



Winters City Council Meeting
City Council Chambers
318 First Street
Tuesday, December 3, 2013
6:30 p.m.
AGENDA

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*

5:30 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, November 19, 2013 (pp.1-2)
- B. Approval of Resolution No. 2013-41, a Resolution of the City Council of the City of Winters, Accepting the Public Utility Easement (PUE) along Matsumoto Lane across the frontage of Burger King/AMPM, Authorize the City Clerk to prepare a Notice of Acceptance (pp. 3-4)
- C. Proclamation Honoring the Capital Region Chapter of the American Red Cross Yolo County's 13th Annual Red Cross Heroes Recognition Event (p. 5)
- D. Proclamation in Recognition of Medic Ambulance Service (p. 6)
- E. Proclamation Honoring David Brown, District Manager for the Sacramento-Yolo Mosquito & Vector Control District on his Retirement from Service (pp. 7-8)

PRESENTATIONS

Proclamation in Recognition of Medic Ambulance Service (p.6)

DISCUSSION ITEMS

1. Public Hearing, Introduction, and Consideration by the Winters City Council of Ordinance 2013-03, an Ordinance of the City of Winters Code pertaining to Affordable Housing Requirements (pp. 9-32)
2. Animal Services Review – JPA/Local Regulation/Parks (pp. 33-41)

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

1. Resolution SA-2013-04, Approval and Adoption of Revised Long Range Property Management Plan Pursuant to Health and Safety Code Section 34191.5 (pp. 42-70)

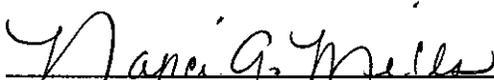
CITY MANAGER REPORT

INFORMATION ONLY

EXECUTIVE SESSION

ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the December 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 November 27, 2013, and made available to the public during normal business hours.



Nanci G. Mills, City Clerk

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

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City Hall – Finance Office - 318 First Street

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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
Held on November 19, 2013

6:00 p.m. – Executive Session

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

There was no reportable action taken in Executive Session.

6:30 p.m. – 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 Cecilia Aguiar-Curry
Absent: None
Staff: Director of Financial Management Shelly Gunby and Management Analyst Tracy Jensen.

Council Member Wade Cowan led the Pledge of Allegiance.

Approval of Agenda: Motion by Council Member Fridae, second by Council Member Guelden to approve the agenda. Motion carried unanimously.

COUNCIL/STAFF COMMENTS: Mayor Aguiar-Curry wanted to acknowledge the tragedy that occurred on Monday, November 18th, with condolences going out to staff and family of the victim, Leslie Pinkston. The Winters Police Department, Winters Fire Department and the Winters Unified School District did a good job under the circumstances and thanked Chief Gutierrez for the briefing given last night.

PUBLIC COMMENTS: None

CONSENT CALENDAR

- A. Minutes of the Regular Meeting of the Winters City Council Held on Tuesday, November 5, 2013
- B. Parade Permit and Amplified Sound Permit Applications Submitted by St. Anthony Parish in Honor of Our Lady of Guadalupe, the Patron Saint of the Americas

Director of Financial Management Shelly Gunby gave an overview. Motion by Council Member Fridae, second by Council Member Anderson to approve the consent calendar. Motion carried unanimously.

PRESENTATIONS: None

DISCUSSION ITEMS:

- 1. None

CITY MANAGER REPORT: Ms. Gunby said the Police and Fire Departments did a good job during yesterday's tragedy. She has shared with staff the resources available to them through the City's Employee Assistance Program. Chief Gutierrez is keeping staff informed, with no activity today.

ADJOURNMENT: Mayor Aguiar-Curry adjourned the regular meeting back into Executive Session at 6:42 p.m. in memory of Leslie Pinkston and her family.

Cecilia Aguiar-Curry, MAYOR

ATTEST:

Nanci G. Mills, City Clerk



TO: Honorable Mayor and Council Members
DATE: December 3, 2013
THROUGH: John W. Donlevy, Jr., City Manager *JWD*
FROM: Alan L. Mitchell, City Engineer
SUBJECT: **Public Utility Easement - Resolution and Grant of Easement, for Taco Bell and AM/PM**

RECOMMENDATION: Staff recommends that City Council approve Resolution No. 2013-41 to approve the Public Utility Easement (PUE) along Matsumoto Lane across the frontage of Burger King/AMPM (APN 038-050-063), and authorize the City Clerk to file the Grant Deed (Public Utility Easement) with the Yolo County Recorder.

BACKGROUND: The Conditions of Approval for the Burger King Restaurant/Arco Gas Station/AM PM Convenience Store required dedication of a ten (10) foot Public Utility Easement (PUE) adjacent to all public streets (Matsumoto Lane) within the development. The project is being expanded to include Taco Bell.

The Developer's Surveyor prepared a ten (10) foot PUE, which is dedicated to the City through the attached Grant Deed.

Staff recommends that City Council approve attached Resolution No. 2013-41.

FISCAL IMPACT: No funding impacts are associated with the PUE.

Attachment: Grant Deed (Public Utility Easement) with Exhibits
Resolution No. 2013-41

RESOLUTION No. 2013-41

A Resolution of the City Council of the City of Winters to Approve the Public Utility Easement (PUE) along Matsumoto Lane Across the Frontage of Burger King/AMPM and Taco Bell (APN 038-050-063), and Authorize the City Clerk to File the Grant Deed (Public Utility Easement) with the Yolo County Recorder

BE IT RESOLVED by the City Council of the City of Winters as follows:

WHEREAS, the City of Winters Planning Commission approved the Burger King Restaurant/Arco Gas Station/AM PM Convenience Store on Matsumoto Lane; and

WHEREAS, the Conditions of Approval for the project required dedication of a ten (10) foot Public Utility Easement (PUE) adjacent to all public streets (Matsumoto Lane) within the development; and

WHEREAS, a Grant Deed (Public Utility Easement) was prepared and signed by the Property Owner, which grants the PUE to the City of Winters.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Winters that Council approves the PUE along Matsumoto Lane across the frontage of Burger King/AMPM and Taco Bell (APN 038-050-063).

BE IT FURTHER RESOLVED by the City Council of the City of Winters that Council authorizes the City Clerk to file the Grant Deed (Public Utility Easement) with the County Recorder.

PASSED AND ADOPTED this 3rd day of December, 2013 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

CECILIA AGUIAR-CURRY, MAYOR

ATTEST:

NANCI MILLS, CITY CLERK



**American
Red Cross**

**A PROCLAMATION OF THE CITY OF WINTERS
TO COMMORATE THE 13TH ANNUAL HEROES OF THE AMERICAN RED
CROSS LUNCHEON TO BE HELD ON DECEMBER 13, 2013**

Every December the Capital Region Chapter of the Red Cross celebrates ordinary people who have made an extraordinary difference in the lives of others through inspiration, leadership, or acts of heroism with the Yolo County community.

Red Cross Heroes is an uplifting event that recognizes everyday individuals who have shown extraordinary courage through an act of heroism. Hero nominations are accepted year-round in several categories.

These categories include Animal Rescue, Good Samaritan (Adult), Good Samaritan (Senior), Good Samaritan (Youth), Law Enforcement, Medical Profession, Military (Active Duty), Military (Veteran), Professional Rescuer, and Workplace.

Two additional categories include "Spirit of the Red Cross", which is given to an individual who performed an act of heroism that exemplifies the humanitarian mission of the American Red Cross, and the Hero of the Year, which is given to an individual whose actions demonstrate a passionate commitment to saving lives and/or promoting the health and well-being of others.

Across the country, the American Red Cross responds to nearly 70,000 disasters a year. It provides some 400,000 services to military members, veterans and civilians, collects and distributes about 40 percent of the nation's blood supply and trains more than seven million people in first aid, water safety and other life-saving skills every year.

Our community depends on the American Red Cross, which relies on donations of time, money and blood to fulfill its humanitarian mission. Despite these challenging economic times, the American Red Cross continues to offer help and comfort to those in need.

NOW, THEREFORE, I, Cecilia Aguiar-Curry, Mayor of the City of Winters, by virtue of the authority vested in me by the Constitution and laws of the City of Winters and the State of California do hereby proclaim December 13, 2013 as Heroes of the American Red Cross Day. I encourage all Americans to support this organization and its noble humanitarian mission.

IN WITNESS WHEREOF, I have hereunto set my hand this 3rd day of December, in the year of our Lord two thousand thirteen, and of the City of Winters, California.

Cecilia Aguiar-Curry, Mayor

ATTEST:

Nanci G. Mills, City Clerk



**A PROCLAMATION OF THE CITY COUNCIL
OF THE CITY OF WINTERS**

WHEREAS, the City of Winters desires to have an ambulance located in the City for service to the City of Winters and the surrounding fire district; and

WHEREAS, Medic Ambulance Inc petitioned the Local Emergency Medical Services Agency to serve the Winters Community and was subsequently granted an operating permit for the Winters zone; and

WHEREAS, the City Council of the City of Winters desires to recognize Medic Ambulance Service for its service to the Winters Community over the course of 2013 and into early 2014; and

WHEREAS, as a result of the Yolo County RFP process, Medic Ambulance will soon be concluding its service to our Community.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Winters hereby recognizes Medic Ambulance Inc for;

- Serving Winters since January 2013 thereby increasing the level of service for emergency care in the Community
- Having faithfully served the Community in a professional manner providing high level Advanced Life Support 911 Emergency Ambulance Service
- Being an excellent partner to the City and to the Winters Fire Department.

PASSED AND ADOPTED, this 3rd Day of December, 2013.

Mayor Cecilia Aguiar-Curry

Mayor Pro Tem Woody Fridae

Councilmember Harold Anderson

Councilmember Wade Cowan

Councilmember Bruce Guelden

City Manager John W. Donlevy, Jr.

ATTEST: City Clerk Nanci G. Mills



**A PROCLAMATION OF THE CITY COUNCIL OF THE
CITY OF WINTERS HONORING
DAVID BROWN
ON HIS RETIREMENT**

WHEREAS, David Brown, District Manager for the Sacramento-Yolo Mosquito & Vector Control District will retire on December 31, 2013, after 30 years of outstanding, dedicated and commendable service to the residents of Sacramento and Yolo counties and State of California; and

WHEREAS, under his visionary leadership David developed one of the most ambitious, comprehensive and well respected mosquito control programs in the nation; and

WHEREAS, throughout his career and invaluable experience, David demonstrated continued dedication to ensuring and protecting public health and safety to the more than 1.5 million people who reside within the District boundaries; and

WHEREAS, David is a national and global authority on Integrated Pest Management tactics and is known for his work in mosquito control, prevention and public health; and

WHEREAS, throughout his career David served as President of both the Mosquito and Vector Control Association of California and the American Mosquito Control Association and has always been involved in state and federal issues that impact mosquito control work; and

WHEREAS, David actively served in California Legislative Committee hearings and repeatedly testified before Congress on mosquito and vector control issues; and

WHEREAS, David worked with national agencies such as the Centers for Disease Control and the Environmental Protection Agency in regards to furthering and improving mosquito and vector control practices; and

WHEREAS, David has continually demonstrated support of research and education relative to mosquito and vector control work conducted by organizations such as NASA, the University of California, Davis and the California Department of Food and Agriculture; and

WHEREAS, in recognition of his outstanding leadership and exemplary service throughout his career, David has served the people with dedication and fairness; and

WHEREAS, David has earned the respect, support and admiration of colleagues for his knowledge, efficiency, expertise, vision and courageous leadership in the field of mosquito control and will be greatly missed:

THEREFORE BE IT PROCLAIMED, that we, the Winters City Council does hereby extend to David Brown our sincere and grateful appreciation for his highly esteemed service to the Sacramento-Yolo Mosquito & Vector Control District and to the residents of Sacramento and Yolo counties. Congratulations on his well-earned retirement after 30 years of distinguished and dedicated public service and our best wishes to him for continued success, happiness, and good health in the years to come.

PASSED AND ADOPTED, this 3rd Day of December, 2013.

Mayor Cecilia Aguiar-Curry

Mayor Pro Tem Woody Fridae

Councilmember Harold Anderson

Councilmember Wade Cowan

Councilmember Bruce Guelden

City Manager John W. Donlevy, Jr.

ATTEST: City Clerk Nanci G. Mills



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Council Members
DATE: December 3, 2013
THROUGH: John W. Donlevy, Jr., City Manager *JWD*
FROM: Dan Maguire, Economic Development and Housing Manager *DM*
SUBJECT: Public Hearing and Consideration by the Winters City Council of Ordinance 2013-03, an Ordinance of the City of Winters Code Pertaining to Affordable Housing Requirements.

RECOMMENDATION:

Staff recommends that the City Council take the following actions:

- 1) Receive Staff Report
- 2) Conduct Public Hearing
- 3) Waive first reading, read by title only, and introduce:
Ordinance 2013-03, Extending Section 17.200.030, Subsection (B) (1) to the Winters Municipal Code Pertaining to Affordable Housing Requirements

BACKGROUND:

In 1992, the City of Winters completed and adopted a comprehensive update of its General Plan. As part of this effort, the City also adopted the seven elements required for a General Plan. Subsequently, Legal Services of Northern California (LSNC) challenged the adequacy of the City's Housing Element, one of the required seven elements, and brought suit against the City in Yolo County Superior Court. The City incurred significant expenses during its defense and eventually, a stipulated judgment was agreed to by all parties in 1994 and entered in Superior Court. The key provisions of the judgment included the City's adoption of an inclusionary housing ordinance in 1994 (Ordinance 94-10), which required that 15 percent of all new housing be affordable to very low-, low-, and moderate income households.

The Affordable Housing Steering Committee (AHSC), along with numerous stakeholders, including

the Yolo County Housing Authority, Legal Services of Northern California (LSNC), Mercy Housing, and other stakeholders started studying potential revisions to the existing Inclusionary Housing Ordinance (IHO) at the AHSC meeting on November 24, 2008. Over the course of the year, the AHSC and the aforementioned stakeholders have met several times, and agreement on the final version of the IHO was reached at the AHSC meeting on November 3, 2009. The Planning Commission reviewed the proposed ordinance at their meeting on November 26, 2009 and voted to recommend adoption of Ordinance 2009-18 to the City Council. The City Council introduced the foregoing Ordinance at the regular meeting of the City Council on December 15, 2009, and was passed and adopted and a regular meeting of the City Council held on January 5, 2010.

DISCUSSION:

The affordable housing requirements contained in this ordinance were the culmination of the City's efforts to develop an affordable housing program that promotes a balance between encouraging the development of market-rate housing and mixed use development in the City, while at the same time, providing for the creation of affordable housing necessary to meet the needs of very low-, low-, and moderate income households within the City.

The adopted amendment included an exemption for developments of 15 dwelling units or less located in the Community Development Agency Project Area from the requirement to provide affordable housing. It was the consensus of the AHSC and the other participants that small infill projects would continue to be severely constrained if the requirements of the existing IHO (Ordinance 94-10) were imposed. By allowing the exemption for small projects in the project area, it was anticipated this change would encourage infill development that encourages "smart growth". The section of Ordinance 2009-18 that established the exception {Section 17.200.030, Subsection (B) (1)} included language wherein the exemption would expire on December 31, 2013, unless extended by the City Council.

The original intent of the expiration of the exemption ("sunset clause") was to give staff, stakeholders, and the City Council the opportunity to evaluate the results of the implementation of the exemption. Since adoption of the Ordinance, there has been no significant residential development in Winters. Staff is recommending City Council extend the exemption with an amendment that would establish a new expiration date of October 31, 2021. This extension would align the exemption to the Ordinance to cover the current planning period of the recently adopted Housing Element Update (January 1, 2013 to October 31, 2021). Staff discussed the proposed extension of the exemption with the members of the AHSC at a meeting on November 20, 2013. Based on their review, the extension was presented to the Planning Commission at their meeting on November 26, 2013, with the Planning Commission voting to recommend the amendment to the City Council.

PROJECT NOTIFICATION:

Public notice advertising for the public hearing on this Amendment was prepared by the Community Development Department in accordance with notification procedures set forth in the City of Winters Municipal Code and State Planning Law. A legal notice was published in the Winters Express on Thursday, November 21, 2013. Copies of the staff report and all attachments for the proposed Amendment have been on file, available for public review at City Hall since Wednesday, November 27, 2013.

ENVIRONMENTAL DETERMINATION:

Pursuant to Section 15061 (b) (3) of the State CEQA Guidelines, a project is exempt from the California Environmental Quality Act when it can be seen with certainty that there is not possibility that the proposed Amendment may have significant effect on the environment. This Amendment entails the extension of a section of the Zoning Code regarding Affordable Housing, and therefore, constitutes administrative changes to the Zoning Code. As such, they will have no adverse effect on the environment; consequently, the project is not subject to environmental review under CEQA pursuant to Section 15061 (b) (3).

RECOMMENDATION:

Staff recommends that the City Council approve the proposed Ordinance 2013-03 by making the affirmative motions as follows:

I MOVE THAT THE WINTERS CITY COUNCIL WAIVE THE FIRST READING, READ BY TITLE ONLY, AND INTRODUCE ORDINANCE 2013-03 TO AMEND CHAPTER 17.200.030 (B) (1) TO THE WINTERS MUNICIPAL CODE PERTAINING TO AFFORDABLE HOUSING REQUIREMENTS

ATTACHMENTS:

- 1) Ordinance 94-10
- 2) Ordinance 2009-18
- 3) Ordinance 2013-03
- 4) CDA Project Area Land Inventory (Potential Exempted Properties from 2009 report)

CITY OF WINTERS

ORDINANCE 94-10

AN ORDINANCE ESTABLISHING AN AFFORDABLE HOUSING PROGRAM
FOR THE CITY OF WINTERS

WHEREAS, the public welfare requires the establishment of a program to encourage the provision of new affordable housing in order to meet the housing needs of the citizens of the City of Winters;

WHEREAS, federal and state funds are either extremely limited or no longer available to facilitate the construction of new affordable housing which places greater emphasis on local government and the private sector in producing affordable housing; and

WHEREAS, the City of Winters General Plan provides for several housing policies which will facilitate the development of new and rehabilitated affordable housing; and

WHEREAS, the Winters General Plan also provides for programs, activities and incentives to implement housing policy to encourage the production of housing affordable to low and very low income households.

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

Section 1. Article 31, Affordable Housing, is hereby added to Title VIII of the Winters Municipal Code to read as follows:

ARTICLE 31. AFFORDABLE HOUSING

Section 8-1.3101. **PURPOSE.** The public welfare requires the city to take action to ensure that affordable housing is constructed and maintained within the City of Winters. The General Plan contains goals, policies and implementation programs designed to facilitate the development of new and rehabilitation for affordable housing. Such policies include but are not limited to, achieving the community's fair share regional allocation for housing for very low and low income households, establishing density bonuses to facilitate construction of housing for targeted income groups, rezoning land to promote mixed uses and affordable housing, and seeking all available sources of funding (including redevelopment) to facilitate development of affordable housing by the private sector. Special needs must be addressed such as adequate bedrooms for large families and housing for seniors.

Section 8-1.3102. **DEFINITIONS.** For the purposes of this article the following words and phrases shall have the meanings respectively ascribed to them by this section.

- (a) "Affordable housing" means affordable sales housing or affordable rental housing. Affordable housing focuses on moderate, low and very low income households as defined hereinafter and by State Statute. The ratio of household income to ability to pay may evolve over time. However, currently affordable housing purchase payments are approximately 30% of gross monthly household income less insurance and property taxes. Affordable rental housing payments are approximately 30% of gross monthly household income less utilities.
- (b) "Moderate income" means a household earning a gross income of more than 80 percent and less than 121 percent of the median income for Yolo County as determined by the U.S. Department of Housing and Urban Development.
- (c) "Low income" means a household earning a gross income of more than 50 percent and less than 80 percent of the median income for Yolo County as determined by the U.S. Department of Housing and Urban Development.
- (d) "Very low income" means households earning a gross income of less than 50 percent of the median income for Yolo County as determined by the U.S. Department of Housing and Urban Development.
- (e) "Density bonus" means entitlement to build additional residential units above the maximum number of units permitted pursuant to existing General Plan, applicable specific plan and zoning designations. Density bonus units may be constructed only in the development where the units of affordable housing are located. Density bonus means a bonus of units awarded to a development pursuant to Government Code Section 65915 et seq.

Section 8-1.3103. APPLICABILITY OF ARTICLE. This Article is enacted pursuant to the police power of the City of Winters and is for the purpose of providing affordable housing in Winters consistent with the General Plan.

Section 8-1.3104. INDIVIDUALIZED PROJECTS. The Winters General Plan contains a policy that at least 15 percent of all new housing units will be affordable to persons of very low, low, or moderate income households, with six percent of new housing being affordable to very low income households, and nine percent being affordable to low or moderate income households in proportion to the unmet needs for each identified in the current Housing Element. This policy may be met in a variety of ways, including but not limited to, construction of dwelling units (single-family or multi-family) and sales or rentals; dedication of land; monetary payments in lieu of dedication of land, cooperative ventures with non-profit housing corporations, mutual housing associations, limited equity housing cooperatives, self-help or "sweat equity" projects, etc.

The City will explore all avenues of funding and cooperative efforts to assist in the development of affordable housing by the private and non-profit sectors.

The City's policy is to cause to be constructed 15% of all new housing for very low, low and moderate income house holds. This is a community-wide policy. Each project/subdivision will be individualized or tailored to contribute to the end policy. Every project will not be identical. A project individualized program shall be developed jointly by the developer/builders and city. The city reserves the final authority to determine whether the developer's project individualized program meets the city's affordable housing requirements.

Such programs may included but are not limited to the following: Programs may use a combination of the following elements.

- a. Construct units for sale or rental.
- b. Provide an irrevocable offer of dedication of land.
- c. Payment of an in lieu fee instead of constructing units or dedicating land.
- d. Density bonuses shall be granted for low and lower income units pursuant to State Statute.

Sections 8-1.3105 TERM. Affordable housing for low and very low income house hold shall remain affordable for a period of not less than 55 years.

Section 8-1.3106 HOUSING MIX. A community-wide housing mix is essential. Seniors and large families must be addressed as well as average size house holds. Affordable housing units shall include a mis of units sizes, and to the extant feasible, should be dispersed throughout the development.

Section 8-1.3107 MINIMUM SIZE. The city shall approve development program for affordable housing proposals with a minimum acceptable size of land dedication based upon development feasibility included standard criteria such as parking, open space, building height, etc.

Section 8-1.3108 IN-LIEU FEES. In-lieu fees shall be established by Resolution of the City Council. Any such payment shall be deposited into a separate account for independent audit and entitled "Affordable Housing Fund". This in-lieu fee shall be levied on builders only when on-sit construction and dedication of land requirements are not deemed feasible or in combination with construction and dedication. The preferred action is construction of housing as compared to payment of in-lieu fees. The city shall determine whether the payment of in-lieu fees is appropriate to meet the affordable housing requirements. The city reserve the final authority to determine whether the developer's project

individualized program meets the city's affordable housing requirements.

This Ordinance was introduced at a regular meeting of the Winters City Council on the 19th day of April, 1994 and was passed and adopted on the 3rd day of May, 1994 by the following roll call vote:

AYES: Curry, Mosier, Pfanner, Mayor Chapman

NOES: None

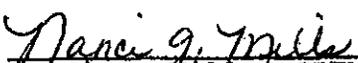
ABSENT: Martin

ABSTAINED: None



J. Robert Chapman, MAYOR

ATTEST:



Nanci G. Mills, CITY CLERK

ORDINANCE NO. 2009-18

AN ORDINANCE OF THE CITY OF WINTERS REPEALING SECTION 17.60.030(B) OF THE ZONING CODE AND ADDING CHAPTER 17.200 TO THE ZONING CODE PERTAINING TO AFFORDABLE HOUSING REQUIREMENTS

The City Council of the City of Winters hereby ordains as follows:

SECTION 1. Recitals.

- A. The City of Winters undertook a comprehensive study and analysis of its affordable housing program, which prompted certain revisions to the affordable housing program for the City.
- B. The affordable housing requirements contained in this Ordinance are the culmination of the City's efforts to develop an affordable housing program that promotes a balance between encouraging the development of market-rate housing and mixed use development in the City, while at the same time, providing for the creation of affordable housing necessary to meet the needs of individuals of very low, low and moderate income within the City.
- C. The City of Winters Planning Commission conducted a noticed public hearing regarding this Ordinance, which amends the Zoning Code to repeal Section 17.60.030(B) and add Chapter 17.200 pertaining to affordable housing requirements within the City, and has recommended approval of the Ordinance.
- D. The City Council of the City of Winters has provided public notice of its intention to amend the Zoning Code to adopt Chapter 17.200, and conducted a public hearing thereon on December 15, 2009.
- E. The proposed amendment of the Zoning Code to add Chapter 17.200 is consistent with the goals, policies, and objectives of the City of Winters General Plan, and in particular, the Housing Element, as adopted on September 1, 2009.
- F. The proposed amendment of the Zoning Code to add Chapter 17.200 has been reviewed in accordance with the California Environmental Quality Act ("CEQA") and is exempt pursuant to CEQA Guidelines Section 15061(b)(3).

SECTION 2. Chapter 17.200 "Affordable Housing Requirements" is hereby added to the Winters Municipal Code to read as follows:

Section 17.200.010 Purpose and Intent

The public welfare requires the City to take action to ensure that affordable housing is constructed and maintained within the City. This Chapter is intended to provide that new development projects in the City contain or assist in the production of a defined percentage of housing affordable to low income and very low income households, to provide for a program of incentives, and to implement the affordable housing policies contained in the Housing Element of the City's General Plan.

Section 17.200.020 Definitions

"Affordable Housing Steering Committee" means an advisory committee appointed by the City Council for the purpose of advising the City Council, Planning Commission, Community Development Agency and City staff on affordable housing policies and programs, use of redevelopment housing funds, proposed affordable housing projects, and other housing matters, at the request of the City Council.

"Community Development Director" means the director of the Community Development Department of the City, or his or her designee.

"Developer" means any person, firm, partnership, association, joint venture, corporation, or any entity or combination of entities which seeks the City's approval of discretionary land use entitlements for all or part of a development project. "Developer" includes "owner"

"Development project" means any development project that contains residential units, including single family and multifamily units.

"Inclusionary housing agreement" means an agreement between the developer and the City setting forth the manner in which the inclusionary housing requirements will be met in the development project.

"Inclusionary housing plan" means the plan setting forth the manner in which the developer proposes to satisfy the inclusionary housing requirements of this Chapter within the development project.

"Inclusionary housing requirement" means the inclusionary housing requirements as specified in this Chapter.

"Inclusionary housing unit or inclusionary unit" means an ownership or rental unit developed or provided in satisfaction of the inclusionary housing requirements of a development project, as provided for in this Chapter, and which is affordable to very low, low income or moderate income households.

"Low income household" means a household whose income does not exceed eighty percent (80%) of median income applicable to Yolo County, adjusted for family size as published and annually updated by the United States Department of Housing and Urban Development.

“Moderate income household” means a household whose income does not exceed one hundred twenty percent (120%) of median income applicable to Yolo County, adjusted for family size as published and annually updated by the United States Department of Housing and Urban Development.

“Very low income household” means a household whose income does not exceed fifty percent (50%) of the median income, adjusted for household size, applicable to Yolo County, as published and periodically updated by the United States Department of Housing and Urban Development.

Section 17.200.030 Inclusionary Housing Requirements

(A) Number and Affordability of Units. Except as otherwise provided for in this Chapter, all development projects consisting of five (5) or more residential units within the City of Winters shall include inclusionary housing units equal to fifteen percent (15%) of the total number of residential units in the development project, excluding density bonus units. The fifteen percent (15%) inclusionary housing requirement shall consist of six percent (6%) very low income units and nine percent (9%) low income or moderate income units in proportion to the unmet needs for each identified in the current housing element.

(B) Exception. The following development projects are exempt from the provisions of this Chapter:

1. Redevelopment Project Area. The fifteen percent (15%) inclusionary housing requirement provided in Subsection A above shall not apply to development projects within the Winters Community Development Agency Redevelopment Project Area that contain fifteen (15) or fewer residential units. This exception shall expire on December 31, 2013, unless extended by the City Council. Any development project that has not acquired a vested right to develop in accordance with existing laws and regulations by such expiration date shall be required to comply with the provisions of this chapter.
2. Project with prior approval. A development project that has obtained discretionary approval (e.g., a Development Permit, Use Permit, Design Review, Planned Development Permit, or Variance approval) before the effective date of this Chapter; or a building permit before the effective date of this Chapter; or a Certificate of Occupancy before the effective date of this Chapter.
3. Exempt by State law. A development project that is exempt from this Chapter by State law.
4. Project with vested rights. A development project for which the City has entered into a development agreement before the effective date of this Chapter, or which otherwise demonstrates a vested right to proceed without complying with this Chapter.

(C) Implementation. The developer shall propose an inclusionary housing plan to community development director as provided for in this Chapter. A condition requiring compliance with all of the terms of the inclusionary housing plan, as approved by the Planning Commission, shall be imposed on the development project. Further, the developer and the City shall enter into an inclusionary housing agreement that requires compliance with the inclusionary housing plan, and that will be recorded upon the property as provided in this Chapter.

(D) Density Ranges. Development projects which are proposed in areas of the City zoned for medium high and high density residential use, shall only be approved if density of the development project is in the upper one-half of the density ranges specified in the Zoning Code for developments in such zones, unless site constraints effectively prohibit such intensity of development.

(E) Unit Size. The inclusionary housing requirement shall accommodate diverse family sizes by including a mix of studio, one, two and/or three bedroom units where feasible.

(F) Exterior Appearance. The inclusionary units shall be visually compatible with and shall have similar external building materials and finishes as the market rate units in the immediate neighborhood.

(G) Access to Common Amenities. Tenants and residents of inclusionary units shall be provided the same rights and access to common amenities within the development project as tenants and residents occupying market rate units.

(H) Small Parts of Larger Projects. The City shall not approve development projects which reasonably appear to be smaller parts of a greater project and have the effect of circumventing the requirements of this Chapter.

Section 17.200.040 Inclusionary Housing Plan

(A) Submittal Requirements. At the time of and as part of the application for a discretionary land use entitlement for a development project, the inclusionary housing plan shall be submitted to the Community Development Director by the project developer, and shall include:

1. A detailed description of the method by which the developer will comply with the requirements of this Chapter.
2. The location of the inclusionary units within the development project, if applicable, the size of the inclusionary units, and any incentives requested by the developer in accordance with Section 17.200.060 of this Chapter.
3. Where an alternative to constructing inclusionary units on-site is intended, the developer shall provide detailed information regarding the alternative selected for meeting the inclusionary housing requirement, including a written statement that the proposed parcel(s), site, or existing market rate units, if applicable,

are available and capable of being dedicated to the City by the developer and that the affordable units shall be restricted as affordable housing, by way of contractual restrictions, recorded covenants or other legal mechanisms to assure that the units remain affordable housing units, as determined by City.

4. A phasing plan that provides a schedule for the timely development of the inclusionary units as the development project is built out.
5. Any other information deemed necessary by the Community Development Director.

(B) Affordable Housing Steering Committee Meeting. Prior to the submittal of the inclusionary housing plan, the Affordable Housing Steering Committee shall meet with and provide recommendations to the project developer regarding compliance with this Chapter.

(C) Community Development Director Preliminary Review. Upon receipt of the proposed inclusionary housing plan, the Community Development Director shall review the plan, and thereafter shall meet with the project developer to discuss the proposed plan.

(D) Plan Approval. After the preliminary review by the Community Development Director, the inclusionary housing plan shall be subject to the same review and approval as the discretionary land use entitlements.

Section 17.200.050 Alternative Methods to Meeting Inclusionary Housing Requirements

The City strongly prefers and shall encourage on-site construction of inclusionary units, however alternatives to the on-site construction of the inclusionary housing units may be proposed by the developer, consistent with the requirements set forth below in this section. The alternative methods are subject to review and approval of the City, as part of the inclusionary housing plan review process. The developer shall have the burden of demonstrating that the alternative selected is equivalent to the on-site construction of inclusionary housing units. Alternatives may include:

(A) Land Dedication. A developer may propose to dedicate land within the City sufficient to construct at least the same number of units and infrastructure to support the number of units as the developer would have been required to construct on-site subject to the inclusionary housing requirement. Land may be dedicated pursuant to this alternative provided the site will support the same number of units the developer is required to construct, has zoning of a minimum density necessary to accommodate the inclusionary housing requirement, that the site is physically and legally acceptable to the City, and that the site is restricted to affordable housing. The developer shall dedicate the land to the City at no cost the City.

(B) On-Site or Off-Site Construction. A developer may propose to develop housing to satisfy the inclusionary housing requirement at an on-site or off-site location within the City.

(C) Acquisition, Rehabilitation, and Conversion of Market Rate Units. A developer may propose to acquire and rehabilitate existing market rate units in the City which are at or above existing affordable rents, which require repair, rehabilitation, modernization or other work and convert those units to affordable housing units.

(D) Conversion of Market Rate Units. A developer may propose to convert existing market rate units in the City which do not require rehabilitation and are at or above existing affordable rents to affordable housing units by way of contractual restrictions, recorded covenants or other legal mechanisms to assure that the units remain affordable housing units, as determined by City.

(E) Accessory Units. A developer may propose to construct accessory dwelling units (e.g. granny flats) on site of the development project to meet the inclusionary housing requirement. The lots upon which the accessory dwelling units are constructed shall be restricted to provide that the units remain affordable housing units by way of contract, recorded covenants or other legal mechanisms.

(F) Inclusionary Housing Credits. A developer may propose to use inclusionary housing credits, as defined in this Chapter, to meet the inclusionary housing requirement.

(G) Payment of In-Lieu Fees. A developer may propose to pay an in-lieu fee to the City instead of constructing affordable units to meet the inclusionary housing requirement.

(H) Cooperative Ventures. A developer may propose a cooperative venture with a non-profit housing corporation, mutual housing association, limited equity housing cooperative, or other entity.

(I) Sweat Equity Project. A developer may propose a self-help or "sweat equity" project with a non-profit corporation or other entity.

(J) Combination. A developer may propose to utilize a combination of the above alternatives to meet the inclusionary housing requirement.

(K) Other Alternatives. A developer may propose, and the City may accept, other alternatives that meet the requirements and intent of this Chapter.

Section 17.200.060 Incentives and Assistance

(A) Request for Incentives and Assistance. The developer of a development project subject to the inclusionary housing requirements of this Chapter, may request, and the City, in its discretion, may grant or deny the request for incentives as set forth in this section.

(B) Fee Waivers or Deferrals. The City may grant to a developer a program of waivers, reduction or deferrals of development fees or administrative fees for the inclusionary units.

(C) Inclusionary Housing Credits. A developer may submit as part of the inclusionary housing plan a proposal to provide affordable housing units or a donation of land in connection with a development project beyond the requirements of this Chapter. The developer may credit the additional affordable units or land against future development projects proposed by the developer within the City, subject to the provisions of this chapter. Inclusionary housing credits may also be transferred or sold to any other person or entity subject to the following conditions:

(1) Inclusionary housing credits must be applied to another development project within five (5) years of issuance of a certificate of occupancy for the inclusionary units(s) or implementation of an alternative method of meeting the inclusionary method of meeting the inclusionary housing requirement which gives rise to the credits, such as land dedication. A developer who has not used, transferred or sold credits within the time specified in this section may apply to the City for a one (1) year extension on the life of the credits. A request for extension of the inclusionary housing credit shall be reviewed by City Council who shall grant or deny the request for extension. The City Council shall consider progress and efforts the developer has made to utilize the credits during the previous five (5) years, the impact on affordable housing in the City if the extension is granted, any proposals for use of the credits should the extension be granted and other relevant factors.

(2) Inclusionary units receiving monetary subsidies through the City shall not receive credits unless the City has been reimbursed for its financial assistance.

(D) Local Public Funding. A developer may apply to the community development agency for local public funding to assist in the financing and development of affordable housing to meet the inclusionary housing requirement.

(E) Modification of Development Standards. To the extent feasible in light of the uses, design and infrastructure needs of the development project, modifications to existing City planning standards may be made for the development project. Such modifications shall be requested through a development permit, or other such permit that allows the modification of planning standards, and shall be considered in conjunction with the other discretionary land use entitlements for the development project.

(F) Mixed Use Projects. Mixed use projects containing affordable units may be proposed and approved in areas of the City where the Zoning Code and the General Plan allow such development to help off-set the cost of developing affordable units pursuant to the requirements of this chapter.

Section 17.200.070 Density Bonus

Inclusionary units required by this Chapter or otherwise proposed to be constructed as part of a development project shall not be counted towards the number of units necessary to qualify for a density bonus under applicable state or local laws.

Section 17.200.080 Restrictions on Inclusionary Units

Each inclusionary unit created as a result of this Chapter shall have limitations governing its rental, sale, and/or resale and its occupancy, unless such limitations would be in conflict with federal or state law. The purpose of these limitations is to preserve the long-term affordability and to ensure its continued availability for income eligible households.

(A) Duration of Affordability for Rental and Resale of Inclusionary Units. All rental and for-sale inclusionary housing units developed within the City shall remain affordable for a period of not less than that required by Section 33334.3(f)(1) of the California Health and Safety Code (fifty-five years for rental units, forty-five years for owner-occupied units and fifteen years for mutual self-help housing units), and shall be regulated by regulatory agreement, recorded covenants or other legal mechanisms to assure that the units remain affordable housing units, as determined by City.

(B) Occupancy Requirements.

(1) Rental Units. Any person(s) who occupies a rental inclusionary unit shall occupy that unit as his or her principal residence and shall annually certify that he or she qualifies for the applicable affordable rent level. The Community Development Director shall annually initiate this certification process. If and when any person(s) who rents an inclusionary unit no longer qualifies at the applicable affordable rent and income levels, the person(s) shall be required to vacate the unit or pay the market rate for the unit provided another rental unit is made available at the income level of the inclusionary unit.

(2) For-Sale Units. (i) Except as provided in this section, an initial owner who purchases a for-sale inclusionary unit shall occupy that unit as his or her principal residence. The inclusionary housing agreement shall provide that a for-sale inclusionary unit may only be rented or leased with the written permission of the City, and then, only to an income eligible person and the inclusionary unit shall be rented at no greater a rental rate than the affordable rent level as defined in Health and Safety Code Section 50053. The inclusionary unit shall be rented or leased at the same income level of the original for-sale affordable housing price. For example, if the initial owner bought the unit at the very low income housing price the unit shall be rented at the very low income rent level currently in effect. Any person intending to offer a for-sale inclusionary unit for rent or lease shall first notify the City housing coordinator in writing, prior to the renting of the unit. (ii) An initial owner shall be required to execute a promissory note, secured by a deed of trust, payable to the City, for the difference between the fair market value of the unit and the actual purchase price ("Silent Second Note"). The Silent Second

Note shall accrue interest at the Local Agency Investment Fund ("LAIF") rate, and shall be due and payable upon the sale, transfer or refinancing of the unit, unless the sale is to another low income eligible buyer, as determined by the City. The proceeds of any Silent Second Notes shall be deposited in an account designated for uses related to the provision of affordable housing in the City.

(C) Resale of For-Sale Units. The initial owner or any subsequent owner may sell a for-sale unit pursuant to the following requirements. Inclusionary for-sale units shall remain affordable to subsequent income eligible buyers pursuant to the resale restricted term provided for in subsection (A) above, and in accordance with the affordable housing costs set forth in Health and Safety Code Section 50052.5. The inclusionary for-sale unit shall be sold at the same affordable housing price income level as it was originally sold, and the new income eligible buyer shall be required to execute a new inclusionary housing agreement and Silent Second Note, secured by a deed of trust.

(1) Option to Sell to City. If the owner is unable to sell the inclusionary unit within one hundred and eighty (180) days of offering and advertising the unit for sale, the owner may offer to sell the unit to the City at the affordable housing price at the time offer. The Community Development Director may reduce the one hundred and eighty (180) day requirement specified above if the owner demonstrates, to the satisfaction of the Director, that such limit would create a hardship for the owner. If the City or its assignee does not complete the purchase of the unit within ninety (90) days of the owner's offer of sale to the City, the resale obligation of this section shall terminate; however, the provisions of this section relating to recapture upon sale shall continue to apply and remain in full force and effect.

(2) Recapture Upon Sale. If the inclusionary unit does not sell within one hundred and eighty (180) days of offering and advertising the unit for sale, or such lesser time as established by the Community Development Director upon a finding that a hardship exists, and if the City does not acquire the inclusionary unit as specified in this section, the inclusionary unit may be sold at the current market price. Upon the sale of a unit at market price, the seller shall pay to the City housing trust fund the full amount of the Silent Second Note, described above in this section. The owner shall be entitled to any appreciation in the fair market value of the unit from the time of initial sale to the present sale.

Section 17.200.090 Administration of Inclusionary Housing Requirements

(A) Inclusionary Housing Agreement. Upon approval of the inclusionary housing plan pursuant to Section 17.200.030, the Community Development Director shall prepare an inclusionary housing agreement for the development project that is consistent with inclusionary housing plan, and shall indicate ownership information, type of inclusionary unit (for-sale or rental), the number and size of the inclusionary units, the developer of the inclusionary units, the phasing and construction scheduling of the inclusionary units, commitments for inclusionary incentives and any other information required by the City

relative to the inclusionary housing requirement. In the case of alternatives to the inclusionary housing requirement, the agreement shall also contain the information required in this chapter pertaining to the alternative. Upon completion, the inclusionary housing agreement shall be recommended for approval by the City Council at the next regular City Council meeting. The inclusionary housing agreement shall provide a direct financial contribution by the City in the amount of not less than one hundred dollars (\$100) per inclusionary unit.

No final map shall be approved and no grading permit or building permit shall be issued by the City prior to the full execution and recordation of the inclusionary housing agreement against the property.

(B) Action on Inclusionary Housing Agreement. The City Council shall approve the inclusionary housing agreement upon a finding that the agreement meets all the requirements of this chapter and shall direct that the agreement be recorded upon the subject property.

(C) Affordable Rental and Affordable Housing Agreements. Prior to obtaining a certificate of occupancy for a development project which includes inclusionary units, the developer shall cause an affordable rental agreement to be executed between the owner of the property and the City which shall be recorded with the county recorder's office against the parcels identified in the inclusionary housing agreement as being inclusionary units, in a form reviewed and approved by the City Attorney. Where the inclusionary unit is a for-sale unit within a development project, prior to obtaining a certificate of occupancy for that unit the developer shall cause an affordable sale agreement to be executed between the initial owner of the inclusionary unit and the City, which shall be recorded with the county recorder's office against the parcel, in a form reviewed and approved by the City Attorney.

(D) Administrative of Affordability for Rental Inclusionary Housing. The owner of rental inclusionary units or for-sale inclusionary units offered for rent shall be responsible for certifying the income of the tenant or owner to the City at the time of initial rental and annually thereafter. The owner of a for-sale inclusionary unit shall certify to the City the income of the initial purchaser.

(E) Accessory Dwellings. Prior to obtaining a certificate of occupancy for an accessory dwelling which is designated as an inclusionary units pursuant to an inclusionary housing agreement, the developer shall cause an affordable sale agreement to be executed between the initial owner of the accessory dwelling unit and the City, which shall be recorded with the county recorder's office against the accessory dwelling unit, in a form reviewed and approved by the City Attorney.

(F) Guidelines. The Community Development Director may develop additional guidelines as necessary for implementation of this chapter.

(G) Appeal. Where the provisions of this Chapter vest the Planning Commission with final decision making authority, any applicant aggrieved by the decision of the Planning Commission may appeal the decision to the City Council, within ten (10) days of the final decision of the Planning Commission. Any appeal of a decision of the Planning Commission must be filed with the City Clerk. The City Clerk shall set the appeal before the City Council within forty (40) days of receipt of the appeal.

Section 17.200.100 Monitoring of Inclusionary Housing

(A) Developers. Developers that have entered into an inclusionary housing agreement requiring the provision of inclusionary housing units will be monitored by the City annually to assure compliance with the inclusionary housing agreement.

(B) Inclusionary Units. Inclusionary housing units developed within the City will be monitored by the City annually to verify that the units remain affordable in accordance with Section 17.200.080(B) of this chapter.

(C) Reporting. An annual reporting mechanism shall be created by the City to identify the number of inclusionary housing units that have been required for development within the City by inclusionary housing agreements during the annual reporting period and shall include the number of inclusionary housing units that have actually been developed during the annual reporting period. The report shall also include the results of the monitoring of developers and inclusionary units already in existence.

Section 17.200.110 Administrative and In-Lieu Fees

The City Council may, by resolution, establish an in-lieu fee and reasonable fees and deposits to defray costs of processing applications, proposals pursuant to this Chapter.

Section 17.200.120 Enforcement and Penalties

It is unlawful to offer for sale or to rent or lease any inclusionary unit without compliance with this Chapter. Any person who violates any provision of this Chapter shall be guilty of a misdemeanor. Any person who violates any provision of this Chapter shall be guilty of a separate offense for each and every day which any person commits, continues, permits, or causes a violation thereof and, shall be punished accordingly.

SECTION 3.

Section 17.60.030(B) of Chapter 17.60 of the Winters Zoning Code pertaining to affordable housing requirements for individualized projects is hereby repealed in its entirety.

SECTION 4. Effective Date.

This Ordinance shall be in full force and effective 30 days after its adoption and shall be published and posted as required by law. The City Clerk of the City of Winters shall

cause this Ordinance to be published and posted in accordance with 36933 of the Government Code of the State of California.

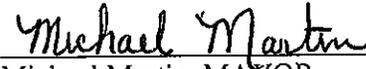
The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Winters, California, held on December 15, 2009, and was passed and adopted at a regular meeting of the City Council held on January 5, 2010 by the following vote:

AYES: Council Members Aguiar-Curry, Fridae, Stone and Mayor Martin

NOES: None

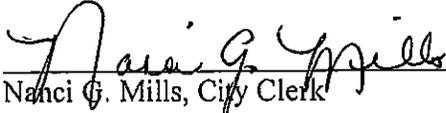
ABSENT: Council Member Anderson

ABSTAIN: None



Michael Martin, MAYOR

ATTEST:



Nanci G. Mills, City Clerk

1160228.15

ORDINANCE NO. 2013-03

AN ORDINANCE OF THE CITY OF WINTERS AMENDING SECTION 17.200.030 OF THE ZONING CODE PERTAINING TO AFFORDABLE HOUSING REQUIREMENTS

The City Council of the City of Winters hereby ordains as follows:

SECTION 1. Recitals.

- A. The City of Winters undertook a comprehensive study and analysis of its affordable housing program, which prompted certain revisions to the affordable housing program for the City in 2009.
- B. Following that study and analysis the City adopted Ordinance 2009-18, which was the culmination of the City's efforts to develop an affordable housing program that promotes a balance between encouraging the development of market-rate housing and mixed use development in the City, while at the same time, providing for the creation of affordable housing necessary to meet the needs of individuals of very low, low and moderate income within the City.
- C. Ordinance 2009-18 included an exemption to the affordable housing requirements set forth in that ordinance for projects of 15 units or less that are located in the project area for the City's former Redevelopment Agency.
- D. The exemption is to expire on December 31, 2013, and the City desires to extend the expiration date for such exemption.
- E. The City of Winters Planning Commission received the staff report at the Planning Commission Meeting of November 26, 2013 regarding this Ordinance, which amends the Zoning Code to repeal Section 17.60.030(B) and add Chapter 17.200 pertaining to affordable housing requirements within the City, and has recommended approval of the Ordinance.
- F. The City Council of the City of Winters has provided public notice of its intention to amend the Zoning Code to adopt Chapter 17.200, and conducted a public hearing thereon on December 3, 2013.
- G. The proposed amendment of the Zoning Code set forth herein to add Chapter 17.200 is consistent with the goals, policies, and objectives of the City of Winters General Plan, and in particular, the Housing Element, as adopted on October 15, 2013.
- H. The proposed amendment of the Zoning Code to add Chapter 17.200 has been reviewed in accordance with the California Environmental Quality Act ("CEQA") and is exempt pursuant to CEQA Guidelines Section 15061(b)(3).

SECTION 2. Subdivision (B)(1) of Section 17.200.030(B)(1) of the Winters Municipal Code is hereby amended to read as follows:

1. **Former Redevelopment Project Area.** The fifteen percent (15%) inclusionary housing requirement provided in Subsection A above shall not apply to development projects within the boundaries of the Winters Community Development Agency Redevelopment Project Area that contain fifteen (15) or fewer residential units. This exception shall expire on October 31, 2021, unless extended by the City Council. Any development project that has not acquired a vested right to develop in accordance with existing laws and regulations by such expiration date shall be required to comply with the provisions of this chapter.

SECTION 3. Effective Date.

This Ordinance shall be in full force and effective 30 days after its adoption and shall be published and posted as required by law. The City Clerk of the City of Winters shall cause this Ordinance to be published and posted in accordance with 36933 of the Government Code of the State of California.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Winters, California, held on December 5, 2013, and was passed and adopted at a regular meeting of the City Council held on December 17, 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Cecilia Aguiar-Curry, MAYOR

ATTEST:

Nanci G. Mills, City Clerk

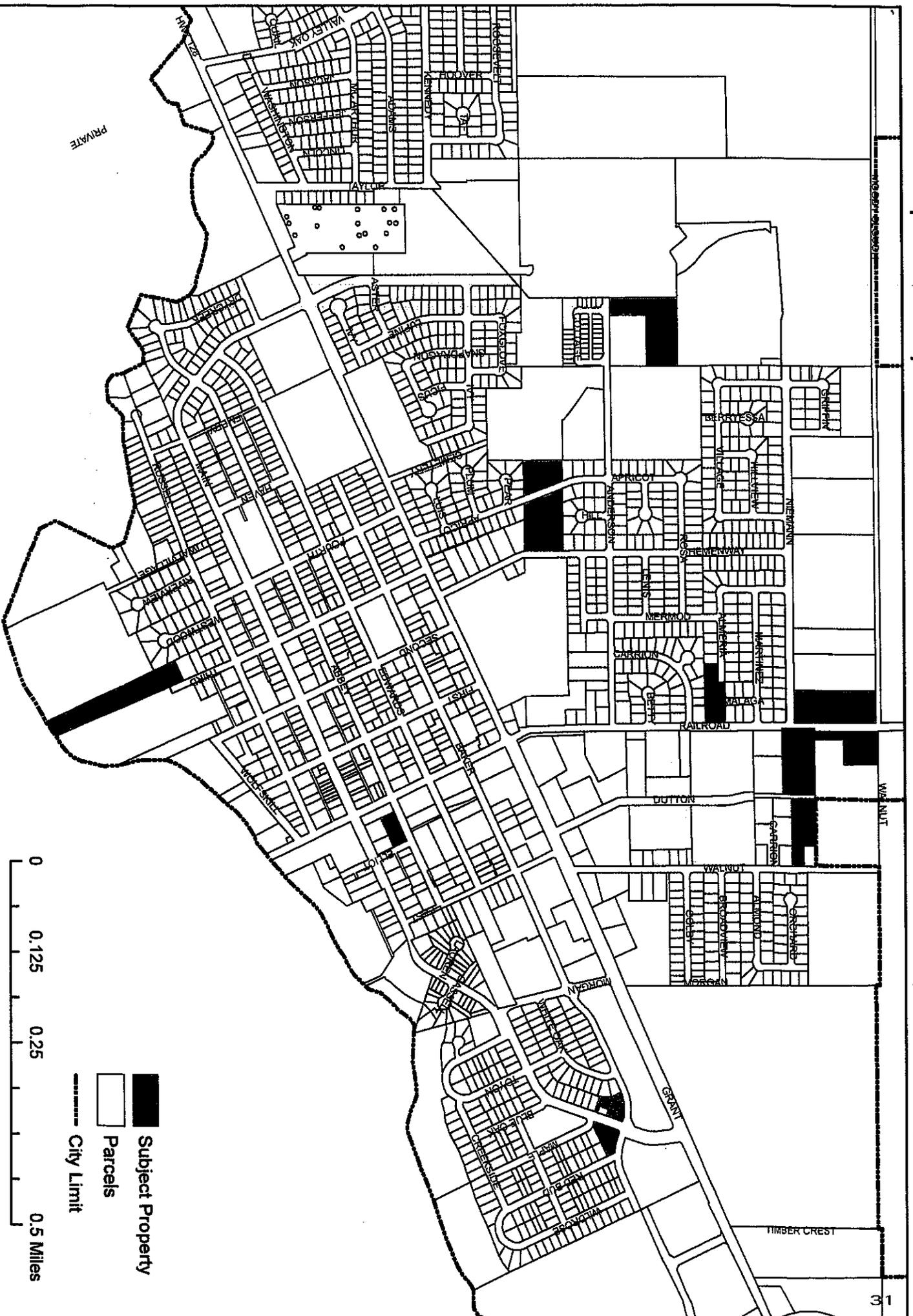
Properties with potential for affordable units lost due to small development exemption

APN #	Zoning	Property Size	potential Uni	Owner	Miscellaneous	Lost units
003 230 008	R1 & OS	R1 = 2.05 ac* OS = 1.41 ac*	3 to 15 1	T & J Pearse	property south of 3rd * est. based on GIS	3
003 224 002	C2	.6 ac	6 to 12	J & M Pickereel		2
003 224 001	C2	.435 ac	10	City of Winters	Monticello project	2
038 210 001-011	C1	.66 ac	10	Village Townhomes LLC	Winters Village West	2
038 220 002-006	C1	.49 ac	5	Winters Village East		1
003 391 005	R1	4.21 ac	5 to 29	Valadez		N/A*
003 392 001	R1	3.838 ac net				
030 220 034	R1	3.29 ac	4 to 25	LDS		N/A*
003 424 026	R2	1.21 ac	7 to 11	M & S Briggs		2
030 220 010	R1	3.28 ac	4 to 24	V & L Pinkston		N/A*
003 360 002	R1	1.72 ac	2 to 13	Robert Polkington Jr-Tr		2
038 050 071	R4	.65 ac	7 to 13			2
038 050 021	R4	1.0 ac	11 to 20	G & L Davis Tr		N/A**
003 360 010	R4	1.09 ac	12 to 22	C & P Floyd Tr		N/A**
003 360 014	R4	1.197 ac	13 to 24	Sergio Jiminez		N/A**
Total						16

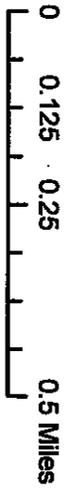
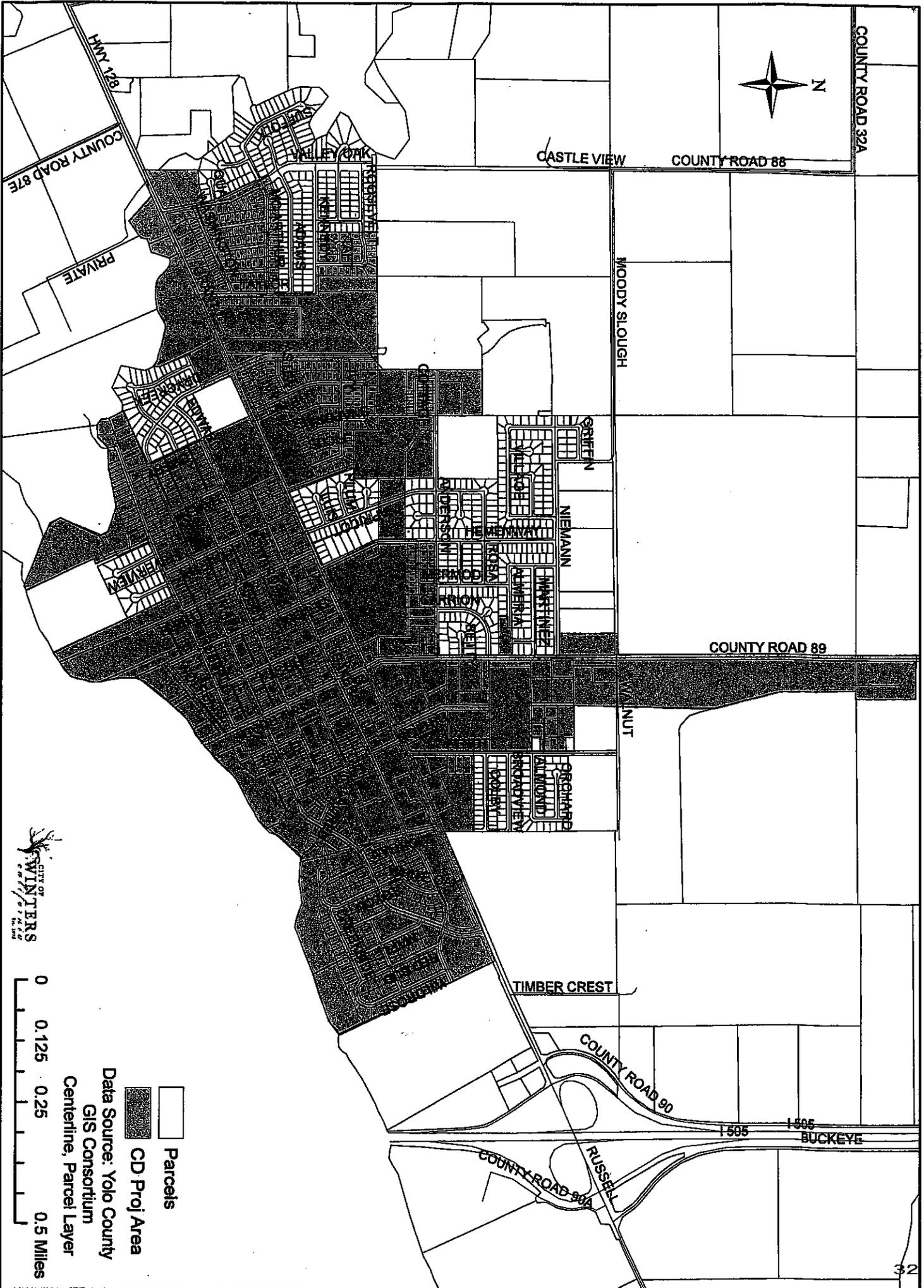
N/A* - would only qualify for exemption if developed at lower end of density allowed

N/A** - can't qualify for exemption as Housing Element requires properties zoned R-4 to density allowed for that zoning (min. of 16 d/lu per acre)

Properties with potential for affordable units lost due to small development exemption



City of Winters Community Development Project Area



- Parcels
- CD Proj Area

Data Source: Yolo County
GIS Consortium
Centerline, Parcel Layer





**CITY COUNCIL
STAFF REPORT**

TO: Mayor and City Council
DATE: December 3, 2011
FROM: John W. Donlevy, Jr., City Manager 
SUBJECT: Animal Services Review- JPA/Local Regulation/Parks

RECOMMENDED ACTION

That the City Council direct staff to:

1. Prepare a draft Joint Powers Agreement for the provision of animal services with the potential for other shared services to be added in the future.
2. Develop a park plan which provides for enhanced signage, off leash dog exercise areas and rules and regulations for such park areas; and
3. Enhance current City Ordinances which provide for citation authority and enhanced regulation for dogs within the City; and
4. Solicit the formation of a local animal group to assist the City in public information, pet licensing and vaccination efforts and serving as an advocate for responsible pet care and ownership within the City.

OBJECTIVE

This report has five objectives.

1. Staff will review the LAFCo Animal Services report which identifies strategies to reduce long term costs through reduced animal intake.

2. Staff will recommend that these strategies be implemented through the formation of a joint powers agency so that each member agency can share in the governance and administration of animal services.
3. A review and discussion of options for enhancing pet rules in parks and open space areas which enable responsible pet owners and opportunity to exercise animals while establishing rules and regulations for that to occur.
4. Discuss enhancements to current City Ordinances to address licensing, leash laws and aggressive animals which can be enforce locally and beyond those regulations which currently exists with the County-wide Ordinance.
5. Discuss the establishment of a community based animal group to help coordinate and facilitate responsible pet ownership throughout the City.

ANIMAL SERVICES JPA- BACKGROUND/SUMMARY

In 2010 the cities and County adopted a resolution supporting the exploration of shared service opportunities with local agencies in Yolo County. Animal services became a priority shared service opportunity to evaluate due to ongoing cost concerns with the current structure. Since that time the city/county managers group has worked with LAFCo to evaluate alternative governance and service delivery structures for providing animal control services.

A JPA was initially considered as the most likely alternative for two primary reasons: (1) statutory prohibitions that limit the County's ability to independently implement the Report's recommendations, and (2) the cities interest in increased control over the animal services budget, notice, and agreement process.

For many of the jurisdictions involved a major factor driving the proposal to alter the existing animal control governance structure is to reduce costs. As evidenced in the report, changing governance models is not expected to meet this need in the immediate future. Some jurisdictions have expressed concern over the slightly increased staffing level recommended in the Report, the minimal cost savings associated with this approach, and the possibility of costs continuing to increase in the future.

In fact, the study finds that the greatest costs will likely be incurred early in the new agency's evolution, and can be expected to decrease with time. By providing an up-front investment in slightly elevated staffing and programming levels the JPA can expect a significant return on investment in future years. The recommendations provided by KSMP are intended to provide sustainable long-term improvements such as decreased intakes, shorter lengths of stay for animals, greater community/volunteer engagement, and increased leveraging of outside funding and resources. As efforts are implemented to reduce intakes and shorten length of stay, lower staffing levels will be needed to serve the daily population. Additionally, as volunteer support becomes more prevalent and stable the need for paid staff may decrease. The recommended staffing levels attempt to reflect this long-term return on

investment. When possible, a core of supervisory and consistent skilled staff is recommended, supported by lower cost and flexible positions that can be adjusted or eliminated as needs change.

Another primary benefit of creating a JPA for the provision of animal control services lies in the increased control over the budget and service provision decision making process for the contract agencies, which currently does not exist. At a minimum, the JPA would offer a management solution that resolves existing JPA oversight issues and promotes government efficiency and transparency; however, it has the potential to become a leading edge shared services organization and a valued resource in Yolo County. The cities and County have flexibility in how to structure the JPA, and staff's recommendation to develop a shared service JPA is a unified recommendation from the city/county managers.

ANALYSIS

ANIMAL CONTROL

Overview of LAFCo/KSMP Study

In February 2013 LAFCo contracted with the UC Davis Koret Shelter Medicine Program (KSMP) to conduct an analysis determining what programs and staffing levels are needed to support Yolo County's animal population in compliance with state regulations. The study identifies a governance and service delivery structure that if implemented should reduce long term costs through reduced animal intake.

The KSMP study was intended to build on LAFCo's 2012 study, conducted by the Animal Protection League (APA), which provided a more general analysis of animal control options and needs. The KSMP study identifies the minimum program and staffing levels required to meet state mandated legal requirements, provide humane care, and maintain positive outcomes for animals. The study also identifies additional program and staffing options that are not legally required, but which may help leverage outside resources, increase revenue generation, or reduce animal intakes to offset agency costs. These program and staffing recommendations are labeled as "non-core", and include options such as license canvassing, volunteer recruitment and management, and community education and outreach.

Program/Staff Recommendations

The KSMP recommended program and staffing levels are illustrated in the following table. Please note that although the current Yolo County Animal Services budget reflects a staffing level of 18 full-time employees, the program is actually staffed by a total of 25.3 FTE. The additional 7.3 FTE are provided by a combination of outside organizations including donated staff from the Yolo County SPCA (YCSPCA), free inmate labor provided by the Sheriff's Department, a Volunteer Coordinator paid for from the Sheriff's budget (and thus not charged to the contract agencies), and a contract veterinarian. The KSMP study recommends a staffing level of 27.7 to 29 FTE, depending on inclusion of non-core positions.

Current and Recommended Programs and Staffing Levels		
Program	Current Staffing	Recommended Staffing
Agency Leadership	1	1
Front Office and Customer Service	5.2	5
Kennel/Sheltering Services	7.7	8.5
Field Services	8	8
Veterinary Medical and Spay/Neuter Services	3	4 to 4.5
Volunteer/Foster Program Coordinator	0.4	1
Outreach and Development	0	0 to 1
STAFFING TOTALS:	25.3	27.7 to 29

Budget Estimates

The 2012 study completed by APL anticipated that the formation of a JPA for providing animal services would result in substantial cost savings, largely through the potential for lower costs associated with employee benefits. However, the more detailed budget analysis included in the current study finds that the potential for immediate cost savings is not as significant as previously indicated, although long term costs can be reduced by implementing best practices designed to reduce animal intake. The APL study conducted a very general budget analysis, while more in depth analysis identified many costs not currently reflected in the YCAS budget that would have to be accounted for in a JPA budget.

The current study provides detailed budget projections based on the program and staffing levels recommended by KSMP. The analysis begins with a look at the Yolo County Animal Services (YCAS) budgets for FY 12-13 and 13-14, to provide a baseline understanding of costs. Next, the analysis attempts to identify the many resources and costs associated with the provision of animal services in Yolo County that are not included in the existing budget (the darker brown column below). Such resources and costs include staffing provided by outside organizations and administrative services provided free of charge by the County. Accounting for these costs adds an additional \$472,958 to the budget. Finally, the analysis projects a conservative estimate of the total cost of providing animal services to the county through the formation of a JPA, which would contract with a non-profit or private organization for shelter services and a public organization for field services (the green column). The budget projections indicate that although a JPA will result in a reduction in the cost of employee benefits, these savings will be largely after accounting for the additional staffing and administrative services provided by the County, as well as additional startup costs associated with forming a new organization. However, utilizing the model recommended in this report will likely result in a small amount of short term savings for the cities and County, as well as increased control over future costs. The table below provides a summary of the budget projection analysis, and a full version of the budget analysis is provided as an attachment.

				Hybrid Model (JPA Operates with Non-Profit for Shareholder Publics Agency for Field Services)
				File 29
				Benefits 27%, 33%
Salaries and Benefits	1,290,565	1,455,637	1,887,437	1,730,750
Services and Supplies	518,250	554,104	533,880	555,328
Buildings and Improvements	0	0	61,382	0
Equipment	42,000	50,000	50,000	75,000
TOTAL EXPENDITURES	1,850,815	2,059,741	2,532,699	2,361,078
Fees and Charges	493,400	604,515	604,515	737,152
Payments from Agencies	1,409,780	1,406,727	1,879,685	1,541,727
Other	25,500	48,500	48,500	108,500
TOTAL REVENUES	1,928,680	2,059,742	2,532,700	2,387,379
NET AMOUNTS	77,865	1	1	26,301

**Projected Net Amounts represent cost savings for the organization as a whole, to be divided between all contract agencies.*

Cost Control

While certain animal control services are state mandated, the level of animal control services provided to communities often varies greatly across different jurisdictions throughout California, and a lot of discretion is allowed in how these services are provided. However, as long as the Yolo County Sheriff provides the only public animal control program in Yolo County the jurisdictions will have little power to exercise this discretion. The Sheriff, as the contracting agency, maintains complete control over all decisions regarding cost and service level.

By forming a JPA, the jurisdictions gain control over these decisions through shared governance on the JPA board. The JPA has the ability to set its own budget and associated service levels. In addition, the JPA Board can consider alternative cost allocation models that ensure an equitable distribution of costs among the jurisdictions. A JPA could also consider tracking revenues, such as license revenue, by agency to offset costs.

Transition Issues

[There will be a discussion added here regarding the existing 16 full time employees of the County: how many are expected to retire, absorbed into other County or city positions, or laid off. The County is currently doing some additional analysis to provide an estimate.]

JOINT POWERS AUTHORITY

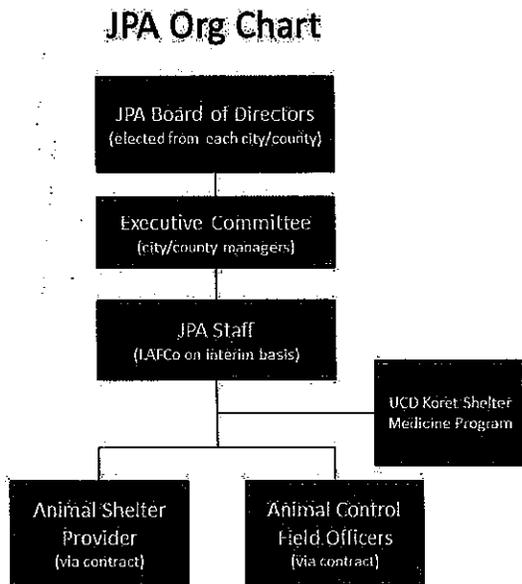
Formation of a JPA is a required step in transitioning animal control services away from its existing model, yet, due to previous issues with the finance and management of JPAs some of the jurisdictions have expressed reluctance to pursue this option. To address these concerns, careful consideration has

been given to the previous JPA related difficulties in the county, and past issues seem to indicate that improved oversight mechanisms are needed and must be imbedded in the structure of JPAs. There is also a need to reduce the overall number of JPAs being formed to improve oversight and ensure that elected officials are not spread too thin with various board commitments.

Therefore, staff recommends the formation of a “master” or “umbrella” JPA for the provision of animal services, with the potential for other shared services to be added in the future, with oversight and accountability mechanisms appropriately built in. Staff believes a Shared Services JPA will solve some of

the JPA oversight issues as well as eventually consolidating some of the existing JPAs into a single entity.

The following sections articulate how the JPA is currently envisioned, subject to council direction.



JPA Governance

The Shared Service JPA Board of Directors would include an elected official from each member agency and would serve as the policy making body for the JPA. Ideally, each jurisdiction’s representative on the Board would be the same individual that already provides representation on the LAFCo Commission (as applicable). The LAFCo Commission would adjourn its monthly meeting and then reconvene as the JPA board with the additional elected leaders (alternate LAFCo Commissioners) that are not currently on the

LAFCo Commission (but would over the years rotate in on LAFCo as members) to ensure all cities are represented. UC Davis would also have the option to become part of the JPA or contract with the JPA for service.

To provide an additional layer of oversight and management expertise, the Shared Service JPA would have an Executive Committee comprised of the executive manager from each member agency. The Executive Committee would provide direction on operational issues of the JPA and would be subject to direction from the JPA Board of Directors.

Initially and if requested by the cities/County, LAFCo staff would administer the Shared Service JPA , with responsibility for preparing agendas for the Board of Directors and providing contract administration on behalf of the JPA. Eventually, as the Shared Service JPA grew through either additional services or by consolidating with existing JPAs the Board could consider hiring a dedicated Executive Director or General Manager, in which case LAFCo staff would transition out of that role.

If the services provided by the Shared Service JPA are of benefit to other agencies such as UC Davis, the Yocha Dehe Wintun Nation, school districts, etc. the JPA would have the flexibility to allow additional member agencies to contract for JPA services or join the JPA Board.

Shared Services/Potential to Merge Other JPAs in the Future

The JPA as currently proposed could be expanded into a shared service JPA that could provide additional functions, such as purchasing, training, etc. Services that are already shared via a JPA could also potentially be considered for consolidation at some point in the future into the “umbrella” JPA. The shared service JPA could provide the following additional benefits:

- Creating operational and strategic efficiencies via a centralized JPA by consolidating some of our existing JPAs with the shared service JPA.
- Improved financial and operational oversight built into its structure
- With JPA consolidation, less JPA boards for council and board members to be spread thin across

Staff to the JPA

Once formed, the first service to be provided by the JPA would be animal control. LAFCo staff, with input from the newly formed Board, would begin the process of issuing separate RFPs for an animal sheltering provider and an animal control provider, as well as examining cost allocation strategies. All animal control services would be provided through contracts with existing organizations, and the JPA would not initially have any dedicated employees.

COORDINATION AND REVIEW

This report has been discussed and coordinated with the city managers for all four cities within Yolo County, the County Administrative Officer and the LAFCo Executive Officer. Similar items have been scheduled on the agendas of the other city councils and the Board of Supervisors for direction.

BUDGET/COST IMPACT

None at this time other than the staff resources to develop a joint powers agreement to bring back to the Council at a later date.

ATTACHMENTS

1. Detailed Budget Projections
2. Yolo County Animal Services Governance Study, dated September 26, 2013

Parks and Open Space- Dog Exercise and Off Leash Areas

An important concern recently raised is the issues surrounding responsible dog owners and the ability to exercise animals in an “off leash” environment. Specifically, we are talking about park areas and locations along Putah Creek.

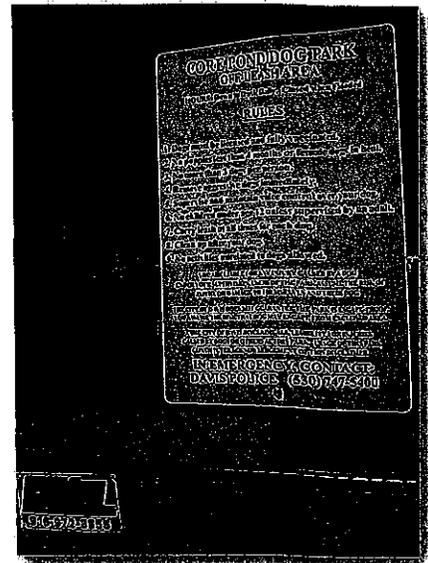
With the opening of Phase I of Walnut Park, the City has its first fenced area for off leash dog walking. This will enable owners of



animals to allow their pets to run outside of the parameters of leash laws.

The most important concerns in this area is the ability to establish rules and designated areas for this to occur. Most typically, the following will apply:

1. **Area Designation:** The City will need to map and designate the areas where off leash exercising of the animals can occur. A recommendation of Staff is that along Putah Creek, the allowable off leash zones would be on the City owned portions of the south side of the creek, east of the Trestle Bridge. In order to accomplish this, signage would need to be installed establishing the zones and rules posted.
2. **Rules and Regulations:** The City will need to establish rules and regulations for each location where off leash dog walking is allowed. Inset is sample of what will need to be established.



The establishment of clear signage and rules will hopefully help as public information resources and the encouragement of responsible dog ownership.

Regulatory Ordinance- Non-County-wide

An alternative to the current County-wide ordinances is the consideration of adoption of local ordinance regulations to address issues of concern. These could specifically include the following areas:

- Licensing enforcement
- Leash laws
- Vicious or aggressive animal regulations

In Yolo County, the City of Woodland has established alternative language within their Municipal Code which provides for offenses enforceable through their police department. These include:

- Licensing requirements and the ability for misdemeanor citations for unlicensed animals.
- Heightened definition for aggressive and vicious animals which provides for impoundment and civil prosecution for animal attacks and personal injury.
- Leash requirements for animals off leash in areas either not on private property of in designated areas.

Staff will provide a draft ordinance prior to the City Council meeting or suggested modifications to the municipal code in reference to these areas.

COMMUNITY BASED ADVOCACY

An important element of advancing effective pet ownership culture is the existence of a community based organization which helps advocate for both owners, pets and the community interest. The role of these types of organizations is multi-faceted:

- Helping organize and conduct regular animal events and activities. These can include spay/neuter clinics, vaccination and licensing events and obedience classes.
- Volunteer awareness for responsible pet behavior in public areas. This can include reminding pet owners of leash requirements, clean-up for pets and helping guide persons in off leash areas to assure compliance and pet obedience.
- Local involvement at the animal shelter and with rescue and advocacy organizations.
- Fundraising and grants to advance animal causes and issues which benefit the entire community.

Staff is recommending the coordination of such a group within the City of Winters.

CONCLUSION:

Staff is recommending that the City Council review and discuss each of the key areas and provide direction to Staff on each issue.



SUCCESSOR AGENCY TO THE DISSOLVED WINTERS
COMMUNITY DEVELOPMENT AGENCY
STAFF REPORT

TO: Honorable Chair and Members of the Successor Agency to the Dissolved Winters
Community Development Agency

DATE: December 3, 2013

THROUGH: John W. Donlevy, Jr., City Manager 

FROM: Shelly A. Gunby, Director of Financial Management 

SUBJECT: Consideration of Resolution SA-2013-04 approving and adopting a Revised Long-
Range Property Management Plan pursuant to Health and Safety Code Section
34191.5

RECOMMENDATION:

It is recommended that the Successor Agency adopt Resolution No SA-2013-11 approving and adopting a Revised Property Management Plan and submitting the Property Management Plan to the Oversight Board for approval

BACKGROUND:

Following dissolution of the Winters Community Development Agency ("Agency"), the City elected to become the successor agency to the Agency by Resolution No.2012-02 dated January 17, 2012 (the "Successor Agency"). Pursuant to Health and Safety Code Section 34173(b), the Successor Agency is now a separate legal entity from the City.

Health and Safety Code Section 34191.5(b) requires the Successor Agency to prepare a long-range property management plan ("Property Management Plan") that addresses the disposition and use of the real properties of the former Agency. The Property Management Plan must be submitted to the Oversight Board and the Department of Finance for approval no later than six months following the issuance to the Successor Agency of the finding of completion.

Health and Safety Code Section 34191.5(a) established a Community Redevelopment Property Trust Fund (the "Trust"), administered by the successor agency, to serve as the repository of the former redevelopment agency's real properties. Health and Safety Code Section 34191.4(a) requires that all real property and interests in real property of the former Agency (unless the property is subject to the requirements of any existing enforceable obligation) shall be transferred to the Property Trust Fund upon approval by the Department of Finance of the Property Management Plan.

DISCUSSION/ANALYSIS

The Property Management Plan required under Health and Safety Code Section 34191.5(b) must include an inventory of all properties of the former Agency in the Trust. The inventory must include the date of the acquisition of the property and the value at the time of acquisition, and an estimate of the current value of the property; the purpose for which the property was acquired; parcel data, including address, lot size and current zoning; an estimate of the current value of the parcel, including any appraisal information, if available; an estimate of any lease, rental or any other revenues generated by the property, and a description of the contractual requirement for the disposition of those funds; the history of environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts; a description of the property's potential for transit-oriented development and the advancement of the planning objectives of the Successor Agency, and a brief history of previous development proposals and activity, including the rental or lease of property.

The Property Management Plan must also address the use or disposition of all the properties in the Trust, including retention of the property for governmental use, the retention of the property for future development, the sale of the property, or the use of the property to fulfill an enforceable obligation. The Property Management Plan must separately identify and list properties in the Trust dedicated to governmental use purposes and properties retained for purposes of fulfilling an enforceable obligation.

Health and Safety Code Section 34191.5(c)(2) provides that (a) if the Property Management Plan directs the use or liquidation of the property for a project identified in an approved redevelopment plan, the property shall transfer to the City; and (b) if the Property Management Plan directs the liquidation of the property or the use of revenues generated from the property, such as lease or parking revenues, for any purpose other than to fulfill an enforceable obligation or for use for a project identified in an approved redevelopment plan, the proceeds from the sale shall be distributed as property tax to the taxing entities.

The Property Management Plan must be submitted to the Oversight Board and the Department of Finance for approval no later than six months following the issuance to the Successor Agency of the finding of completion, The Agency received the finding of completion on June 12, 2013. The Property Management Plan is not effective until it has been approved by the Department of Finance. Health and Safety Code Section 34191.5(2)(C) provides that property shall not be transferred to a successor agency, city, county or city and county, unless the Property Management Plan has been approved by the Oversight Board and the Department of Finance.

The Property Management Plan was approved on July 2, 2013 by the Successor Agency with Resolution SA-2013-01 and by the Oversight Board on July 8, 2013 with Resolution OB-2013-06. The Property Management Plan was submitted to the Department of Finance on July 8, 2013 immediately after the Oversight Board Meeting. Staff brought a revised Property Management Plan to the Successor Agency on August 20, 2013 and the Successor Agency approved Resolution SA-2013-04 on that date. The Oversight Board to the Successor Agency approved Resolution OB-2013-09 on August 26, 2013 and staff submitted the revision to the Department of Finance on August 28, 2013.

Staff has communicated with the Department of Finance, and received additional information that they expect to be included on the Property Management Plan in order for them to approve the plan. Staff has worked with the Department of Finance and our attorney's at Best, Best and Krieger on including the information required for approval.

FISCAL IMPACT:

No City of Successor Agency funds are involved with the adoption of the Property Management Plan.

ATTACHMENTS:

1. Successor Agency Resolution SA-2013-11 approving and adopting the Property Management Plan.
2. Revised Property Management Plan.

RESOLUTION NO. SA-2013-11

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE DISSOLVED WINTERS COMMUNITY DEVELOPMENT AGENCY APPROVING AND ADOPTING A REVISED LONG-RANGE PROPERTY MANAGEMENT PLAN PURSUANT TO HEALTH AND SAFETY CODE SECTION 34191.5

WHEREAS, pursuant to Health and Safety Code Section 34173(d), the City of Winters elected to become the successor agency to the Winters Community Development Agency (“Successor Agency”) by Resolution No. 2012-02 on January 17, 2012; and

WHEREAS, pursuant to Health and Safety Code Section 34173(g), the Successor Agency is now a separate legal entity from the City; and

WHEREAS, Health and Safety Code Section 34191.5(b) requires the Successor Agency to prepare a long-range property management plan (“Property Management Plan”) that addresses the disposition and use of the real properties of the former redevelopment agency; and

WHEREAS, Health and Safety Code Section 34191.5(b) also requires the Successor Agency to submit the Property Management Plan to the Successor Agency’s oversight board and the Department of Finance for approval no later than six months following the issuance to the Successor Agency of the finding of completion pursuant to Health and Safety Code Section 34179.7; and

WHEREAS, the Successor Agency has prepared a Revised Long-range Property Management Plan that contains all the information required under Health and Safety Code Section 34191.5; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE SUCCESSOR AGENCY TO THE FORMER WINTERS COMMUNITY DEVELOPMENT AGENCY DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. CEQA Compliance. The approval of the Property Management Plan through this Resolution does not commit the Successor Agency to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act. The City Clerk is authorized and directed to file a Notice of Exemption with the appropriate official of the County of Yolo, California, within five (5) days following the date of adoption of this Resolution.

Section 3. Approval of Property Management Plan. The Successor Agency hereby approves the Revised Property Management Plan, in substantially the form currently on file with the City Clerk.

Section 4. Transmittal of Property Management Plan. The Director of Financial Management is hereby authorized and directed to take any action necessary to carry out the purposes of this Resolution and comply with applicable law regarding the Revised Property Management Plan, including submitting the Revised Property Management Plan to the Successor Agency's oversight board for approval, and to the State of California Department of Finance, and posting the approved Property Management Plan on the Successor Agency's website.

Section 5. Effectiveness. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED at a regular meeting of the Successor Agency to the dissolved Winters Community Development Agency on the 2nd day of December , 2013, by the following vote:

AYES:

NOES:

ABSTAIN:

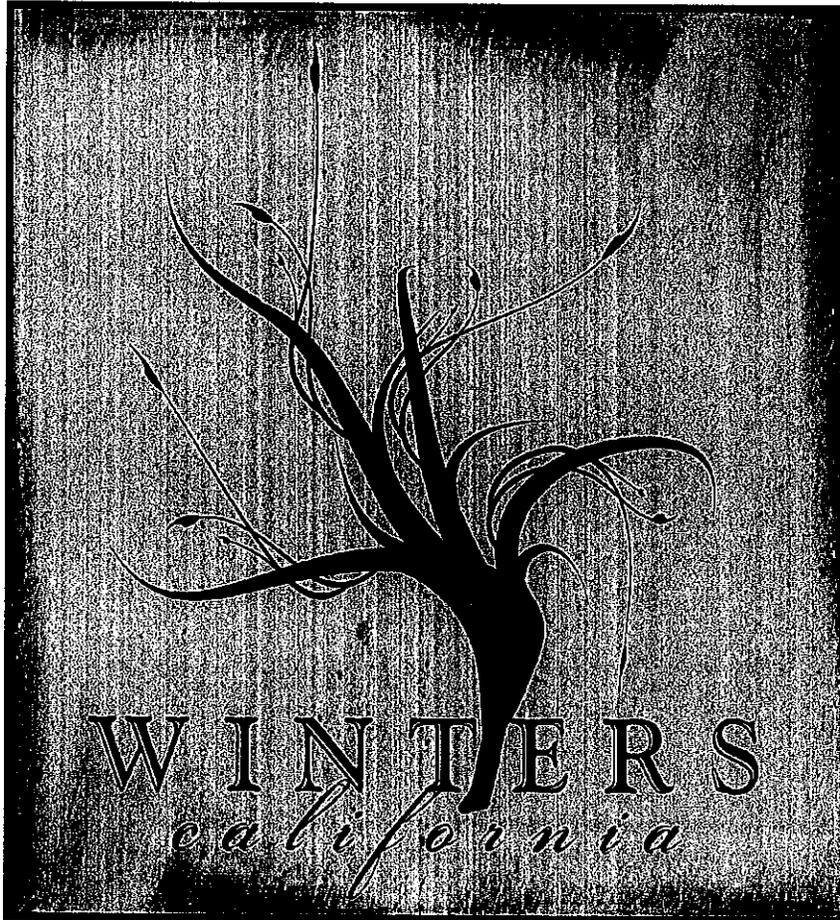
ABSENT:

W. Keith Fridae, Chair

ATTEST:

Secretary

Long Range Property Management Plan



Successor Agency to the Winters Community
Development Agency

Long Range Property Management Plan

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

Introduction

On June 1, 2012 Assembly Bill 1484 (AB1484) was signed into law that required the Successor Agency to the Dissolved Winters Community Development Agency (CDA) to prepare a Long Range Property Management Plan (PMP) that addresses the disposition and use of the dissolved Winters Community Development Agency (CDA) real property. The PMP must be submitted to the governing board of the Successor Agency (the City of Winters City Council also serves as the governing board of the Successor Agency) and the Oversight Board for approval before being submitted to the Department of Finance (DOF). This document is the Long Range Property Management Plan (PMP) of the Successor Agency to the dissolved Winters Community Development Agency.

Upon approval by the Successor Agency, the Oversight Board and the DOF, the properties will be transferred to the Property Trust Fund until all the approvals for further disposition and use have been obtained. After all required approvals have been obtained, the properties to be retained for governmental use will be transferred to the City of Winters. Properties to be retained for future disposition and implementation of a redevelopment plan will remain in the Property Trust Fund until all applicable procedures have been followed and all approvals have been obtained, at which time they will be transferred to the City for disposition or use pursuant to this PMP, the Redevelopment Plan and the Winters Community Development Project Implementation Plan. The Successor Agency must receive prior approval by the Oversight Board for each property transfer or disposition, and the City must reach a compensation agreement with the affected taxing agencies pursuant to applicable law with respect to those properties to be retained by the City for future disposition and implementation of a redevelopment plan. Oversight Board approval is subject to review by DOF.

The PMP addresses the disposition and use of the real properties of the dissolved CDA and must do all of the following:

Include an inventory of all properties in the Property Trust Fund and this inventory will include all of the following information:

- The date of the acquisition of the property and the value of the property at that time.
- The purpose for which the property was acquired.

- Parcel data, including address, lot size and current zoning in the former CDA redevelopment plan or specific, community or general plan.
- An estimate of the current value of the parcel including, if available, any appraisal information.
- An estimate of any lease, rental or any other revenues generated by the property, and a description of the contractual requirements for the disposition of those funds.
- The history of environmental contamination, including designation as a brownfield site, any related environmental studies and history of any remediation efforts.
- A description of the property's potential for transit-oriented development and the advancement of the planning objectives of the Successor Agency.
- A brief history of previous development proposals and activity, including the rental or lease of the property.
- Address the use or disposition of all the properties in the Property Trust Fund. Permissible uses include retention of the property for governmental uses, the retention of the property for future development, the sale of the property, or the use of the property to fulfill an enforceable obligation. The PMP shall separately identify and list all properties in the Property Trust Fund dedicated to governmental uses purposes and properties retained for purposes of fulfilling an enforceable obligation. With respect to the use or disposition of all other properties the following shall apply:
 - a. If the plan directs the use or liquidation of the property for a project identified in an approved redevelopment plan, the property shall transfer to the City. The City will comply with all applicable procedures and obtain all necessary approvals prior to any such transfer.
 - b. If the plan directs the liquidation of the property or the use of revenues generated from the property, such as lease or parking revenues, for any purpose other than to fulfill an enforceable obligation or other than specified immediately above, the proceeds from the sale shall be distributed as property tax to the taxing entities.

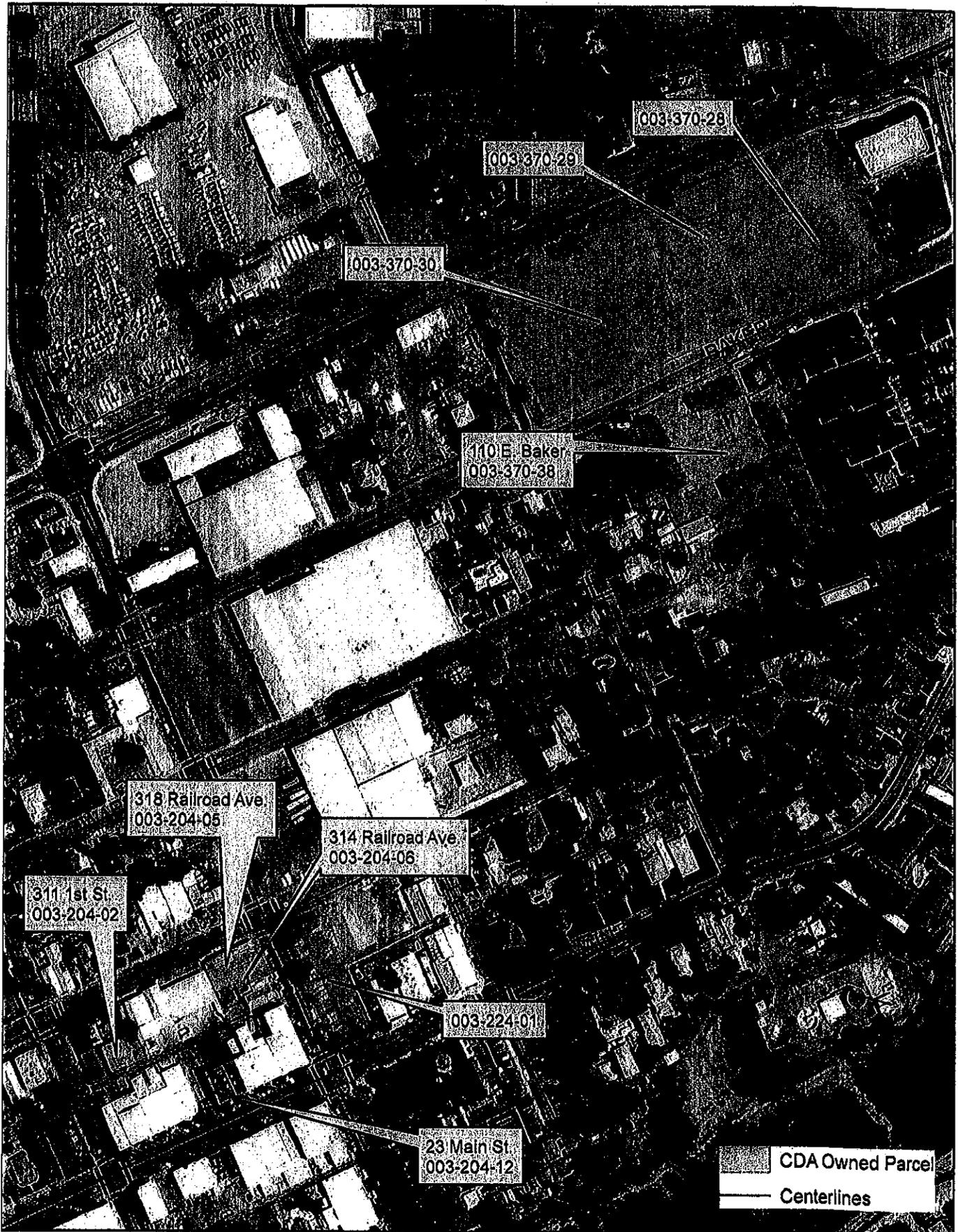
Summary of Properties Owned by the Successor Agency

1. Removed from Plan per DOF recommendation.
2. 23 Main Street. This site is a 3,049.20 square foot parcel that was purchased by the Winters Community Development Agency as a vacant lot. The lot is located in the middle of the first block of main street and was vacant and over run by weeds when purchased. Subsequent to the purchase of the property, the City of Winters has created a Mini Park in the area with landscaping and park benches for seating.

- 3-5. The Grant Avenue Commercial Property- This site is 3 parcels along the Grant Avenue Corridor, located on Grant Avenue between East Street and Morgan. Grant Avenue is the main entrance from the East into the City of Winters. These parcels were purchased in a foreclosure sale by the Community Development Agency and are vacant at this time. These 3 parcels are anticipated to be reconfigured into 3 or more legal parcels suitable for development, as more fully discussed below.
6. 311 First Street. This is a 9,016.92 square foot parcel located on First Street adjacent the Newt's Expressway, the alley that runs directly behind the Downtown Businesses, and directly across the street from City Hall. This is a vacant site that is used for parking by City Staff and visitors to City Hall and other surrounding uses
7. 314 Railroad Avenue. A 3,920.40 square foot parcel that includes a vacant building that formerly housed a Cafe.
8. 318 Railroad Avenue. A 2,613.6 square foot parcel that includes a vacant building that formerly housed a Bar.
9. Parking Lot located at the Corner of Abbey and Railroad. This parking lot is subject to a Reciprocal Access and Public Parking Easement Agreement. The easement provides reciprocal access and public parking between Agency owned parking and privately-owned parking, as well as maintenance and upkeep of the access as public parking areas.
- 10-23. Assets identified as Successor Agency assets that are not real property. All these assets are used for governmental uses and will be transferred to the City of Winters. See Appendix A for a detailed list.

These properties are described in greater detail in the Inventory section of this report. Also attached to this report is a map with the properties indicated in yellow.

Community Development Agency Owned Parcels



Property Inventory

Site 1

REMOVED FROM PLAN PER DOF RECOMMENDATION-SUCCESSOR AGENCY WILL TRANSFER TO THE HOUSING SUCCESSOR AGENCY FOLLOWING APPROVAL AND DIRECTION FROM THE OVERSIGHT BOARD, SEPARATE FROM THE LONG RANGE PROPERTY MANAGEMENT PLAN.

Site 2

Owner/Title

- Successor Agency to the Dissolved Winters Community Development Agency
- Successor Agency to the Dissolved Winters Community Development Agency

Address/Parcel Number

- 23 Main Street
- 003-204-012

Current Use/Description

- Mini Park
- Site is located at the middle of the first block of Main Street, and is the location of a mini park with landscaping and benches for individuals to sit and enjoy the landscaping and the ambiance of the downtown area.

Acquisition Date/Acquisition Property Value/Acquisition Purpose

- February 1, 2007
- \$173,691
- Implementation of Redevelopment Plan

Parcel Size

- 3,049.2 square feet
- .07 acres

Current Zoning

- C2-Central Business District

Estimate of Current Value/Property Revenue

- Appraised on March 15, 2011 at \$118,000
- No revenue is expected

History of Environmental Contamination

- No record of environmental studies

Potential for Transit-Oriented Development/Use or Disposition of Property/Advancement of the Planning Objective of the Successor Agency

- Not Applicable
- Transfer to the City for continued Governmental use as a mini park within the downtown

- This site advances the planning objective of the successor agency by the continued elimination of blight within the downtown and providing park space in the city as indicated in the 2009-2013 implementation plan .

Previous Development Proposals and Activity

- There is no record of other development proposals or activity for this site.

Site 3

Owner/Title

- Successor Agency to the Dissolved Winters Community Development Agency
Successor to the Dissolved Winters Community Development Agency

Address/Parcel Number

- No address assigned
- 003-370-028 (New Lot 2 after Lot line Adjustment)

Current Use/Description

- Vacant Land
- The Site is currently vacant located on Grant Avenue, between East Street and Morgan. Grant Avenue is the main entrance to the City of Winters from the East.
- The Grant Avenue Corridor is currently the only viable area for new commercial development.

Acquisition Date/Acquisition Property Value/Acquisition Purpose

- 4/30/09
- \$192,093
- Implementation of Redevelopment Plan

Parcel Size

- 41,854 square fee after lot line adjustment
- .96 acres after lot line adjustment

Current Zoning

- C2-Central Business District

Estimate of Current Value/Property Revenue

- Appraised Value on 3/15/11 \$275,611
- N/A

History of Environmental Contamination

- No record of environmental studies

Potential for Transit-Oriented Development/Use or Disposition of Property/Advancement of the Planning Objective of the Successor Agency

- This property is directly adjacent to public transit stop,
- The Successor Agency intends to dispose of the Property pursuant to a purchase and sale agreement, as more fully described below.
- Advance the Economic Development objective of the Successor Agency

- This site is a portion of a larger area consisting of three parcels along Grant Avenue acquired by the Community Development Agency. The successor agency anticipates that the three parcels constituting the overall property will be reconfigured via one or more lot line adjustments to create three or more legal parcels suitable for development. The City has entered into negotiations and has a purchase and sale agreement with a developer to develop a retail establishment on approximately 44,431 square feet of land area along the eastern-most boundary of the overall property, which will ultimately be a reconfiguration of the parcel referred to in this Plan as Site 3, which purchase and sale agreement will be assigned to the Successor Agency for purposes of sale of the site to the developer. The development of this site for a retail use will further the program goals and activities included in the Redevelopment Plan and the 2009-2013 Implementation Plan, by providing in-fill mixed-use development, bringing new business to the City, adding new jobs, strengthening the existing commercial businesses and contributing to the City's ability to attract new businesses and visitors. This project would also increase the assessed value of property within the City and provide additional tax revenue to all affected taxing entities.
- Transfer of the property to the City for future development in accordance with the Redevelopment Plan will allow the City to control and place restrictions and requirements on the development of the property to ensure the development is completed in a timely manner and in accordance with the provisions of the Redevelopment Plan and the Implementation Plan, in order to maximize the value of the property and the quality of development.
- Upon Sale of Site, the funds received will be used for partial repayment of a loan of pass through amount from Yolo County under the subordination clause of the pass through agreement, to be included on the 14-15A ROPs and the balance, if any, will be submitted to the Yolo Auditor Controller for distribution to the affected taxing agencies.

Previous Development Proposals and Activity

- Granite Bay Holdings proposed a commercial development on this parcel along with two others in 2007-2008. The company subsequently went through bankruptcy proceedings and the parcel was foreclosed on and sold.
- Winters Community Development Agency purchased the site, along with two others in a foreclosure sale on April 30, 2009 in order to be able to work with developers to create a retail center on the Grant Avenue Corridor, a main artery through the City.

An RFP was issued in 2009 for a proposal to develop the Site. An Exclusive Negotiating Rights Agreement was entered into with Yackzan Group, Inc. The agreement expired without any action by developer Yackzan Group, Inc.

Site 4

Owner/Title

- Successor Agency to the Dissolved Winters Community Development Agency

Successor Agency to the dissolved Winters Community Development Agency.

Address/Parcel Number

- No address assigned
- 003-370-030 (New Lot 4 after lot line adjustment)

Current Use/Description

- Vacant Land
- The Site is currently vacant located on Grant Avenue, between East Street and Morgan. Grant Avenue is the main entrance to the City of Winters from the East.
- The Grant Avenue Corridor is currently the only viable area for new commercial development.

Acquisition Date/Acquisition Property Value/Acquisition Purpose

- 4/30/09
- \$152,286

Parcel Size

- 26,831 square fee

.62 after lot line adjustment acres

Current Zoning

- C2-Central Business District

Estimate of Current Value/Property Revenue

- Appraised Value on 3/15/11 \$220,230
- n/a

History of Environmental Contamination

- No record of environmental studies

Potential for Transit-Oriented Development/Use or Disposition of Property/Advancement of the Planning Objective of the Successor Agency

- This property is directly adjacent to public transit stop
- The Successor Agency intends to dispose of the Property pursuant to a purchase and sale agreement, as more fully described below.
- Advance the Economic Development objective of the Successor Agency
- This site is a portion of a larger area consisting of three parcels along Grant Avenue acquired by the Community Development Agency. The successor agency anticipates

that the three parcels constituting the overall property will be reconfigured via one or more lot line adjustments to create three or more legal parcels suitable for development. The City has entered into negotiations and has a purchase and sale agreement with a developer to develop a retail establishment on approximately 29,192 square feet of land area located on the north-western most portion of the overall property, which will ultimately be a reconfiguration of the parcel referred to in this Plan as Site 4, which purchase and sale agreement will be assigned to the Successor Agency for purposes of sale of the site to the developer. The development of this site for a retail use will further the program goals and activities included in Table II-4 of the Redevelopment Plan and the 2009-2013 Implementation Plan, by providing in-fill mixed-use development, bringing new business to the City, adding new jobs, strengthening the existing commercial businesses and contributing to the City's ability to attract new businesses and visitors. This development would increase the assessed value of property within the City and provide additional tax revenues to all the affected taxing entities.

- Transfer of the property to the City for future development in accordance with the Redevelopment Plan will allow the City to control and place restrictions and requirements on the development of the property to ensure the development is completed in a timely manner and in accordance with the provisions of the Redevelopment Plan and the Implementation Plan, in order to maximize the value of the property and the quality of development.
- Upon Sale of Site, the funds received will be used for partial repayment of a loan of pass through amount from Yolo County under the subordination clause of the pass through agreement, to be included on the 14-15A ROPs and the balance, if any, will be submitted to the Yolo Auditor Controller for distribution to the affected taxing agencies.
-

Previous Development Proposals and Activity

- Granite Bay Holdings proposed a commercial development on this parcel along with two others in 2007-2008. The company subsequently went through bankruptcy proceedings and the parcel was foreclosed on and sold.
- Winters Community Development Agency purchased the site, along with two others in a foreclosure sale on April 30, 2009 in order to be able to work with developers to create a retail center on the Grant Avenue Corridor, a main artery through the City.
- An RFP was issued in 2009 for a proposal to develop the Site. An Exclusive Negotiating Rights Agreement was entered into with Yackzan Group, Inc. The agreement expired without any action by developer Yackzan Group, Inc.

Site 5

Owner/Title

- Successor Agency to the Dissolved Winters Community Development Agency
Successor Agency to the Dissolved Winters Community Development Agency

Address/Parcel Number

- No address assigned
- 003-370-029 (new lot 3 after lot line adjustment)

Current Use/Description

- Vacant Land
- The Site is currently vacant located on Grant Avenue, between East Street and Morgan. Grant Avenue is the main entrance to the City of Winters from the East.

Acquisition Date/Acquisition Property Value/Acquisition Purpose

- 4/30/09
- \$337,444

Parcel Size

- 128,318 square feet after lot line adjustment
- 2.95 acres after lot line adjustment

Current Zoning

- C2-Central Business District

Estimate of Current Value/Property Revenue

- Appraised Value on 3/15/11 \$484,159
- n/a

History of Environmental Contamination

- No record of environmental studies

Potential for Transit-Oriented Development/Use or Disposition of Property/Advancement of the Planning Objective of the Successor Agency

- This property is directly adjacent to public transit stop
- Transfer to City of Winters for implementation of Redevelopment Plan.
- Advance the Economic Development objective of the Successor Agency
- This site is a portion of a larger area consisting of three parcels along Grant Avenue acquired by the Community Development Agency. The Successor Agency anticipates that the three parcels constituting the overall property will be reconfigured via one or more lot line adjustments to create three or more legal parcels suitable for

development. The site referred to in this Plan as Site 5 is intended to refer to the remainder of the overall property following the lot line adjustments to create Sites 3 and 4, discussed previously in this Plan, and may consist of one or more legal parcels. The City has entered into discussions with a developer to develop an affordably restricted Senior Housing Project on all or a portion of the reconfigured Site 5, which is intended to further the goals and objectives of the Redevelopment Plan and the 209-2013 Implementation Plan to improve and increase the community's supply of housing affordable to low and moderate income households in a manner consistent with the Housing Element of the City's General Plan and the policies of the Community Redevelopment Law.

- Transfer of the property to the City for future development in accordance with the Redevelopment Plan will allow the City to control and place restrictions and requirements on the development of the property to ensure the development is completed in a timely manner and in accordance with the provisions of the Redevelopment Plan and the Implementation Plan, in order to maximize the value of the property and the quality of development.
- The City shall follow all applicable procedures and reach a compensation agreement with the affected taxing entities in accordance with all applicable laws prior to development of the property. The City acknowledges that all costs incurred to develop and/or monitor any development will be solely the responsibility of the City of Winters.

Previous Development Proposals and Activity

- Granite Bay Holdings proposed a commercial development on this parcel along with two others in 2007-2008. The company subsequently went through bankruptcy proceedings and the parcel was foreclosed on and sold.
- Winters Community Development Agency purchased the site, along with two others in a foreclosure sale on April 30, 2009 in order to be able to work with developers to create a retail center on the Grant Avenue Corridor, a main artery through the City.
- An RFP was issued in 2009 for a proposal to develop the Site. An Exclusive Negotiating Rights Agreement was entered into with Yackzan Group, Inc. The agreement expired without any action by developer Yackzan Group, Inc.

Site 6

Owner/Title

- Successor Agency to the Dissolved Winters Community Development Agency
- Successor Agency to the Dissolved Winters Community Development Agency

Address/Parcel Number

- 311 First Street
- 003-204-002

Current Use/Description

- Public Parking
- The Site is located directly behind Main Street Businesses and directly across from City Hall. City Hall staff utilize the parking lot during the day as well as other visitors to City Hall and customers visiting the businesses downtown. In the evening, this lot provides parking to patrons of the restaurants and the Palms Playhouse located in the downtown core. Without this parking lot, staff and visitors to City Hall would have to park on the street, which is insufficient as there are only 4 off street parking spaces nearby available for staff and visitors to City Hall.
- The site formerly included a dilapidated building, that has since been removed

Acquisition Date/Acquisition Property Value/Acquisition Purpose

- 5/19/09
- \$458,141 [Implementation of Redevelopment Plan

Parcel Size

- 9016.92 square feet
- .207 acres

Current Zoning

- D-A Downtown-A, part of the form based code for the Downtown to establish unique use and development standards within the Downtown Master Plan area.

Estimate of Current Value/Property Revenue

- Appraised Value on 3/15/11 \$220,000
- none

History of Environmental Contamination

- No record of environmental studies

Potential for Transit-Oriented Development/Use or Disposition of Property/Advancement of the Planning Objective of the Successor Agency

- None
- Transfer to City of Winters for implementation of Redevelopment Plan, including continued use as a parking lot until such time as development of the property is undertaken.
- The City has had preliminary discussions with a developer for possible development of commercial uses on property located along Abbey Street, between Railroad and First Streets, which may include Site 6. The City will look to further the goals and objectives of the Redevelopment Plan and the Implementation Plan, including helping to provide a stable, diversified and stronger economic base for the Project Area and the community, and maximizing opportunities for the expansion and development of commercial uses within the Project Area. Development of Site 6 would further these goals and objectives by providing in-fill development, bringing new business to the City, adding new jobs, helping to strengthen the existing commercial business district and contributing to the City's ability to attract new businesses and visitors.
- Transfer of the property to the City for future development in accordance with the Redevelopment Plan will allow the City to control and place restrictions and requirements on the development of the property to ensure the development is completed in a timely manner and in accordance with the provisions of the Redevelopment Plan and the Implementation Plan, in order to maximize the value of the property and the quality of development.
- The City shall follow all applicable procedures and reach a compensation agreement with the affected taxing entities in accordance with all applicable laws prior to development of the property. The City acknowledges that all costs incurred to develop and/or monitor any development will be solely the responsibility of the City of Winters.
- The site provides parking for city staff on a daily basis and keeps staff and visitors from having to park on the street while doing business at City Hall.

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Previous Development Proposals and Activity

- No record of previous development proposals or activity,

Site 7

Owner/Title

- Successor Agency to the Dissolved Winters Community Development Agency

Successor Agency to the Dissolved Winters Community Development Agency

Address/Parcel Number

- 314 Railroad Avenue
- 003-204-006

Current Use/Description

- This site includes a vacant building that formerly housed a Cafe
- Site is located on Railroad Avenue between Main Street and Abby Street

Acquisition Date/Acquisition Property Value/Acquisition Purpose

- 4/1/10
- \$351,399
- Implementation of Redevelopment Plan

Parcel Size

- 3, 920.40 square feet
- .09 acres

Current Zoning

- D-A A Downtown-A, part of the form based code for the Downtown to establish unique use and development standards within the Downtown Master Plan area

Estimate of Current Value/Property Revenue

- Appraised Value on 3/15/11 \$350,000
- none

History of Environmental Contamination

- No record of environmental studies

Potential for Transit-Oriented Development/Use or Disposition of Property/Advancement of the Planning Objective of the Successor Agency

- None
- Transfer to City of Winters for implementation of Redevelopment Plan.
- Staff is currently in negotiations with a developer to build an infill project utilizing this site along with another Successor Agency parcel and two City owned parcels in the downtown area. This project would significantly increase the assessed value of property within the City and provide additional revenue to all the affected taxing entities. The

development of this property is included in the 2009-2013 Implementation Plan, and would further the goals and objectives of the Redevelopment Plan and the Implementation Plan by providing in-fill development, bringing new business to the City, adding new jobs, helping to strengthen the existing commercial business district and contributing to the City's ability to attract new businesses and visitors.

- Transfer of the property to the City for future development in accordance with the Redevelopment Plan will allow the City to control and place restrictions and requirements on the development of the property to ensure the development is completed in a timely manner and in accordance with the provisions of the Redevelopment Plan and the Implementation Plan, in order to maximize the value of the property and the quality of development.
- The City shall follow all applicable procedures and reach a compensation agreement with the affected taxing entities in accordance with all applicable laws prior to development of the property. The City acknowledges that all costs incurred to develop and/or monitor any development will be solely the responsibility of the City of Winters.

Previous Development Proposals and Activity

- This site previously was the location of a Cafe and T-shirt printing business, the owners of which moved out of state. The building is now vacant, and no other development proposals beyond that mentioned above have been received.

Site 8

Owner/Title

- Successor Agency to the Dissolved Winters Community Development Agency
- Successor Agency to the Dissolved Winters Community Development Agency.

Address/Parcel Number

- 318 Railroad Ave
- 003-204-005

Current Use/Description

- Site is currently a vacant building on that was formerly a bar
- Site is located at the corner of Abbey Street and Railroad Avenue.

Acquisition Date/Acquisition Property Value/Acquisition Purpose

- 4/1/10
- \$289,479
- Implementation of Redevelopment Plan

Parcel Size

- 2,613.50 square feet
- .06 acres

Current Zoning

- D-A A Downtown-A, part of the form based code for the Downtown to establish unique use and development standards within the Downtown Master Plan area

Estimate of Current Value/Property Revenue

- Appraised Value on 3/15/11 \$240,000
- None

History of Environmental Contamination

- No record of environmental studies

Potential for Transit-Oriented Development/Use or Disposition of Property/Advancement of the Planning Objective of the Successor Agency

- None
- Transfer to City of Winters for implementation of Redevelopment Plan.
- Staff is currently in negotiations with a developer to build an infill project utilizing this site along with another Successor Agency parcel and two City owned parcels in the downtown area. This project would significantly increase the assessed value of property

within the City and provide additional revenue to all the affected taxing entities. The development of this property is included in the 2009-2013 Implementation Plan, and would further the goals and objectives of the Redevelopment Plan and the Implementation Plan by providing in-fill development, bringing new business to the City, adding new jobs, helping to strengthen the existing commercial business district and contributing to the City's ability to attract new businesses and visitors.

- Transfer of the property to the City for future development in accordance with the Redevelopment Plan will allow the City to control and place restrictions and requirements on the development of the property to ensure the development is completed in a timely manner and in accordance with the provisions of the Redevelopment Plan and the Implementation Plan, in order to maximize the value of the property and the quality of development.
- The City shall follow all applicable procedures and reach a compensation agreement with the affected taxing entities in accordance with all applicable laws prior to development of the property. The City acknowledges that all costs incurred to develop and/or monitor any development will be solely the responsibility of the City of Winters.
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Previous Development Proposals and Activity

- This site previously was the location of a Bar, the owner of which has subsequently passed away and the building remains vacant at this time.

Site 9

Owner/Title

- Successor Agency to the Dissolved Winters Community Development Agency
- Successor Agency to the Dissolved Winters Community Development Agency.

Address/Parcel Number

- No address assigned
- 003-224-001

Current Use/Description

- Site is currently a public parking lot.
- Site is located at the corner of Abbey Street and Railroad Avenue and is currently used as public parking.

Acquisition Date/Acquisition Property Value/Acquisition Purpose

- 1/1/08
- \$144,000
- Implementation of Redevelopment Plan

Parcel Size

- .406 acres
- 17,685 square feet

Current Zoning

- D-A A Downtown-A, part of the form based code for the Downtown to establish unique use and development standards within the Downtown Master Plan area

Estimate of Current Value/Property Revenue

- Purchase price of \$144,000
- none

History of Environmental Contamination

- No record of environmental studies

Potential for Transit-Oriented Development/Use or Disposition of Property/Advancement of the Planning Objective of the Successor Agency

- None
- Transfer to City of Winters for implementation of Redevelopment Plan.
- The City intends to work with developers and other interest parties to provide Economic Development opportunities on the parcel. The vision for the property is a mixed use,

retail, office space at ground level, with housing on the upper levels, thereby furthering the goals and objectives of the Redevelopment Plan and the Implementation Plan by providing in-fill development, bringing new business to the City, adding new jobs, helping to strengthen the existing commercial business district and contributing to the City's ability to attract new businesses and visitors, as well as improving and increasing the community's supply of housing affordable to low and moderate income households in a manner consistent with the Housing Element of the City's General Plan and the policies of the Community Redevelopment Law.

- Transfer of the property to the City for future development in accordance with the Redevelopment Plan will allow the City to control and place restrictions and requirements on the development of the property to ensure the development is completed in a timely manner and in accordance with the provisions of the Redevelopment Plan and the Implementation Plan, in order to maximize the value of the property and the quality of development.
- The City shall follow all applicable procedures and reach a compensation agreement with the affected taxing entities in accordance with all applicable laws prior to development of the property. The City acknowledges that all costs incurred to develop and/or monitor any development will be solely the responsibility of the City of Winters.
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Previous Development Proposals and Activity

- No record of previous development proposals or activity

Appendix A

The following are infrastructure, buildings and other improvements that were constructed on City-owned property, paid for, in whole or in part, by the dissolved CDA, and have been identified as assets of the dissolved CDA. These assets will be transferred to the City for appropriate distribution for continued governmental use.

Property 10: Lights installed at the City Park Baseball field to provide the ability for evening baseball and softball games in the park.

Property 11: Linoleum installed in City owned building currently used for early childhood education programs.

Property 12: Tennis Courts rehabilitated on the property of the Winters Joint Unified School District with a joint use agreement in place for City programs and the public to use.

Property 13: Amphitheatre constructed at the City owned Winters Community Center.

Property 14: Shade Structure constructed at the City owned Winters Community Center.

Property 15: Community Swimming Pool constructed on the property owned by the Winters Joint Unified School District. The City and School District have a joint use agreement for the use of the swimming pool.

Property 16: Restroom facility constructed at City owned Rotary Park.

Property 17: Joint Police and Fire Station constructed on City owned land. Currently in use and occupied as a Police and Fire Station.

Property 18: Reconstruction of streets within the City of Winters.

Property 19: Rehabilitate and pave the City owned Railroad Trestle Bridge, resulting in the creation of a bike and pedestrian path over Putah Creek instead of an abandoned and dangerous deteriorated and unusable bridge.

Property 20: Parking lot constructed between the City owned Winters Community Center and the City owned Rotary Park.

Property 21: Improvements reconstructed at the intersection of Jackson and McArthur Streets in the City of Winters

Property 22: Roadway and Sidewalk enhancements constructed at the intersection of Main and Railroad and Railroad and Abbey Streets in Downtown Winters.

Property 23: Roadway and Sidewalk enhancements constructed at the intersection of Main and First Street and at the mid block between Railroad and First Street in Downtown Winters.