



Winters City Council Meeting  
City Council Chambers  
318 First Street  
Tuesday, September 3, 2013  
6:30 p.m.  
**AGENDA**  
(pp 1-3)

*Members of the City Council*

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

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

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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, August 20, 2013 (pp 4-11)
- B. Rotary Park, Amplified Sound & Street Closure Request – Festival de la Comunidad (pp 12-16)
- C. Amplified Sound Permit Application – St. Anthony's Parish Kermes Festival – Saturday, September 7, 2013 (pp 17-19)
- D. Sale of Real Property – Property Located at 426 Cottage Circle (APN # 030 392 008) Winter, CA (Information Item Only) (pp 20-21)

### PRESENTATIONS

1. New Police Volunteer Coordinator and Chaplain, Robert Duvall – Police Department

### DISCUSSION ITEMS

1. Committee and/or Commission Appointment Process (pp 22-23)
2. Animal Control Regulation (pp 24-25)

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

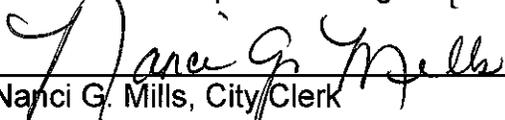
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### CITY MANAGER REPORT

### EXECUTIVE SESSION

## ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the September 3, 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 August 29, 2013, and made available to the public during normal business hours.

  
\_\_\_\_\_  
Nanci G. Mills, City Clerk

Questions about this agenda – Please call the City Clerk's Office (530) 794-6701. Agendas and staff reports are available on the city web page [www.cityofwinters.org/administrative/admin\\_council.htm](http://www.cityofwinters.org/administrative/admin_council.htm)

*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.*

*The city does not transcribe its proceedings. Anyone who desires a verbatim record of this meeting should arrange for attendance by a court reporter or for other acceptable means of recordation. Such arrangements will be at the sole expense of the individual requesting the recordation.*

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*View on the internet: [www.cityofwinters.org/administrative/admin\\_council.htm](http://www.cityofwinters.org/administrative/admin_council.htm)  
Any attachments to the agenda that are not available online may be viewed at the City Clerk's Office or locations where the hard copy packet is available.*

*Email Subscription: You may contact the City Clerk's Office to be placed on the list. An agenda summary is printed in the Winters Express newspaper.*

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

*Winters Library – 708 Railroad Avenue*

*City Hall – Finance Office - 318 First Street*

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

City Council meetings are televised live on City of Winters Government Channel 20 (available to those who subscribe to cable television) and replayed following the meeting.

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 August 20, 2013

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

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

Absent: None

Staff: City Manager John Donlevy, City Attorney John Wallace, City Clerk Nanci Mills, Director of Financial Management Shelly Gunby, Policy Chief Sergio Gutierrez, Environmental Services Manager Carol Scianna, Public Works Superintendent Eric Lucero, Associate Elliot Landes, Housing Programs Manager Dan Maguire, and Management Analysts Mary Jo Rodolfa and Tracy Jensen.

Shelly Gunby led the Pledge of Allegiance.

Approval of Agenda: Motion by Council Member Cowan, second by Council Member Fridae to approve the agenda with no changes. Motion carried unanimously.

COUNCIL/STAFF COMMENTS: Mayor Aguiar-Curry presented a Plaque of Appreciation to Richard Kleeberg for his service on the Planning Commission.

PUBLIC COMMENTS: None

CONSENT CALENDAR

- A. Minutes of the Regular Meeting of the Winters City Council Held on Tuesday, August 6, 2013
- B. Wastewater Services Monthly Update
- C. AT&T Cell Tower Lease Proposal
- D. Request for Budget Adjustment for Street Improvements
- E. Street Closure Request by Berryessa Gap Winery for the Annual Tempranillo Festival (TempFest), to be held on Saturday, September 7, 2013
- F. Purchase of Mobile Database Terminals (MDT'S) by the Winters Police Department

City Manager Donlevy gave an overview. Motion by Council Member Fridae, second by Council Member Guelden to approve the Consent Calendar. Motion carried unanimously.

### DISCUSSION ITEMS

1. Public Hearing, Certification of Negative Declaration and Adoption of Resolution 2013-26 Finalizing and Approving the Negative Declaration for the Railroad Avenue Bridge at Dry Slough (22C-0114) Replacement Project

City Manager Donlevy gave an overview and said the environmental documents are needed to proceed. Mayor Aguiar-Curry opened the public hearing at 6:45 p.m. and closed the public hearing at 6:45 p.m. with no comments.

Motion by Council Member Cowan, second by Council Member Fridae, certifying that the City Council has determined that the Negative Declaration is the appropriate level of environmental review under CEQA and and adopt Resolution 2013-26 finalizing and approving the Negative Declaration for the Railroad Avenue Bridge at Dry Slough (22C-0114)Replacement Project. Motion carried with the following vote:

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

2. Ordinance 2013-01, an Ordinance of the City of Winters, Approving a Second Amendment to the Development Agreement for the Hudson Ogando Subdivision Development

City Manager Donlevy gave an overview. A public hearing was held at the 8/6/13 City Council meeting where this ordinance was introduced and staff is seeking adoption tonight. Mayor Aguiar-Curry opened the public hearing at 6:47 p.m.

Eden Callison, a prospective resident, is concerned about the pricing of homes being built and getting priced out, as most of the homes will be above the moderate income level. City Manager Donlevy confirmed there will be seven homes priced within the moderate income level. Jim Hildenbrand said he appreciated the input and directed those interested in contributing their input or taking a survey to [www.newhomeswinters.com](http://www.newhomeswinters.com). Council Member Guelden appreciated the fact that Jim is coming before Council asking what will work for both of us.

Mayor Aguiar-Curry closed the public hearing at 6:53 p.m. Motion by Council Member Cowan, second by Council Member Anderson to approve the second amendment to the development agreement for the Hudson Ogando subdivision development dated May 26, 2006 between the City of Winters and Winters Investors, LLC, to extend the term of the development agreement for additional years, approve assignment of the Agreement, remove funding requirements for facilities that have been built, and modify language concerning park costs. Council Member Fridae asked City Manager Donlevy to explain specifically what the changes to the development agreement were. City Manager Donlevy said the conditions of approval have been modernized due to facilities/infrastructure that have been built, ie: pool, library, Well #7, the removal of development phasing and the determination of park funding. Motion carried with the following vote:

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

3. Ordinance 2013-02, an Ordinance of the City of Winters, Approving a Second Amendment to the Development Agreement for the Callahan Estates Subdivision Development

City Manager Donlevy gave an overview. Mayor Aguiar-Curry opened the public hearing at 6:59 p.m.

Eden Callison said she was concerned about the density and the amount of homes in the Callahan Estates project, where there will be twice as many homes and they will be twice as large as those in the Hudson Ogando subdivision. She was also concerned about the pricing and allowing the community members to live in the community and not have them just for investors. Council Member Fridae responded by saying there has been very few homes built in the last 6 or 7 years. The City has a comprehensive development plan where the phasing was carefully planned out. There have been a lot of moderate, low and very low incoming projects, which has exceeded the state requirement of 10%, and he has been concerned that the City has not been attracting the middle and upper income brackets. The move-up housing will produce a domino effect and he welcomes the new houses.

Don Jordan, 718 Hemenway, said the market will drive the price and the developments have requirements that must be met. It would be unreasonable to expect the developer to build homes related to income and they will lose money.

Mayor Aguiar-Curry closed the public hearing at 7:08 p.m. Motion by Council Member Fridae, second by Council Member Anderson to approve a second

amendment to the development agreement for the Callahan Estates subdivision development between the City of Winters and Winters Investors, LLC, to extend the term of the development agreement for additional years, approve assignment of the agreement, remove funding requirements for facilities that have been built, and modify language concerning park costs. Motion carried with the following vote:

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

#### 4. 2013 Water and Sewer Rate Increase

City Manager Donlevy gave an overview and said that Council may choose any of the options presented tonight. Director of Financial Management Gunby gave a power point presentation and described in detail Option A, Three Tier Rate Structure, Option B, Uniform Rates and Option C, Two Tier Rate Structure.

Don Jordan, 718 Hemenway, said he is one of the 20% water users and has over ½ acre yard. He has spent 16 years in developing the landscaping and said the delivery of water is the same for everyone. He is not using any more water per square foot than anyone else. We are not Davis or Woodland and do not have the same amenities.

Bill Biasi, 400 Edwards, asked about the study, specifically where it says no rate increase for five years, and asked Council that this not be decided on tonight.

Pam Sheeline, 101 Riverview Ct., is also one of the 20% users and would like to see a uniform increase for everyone and not be on the backs of the higher users.

Stan Gale, 15 Edwards, said there would be more conservation if all single family residence parcels contribute proportionately.

John Carrion, 127 Carrion Ct., who also received a letter as a 20% user, agrees with Mr. Gale that the rates should be based on square footage and thinks a uniform increase is best.

Mona Biasi, 400 Edwards, said the uniform increase is the most equitable option and does not think the tiered system is the way to go.

Council Member Cowan agreed with the uniform rate and does not support the tiered rates. He wants to further review the information submitted by Mr. Gale. The City has to cover the cost of delivering the water, but needs to find a more

equitable way to do it. Council Member Guelden asked for a compromise and suggested throwing out the top and bottom (3-Tiered and Uniform) and focus on the middle tier (2-Tiered).

Motion by Council Member Fridae, second by Council Member Guelden to eliminate Water Option A, the Three Tier Rate Structure. Motion carried unanimously.

Motion by Council Member Anderson, second by Council Member Guelden to approve the Water 2-Tiered Alt. #2 Rate Structure. Council Member Fridae confirmed that this new proposal and new notice to be sent to all residents will start the clock again for the Proposition 218 process. Motion carried 4-1, with Council Member Cowan voting no.

Motion by Council Member Fridae, second by Council Member Anderson to approve Sewer Rate Option B, Winter Based Rates. Motion carried unanimously.

#### 5. Yolo County Animal Services Contract

Chief of Police Sergio Gutierrez gave an overview of the agreement between the County of Yolo and the City of Winters for Animal Control Services for FY 2013/2014 and FY 2014/2015, effective 7/1/2013.

Motion by Council Member Fridae, second by Council Member Cowan to approve the Yolo County Animal Services Agreement. Motion carried unanimously.

#### 6. Yolo Natural Heritage Program and the Habitat Conservation Plan

Council Member and JPA Representative Fridae gave an overview. Council Member and JPA Representative Guelden made a motion, asking Council to authorize the Staff Report/Letter containing the Council's questions and concerns be sent to all participants of the JPA. Motion was seconded by Council Member Cowan. Motion carried unanimously.

#### 7. Committee Appointment Process

Council Member Fridae wants an open and clear committee appointment process to be applied to the selection of any prospective commission or committee members.

In reference to the Planning Commission, Richard Kleeberg, 209 Abbey, suggested that two names should be brought forward by the selection committee

and placed on the agenda as their recommendations, which may or may not be chosen by Council. This process adds to the transparency of the process. Mayor Aguiar-Curry requested the committee appointment process be brought back to Council for review.

8. Resolution 2013-27, a Resolution of the City Council of the City of Winters Approving the Assignment and Second Amendment to the Purchase and Sale Agreement with Cross Development

City Manager Donlevy gave an overview. Council Member Anderson asked staff to correct a typographical error on Page 272 of the Property Management Plan to correctly identify Site 5 (mistakenly identified as Site 6.) Motion by Council Member Fridae, second by Council Member Guelden, to make said corrections to the Property Management Plan, and approve an assignment and second amendment to real property purchase and sale agreement and joint escrow instructions by and between the City of Winters Successor Agency to the Winters Community Development Agency and Cross Development, LLC. Motion carried with the following vote:

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

9. Resolution 2013-28, a Resolution of the City Council of the City of Winters Approving the Assignment and Second Amendment to the Purchase and Sale Agreement with Yolo Federal Credit Union

City Manager Donlevy gave an overview. Motion by Council Member Cowan, second by Council Member Guelden, approving an assignment and second amendment to real property purchase and sale agreement and joint escrow instructions by and between the City of Winters Successor Agency to the Winters Community Development Agency and Yolo Federal Credit Union. Motion carried with the following vote:

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

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

Agency Chairman Fridae opened the meeting of the Successor Agency to the Winters Community Development Agency at 10:05 p.m.

1. Resolution SA-2013-05, a Resolution of the Successor Agency to the Dissolved Winters Community Development Agency Approving the Real Property Purchase and Sale Agreement and Joint Escrow Instructions by and Between the Successor Agency and Cross Development

Motion by Agency Member Cowan, second by Agency Member Aguiar-Curry to approve Resolution SA-2013-05, approving the Real Property Purchase and Sale Agreement and Joint Escrow Instructions by and between the Successor Agency and Cross Development. Motion carried with the following vote:

AYES: Agency Members Aguiar-Curry, Anderson, Cowan, Guelden,  
Agency Chair Fridae  
NOES: None  
ABSENT: None  
ABSTAIN: None

2. Resolution SA-2013-06, a Resolution of the Successor Agency to the Dissolved Winters Community Development Agency Approving the Real Property Purchase and Sale Agreement and Joint Escrow Instructions by and Between the Successor Agency and Yolo Federal Credit Union

Motion by Agency Member Cowan, second by Agency Member Aguiar-Curry to approve Resolution SA-2013-06, approving the Real Property Purchase and Sale Agreement and Joint Escrow Instructions by and between the Successor Agency and Yolo Federal Credit Union. Motion carried with the following vote:

AYES: Agency Members Aguiar-Curry, Anderson, Cowan, Guelden,  
Agency Chair Fridae  
NOES: None  
ABSENT: None  
ABSTAIN: None

3. Resolution SA-2013-04, a Resolution of the Successor Agency to the Dissolved Winters Community Development Agency Adopting a Property Management Plan

Motion by Agency Member Cowan, second by Agency Member Aguiar-Curry to approve Resolution SA-2013-04, adopting a Property Management Plan. Motion carried with the following vote:

AYES: Agency Members Aguiar-Curry, Anderson, Cowan, Guelden,  
Agency Chair Fridae  
NOES: None  
ABSENT: None  
ABSTAIN: None

4. Resolution SA-2013-07, a Resolution of the Successor Agency to the Dissolved Winters Community Development Approving ROPS 13-14B for the period January 1, 2014 through June 30, 2014

Director of Financial Management Gunby distributed a revised ROPS (Recognized Obligation Payment Schedule pursuant to AB1X 26) and gave an overview. Motion by Agency Member Aguiar-Curry, second by Agency Member Guelden to approve Resolution No. SA-2013-07, approving the ROPS 13-14B for the period 1/1/2014 – 6/30/14. Motion carried with the following vote:

AYES: Agency Members Aguiar-Curry, Anderson, Cowan, Guelden,  
Agency Chair Fridae  
NOES: None  
ABSENT: None  
ABSTAIN: None

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CITY MANAGER REPORT: City Manager Donlevy had nothing to report. Mayor Aguiar-Curry thanked him for distributing via e-mail the City Manager's Friday Update. Several others seem to be following suit.

ADJOURNMENT: Mayor Aguiar-Curry adjourned the meeting at 10:17 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:** September 3, 2013  
**THROUGH:** John W. Donlevy, Jr., City Manager  
**FROM:** Mary Jo Rodolfa, Management Analyst *mjr*  
**SUBJECT:** Approval of Street Closure, Amplified Sound Permit Application and Exclusive Use of Rotary Park and the Community Center for the Festival de la Comunidad

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**RECOMMENDATION:**

Approve the street closure request, amplified sound permit application and exclusive use of Rotary Park and the Community Center for the Festival de la Comunidad.

**BACKGROUND:**

September 28, 2013 marks the 7<sup>th</sup> Anniversary of the Festival de la Comunidad and Carnitas Cook-Off. This is a family event with lots of great entertainment, activities for children, and great food, craft and information booths and the ever popular carnitas cook-off.

The City of Winters Hispanic Advisory Committee works to foster communication, outreach and understanding between the City of Winters and the Latino community. The committee also provides support at community events and organizes the annual Festival de la Comunidad and Carnitas Cook-Off. Events like this are important in creating a sense of unity and celebration for all of the Winters citizens.

The City of Winters Hispanic Advisory Committee is requesting the closure of East Main Street between Railroad Avenue to just past the entrance to the Community Center parking lot, the approval of the attached amplified sound permit, and permission for exclusive use of Rotary Park and the Community Center on Saturday, September 28, 2013.

**FISCAL IMPACT:**

None

**ATTACHMENTS:**

Amplified Sound Permit Application  
Street Closure Application



**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: <u>Mary Jo Rodolfa</u>	Organization: <u>Hispanic Advisory Committee</u>
Address: <u>318 1st St., Winters, CA</u>	Mailing Address: <u>same</u>
Telephone: <u>530-794-6711</u>	Today's Date: <u>9/3/13</u>
Streets Requested: <u>East main Street from Railroad Ave to Elliot</u>	
Date of Street Closure: <u>9/28/13</u>	Time of Street Closure: <u>4p.m. - 10p.m.</u>
Description of Activity: <u>Festival de la Comunidad &amp; Carnitas Cook-Off</u>	
Services Requested of City: <u>Barricades and street closure.</u>	
APPROVED: <u>[Signature]</u> Police Department <u>CS</u> Public Works Department	

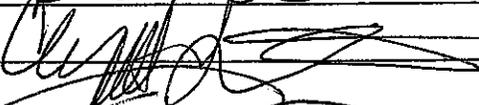
City of Winters Request for Street Closure

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

Silvia Stasio 11 East Main

Yvette Valenzuela

Ruby



101 Elliott St. #2

101 Elliott St. #4



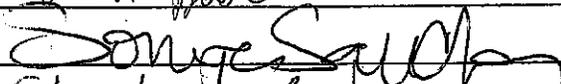
101 Elliott St #5

Jafar Ahmad

101 Elliott St #3

Juan Bode

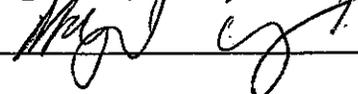
101 Elliott St #6



102 Elliott St #3

Claudia Montano

107 Elliott St.



107 Elliott St

Date of Application: Sept. 3, 2013

To City Council: Sept. 3, 2013

Name of Person(s)/ Organization: Hispanic Advisory Committee Contact: Mary Jo Rodolfa  
 Business Address: 318 First Street Telephone: 794-6711  
Winters, CA 95694  
 Telephone: 530-794-6711

Type of Event: Festival de la Comunidad and Carnitas Cook-Off

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

Date/Time of Event: Sat., Sept. 28, 2013 From: 5:00 p.m. To: 10:00 p.m.

Location/Address of Event: Rotary Park, East Main St. & Railroad Ave.

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

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

Signature: \_\_\_\_\_

**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: 8/28/13

Authorized Signature: \_\_\_\_\_

City Council:  Approved  Denied

Date: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_





## STAFF REPORT

**TO:** Honorable Mayor and Council Members  
**DATE:** September 3, 2013  
**THROUGH:** John W. Donlevy, Jr., City Manager  
**FROM:** Nanci G. Mills, Director of Administrative Services  
**SUBJECT:** Approval of Amplified Sound Permit Application for St. Anthony Parish's Kermes Festival on Saturday, September 7, 2013

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### **RECOMMENDATION:**

Approve the amplified sound permit application for the Kermes Festival for St. Anthony's Parish.

### **BACKGROUND:**

Kermes is a charity bazaar and fundraiser for St. Anthony's Church. Per the Noise Ordinance, the amplified sound permit requires Council approval on the attached form.

### **FISCAL IMPACT:**

None

Date of Application: 8/23/13 To City Council: 9/3/13

Name of Person(s)/ Organization: St Anthony's Parish Contact: Leticia Prado  
 Business Address: 511 Main St Telephone: (916) 996-9908  
Winters CA 95694  
 Telephone: (530) 795-2230

Type of Event: Festival / Kermes

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

Date/Time of Event: Sat. September 7, 2013 From: 2:00 pm To: 9:00 pm

Location/Address of Event: 511 Main St  
Winters CA 95694

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

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

Signature: 

For City Use Only

Proof of Insurance:  N/A (Not City Property)  Yes  No

Rental Fee Paid:  N/A (Not City Property)  Yes  No

Police Department:  Approved  Denied Date: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_

City Council:  Approved  Denied Date: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_





**CITY COUNCIL  
STAFF REPORT**

**TO:** Honorable Mayor and Council members  
**DATE:** September 3, 2013  
**THROUGH:** John W. Donlevy, Jr., City Manager  
**FROM:** John Wallace, City Attorney  
Dan Maguire, Economic Development and Housing Manager *DM*  
**SUBJECT:** Real Property Sale – 426 Cottage Circle (APN # 030 392 008) Winters

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**RECOMMENDATIONS:**

Staff recommends the City Council receive the report on the Real Property Sale of City (as Housing Successor Agency) Owned Property located at 426 Cottage Circle (APN # 030 392 008)

**BACKGROUND:**

At the June 15, 2010 City Council meeting, Council authorized staff to participate in a Trustee Sale on the subject property, 426 Cottage Way. The property was part of a 30 home "For Sale" affordable home ownership housing development commonly referred to as the "Cottages". By participating in the foreclosure sale, the City intended to protect an affordable asset of the community and to preserve the ability to recapture affordable housing funds previously expended in the City's "Silent Second" loan on the property.

The City was successful in acquiring the property at the July 1, 2010 Trustee sale. Subsequently the Council authorized staff to issue an RFP for contractors to address a number of deferred maintenance items at the subject property. The rehabilitation contract was awarded and the work was completed. The City always intended to re-sell the property as an affordably restricted property but the City's ability to sell the unit to an appropriately qualified affordable household has been delayed by the State's elimination of redevelopment agencies.

Subsequently the property was included on a Housing Asset List and that list was approved by the State Department of Finance. With that approval, the City, in its

capacity as Housing Successor Agency could proceed with the sale of the property as had always been intended.

At the May 21, 2013 City Council meeting, Council authorized Real Property Negotiator City Manager John W. Donlevy, Jr to execute the sale of the property in accordance with the affordable housing goals of the City. The City recently completed that sale to Guadalupe Arroyo at a sales price of \$199,000.00. An Affordability Covenant, restricting ownership of the property to low-income households, was recorded in conjunction with the sale.

**FISCAL IMPACTS:**

Sales Proceeds of \$17,980.61 will be deposited in the First Time Homebuyer Revolving Loan Fund with the remainder of the proceeds deposited in the Affordable Housing Trust Fund of the Housing Successor Agency



CITY COUNCIL  
STAFF REPORT

**TO:** Honorable Mayor and Councilmembers  
**DATE:** September 3, 2013  
**THROUGH:** John W. Donlevy, Jr., City Manager  
**FROM:** John C. Wallace, City Attorney  
**SUBJECT:** Committee/Commission Appointments

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**RECOMMENDATION:** (1) City Clerk to administer the application process, and to provide notifications; (2) policy been specifically placed in the City's Municipal Code as to Planning Commission Appointments.

**BACKGROUND:** The City Council has asked for input from staff regarding the selection process for Planning Commissioners and other committees and commissions. The Current Winters Municipal Code, as to Planning Commissioners, provides as follows:

**2.16.020 Appointment, term and reappointment.**

The mayor shall establish a rotating list from which council members shall be appointed to serve on a two-member council committee to conduct interviews and recommend among prospective commission candidates. ( \* ) The committee shall submit its recommended candidate to the full council for approval at the next regular council meeting. ( \*\* ) Commission members shall serve for a four-year term at the end of which they may apply for reappointment by submitting a letter to the council who will consider the reappointment request at their next regular meeting. The council may reappoint or consider other candidates in the same manner as an original appointment. At the end of a second four-year term the mayor shall establish another two-member council committee to conduct interviews and recommend among prospective commission candidates. The commissioner who has served two four-year terms may request consideration for another appointment and shall be evaluated in the same manner as any candidate seeking appointment. If a vacancy occurs other than by expiration, it shall be filled by appointment for the unexpired term. (Ord. 89-06 (part): prior code § 2-3.202)

ANALYSIS: The appointment process for Planning Commissioners runs the whole gamut in California cities. Processes include (1) appointment by the mayor with the consent of the council; (2) appointment by individual council members; (3) appointment by the City Council conducting interviews at Council meetings; and (4) recommendation to the City Council by subcommittee, subject to full City Council approval. Running through all of the procedures is a common theme - the Office of City Clerk receives the applications, administers the process and does the notifications. The applications themselves are public records, accessible by any member of the public. Because laws regarding City Council agendas are changing, and required to be more and more complete, withholding a recommendation until the open council meeting gets into a gray area best avoided. The following language could therefore be inserted into the existing municipal code to put the matter to rest, and the procedure clear to members of the public:

\* (After the first sentence) Public notice, provision and receipt of applications, scheduling of interviews, and notifications shall be through the Office of the Winters City Clerk.

\*\* (After the second sentence). The written recommendation shall be included in the agenda, together with copies of all the applications. Notification shall be given to all applicants of the time, date and place of the meeting where the appointment shall be made. Notification shall include a link to the Agenda and Packet, and shall specifically inform the application that the written recommendation is not binding on the City Council. The majority of the City Council will make the appointment.

**FISCAL IMPACT:** Staff time.



**CITY COUNCIL  
STAFF REPORT**

**TO:** Mayor and City Council  
**DATE:** September 7, 2013  
**FROM:** Woody Fridae, Mayor Pro Tem  
**SUBJECT:** Animal Control Regulation

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**RECOMMENDATION:**

That the City Council discuss options for improving animal control and regulation within the City.

**BACKGROUND:**

Since 2009, the City has experienced a number of incidents involving aggressive animals and concerns from residents over how to best regulate and prevent serious issues from arising. Much of the focus has been larger dogs, licensing and ways to prevent serious injuries.

**DISCUSSION:**

As a Councilmember, prevention and a progressive approach to dealing with animals has been a top priority. A request is that the City consider possible modifications to existing regulations to help clarify and enhance the overall ability of the City to manage animals.

Specifically, this would fall into the following categories:

1. **Licensing:** Enhance the City's overall enforcement of licensing through the Yolo County Animal Control and encourage residents to license pets. This may include directing the Police Department to compliment animal control in the identification of unlicensed

animals and issuing citations to compel licensing.

2. **Leash Law:** Improving local regulations and better defining leash laws so owners will better control pets.
3. **Signage:** Improving signage in parks and public areas which reminds persons of leash laws and of personal responsibility for aggressive pets.
4. **City Enforcement:** Including possible City enforcement of problems with animals amongst the duties of the City Attorney and staff to address problem animals.

It is requested that the City Council provide input and direction to Staff on improvements to City regulation regarding these topics.

**FISCAL IMPACT:**

None by this action.