergency Trauma Center's Heli Port with Chief Gutierrez on 3/8, where they witnessed a Black Hawk helicopter landing and a mock casualty situation; on 3/11 attended a meeting of the Yolo County Transportation District in Woodland; attended a YSAQMD meeting on 3/13 regarding the tri-annual audit and noted that Winters enjoys the cleanest air on the west side of the valley; attended the LPCCC meeting in Davis on 3/14; attended the LGC Conference in Yosemite from 3/15-3/17, where there was a statewide exchange of ideas and found out the City of Winters is ahead of the curve regarding the Form Based Code for the Downtown area in our changing economy. The USDA gave a presentation that included programs available to coordinate for assistance. There was a Putah Creek Park meeting last night, but due to the lack of a quorum, the next meeting has been scheduled for 4/20/13. The City Council Housing Workshop has been changed to 3/27 at City Hall.

Council Member Bruce Guelden attended an LGC dinner in Sacramento on 3/14 for the Yolo leaders; attended the meeting of the Yolo Natural Heritage Program regarding endangered species, who are looking to convert 40 acres in Yolo County to grow alfalfa and put a deed on the property for the Swainson Hawk. If a meeting were to be held in Winters, he would be interested in attending.

Council Member Cowan also attended the meeting with Kevin Perry of Urban Rain Design, along with Council Member Anderson and City Manager Donlevy, and also attended the LGC dinner with Council Member Guelden; attended the Chamber of Commerce Board meeting, where the Relay For Life presentation was given, and they talked about increasing bid funds, and said an ad will be in Sunset magazine. The Visitor's Center saw 176 visitors in the month of February and the Chamber welcomed two new members. The Chamber's next Ag Exploration Tour will take place on 3/27 at the Alpaca Farms. The Chamber, in partnership with PG&E and Yolo Energy Watch, will be holding a breakfast meeting on 4/10 @ 7:30 a.m. regarding energy efficiency in the workplace, where Anderson Family Catering will provide breakfast. Council Member Cowan attended the first Car Show of the year on 3/12 and also attended the Chamber Mixer at Dee Dee's on 3/11, which was co-hosted by Three Palms; attended the Planning Commission meeting on 3/13, where the application for the Dollar General design was received and comments were addressed regarding the Grant Avenue Design Guidelines. Some items were not properly addressed, which created concerns that have since been addressed. There was no intent by staff to alter the guidelines and once the Planner is replaced, they will be able to assist with these items.

Mayor Aguiar-Curry attended the Women's History Month Luncheon as well as the SACOG Land Use meeting on 3/7; attended Kaiser/Vacaville's Helipad Grand Opening on 3/8, and said the Kaiser PR has an interest in presenting at an April City Council

meeting, which will be coordinated with City staff; attended a WRA board meeting on 3/11, where Senator Wolk spoke regarding the potential water bond and the two avenues that could be taken: existing infrastructure needs and water quality or dealing with the Bay Delta. Tim O'Hallaran spoke regarding the water releases, costs, and the issues with lack of water storage. Also on 3/11, the Hispanic Advisory Committee met with 12 representatives from RISE, Winters PTA, Winters School Board and the Superintendent to discuss how to get the Hispanic community involved in activities in the community and schools. Key findings were lack of trust, distribution of information, ie: flyers, churches, and list serve. On March 12-14, Council Member Anderson attended the National Association of Development Organizations Wealthworks Training in Washington DC, which was funded by the Ford Foundation. Upcoming events include Mayors for Meals on 3/20, Farm Bureau Breakfast on 3/21, Garamendi Ravioli Dinner on 3/22, Easter Egg Hunt at El Rio Villa on 4/3, First Thursday meeting on 4/4, Chamber of Commerce's breakfast meeting regarding energy efficiency on 4/10, and City Hall is open until noon on Good Friday, 3/29.

PUBLIC COMMENTS: Michelle Regalo from the American Cancer Society is planning a new Relay for Life event in Winters and asked for support from the Council and the community. The date and location are to be determined, but they would like to hold the event in August at the Winters High School football field/track. Relay for Life is a fun, family-friendly, 24-hour fundraising event for the American Cancer Society where teams are formed to walk throughout a 24-hour period. Michelle's contact information is michelle.regalo@cancer.org or 510-460-8515.

CONSENT CALENDAR

- A. **Minutes of the Regular Meeting of the Winters City Council Held on March 5, 2013**
- B. **Minutes of the Special Economic Development Workshop of the Winters City Council Held on February 20, 2013**
- C. **Claim Against the City of Winters – Jeronimo Aguilar - Deny and Refer to YCPARMIA**
- D. **Parade Permit and Amplified Sound Permit Requests for St. Anthony's Parish on Friday, March 29, 2013 for Annual Good Friday Celebration**
- E. **Resolution 2013-07, a Resolution of the City Council of the City of Winters Authorizing Surplus Extrication Equipment Donation to Elkhorn Fire District**
- F. **Proclamation to Join with the Yolo County Board of Supervisors Proclaiming 2013 as "The Year of the Child"**
- G. **Proclamation in Support of the Next Economy Regional Prosperity Plan and Authorizing the SACOG Executive Director to Align the SACOG Economic Development Efforts in Support of its Implementation**

- H. **Proclamation Recognizing “National Agriculture Week”**
- I. **Proclamation Honoring the Yolo County Women’s History Month Committee and Recognizing March as Women’s History Month**

City Manager Donlevy gave an overview. Council Member Anderson asked if horses would be included in the St. Anthony's parade, and if so, someone from the church needs to be responsible for picking up the horse droppings.

City Manager Donlevy requested the City of Winters retain the Hurst Single Tool Pump identified in the Staff Report. It is a jaws-of-life tool and is a museum piece.

Motion by Council Member Anderson, second by Council Member Guelden to approve the consent calendar. Motion carried unanimously.

PRESENTATIONS

Proclamation to Join with the Yolo County Board of Supervisors Proclaiming 2013 as “The Year of the Child”

Proclamation in Support of the Next Economy Regional Prosperity Plan and Authorizing the SACOG Executive Director to Align the SACOG Economic Development Efforts in Support of its Implementation

Proclamation Recognizing “National Agriculture Week”

Proclamation Honoring the Yolo County Women’s History Month Committee and Recognizing March as Women’s History Month

Proclamation Naming March 2013 as American Red Cross Month, Presented to American Red Cross Capital Region Chapter Representative Nina Zai

Mayor Aguiar-Curry presented the Red Cross Proclamation to Nina Zai from the American Red Cross, and Nina thanked everyone for making the Red Cross mission possible and said the Red Cross Save-A-Life event will be held on March 31st at Davis Farmers Market.

DISCUSSION ITEMS

- 1. **Wastewater Services Monthly Update**

Jim Keating, Wastewater Treatment Plant Facility Manager, gave a recap of the Daily Log for February, 2013 and requested the annual report be presented to Council in May. The call outs dramatically decreased from January (43) to February (18) and Jim reviewed the March goals. MSDS sheets have been completed and the installation is complete on the 2nd chlorine storage container.

City Manager Donlevy said there were two aspects of things going on in town, including the overall sewer rehab program. Laterals are currently being replaced and the replacement of the mains has not started yet. Carol, Eric & the engineering team have brought the project forward working alongside Jim & the SWWC crew.

There are several key overall service implementation areas that we are focusing on. Carol continues to oversee everything on the environmental side, while Eric and Jim are working with two Operators-In-Training alongside Roger & Ron. Contract revisions/performance standards were completed in January 2013 for a much more extensive contract, which reviews every aspect of the contract to establish who is addressing callouts or preventative maintenance. We are bringing everything up to date, including facility maintenance manuals, standard operating manuals, MSDS sheets, which is critical. Time spent on emergency call-outs is time taken away from preventative maintenance. One glaring issue is the two very large spray fields (north & south). The south field has never been operational. The Operator-In-Training program is progressing well. Jim is doing an exceptional job and is a good mentor.

Data collection/logs are to be turned into City Hall as the City of Winters is responsible. Communication is exceptional and communication is key. Jim will return in May to give an annual report with a power point presentation.

Mayor Aguiar-Curry said a local farmer is interested in back water. Carol had an initial conversation with a consultant & the State regarding the steps required and has been scheduled two years out. We are in line but must get preliminary plans together. Kathy Stone w/SWWC said she would look @ requirements & help us get the information together. At some point we will need to get engineers involved. Planning and upgrades are moving, but the Regional Board is very sensitive and are so far behind, and at this point we don't want to draw any negative attention to ourselves.

Council Member Cowan asked for an update on the gas leak repairs in front of his house. Carol indicated she thought it had been completed and would follow up with PG&E.

2. Intergovernmental Agreement with Yolo County Housing for CDBG Technical Assistance

Mayor Aguiar-Curry recused herself due to a possible conflict of interest. Housing Programs Manager Dan Maguire gave an overview. Motion by Council Member Anderson, second by Council Member Cowan to authorize the City Manager to execute

a contract for consultant services for an intergovernmental agreement with Yolo County Housing for CDBG Technical Assistance. Motion carried unanimously, with one absent.

Mayor Aguiar-Curry returned to the dais at this time.

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

1.

CITY MANAGER REPORT: City Manager Donlevy reported it was not a good day for cities in court today as a judge ruled to take vehicle license fees (\$20,000 from the City of Winters), which is general fund revenue. There will be no Planning Commission meeting next week on 3/26 and a Berryessa Community Forum at the Public Safety Facility on 3/27 @ 1:30 p.m., where a representative for Gateway Communities will be present. City Council will be holding a workshop pertaining to housing on 3/27 @ 6pm in Council Chambers. City Manager Donlevy attended the LGC conference with Council Member Anderson last weekend and received the best compliment from the Mayor of San Jose, who said San Francisco and San Jose were bragging for what Winters has already been doing. Chris Turkovich came into the office and viewed two areas where a sidewalk café might work, leaving Public Works Supervisor Eric Lucero and City Manager Donlevy to brainstorm about how we could accomplish it. The City is approaching the end of a two-year budget, which has a deficit projected at about \$300,000, but we will know more as we wind down. The changes in personnel have saved a little and we will look at various things to save money, which will be brought before Council. City Manager Donlevy said he appreciated Council's comments regarding the Planning Commission. Council Member Anderson asked for a status on the roundabout. City Manager Donlevy said the City is still working with six divisions on this and Cal Trans has gone on a sabbatical and showed a diagram with right of way for two lanes with a capacity of 25,000 vehicles. Mayor Aguiar-Curry asked about a bridge update. City Manager Donlevy said the utilities and Wave cable relocation have been completed and will go out to bid in June. Council Member Fridae asked about the netting installed on the bridge and Carol Scianna said it was so that birds don't nest on the bridge, which would delay the project.

ADJOURNMENT: Mayor Aguiar-Curry adjourned the meeting at 7:45 p.m. in memory of Council Member Fridae's mother, Mrs. Gussie Bee Fridae.

Cecilia Aguiar-Curry, MAYOR

ATTEST:

Nanci G. Mills, City Clerk



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Councilmembers
DATE: April 2, 2013
THROUGH: John W. Donlevy, Jr., City Manager 
FROM: Nanci G. Mills, Director of Administrative Services
SUBJECT: 77th Annual Youth Day Parade

RECOMMENDATION:

Approve the Street Closure Request and Parade Permit Application for the 77th Annual Youth Day Parade and authorize an annual donation of \$2,500 to the Youth Day Committee.

BACKGROUND:

At the City Council meeting held on April 1, 2008, Council approved a \$2,500 donation to the Youth Day Committee to help support Youth Day festivities, to be paid on an annual basis. Youth Day General Chairman Mike Sebastian has submitted a request for these funds.

FISCAL IMPACT:

\$2,500 annually



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.

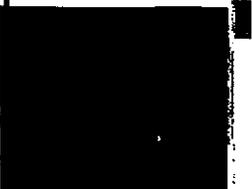
Requests for street closures that are not submitted by the minimum time lines may be granted only by the Winters City Council.

Name: Mike Sebastian Organization: Winters Youth Day
 Address: Po Box 807, Winters Mailing Address: Po Box 807, Winters
 Telephone: 530 795-2329 Today's Date: 3/27/13

Streets Requested: Main St from Hwy 128 to 1st St. ; 1st St. from Main to Baker; Baker St. from 1st to 3rd Sts ;
 Date of Street Closure Sat April 27, 2013 Time of Street Closure: 7 AM - Approx Noon
 Description of Activity: Annual Youth Day Parade

Services Requested of City: Barricades, Cones
See parade permit for Map of all Street closures

APPROVED: _____ Police Department _____ Public Works Department



4th St
from Russell
to Abbey ;
Haven St. from
Main to Edwards

Main St from
Haven to 4th
will be closed
until 5pm

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: MARCH 22, 2013

NAME OF ORGANIZATION: Winters Youth Day

ADDRESS: Po Box 807 Winters, CA 95694 TELEPHONE # 530 795-2329 (mike)

PURPOSE OF PARADE: 77th Annual Youth Day Celebration

TYPE OF CONVEYENCE: Walking, horses, Cars, bicycles

NUMBER OF PERSONS OR ENTRIES ENROLLED Approx. 100 entries

TYPE OF SAFETY MEASURES PROVIDED: Barricades, Cones, Caution tape, parade marshals
general city police services

CITY SERVICES REQUIRED: Barricades, Cones, Road closed signs (2) Red stairs
from Corp yard (2 sets), 4 tables, 12 chairs from Community Center;

DATE & TIME OF PARADE: Saturday April 27, 2013 9:45 am - Noon

PROVIDE MAP OF PARADE ROUTE.

DATE: March 22, 2013 C.C. _____

SIGNATURE OF AUTHORIZED APPLICANT: Michael J. DeGroot - Chairman

FIRE CHIEF: Pat Munkh Captain POLICE CHIEF: [Signature]

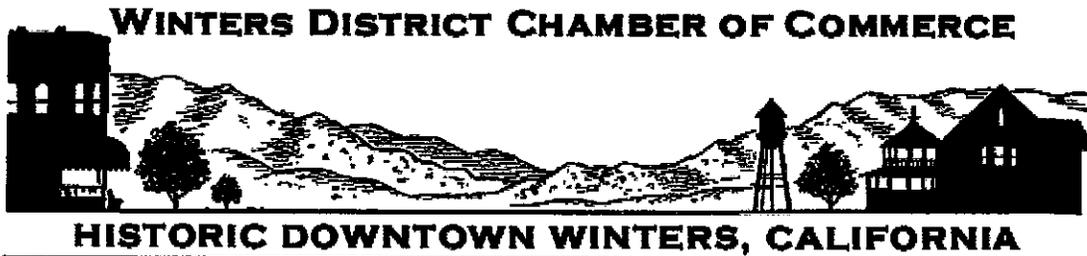
APPROVED BY CITY COUNCIL: _____

DATE: _____ BY: _____

DENIED BY CITY COUNCIL: _____

DATE: _____ BY: _____

REASON(S) FOR DENIAL: _____



11 Main Street • Winters, CA 95694
Phone (530) 795-2329 • Fax (530) 795-3202
Email: info@winterschamber.com • www.winterschamber.com

March 27, 2013

To the Winters City Council,

The Winters Youth Day Committee is finalizing plans for the 77th annual Winters Youth Day Celebration, to be held on Saturday, April 27, 2013 throughout Winters. Youth Day is funded solely through donations from the community as well as local corporate sponsors.

The City of Winters has always been generous donors to the Youth Day cause and we hope that the City can contribute again this year to help keep the Youth Day Tradition alive.

The Youth Day Committee would like to request a \$2500.00 donation, the same amount the City has sponsored for the past many years. We would appreciate the consideration.

Mike Sebastian
Youth Day General Chairman
Winters City Treasurer



A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF WINTERS DECLARING APRIL 2013 AS CHILD ABUSE PREVENTION MONTH

WHEREAS, child abuse is a national tragedy with an estimated 3 million children found to be victims of substantiated abuse or neglect each year in the United States;

WHEREAS, in 2012, 487,656 children in California were referred to Child Welfare Services for investigation of abuse and/or neglect;

WHEREAS, in FY 11-12, the Yolo County Department of Employment and Social Services, Child Welfare Services, received 1,398 reports of suspected child abuse and/or neglect;

WHEREAS, in FY 11-12, Yolo County had approximately 251 children in child-welfare supervised placements;

WHEREAS, in Yolo County in FY 11-12, approximately 95 children each month continued living with their families while the families received ongoing support services and supervision through the Child Welfare Services Family Maintenance Program. In addition, 96 children each month received Family Reunification services aimed at returning them to their homes of origin;

WHEREAS, all communities have the responsibility to offer parents the education, support and skills they need to provide healthy, safe and nurturing homes for their children;

WHEREAS, in Yolo County numerous public agencies and community organizations, parents, relatives, community volunteers, public policymakers and professionals are collaborating their efforts to eliminate child abuse in the County through the Yolo Family Strengthening Network;

WHEREAS, the people of Yolo County are encouraged to support child abuse prevention activities in their communities specifically through the Family Meals campaign; and

WHEREAS, through the Yolo Family Strengthening Network, the aim is to have the whole community feel the responsibility of offering parents the education, support and skills they need to provide healthy, safe and nurturing homes for their children.

NOW, THEREFORE, BE IT RESOLVED that the Winters City Council hereby declares April 2013 Child Abuse Prevention Month.

In so declaring, the City of Winters, employees and residents are encouraged to join the important efforts of the Yolo County Children's Alliance & Child Abuse Prevention Council, First Five Yolo Children and Families Commission, Yolo County Department of Employment and Social Services, Yolo County Juvenile Court, Yolo County's licensed foster care homes and the many public and private agencies and programs serving children and families in Yolo County. These agencies work together to prevent child abuse and neglect and build healthy, safe and strong families and communities. Children do well when their parents do well — and families do better when they live in supportive communities.

PASSED AND ADOPTED this 2nd day of April, 2013 by a unanimous vote, 5-0.

ATTEST:

Cecilia Aguiar-Curry, MAYOR

Nanci G. Mills, City Clerk



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Councilmembers
DATE: April 2, 2013
THROUGH: John W. Donlevy, Jr., City Manager 
FROM: Carol Scianna, Environmental Services Manager
SUBJECT: Budget Adjustments for Fiscal Year 2013-2014

RECOMMENDATION:

Approve Resolution 2013-08 Approving Budget Adjustments of Beverage Recycling Grant Funds for Fiscal Year 2013-2014 for additional \$5000.

BACKGROUND:

Each year the City receives \$5000 as our allotment of Beverage Recycling Grant Funds, which we spend on school assemblies, supplies, and containers. There is a current balance of these funds of over \$20,000. Staff would like to purchase three picnic tables and a bike rack made from recycled content materials and requests an adjustment to make these purchases. The tables and rack will be installed in Rotary and City Parks.

Staff also hopes to use the remaining Beverage Recycling funds later this year for the purchase of recycled lumber materials to make repairs at City Park.

FISCAL IMPACT:

\$5000 from Beverage Recycling Funds

ATTACHMENTS:

Resolution 2013-08

**CITY COUNCIL
RESOLUTION 2013-08**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WINTERS AMENDING THE CITY OF WINTERS 2012-2013
ADOPTED OPERATING BUDGET**

WHEREAS, every local agency is required to adopt a budget for the subsequent fiscal year for estimated revenues and expenditures; and

WHEREAS, certain changes in City Services have taken place since the adoption of the City of Winters 2012-2014 budget; and

WHEREAS, the City Council and Staff members have thoroughly reviewed and analyzed the proposed budget in order to determine the needs of the City of Winters;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Winters that the adopted operating budget for fiscal year 2012-2013 be amended as follows:

Section 1. Recycling Fund Expenditures are adjusted as follows:

- a. Increased by \$5,000.000 for the purchase of picnic tables, bike racks and appropriate sales tax and freight costs.

PASSED AND ADOPTED by the City of Winters this 2nd day of April 2013 by the following vote:

**AYES;
NOES;
ABSTAIN;
ABSENT;**

Cecilia Aguiar-Curry, Mayor

ATTEST:

Nanci G. Mills, City Clerk



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Councilmembers
DATE : April 2, 2013
THROUGH: John W. Donlevy, Jr., City Manager *[Signature]*
FROM: Sergio Gutierrez, Chief of Police *[Signature]*
SUBJECT: Yolo County Animal Services Contract

RECOMMENDATION:

Authorize the Mayor to sign the attached Animal Services Agreement between the County of Yolo and the City of Winters.

BACKGROUND:

The City of Winters and the County of Yolo has had a contract for Animal Services for several years. The County of Yolo through the Sheriff-Coroner's Department is contractually responsible for providing all cities, unincorporated areas and the University of California, Davis campus with animal control ordinance enforcement, dog licensing, shelter operation and spay/neuter education services. The County Administrative Office takes the lead in reaching concurrence with the County's partners on the calculation of each entity's portioned cost of the program's budget.

The initial proposed FY2012/2013 Animal Services agreement for the City of Winters received in late August 2012 was in the amount of \$76,295, an increase of \$38,304 over the previous year's agreement. This increase resulted from needs identified in the consultants' report to hire three additional limited-term positions, and an additional field vehicle, as well as increase cost of operations with costs allocated across all agencies in Yolo County. Staff was directed to work with the Yolo County Sheriff's Department to negotiate a new, revised scope of services that would maintain annual costs at the level provided for in the FY2011/2012 contract year.

At the City's request, the Yolo County Sheriff's Office prepared an Animal Services agreement which outlined a level of service with the cost of the agreement at the same level of funding from FY2011/2012 [\$37,991]. However, the proposed agreement at this cost resulted in reduction of services to the City of Winters. These reductions took effect in November 2012. [Note: The City was still receiving full service for the first quarter (July 1, 2012 to November 2012.)]

The agreement eliminated response to free roaming or contained stray dogs, unless it was sick, injured or vicious.

Staff re-negotiated with the Yolo County Sheriff's Department to re-establish some key services. Animal Control Services will continue to be limited to 8:00 a.m. to 5:00 p.m., six days a week; Monday through Saturday. During these hours, Animal Control Services will include those services mandated by law as well as response to stray dogs and vicious animals. The Yolo County Sheriff's Department has agreed to reinstate these key services at a \$15,000 increase above the previous year [FY 2012/2013].

However, Citizens requesting Animal Control to address stray cats, where there are no Health and Safety conditions existing mandating a response (e.g. the animal is sick or injured, or conditions indicate the incident is a rabies incident), will be informed that they must transport the stray cat to Animal Control or animal shelter during business hours. Animal Control officers will only respond after-hours for those incidents mandated by law. The City will now be responsible for responding to and handling all barking dog complaints.

The agreement is necessary as the City does not currently have other means to provide the response and services that Yolo County Animal Control provides the City.

If Council approves the reduced animal control services outlined above consistent with the annual contract cost of \$52,991, this will result in a quarterly payment of \$ 13,247.75 for the remaining three months of FY2012/2013. The City currently owes the balance for the first three quarters of FY2012/2013, with a final payment of \$13,247.75 due to the negotiation with the Yolo County Sheriff's Department

Approval of the agreement ensures that the outlined services will continue from Animal Control for the remainder of this fiscal year. This will afford the City time to re-evaluate and consider options in the delivery of services for animal control related matters for the community.

Staff recommends that Council approve the Animal Control Services agreement.

FISCAL IMPACT:

The cost for contract services for FY 2012/2013 is estimated at \$52,991.00, which is a \$15,000 increase from the previous fiscal year. The estimated cost includes the basic rate for six days a week coverage (Monday through Saturday) between 8:00 a.m. to 5:00 p.m. Staff was budgeted \$55,000.00 this fiscal year for Animal Services Contract. The remaining \$2,009.00 is a contingency balance for Extraordinary Incidents at the rate of \$59.00 per hour.

ATTACHMENTS:

The attached contract is a renewal of services for fiscal year 2012/2013.

YOLO COUNTY AGREEMENT NO. _____

**AGREEMENT BETWEEN COUNTY OF YOLO
AND THE CITY OF WINTERS FOR
ANIMAL CONTROL SERVICES**

This Agreement (“Agreement”) is made and entered into this 1st day of July, 2012, by and between the County of Yolo, a political subdivision of the State of California (“County”) and the City of Winters, a municipality under the laws of the State of California (“City”).

RECITALS

WHEREAS, the City has a need for animal control services within its corporate limits; and

WHEREAS, the County has been competently providing these animal control services to the City for several years; and

WHEREAS, the City has expressed its desire to have the County continue to provide animal control services within the City’s corporate limits subject to the terms of this Agreement; and

WHEREAS, the County is willing to continue to provide animal control services within the corporate limits of the City subject to the terms of this Agreement;

NOW, THEREFORE, the City and the County agree as follows:

I. SERVICES TO BE PROVIDED BY THE COUNTY

A. Subject to the terms of this Agreement, the County shall provide animal control services, through the Animal Control Division of its Sheriff’s Department within the corporate limits of City.

Services provided shall include:

1. The pickup of stray animals not in the presence of their owners that may be injured or sick and the provision of veterinary care per Penal Code 597f.
2. The provision of rabies control, including the quarantine of biting animals and the pickup of high-risk rabies animals for testing and licensing per Health and Safety Code 120210-121690).
3. Direct assistance to the Yolo County Coroner, Fire Departments, or other law enforcement agencies.
4. Response to vicious animals.

5. Response to free roaming or contained stray dogs.

Services provided shall ***not*** include:

1. Limited response to Animal Complaint Reports: barking dogs, trespassing animals, crowing fowl or other nuisance complaints. This will be limited to receiving and forwarding complaints.

2. Response to animals classified as wildlife unless bat, skunk, or a rabies control issue.

Services shall be limited to 8:00 a.m. to 5:00 p.m., six days a week; Monday through Saturday. Services will be provided outside these hours only when authorized in advance by a representative of the City, except for when required by Health and Safety Code sections 121595 and 121600 or Penal Code section 597f.

B. County agrees to maintain its kennels and animal shelter in a in a sanitary condition at all times in accordance with the laws of the State of California.

C. County shall provide all facilities, equipment, personnel, labor, supervision, supplies, and materials necessary to provide the animal control services required by this Agreement; however, in all instances wherein special supplies, stationary, notices, forms and the like must be issued in the name of the City, the same shall be supplied by the City at its own cost and expense.

II. COMPENSATION TO BE PAID BY THE CITY

A. City agrees to compensate the County annually, on a quarterly basis, the following amount. Quarterly payment is due and payable by check, within the first thirty (30) days of the quarter to prevent contract termination.

<u>Contract Year</u>	<u>Annual Compensation</u>	<u>Quarterly Payment</u>
07/01/2012-06/30/2013	\$ 52,991.00	\$ 13,247.75

B. Hourly Rates – The County reserves the right to bill the City in addition to the annual agreed compensation an additional hourly fee for an extraordinary incident. Extraordinary Incident is defined as one incident that requires more than ten (10) county staff hours. For services provided by the County for an Extraordinary Incident 2012-13 reimbursement rate shall be \$59.00 per hour. These charges shall be billed quarterly.

C. Limited Term Positions and Vehicle – The City agrees to fund three (3) limited term positions for the term of the contract, to include one (1) Animal Services Technician and two (2) Animal Care Attendants while Animal Services transitions into a joint powers authority (JPA). The cost of these positions will be pro-rated based on prior year usage and is included

in the annual compensation amount as described in Paragraph A. In addition, the annual compensation amount will include the cost of one (1) new vehicle, the cost of which will be pro-rated based on prior year usage.

D. Savings – Any unspent portion of annual payment resulting from unanticipated animal services savings will be placed in a special “Animal Services Trust” for future shelter projects, animal services equipment and/or replacements items. Savings will be identified within the “Animal Services Budget Forecast” due to City from County.

E. In further consideration of the rendition of the foregoing services by County, City agrees that County shall be entitled to any and all license and other fees provided for in the Yolo County Code and/or the Municipal Animal Ordinance and collected pursuant hereto.

F. County shall retain all impounding fees and revenue derived from the adoption and redemption of animals at the County shelter as additional compensation for care and feeding of these animals.

G. Costs of 911 Calls. The parties acknowledge that the compensation provided for in Section II of this agreement does not include the costs charged to the County for the 911 emergency calls related to animal control services. The parties agree to continue ongoing efforts to have the costs of 911 emergency calls charged by Yolo Emergency Communications Agency or other emergency call center for calls originating within the City to be charged directly to the City or, in the alternative, to negotiate in good faith concerning a procedure for reimbursement to the County by the City for the costs of emergency calls.

III. METHOD OF PAYMENT OF COMPENSATION

The City agrees to compensate the County on a quarterly basis, in the amounts described in Paragraph II above. Payment shall be made by the City within the first thirty (30) days of the beginning of each quarter.

IV. REPORTS

The County shall provide the City with monthly and year-end statistical reports regarding field hours, calls, citations, adoptions, redemptions, licenses, and such additional information, as the County deems appropriate. In addition, the after-hours callout dispatch records will be attached with the monthly statistics for review. No charge will be made for these materials.

V. OWNERSHIP OF DOCUMENTS AND WORK PRODUCTS

All professional and technical documents and information developed under this Agreement, and all work products, including writings, work sheets, reports, and related data, materials, copyrights and all other rights and interests therein, shall remain the property of the County.

VI. RECORDS RETENTION

The County agrees to keep such books and records concerning the services it provides pursuant to this Agreement in such form and manner as the County Auditor may specify. These books and records shall be open for examination by City officials at all reasonable times.

VII. TERM AND TERMINATION

A. The term of this Agreement shall be from July 1, 2012 until June 30, 2013, unless sooner terminated as hereinafter provided.

B. Agreement may be extended for a period of one (1) year based on mutual agreement of the County and City staff.

C. Should either party fail to substantially perform its obligations in accordance with this Agreement, the other party may notify the defaulting party of such default in writing and provide not less than fifteen (15) days to cure the default. Such notice shall describe the default, and shall not be deemed a forfeiture or termination of this Agreement. If such default is not cured within said fifteen day period (or such longer period as is specified in the notice or agreed to by the parties), the party that gave notice of default may terminate this Agreement upon not less than fifteen (15) days advance written notice. The foregoing notwithstanding, neither party waives the right to recover damages against the other for breach of this Agreement.

D. This Agreement may be terminated for any reason by either party at any time during the term of this Agreement, provided that sixty (60) days written notice is given.

VIII. APPLICABLE LAWS

In the performance of the services required by this Agreement, both parties shall comply with all applicable Federal, State, and County statutes, ordinances, regulations, directives and laws. Any action or proceeding arising out of this Agreement shall be filed and resolved in a California State court located in Woodland, California.

IX. NOTICE

A. All notices shall be deemed to have been given when made in writing and delivered or mailed to the respective representatives of City and County at their respective addresses as follows:

City of Winters:

City of Winters Police Department
702 Main Street
Winters, CA 95694
Attn: Chief Sergio Gutierrez
(530) 795-2261

County: Yolo County Sheriff's Office
140 Tony Diaz Drive
Woodland, CA 95776-9327
Attn: Rosario Ruiz-Dark, Finance
(530) 668-5264

B. In lieu of written notice to the above addresses, any party may provide notices through the use of facsimile machines provided confirmation of delivery is obtained at the time of transmission of the notices and provided the following facsimile telephone numbers are used:

City: (530) 795-4935 County: (530) 668-5283

C. Any party may change the address or facsimile number to which such communications are to be given by providing the other parties with written notice of such change at least fifteen (15) calendar days prior to the effective date of the change.

D. All notices shall be effective upon receipt and shall be deemed received through delivery if personally served or served using facsimile machines, or on the fifth (5th) day following deposit in the mail if sent by first class mail.

X. AMENDMENT

This Agreement may be amended only by written instrument signed by the County and City.

XI. WAIVER

The waiver by either party to this Agreement or any of their respective officers, agents or employees or the failure of the County or its officers, agents or employees to take action with respect to any right conferred by, or any breach of any obligation or responsibility of this Agreement shall not be deemed to be a waiver of such obligation or responsibility, or subsequent breach of same, or of any terms, covenants or conditions of this Agreement.

XII. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the City and the County and supersedes all prior negotiations, representations, or agreements, whether written or oral. In the event of a dispute between the parties as to the language of this Agreement or the construction or meaning of any term hereof, this Agreement shall be deemed to have been drafted by the parties in equal parts so that no presumptions or inferences concerning its terms or interpretation may be construed against any party to this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year above set forth.

County of Yolo

By _____
Supervisor Jim Provenza, Chair
Yolo County Board of Supervisors

Attest:
Julie Dachtler, Deputy Clerk
Board of Supervisors

By _____
Deputy (Seal)

Approved as to Form:
Robyn Truitt Drivon, County Counsel

By _____
Daniel C. Cederborg, Assistant

City of Winters

By _____
Cecilia Aguiar-Curry, Mayor
City of Winters

Attest:
Nanci G. Mills, City Clerk
City of Winters

By _____
Deputy (Seal)

Approved as to Form:

John Wallace, City Attorney



**CITY COUNCIL
STAFF REPORT**

TO: Mayor and City Council
DATE: April 2, 2013
FROM: John W. Donlevy, Jr., City Manager 
SUBJECT: Design/Site Plan Review Process

RECOMMENDATION:

That the City Council:

1. Receive a report on a Draft Design/Site Plan Review Process and provide comments on any applicable elements;
2. Direct the review of the proposed draft by the Planning Commission; and
3. Direct the development of criteria for addition to the Municipal Code on the degree of design review process required for applications; and
4. Authorize an interim use of the draft process in the event that a planning application is submitted for projects within the Form Based Code or the Grant Ave Design Guideline Areas.

BACKGROUND:

At the March 19, 2013, Staff was directed to prepare recommendations on ways to improve the overall design and site plan review process for project applications submitted within the Grant Ave and Form Based Code design areas. Staff has prepared a draft of a review process and sample forms which are recommended to be sent to the Planning Commission for their review and recommendation.

DISCUSSION:

Attachment A of this staff report is a draft of a Design/Site Plan Review Process. The overall goal of the recommended process is to help facilitate the completeness of review, expedite the

processing of projects and increase the overall likelihood of success for applicants proposing projects within the City's Grant Ave and Form Based Code Design Areas.

Staff is recommending that these be sent to the Planning Commission for their review and recommendation.

Staff is also recommending an interim use of the draft process in the event that an application is submitted within the indicated areas.

Criteria for Design Review:

Currently, almost all projects are subject to design review by the Planning Commission. In some cases, this can add un-necessary delay and costs to applicants. Staff is recommending that a review and considerations of clarifying language which would help expedite reviews and overall efficiency of the process for both the City and applicants.

FISCAL IMPACT:

None by this action.

Attachments:

1. Draft Design/Site Plan Review Process
2. Draft Design Review Committee Agenda
3. Draft Design Guidelines Checklist
4. Municipal Code Section 17.36- Design Review
5. Ordinance 2011-06- Design Review

City of Winters
Design/Site Plan Review Process
Grant Avenue and Form Based Code Design Areas

Background:

In order to facilitate completeness of review, expedite the processing of projects and increase the likelihood of success for applicants proposing building projects within both the Grant Avenue and Form Based Code Design areas, a design review process will be initiated to insure the following:

1. A thorough and transparent review of projects by key stakeholders and decision makers within the City.
2. Active scoring of projects against checklists of the design guidelines.
3. An opportunity for clarification and explanation of why project components meet or do not adhere to various aspects of the design guidelines.
4. A high probability of success or predictability of outcomes for projects being presented for consideration by the Planning Commission and/or City Council.

The following process is proposed:

1. **Pre Application Consultation:** Applicants will be able to meet with the City Planning and Building Staff to review preliminary designs, receive a scoring of the proposed project against the City's design guideline checklists and be given instruction on the application and review process for the project. Applicants will also have an opportunity for a pre-submittal presentation to the Winters Planning Commission, if desired.
2. **Application:** The project will follow the current application process with the addition of a requirement that applications from these design areas include a self scored "Checklist" against the design guideline with a required explanation matrix which correlates against the scoring criteria and the guidelines.
3. **Design Review Committee:** Applicants will present their project to a Design Review Committee consisting of two (2) City Council members, two (2) Planning Commission members and City staff department representatives. The design criteria checklists will serve as the "agenda" for the meeting and the applicants will present their project and receive feedback on all aspects of their project. The DRC and the applicant will score the project against the design guideline checklist at the meeting. Written feedback will be provided to the applicant from the DRC.
4. **Revision:** Applicants will have an opportunity to revise their plans prior to final submittal based on feedback received in the DRC Meeting and the written comments.
5. **Planning Commission Member Briefing:** An **optional** briefing for Planning Commissioners will be made available to review plans, process and standards prior to the scheduled meeting.
6. **Planning Commission:** Projects will be presented in a standardized (template) format which will include the following elements:
 - a. Standard Staff Report
 - b. Design Guidelines Checklist which is expanded to a matrix explanation for key elements. A scoring and explanation sheet will be included as part of the design review.
 - c. Plans and Elevations which are accompanied by design checklists on the plans with highlights showing conformance/non-conformance to design criteria.

The Staff presentation will follow an agenda format from the design guidelines checklist to allow a review of the project based on the checklist criteria. The goal is for the Planning Commission to make determinations based on a well organized and presented project, specified criteria and an objective process to determine conformance with the design guidelines.



Design Review Committee
City Council Chambers
318 First Street
Date; Time

Members of the Design Review Committee

AGENDA

- I. Introductions
- II. Project Presentation by Applicant in Accordance with Pre-Approval Considerations
- III. Review of Project Using Design Checklist
 - Site Plan Review
 - Architecture Review
 - Connectivity Review
 - Landscaping Review
 - Signage Review
 - Lighting Review
 - Energy Conservation Review
 - Green Building Review
- IV. Additional Comments by DRC
- V. Applicant Questions



Grant Avenue Design Guidelines Applicant Checklist

Background

The Grant Avenue Design Guidelines were adopted on August 16, 2011 for the purpose of meeting our community expectations and developing project consistency for the Grant Avenue Business and Commercial District and assisting applicants in the planning process. The attached checklist was adopted with the guidelines as a tool for applicants, staff and policy boards to use in determining the application of the guidelines to a project. The information appearing in parenthesis on the checklist provides examples of ways to achieve the desired effects of the guidelines, recognizing that it is impossible to reduce the art and practice of design into a checklist of individual elements. Please note that the checklist does not supersede or substitute for the guidelines and that the guidelines should be referred to for the full text and illustrations.

Checklist Process

The attached checklist is designed to be completed by the applicant while working through the project design. For each item on the checklist the applicant is to indicate if the guideline has been met, not met or is not applicable. Additionally, the applicant is to explain each response in the comment section after each item. The checklist has been designed to allow the comment section to expand so that the applicant can use as much space as needed to respond.

Each item on the checklist is labeled (i.e. A1, A2, B1, etc.). Applicants are to use the item labels (A1, A2, etc.) on the note section of the site plan, landscape plan and elevations allowing for a clear understanding of the application of the guidelines to the project.

Upon receipt of a complete Planning Application packet, including a project narrative and completed design guidelines checklist, a meeting will be scheduled with the applicant and the Winters Design Review Committee (DRC). The meeting will follow a set agenda with the applicant presenting the project followed by a review of the project by the DRC using the guidelines checklist.

The project narrative should give the specifics of the project (lot size, building size, location, etc.) and discuss how the project contributes favorably to the surrounding area and the City.

Prior to final submittal of the project to the Winters Planning Commission the applicant will have the opportunity to revise the project using feedback gathered from the meeting with the DRC and from the DRC's written review of the project.



Grant Avenue Design Guidelines Applicant Checklist

Item	Yes	No	N/A	Yes - consistent; No - Not consistent; N/A - not applicable. Please explain each response in the comment section. Thank you.	DRC Use Only
Section A - Site Planning					
A1				The proposed buildings are sited in a manner that considers the surrounding environment.	
Comments:					
A2				The development includes limited conflicts between pedestrians, bicyclists, vehicles and utility/delivery vehicles.	
Comments:					
A3				Public, open or gathering spaces are included, where appropriate.	
Comments:					
A4				Low impact design features, such as bioretention facility, rain gardens, and permeable pavements are included in the proposed development.	
Comments:					
A5				Consideration for transit facilities is included in the proposed development.	
Comments:					
A6				On-site planning encourages connectivity to off-site bicycle and pedestrian pathways.	
Comments:					
Section B - Architecture					
B1				Design of proposed buildings reflect Winters and its surroundings (compatible materials, colors, quality, coordinated but not the same as properties in Winters, avoid strong or vivid colors unless they fit within local context, concrete block/exposed concrete on visible walls finished in aesthetic manner).	
Comments:					
B2				Buildings and design features are scaled to human proportion.	
Comments:					
B3				Buildings exhibit variety and distinctiveness (but avoid overly obtrusive or overly monotonous designs, or strong contrast with adjacent buildings, creative use of natural or recycled materials).	
Comments:					

Grant Avenue Design Guidelines Applicant Checklist

Item	Yes	No	N/A	Yes - consistent; No - Not consistent; N/A - not applicable. Please explain each response in the comment section. Thank you.	DRC Use Only
B4				Variety of architectural features encouraged tied to comprehensive design theme (arches, raised parapets, cornices, eaves, windows, balconies, entry insets, roof angles and pitches, wall relief features).	
Comments:					
B5				Site and buildings are visually attractive from neighboring properties, traffic and corridors, and public spaces (service areas and devices screened, integrated and compatible with site features; above criteria is applied to areas visible to public view; rear and side views are visually interesting, coordinated, and well-maintained).	
Comments:					
Section C – Connectivity					
C1				The proposed development connects with:	
				*Grant Avenue Complete Streets Concept Plan	
				*Class I and II Bicycle Lanes	
				*Pedestrian/bicycle facilities within the project and with bordering facilities.	
				*Putah Creek Park Master Plan and Trail System	
Comments:					
C2				Pedestrian elements are attractive and functional (walkways link parking to building entrances and other walkways; planters, street furniture, outdoor seating, pedestrian oriented signs, low level lighting provided).	
Comments:					
C3				Parking areas include a defined sidewalk or marked pedestrian facilities in landscaped areas or separated from traffic lanes required.	
Comments:					
C4				The project provides connections for walkers and bicyclists to the surrounding community (provides walking/biking facilities on the site, connects to walking/biking facilities in town, provides shortcuts for walkers/bikers).	
Comments:					



Grant Avenue Design Guidelines Applicant Checklist

Item	Yes	No	N/A	Yes - consistent; No - Not consistent; N/A - not applicable. Please explain each response in the comment section. Thank you.	DRC Use Only
C5				Sidewalks provide convenient and safe access (sidewalks sufficiently wide, without obstruction; curbs, shade, lighting provided; buffers between walkers and traffic provided; safe and direct street crossings for walkers).	
Comments:					
C6				Entrances provide convenient access (entrances adjacent to street, minimal setback, routes are well marked, sidewalks provide uninterrupted access to entrances, safe bike parking is located next to entrances).	
Comments:					
Section D – Landscaping					
D1				The proposed landscaping complies with the State's Model Water Efficient Landscape Ordinance and the California Green Building Standards Code (CalGreen).	
Comments:					
D2				Scale and nature of landscape materials is appropriate to site and structure (Plants are of type, spacing, and sizing to reach maturity within reasonable time. Hardy, drought tolerant, low maintenance species adapted to Winters climate are emphasized, parking lot trees also withstand heat, pollutants).	
Comments:					
Section E – Signs					
E1				Signs are compatible with architectural character of buildings (signage does not dominate site, uses compatible colors and material, lighting is restrained and harmonious)	
Comments:					
Section F – Lighting					
F1				Lighting harmonizes with site, building design, architecture, and landscaping (lighting form, function, character, fixture styles, design and placement; lighting does not interfere with pedestrian movement).	
Comments:					
F2				The proposed development includes consideration of the effects of light pollution on the environment, as well as utilization of energy conservation technologies.	
Comments:					



Grant Avenue Design Guidelines Applicant Checklist

Item	Yes	No	N/A	Yes - consistent; No - Not consistent; N/A - not applicable. Please explain each response in the comment section. Thank you.	DRC Use Only
Section G - Energy Conservation					
G1				Active and passive solar and other renewable energy design and devices are used (building orientation, landscaping, lighting, heating and cooling, photovoltaic system-ready or installed).	
Comments:					
G2				Devices are unobtrusive and complement design (solar panels flush with roof).	
Comments:					
Section H - Green Building (incorporating green building elements)					
H1				Water efficiency	
Comments:					
H2				Energy	
Comments:					
H3				Materials and Resources	
Comments:					
H4				Indoor environmental quality	
Comments:					

Chapter 17.36 DESIGN REVIEW Revised 3/12

Sections:

- 17.36.010 Purpose.
- 17.36.020 Requirements for design review.
- 17.36.030 Design review procedures—Site plan submittal. Revised 3/12
- 17.36.040 Criteria for review. Revised 3/12
- 17.36.050 Action on design review applications.
- 17.36.060 Revocation—Expiration—Modification.
- 17.36.070 Conceptual design review. Revised 3/12

17.36.010 Purpose.

It is the policy of the city to preserve and enhance the small-town qualities of Winters, to improve property values and to conserve the overall visual character of the community. Further, the design review process is intended to ensure that the location and configuration of structures and corollary site improvements are visually harmonious with their site and that of surrounding sites and structures. To implement these policies, the city requires design review for certain types of development or when development occurs in certain locations. The design review process may include an analysis of proposed architectural styles, construction materials, colors, site landscaping and similar development criteria. The Winters design guidelines shall be used as a basis for this review. (Ord. 2001-04 (part); prior code § 8-1.4211(A))

17.36.020 Requirements for design review.

Design review shall be required before the planning commission for the following projects:

- A. Construction of nonresidential buildings or structures of five hundred (500) square feet or more, or additions of five hundred (500) square feet or more to such existing buildings;
- B. New construction of multifamily residential units;
- C. New construction of any single-family residential units is subject to design review. Design review for multiple units in a project can be approved as a group and shall occur prior to the issuance of the first building permit;

- D. If lots in a project are sold to a subsequent builder, these lots are subject to design review prior to the issuance of a building permit for these lots;
- E. Modifications to existing buildings involving collectively significant exterior changes, which may include changes of building materials, addition/deletion of doors, windows and awnings, changes to rooflines or parapet walls, etc., as determined by the community development director. In making a determination as to the significance of a proposed exterior building change, the director shall be guided by the potential for the proposed project to result in substantial visual alteration of the building in question as viewed from the street including the secondary frontage and its relative overall importance to the visual quality of the surrounding area. The review shall be at the discretion of the community development director.

F. Metal buildings in excess of one hundred twenty (120) square feet in any district. (Ord. 2001-04 (part): prior code § 8-1.4211 (B))

17.36.030 Design review procedures—Site plan submittal. Revised 3/12
 Design review shall be accomplished pursuant to site plan review.

- A. The planning commission shall review the site plan application where site improvements involving landscaping or parking lots are proposed.
- B. The planning commission may consider a site plan for design review concurrently with other applications for a project (such as a use permit) which requires planning commission action. A public hearing shall be held to consider the site plan, noticed pursuant to the requirements contained in Section 17.16.040. (Ord. 2011-06 § 1(A); Ord. 2001-04 (part): prior code § 8-1.4211 (C))

17.36.040 Criteria for review. Revised 3/12

The planning commission shall consider the following aspects for design review of a site plan, as applicable:

- A. The overall visible mass of the structure(s). This analysis may include review of visible building mass as it relates to property line setbacks, building height, roofline profiles, lot coverage and the overall size and scale of a building, and the orientation of the proposed building(s) to the street and adjoining properties;
- B. The proposed use and quality of exterior construction materials striving for long-term compatibility with the general setting of the subject property and visual character of the general neighborhood. Exterior building colors,

- on new construction only, may also be considered, but only to the extent that they may detract from the desired design theme for a neighborhood;
- C. Avoidance of buildings which are characterized by large, blank or unbroken wall planes, as well as buildings which exhibit a general lack of architectural detailing, shadow lines, etc., which collectively lack general visual interest. Uniform treatment of all building elevations shall be required unless such treatment is found unnecessary, on a case-by-case basis;
 - D. Effective screening of ground- and roof-mounted mechanical equipment;
 - E. The use of landscaping, decorative site paving, etc. which provides effective visual screening or softening of the development, as necessary. The planning commission shall consider the appropriate mix of plant materials, plant sizes, etc. pursuant to landscaping criteria contained in Chapter 17.76.
 - F. Achieve conformity with the Winters design guidelines, form-based code for downtown (Chapter 17.58), and the Grant Avenue design guidelines, as applicable.
 - G. With respect to single-family residential production housing, the above design criteria shall be considered, but with the design review focus on avoiding use of repetitive designs and site plans. Design review should encourage elements of individuality in residence design through inclusion of features such as modified front and side yard setbacks, varying architectural styles, building siding and roofing materials, creative use of fencing and landscaping, and/or other design features. To the extent possible, designs should also encourage pedestrian activity while reducing emphasis on vehicular access as the focal point of a residential lot. (Ord. 2011-06 § 1(B); Ord. 2001-04 (part): prior code § 8-1.4211 (D))
- 17.36.050 Action on design review applications.**
The planning commission shall make findings relative to compliance with the provisions of Section 17.36.040 prior to approving a site plan for design review. The planning commission may impose conditions of approval to ensure conformance with the above design provisions. (Ord. 2001-04 (part): prior code § 8-1.4211 (E))
- 17.36.060 Revocation—Expiration—Modification.**
Site plan approval for design review is subject to the same provisions as appears in Section 17.24.070(A) regarding revocation, use and modification of the permit. (Ord. 2001-04 (part): prior code § 8-1.4211 (F))

17.36.070 Conceptual design review. Revised 3/12

Applicants have the option of filing conceptual (preliminary) site plans for design review in advance of formal site plan review. Conceptual design review allows for submittal of more basic site plan information (such as building elevation sketches) for an initial review by the planning commission. Conceptual design review shall be considered only as an informational item and is intended to provide informal feedback to an applicant, who could consider any comments received when preparing the formal site plans. Planning commission review and comments stemming from conceptual design review would be only advisory in nature. As such, and as no action would be taken by the planning commission at this stage, comments offered in conceptual design review would not affect or otherwise be binding upon a planning commissioner's vote on a subsequent application for formal design review. (Ord. 2011-06 § 1(C); Ord. 2001-04 (part); prior code § 8-1.4211 (G))

The Winters Municipal Code is current through Ordinance 2012-09, passed January 15, 2013.

Disclaimer: The City Clerk's Office has the official version of the Winters Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.cityofwinters.org/>
(<http://www.cityofwinters.org/>)

Telephone number: (530) 795-4970
Code Publishing Company (<http://www.codepublishing.com/>)
eLibrary (<http://www.codepublishing.com/eLibrary.html>)

ORDINANCE No. 2011-06

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WINTERS
AMENDING CHAPTER 17.36 OF THE WINTERS MUNICIPAL CODE
PERTAINING TO DESIGN REVIEW**

WHEREAS, Chapter 17.36 of the Winters Municipal Code governs design review of residential and commercial site development plans in the City of Winters; and

WHEREAS, the Winters Municipal Code Section 17.36.030 (A) states that site plan application for design review involving commercial development shall first be considered by the economic development commission, who may make a recommendation on the project and any conditions of approval to the planning commission;

WHEREAS, the Winters Municipal Code Section 17.36.030 (C) states that the planning commission shall consider any recommendations of the economic development commission prior to taking action on a site plan for design review;

WHEREAS, the Winters Municipal Code Section 17.36.070 states that conceptual design review may, but is not required to, include informal review by the economic development commission, as may be requested by the applicant;

WHEREAS, City staff is of the opinion that these sections should be amended to omit these requirements since the economic development commission is not active at this time and will not be until the City Council reestablishes this commission;

WHEREAS, the Winters Municipal Code Section 17.36.040 (F) states that a site plan shall achieve conformity with the Winters design guidelines, as applicable;

WHEREAS, City staff is of the opinion that the Winters Municipal Code should be amended to include the Form Based Code for Downtown Winters (Chapter 17.58) and the City of Winters Grant Avenue Design Guidelines to ensure that the code and guidelines are followed;

WHEREAS, in accordance with the above, Chapter 17.36 of the Winters Municipal Code was revised by City staff and is hereby submitted to City Council for adoption as Ordinance No. 2011-06;

WHEREAS, the amendments to the Chapter 17.36 are exempt from the California Environmental Quality Act pursuant to Sections 15061 (b)(3) and 15308; and

WHEREAS, on July 26, 2011, the Planning Commission of the City of Winters held a noticed public hearing and recommended approval of Ordinance 2011-06 to the City Council; and

WHEREAS, the City Council of the City of Winters conducted a duly noticed public hearing on August 16, 2011 at City Hall, 318 1st Street, Winters, CA 95694. Notice of the time, place, and purpose of the aforementioned meeting was duly noticed in accordance with Government Code 65090.

THE CITY COUNCIL OF THE CITY OF WINTERS, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. AMENDMENT.

- A. Chapter 17.36, Section 17.36.030 (Design review procedures—Site plan submittal) is amended to read as follows:

Design review shall be accomplished pursuant to site plan review.

~~A. Site plan applications for design review involving commercial development shall first be considered by the economic development commission, who may make a recommendation on the project and any conditions of approval to the planning commission.~~

~~B.~~ A. The planning commission shall also review the site plan application where site improvements involving landscaping or parking lots are proposed.

~~C.~~ B. ~~The planning commission shall consider any recommendations of the economic development commission prior to taking action on a site plan for design review.~~ The planning commission may consider a site plan for design review concurrently with other applications for a project (such as a use permit) which requires planning commission action. A public hearing shall be held to consider the site plan, noticed pursuant to the requirements contained in Section 17.16.040. (Ord. 2001-04 (part): prior code § 8-1.4211 (C))

- B. Chapter 17.36, Section 17.36.040 (F) is amended to read as follows:

F. Achieve conformity with the Winters design guidelines, *Form Based Code for Downtown Winters (Chapter 17.58)*, and the *Grant Avenue Design Guidelines*, as applicable.

- C. Chapter 17.36, Section 17.36.070 is amended to read as follows:

Applicants have the option of filing conceptual (preliminary) site plans for design review in advance of formal site plan review. Conceptual design review allows for submittal of more basic site plan information (such as building elevation sketches) for an initial review by the planning commission. Conceptual design review shall be considered only as an informational item and is intended to provide informal feedback to an applicant, who could consider any comments received when preparing the formal site plans. ~~Conceptual design review may, but is not required to, include informal review by the economic development commission, as may be requested by the applicant.~~ Planning commission review and comments stemming from conceptual design review would be only advisory in nature. As such, and as no action would be taken by the planning commission at this stage, comments offered in conceptual design review would not affect or otherwise be binding upon a planning commissioner's vote on a subsequent application for formal design review. (Ord. 2001-04 (part): prior code § 8-1.4211 (G))

SECTION 2. EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days after the date of its adoption. Within fifteen (15) days of its adoption it shall be posted in two (2) public places within the City of Winters and the ordinance, or a summary of the ordinance prepared by the City Attorney, shall be published in a local newspaper used to publish official notices for the City of Winters prior to the effective date.

INTRODUCED on the 16th day of August, 2011.

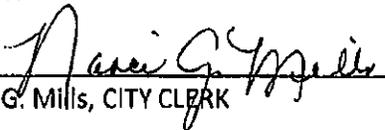
PASSED AND ADOPTED as an ordinance of the City of Winters at a regular meeting of said Council on the 6th day of September, 2011, by the following vote:

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



Woody Fridae, MAYOR

ATTEST:


Nanci G. Mills, CITY CLERK