



Winters City Council Meeting
City Council Chambers
318 First Street
Tuesday, February 4, 2014
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*

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, January 21, 2014 (pp 4-7)
- B. Wastewater Services Quarterly Report (pp 8-10)
- C. Resolution 2014-04, A Resolution of the City Council of the City of Winters Authorizing Application for Housing Related Parks Grant (pp 11-14)
- D. Service Agreement No. 001-14 with Wallace-Kuhl & Associates to Continue Landfill Monitoring Services for 2014 in the Amount Not to Exceed \$7000 (pp 15-17)

PRESENTATIONS

Kim Kinnee, Sacramento Area Animal Coalition Representative and Chairperson for Spay Day Sacramento 2014 (pp 18-20)

Edgar Chavez – Youth City Council Proposal (pp 21)

DISCUSSION ITEMS

- 1. Public Hearing to Receive Citizen Input Regarding a Proposed Increase in the City's Hotel Tax (Transient Occupancy Tax) from 10 percent to 12 percent Gov. Code 54954.6(a)(2) (pp 22-29)

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

- 1. None
-

CITY MANAGER REPORT

INFORMATION ONLY

ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the February 4, 2014 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 January 30, 2014, and made available to the public during normal business hours.

Nanci G. Mills by Tracy Jensen
Nanci G. Mills, City Clerk

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

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

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

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

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

Winters Library – 708 Railroad Avenue

City Hall – Finance Office - 318 First Street

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

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

Wednesday at 10:00 a.m.

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



Minutes of the Winters City Council Meeting
Held on January 21, 2014

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

Present: Council Members Harold Anderson, Wade Cowan, Woody Fridae, Bruce Guelden, Mayor Cecilia Aguiar-Curry
Absent: None
Staff: City Manager John Donlevy, City Clerk Nanci Mills, City Attorney John Wallace, Chief of Police Sergio Gutierrez, Director of Financial Management Shelly Gunby, Police Sergeant Jose Ramirez, Police Officer Steve Moore, Public Works Superintendent Eric Lucero and Management Analyst Tracy Jensen.

Nanci Mills led the Pledge of Allegiance.

Approval of Agenda: Motion by Council Member Fridae to approve the agenda with no changes. Second by Council Member Guelden. Motion carried with the following vote:

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

COUNCIL/STAFF COMMENTS

PUBLIC COMMENTS: Mayor Aguiar-Curry read aloud a letter submitted by Karen May, proposing the Council declare a campaign for Pride of Ownership a few weekends prior to Youth Day. The campaign would encourage residents and business owners to clean up their property in preparation for an influx of visitors during Youth Day to encourage and promote tourism.

CONSENT CALENDAR

- A. Minutes of the Regular Meeting of the Winters City Council Held on Tuesday, January 7, 2014
- B. Resolution 2014-01, A Resolution of the City Council of the City of Winters Approving a 2013/2014 Budget Amendment for Payment of Optional Litigation Surcharge for League of California Cities Membership
- C. Approval of Letter Requesting CalPERS Consider Reassigning Yolo County to the Sacramento Region for Health Premium Rate in 2015

City Manager Donlevy gave an overview. Council Member Anderson requested a correction to a typographical error on Resolution 2014-01. A motion was made by Council Member Cowan to approve the Consent Calendar with the requested correction and was seconded by Council Member Guelden. Motion carried with the following vote:

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

PRESENTATIONS

Winters Police Department Officer of the Year

Winters Police Chief Sergio Gutierrez had the privilege of announcing Officer Steve Moore as the 2013 Police Officer of the Year. Officer Moore has studied and learned about being a police officer, always strives to improve himself, and recently gave a cyber-bullying presentation to the local schools. Officer Moore has just finished his probationary period and has done an outstanding job during his first year on the force. Steve has a great work ethic and always displays professionalism. Chief Gutierrez presented Officer Moore with a commendation bar, medal and certificate of achievement. Officer Moore thanked his family for their support and thanked his amazing co-workers.

Petrea Marchand, Executive Director, Yolo County Habitat /Natural Community Conservation Plan Joint Powers Agency's Yolo Natural Heritage Program

Petrea previously gave a presentation to Council on the first administrative draft and has returned tonight to outline the second administrative draft. There were 13 major issues with the first administrative draft, and after working toward a resolution with the advisory committee and various ag representatives, will take the second administrative draft to the board for approval at the January 27th meeting. Petrea distributed a handout that included three options to be

considered by the board: 1) HCP/NCCP & Local Conservation Strategy, 2) HCP/2081 & Local Conservation Strategy, and 3) Local Conservation Strategy. City Manager Donlevy confirmed that Winters' share of \$8,000 or 5% for implementation does not come out of the general fund but is allocated throughout the entire budget. The remaining 95% is split between the remaining cities in Yolo County. Council Member Fridae said this will be an investment in our future and in Yolo County habitat, providing the ability to continue to develop the City, which will come back to pay off. Mayor Aguiar-Curry asked if land for mitigation outside Yolo County would fit into the plan. City Manager Donlevy said the City is trying to get credit for them.

Edgar Chavez, Proposed Youth Council

Edgar Chavez, who is interested in proposing a Youth Council to Council was unable to attend and will be re-scheduled for a future City Council meeting.

DISCUSSION ITEMS

1. Second Reading and Adoption of Ordinance 2014-01, Adopting the Proposed Drainage Impact Fee and Adding Chapter 15.90 to Title 15 of the Winters Municipal Code to Establish a Drainage Impact Fee

Director of Financial Management Shelly Gunby gave a brief overview, saying the City needed permission to collect fees before the City can set the fees. Motion by Council Member Fridae to approve staff recommendation, waive the second reading and adopt Ordinance 2014-01, adopting the proposed drainage impact fee and adding Chapter 15.90 to Title 15 of the Winters Municipal Code to establish a Drainage Impact Fee. Motioned seconded by Council Member Guelden. Motion carried with the following vote:

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

2. Resolution 2014-02, A Resolution of the City Council of the City of Winters Setting the Amount of Drainage Impact Fees

Director of Financial Management Shelly Gunby gave a brief overview. The fees contained in Resolution 2014-02 are being set according to the information contained in the EPS Flood Area Storm Drainage Development Impact Fee Nexus Study. The City may implement the fees at the rates developed by EPS,

or at a rate less that developed by EPS, but not more than the fee developed by EPS.

Motion by Council Member Guelden to approve Resolution 2014-02 setting the amount of Drainage Impact Fees. Second by Council Member Anderson.

Motion carried with the following vote:

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

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

1. None

CITY MANAGER REPORT: City Manager Donlevy reported there has been an awesome turnout for all of the PG&E meetings. We are expecting the PG&E planning application early next week. The City is starting to get bites regarding an Ag Hub coming to Winters. SACOG, the State and the County are all talking about it and we've had two inquiries today regarding a processing operation, storage and value adding and ag investments in the area. Last Monday we received a market feasibility study, which is somewhat conservative, discounts 16,000 room nights/year. The report still gives zero credit to UCD and the study projects occupancy for an upgraded hotel. The report forecasts that a hotel in Winters would do 5% above average daily rate as any other hotels in the region. We do not have an exclusive with Presidio and we have other interests from other hospitality providers. The RFP is ready to go out. Mayor Aguiar-Curry added that Mariko Yamada is hosting an ag tourism meeting at UCD on 1/25/14 from 2-4pm. Debra DeAngelo said someone from the Chamber of Commerce will be attending.

ADJOURNMENT: Mayor Aguiar-Curry adjourned the meeting at 8:52 p.m. in memory of Claire Stark, longtime Winters teacher and member of the Rominger family.

Cecilia Aguiar-Curry, MAYOR

ATTEST:

Nanci G. Mills, City Clerk



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers
DATE: February 4, 2014
THROUGH: John W. Donlevy, Jr., City Manager 
FROM: Carol Scianna, Environmental Services Manager
SUBJECT: Wastewater Services Quarterly Report

RECOMMENDATION: Receive Wastewater Services Quarterly Report for November and December, 2013, and January, 2014 from Severn Trent Services.

BACKGROUND: As part of the new contract with Severn Trent Services formerly, Southwest Water, Inc., Council has requested a quarterly services report from STS staff.

The report contains details regarding spills and unauthorized discharges, projects completed during each month, goals for the following month, and the number of lateral blockage call outs each month.

FISCAL IMPACT: None

Winters Wastewater Quarterly Report November and December, 2013 and January, 2014

November 2013 Summary

Synopsis of Operations Log:

11 Lateral blockage call outs

Spills and Unauthorized Discharges:

11/15/13 123 Westwood Court – lateral. SSO spill approx. 10 gallons.

Control number 13-7071

Projects Completed:

Aeration Ponds A1 and A3 brought online

Installation of Storage Pond #4 Depth Gauge

Cleaning of Storage Pond #4 levees

Gate installed at Perimeter Fence behind Storage Pond #1

December 2013 Goals:

Marking of sampling point locations at Ponds

Yellow Safety Painting at Lift Stations

Yellow Safety Painting of Ponds Area Bollards

Pond Docks repairs

Painting East Street Yard Tool Sheds

Walnut Lift Station Fence repair

December 2013 Summary

Synopsis of Operations Log:

11 Lateral blockage call outs

Spills and Unauthorized Discharges:

12/2/13 110 Main Street – lateral. SSO spill approx. 30 gallons. 20 gallons contained and recovered. Control number 13-7402

12/9/13 106 Anderson Street – lateral. SSO spill approx. 150 gallons. 150 gallons contained and recovered. Control number 13-7538

Projects Completed:

Repairs completed to all Pond Docks

Raising of all Pond Dock upper railings to comply with OSHA standards

Yellow Safety Painting at Lift Stations

Yellow Safety Painting of Ponds Area Bollards

Painting of both East Street Yard Tool Sheds

Walnut Lift Station Fence repair

January 2014 Goals:

Marking of sampling point locations at Ponds
Painting of all Pond Docks
Complete mowing of South Irrigation Field

January 2014 Summary

Synopsis of Operations Log:

5 Lateral blockage call outs

Spills and Unauthorized Discharges: None

Projects Completed:

Marking of sampling point locations at Ponds
Painting of all Pond Docks
Complete mowing of South Irrigation Field

February 2014 Goals:

Resolving disinfection issue at Main Irrigation Pump Station
Weed spray of South Irrigation Lines



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Council members

DATE: February 4, 2014

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

FROM: Dan Maguire, Economic Development and Housing Manager *DM*

SUBJECT: Resolution of the City Council of the City of Winters Authorizing the submittal of a Grant Application for the State of California Housing-Related Parks Program

RECOMMENDATION:

Staff recommends the City Council approve Resolution 2014-04, a Resolution of the City Council of the City of Winters, Authorizing Application for Housing-Related Parks Grant.

BACKGROUND:

On April 21, 2009, the Community Development Agency (\$300,000 grant from Bond Proceeds) and the City Council (\$300,000 CDBG Loan) approved the funding for the development project known as the Almondwood Apartments, an acquisition and rehabilitation project for an existing 39 multi-family complex. The Almondwood Apartments had expiring affordability covenants and was at risk of conversion to market rate units. The rehabilitation of the property, located at 801 Dutton Street has been completed, with approximately \$30,000 per unit expended on the upgrades. As a result of the financial support from the City, the property now has a new 55-year affordability covenant. It is now owned by Central Valley Coalition for Affordable Housing, also the owner of the Orchard Village multi-family complex.

On October 2, 2013, the California Department of Housing and Community Development ("HCD") released a Housing-Related Park Program 2013 Designated Program Year Notice of Funding Availability ("NOFA"). This NOFA is a non-competitive grant based on granting park funds to communities that created new affordable housing, or substantially rehabilitated affordable housing, or preserved affordability housing during the period 2010 through June of 2013. The program rewards communities on a per bedroom basis, with additional funding provided for deeper affordability. They also

provide bonus funding for a variety of additional criteria, such as whether it was an infill project, whether the designated park targeted for the grant funds qualifies as being a infill supporting park, whether the community is deemed to be a park deficient community, and also rewards progress on the Regional Housing Needs Assessment ("RHNA") goals.

Staff has received the preliminary cost estimates for construction of Phase 2 of Walnut Park. Based on those estimates, many of the park amenities that are called for in the Park Master Plan will not be able to be funded from the existing Prop 84 Grant. If the Housing-Related Park grant is approved, it will increase the City's ability to fund some of those elements. City staff will manage the grant

FISCAL IMPACT:

A successful grant application will result in at least \$75,000 (the State's minimum award) being awarded to the City for the Walnut Park project. Staff's estimate based on the guidelines provided is the application will result in a grant award of over \$100,000.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS
AUTHORIZING APPLICATION FOR HOUSING RELATED PARKS GRANT**

WHEREAS, The State of California, Department of Housing and Community Development (Department) has issued a Notice of Funding Availability dated October 2, 2013 (NOFA), under its Housing-Related Parks (HRP) Program.

WHEREAS, The City of Winters desires to apply for a HRP Program grant and submit the 2013 Designated Program Year Application Package released by the Department for the HRP Program.

WHEREAS, The Department is authorized to approve funding allocations for the HRP Program, subject to the terms and conditions of the NOFA, Program Guidelines, Application Package, and Standard Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Winters that:

1. Applicant is hereby authorized and directed to apply for and submit to the Department the HRP Program Application Package released October 2013 for the 2013 Designated Program Year. If the application is approved, the Applicant is hereby authorized and directed to enter into, execute, and deliver a State of California Standard Agreement (Standard Agreement), and any and all other documents required or deemed necessary or appropriate to secure the HRP Program grant from the Department, and all amendments thereto (collectively, the "HRP Grant Documents").

2. Applicant shall be subject to the terms and conditions as specified in the Standard Agreement. Funds are to be used for allowable capital asset project expenditures to be identified in **Exhibit A** of the Standard Agreement. The application in full is incorporated as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the application are enforceable through the Standard Agreement. Applicant hereby agrees to use the funds for eligible capital asset(s) in the manner presented in the application as approved by the Department and in accordance with the NOFA and Program Guidelines and Application Package.

3. That the City Manager and any designee(s) are authorized to execute in the name of the Applicant the HRP Program Application Package and the HRP Grant Documents as required by the Department for participation in the HRP Program.

DULY AND REGULARLY ADOPTED this 4th day of February, 2014 by the following vote:

Ayes:

Noes:

Absent:
Abstain:

The undersigned Mayor of the Applicant here before named does hereby attest and certify that the forgoing is a true and full copy of a resolution of the City of Winters City Council adopted at a duly convened meeting on the date above-mentioned, which has not been altered, amended or repealed.

CITY OF WINTERS

Cecilia Aguiar Curry, Mayor

ATTEST:

Nanci G. Mills, City Clerk



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers
DATE: February 4, 2014
THROUGH: John W. Donlevy, Jr., City Manager *JWD*
FROM: Carol Scianna, Environmental Services Manager *CS*
SUBJECT: Service Agreement No. 001-14 with Wallace-Kuhl & Associates to continue Landfill Monitoring Services for 2014 in the amount not to Exceed \$7000.

RECOMMENDATION: Approval of Service Agreement No. 001-14 with Wallace-Kuhl & Associates (WKA) to continue Landfill Monitoring Services for 2014 in the amount not to Exceed \$7000.

BACKGROUND: The City currently has a service agreement with Wallace-Kuhl & Associates to perform the required semi-annual groundwater monitoring at the former Winters Landfill. Staff recommends continuation of this contract with WKA for 2014. Services will be provided on a time and expense reimbursement basis. Sampling and subsequent reports will be done by June and December 2014. There are three monitoring wells at the site. WKA has continued to provide reliable and thorough monitoring services for the City.

Ongoing monitoring of the ground water is required by the RWQCB. It is not unusual for the RWQCB to require groundwater monitoring for closed landfills and other sites indefinitely. The findings from the monitoring over the last few years have shown that the site does appear to be influenced by water migrating from the landfill materials.

FISCAL IMPACT: The monitoring fees are estimated at \$7,000.00 annually and will be funded through the Landfill Fund.

December 31, 2013

Ms. Carol Scianna
City of Winters Department of Public Works
318 First Street
Winters, CA 95694-1923

Proposal for Semi-Annual and Annual Groundwater Monitoring
WINTERS FORMER LANDFILL – 2014 MONITORING PROGRAM
County Road 33 and County Road 88
Winters, California
WKA Proposal No. 3PR13264

Dear Ms. Scianna:

Wallace-Kuhl & Associates, Inc. (WKA) is pleased to provide the City of Winters an estimated budget for two semi-annual groundwater sampling events of three shallow groundwater monitoring wells that are in the vicinity of the former landfill referenced above. WKA has performed these services since 2009. This scope outlined below is in general conformance with the California Regional Water Quality Control Board, Central Valley Region (CVRWQCB) City of Winters Landfill Revised Monitoring and Reporting Program (MRP) (5-00-802) dated September 11, 2001. The purpose of this proposal is to establish a scope, fee and agreement for required work in the 2014 calendar year.

Scope of Services

WKA suggests a scope of services that is comprised of the activities that are listed below:

- Collection and laboratory analyses of groundwater samples according to the MRP semi-annual schedule for groundwater monitoring;
- Collection and laboratory analyses of groundwater samples according to the MRP annual schedule for groundwater monitoring;
- Preparation of a semi-annual groundwater monitoring report;
- Preparation of an annual groundwater monitoring report;
- Submit data electronically to the California State Water Quality Control Board's GeoTracker database.

Schedule

WKA will collect groundwater samples from the three monitoring wells (MW-1, MW-2, and MW-4) during June and December 2014. WKA will provide draft reports for the City's consideration at least two weeks prior to the deadline for submitting the reports to the CVRWQCB. WKA will submit the Semi-Annual monitoring report to the CVRWQCB by July 15, 2014. WKA will submit the Annual monitoring report to the CVRWQCB by January 15, 2015.

Compensation

WKA proposes to perform the scope of work described herein for a fee of \$7,000, which is summarized in the following table.

Activity	Budget
Perform 2014 Semi-Annual Monitoring Event	\$3,000
Perform 2014 Annual Monitoring Event	\$4,000
Total	\$7,000

Closing

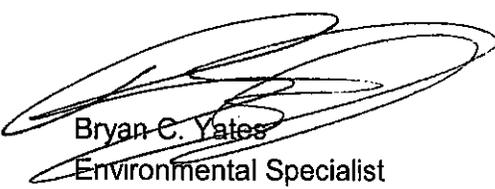
If this proposal is acceptable, please issue a City of Winters Consultant Services Agreement referencing this letter.

WKA appreciates receiving this opportunity to assist the City of Winters in monitoring conditions at the former landfill. WKA looks forward to providing the City with environmental, geotechnical, and materials testing services for its future projects.

Please call either me if you have any questions regarding this proposal.

Sincerely,

Wallace-Kuhl & Associates


Bryan C. Yates
Environmental Specialist





\$15 Cat Spay/Neuter

\$20 Dog Spay/Neuter

** Includes vaccinations
and microchip ID with
lifetime registration*

*At least
a \$250
value!**

With spay/neuter your pet could be healthier, wander less and behave better!

Visit sacanimal.org

starting on Saturday, January 18

to apply for an appointment

Spay Day Guidelines

Spay/neuter surgeries will take place on or around Sunday, February 23.

Surgeries will take place at participating veterinary clinics in Sacramento and Yolo Counties.

Appointments are required. Apply for an appointment online at sacanimal.org. If you don't have Internet access, visit your local public library.

Volunteers will begin calling applicants to schedule appointments starting on Saturday, February 1.

Eligibility: Open **only** to Sacramento or Yolo County residents who receive public assistance and/or have an annual household income of \$35,000 or less. Proof of income or public assistance is required. Applicants will receive instructions for submitting documentation when they complete the online application at sacanimal.org.

Limit two pets per household, dogs and cats only. Age limit applies; see sacanimal.org for details.

Spay Day Sacramento 2014 is organized by the Sacramento Area Animal Coalition. Learn more at sacanimal.org.



HOME

ABOUT US

SPAY/NEUTER PROGRAMS

SPAY/NEUTER RESOURCES

PLACEMENT & ADOPTION

DONATE

GET INVOLVED

The Sacramento Area Animal Coalition (SAAC) is committed to eliminating companion animal overpopulation in the Sacramento area through aggressive spay-neuter efforts, humane education, community outreach and networking.

Spay Day 2014 Appointment Request

Spay Day takes place on Sunday, February 23 at veterinary clinics and animal shelters in Sacramento and Yolo Counties. Some appointments will be available in the week before and the three weeks after Spay Day.

NOTE: WE ARE ACCEPTING APPLICATIONS FOR CATS ONLY. We are no longer accepting applications for dogs.

To request an appointment for **CATS ONLY**, please fill out the form below.

A SAAC volunteer will call you to schedule a time and location for your appointment(s). Volunteers will begin returning calls starting on Saturday, February 1. **Please provide a phone number that accepts blocked calls so we can reach you easily.**

Filling out this form **DOES NOT** guarantee you an appointment for Spay Day. **You will need to submit proof of income before an appointment can be scheduled.** You will receive instructions on how to submit proof of income once you submit this form.

Spay Day Eligibility Guidelines

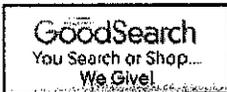
- Open to residents of Sacramento County and Yolo County (**CATS ONLY**)
- Limit two pets per household
- Must receive public assistance and/or have an annual household income of \$35,000 or less
- Proof of income is required
- Cash payment of \$15 per cat and \$20/dog is required at time of appointment

If you answer "yes" to any of the following, please apply for our **Voucher Program** instead of Spay Day:

- Are you a resident of Elk Grove?
- Are you a Citrus Heights resident applying for a cat?
- Are you a resident of the zip code 95823, 95828, or 95660 and applying for a pit bull or Chihuahua?

If you answered yes to any of the above, please apply for our **Voucher Program** instead. Otherwise, continue to application below.

Support Us



Contact Us

Sacramento Area Animal Coalition
P.O. Box 161043
Sacramento, CA 95816
contact@sacanimal.org
(916) 473-5827 - fax

Your Information

First Name

Last Name

Address 1

Zip Code

Note: If you have only one phone, enter the same number for each type

Home Phone (Format: 9165551212)

Cell Phone (Format: 9165551212)

Work Phone (Format: 9165551212)

Best time to call

Email

Confirm email

Are you available for a weekday appointment? Yes No

Pet No. 1

Is the first pet a or a ?



Spay Day 2013 Report Card



2013 Appointments by County and City

Total: 711 Dogs/Cats: 262/449

	<u>Total</u>	<u>Dogs/Cats</u>	(continued)	<u>Total</u>	<u>Dogs/Cats</u>
<u>Sacramento County:</u>	514	190/324	<u>Rio Linda:</u>	17	7/10
Antelope:	14	6/8	Sacramento:	260	81/179
Carmichael:	44	17/27	Other Sac Cty:	19	6/13
Citrus Heights:	39	19/20	<u>Yolo County:</u>	197	72/125
Elk Grove:	30	13/17	Davis:	47	23/24
Fair Oak:	10	7/3	West Sacramento:	49	23/26
Galt:	13	4/9	Winters:	14	2/12
North Highlands:	35	15/20	Woodland:	73	23/50
Orangevale:	13	7/6	Other Yolo Cty:	14	1/13
Rancho Cordova	20	8/12			

In 2013, Spay Day Sacramento celebrated its 14th year providing affordable spay/neuter to eligible low-income residents of Sacramento and Yolo Counties. Since inception, over 8,300 animals have been altered through Spay Day, directly reducing the potential for unwanted dogs and cats in the community. Want to make a difference? Go to www.sacanimal.org and click on Spay Day for more info.



Honor Roll of Sponsors

\$1000 - \$2,499

City of Elk Grove
Sacramento SPCA
Yolo County SPCA
TEAM
Red Rover
Friends of Sac City Shelter
The Humane Society of the U.S.

\$500-\$999

City Councilman Mark Johannessen, West Sac

\$250-\$499

Sacramento County
City of Rancho Cordova
City Councilwoman Susan Peters, Sac County
City Councilman Dairrell Fong, Sacramento
City Councilman Allen Warren, Sacramento
Grateful Dog Daycare

\$1-\$249

County Supervisor Jim Provenza, Yolo County
County Supervisor Jimmie Yee, Sac County
City Councilman Kevin McCarty, Sacramento
City Councilman Patrick Hume, Elk Grove
City Councilman Steve Cohn, Sacramento
City Councilman Chris Ledesma, West Sac

Here's what some clients had to say about the support they received on Spay Day 2013

"Working part time makes it really hard to even make ends meet. Today has just been a wonderful day, a blessing for both of my pets. They mean the world to us."



"I wouldn't have been able to get them fixed. Every time I try something comes up and this last year has been very difficult. I had breast cancer, so financially it was a lot on me, so this has helped a lot."

"I am truly grateful to have this program available. Without it, right now I couldn't afford all the procedures that were done today."



Honor Roll of Clinics

Sacramento County:

All About Pets
City of Sacramento Animal Care Services
Cordova Vet Clinic
Family Friends Vet Hospital
Foothill Farms Veterinary Hospital
Hatten Veterinary Hospital
Hazel Ridge Veterinary Clinic
Kittel Family Veterinary Practice
Midtown Animal Hospital
Pets Vets
Sacramento Animal Medical
Sacramento County Animal Care & Reg
Sacramento SPCA - Florin Perkins
Sacramento SPCA - Bradshaw
Sunrise Blvd Animal Hospital
Sylvan Corners Vet Hospital
Testing Add Clinic Process
VCA Greenhaven
VCA Sacramento Animal Medical

Yolo County:

Midtown Animal Clinic
South Davis Veterinary Hospital
Woodland Veterinary Hospital
Yolo County Animal Services

Youth City Council

- The youth city council is needed to give the youth a sense of responsibility, and become active in the community
- The youth city council would be made up of five members one member from each grade starting from 8 to 12 grade. Each member would be from a different grade in order to effectively represent all of the youth.
- Each term would last one year and they would have a chance to run for the position again.
- Each member would have a different responsibility depending on what position he or she sign up for
- Supporters: The Yolo County Library System, RISE,
- Budget must be discussed and determined if the city would consider some money toward the youth council.
- The Youth City Council would report to the Mayor
- I would elect my self as Mayor of the Youth city council and would select the members with the Mayor of Winters.
- The members would determine how many times we would meet a month. (Goal Is to be able to meet in a meeting room in city hall)
- My goal is to eventually have a school board liaison but it has to be supported by the members of the council

Goals

1. Motivate the youth to take a part in their community; being responsible for certain duties and establishing deadlines would give the youth a sense of responsibility.
2. Better inform the youth of safe driving
3. Finding alternatives to harmful materials such as plastic bags
4. Helping teenagers acquire community service hours
5. Introduce more youth to the Gallup Strengths training
6. Taking a role in organizing events such as the Youth Day Parade
7. Helping the youth prepare for the real world. For example giving them experience dealing with politics in order for them to gain an insight in that career.



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Council members
DATE: February 4, 2014
THROUGH: John W. Donlevy, Jr., City Manager 
FROM: John C. Wallace, City Attorney
SUBJECT: City Hotel Tax (TOT) - Updating and/or Tax Increase by Ballot Measure

RECOMMENDATION: Receive Public Input, answer any questions from the public.

BACKGROUND: A request has been made to staff by a Council Member to look into increasing the current hotel tax from 10 percent to 12 percent. An update to reflect existing law would also be required. Any increase in general tax by a California city requires the following procedure: (1) a public hearing to receive public input about the proposed tax increase. This February 4th public hearing is only to receive input from the public. The February 18, 2014 meeting will then, if the City Council wishes, be an introduction of an ordinance increasing the Transient Occupancy Tax (TOT), from 10 percent to 12 percent. The ordinance would then be adopted on March 4, 2014, and made specifically subject to ballot approval by a majority of those voting in June. At the same meeting, the election would be consolidated with that of Yolo County, and the Ballot Measure approved and forwarded to Yolo County Elections. I will be present on February 4th respond to any legal questions from the public.

FISCAL IMPACT: Possible increase in a general fund tax.

**NOTICE OF PUBLIC MEETING/NOTICE
OF PUBLIC HEARING BEFORE THE CITY
COUNCIL OF THE CITY OF WINTERS**

**PROPOSED INCREASE IN THE
TRANSIENT OCCUPANCY TAX OF THE
CITY OF WINTERS, FROM 10% TO 12%**

NOTICE IS HEREBY GIVEN that the City Council of the City of Winters will conduct a public meeting on February 4, 2014, at 6:30 p.m. in the Council Chambers of City Hall, 318 First Street, Winters, California. Purpose of the meeting is to allow public testimony regarding a proposal to increase the current Transient Occupancy Tax (TOT) in the City Municipal Code from 10% to 12% by amending the City's Ordinance, including changes in language in conflict with current state and federal laws, and, if adopted, by submitting the adopted ordinance for voter approval at the next general election in June of this year.

NOTICE IS FURTHER GIVEN that the City Council of the City of Winters will conduct a public hearing on March 4, 2014, at 6:30 p.m. in the Council Chambers of City Hall, 318 First Street, Winters, California. Purpose of the meeting is to consider adoption of an amendment to Title 3, Chapter 3.24 of the City Municipal Code increasing the current Transient Occupancy Tax from 10% to 12% and otherwise amending the ordinance to make it comply with existing state law. If adopted the ordinance will be submitted to the voters as a ballot measure for the next general election in June of this year.

The Ordinance is summarized, pursuant to California law, as follows:

The City Municipal Code current has a Transient Occupancy Tax of 10% based on lodging, including hotels. This ordinance changes that to 12% and updates and amends any language in the ordinance not in compliance with current state or federal law. The Ordinance is exempt under the California Environmental Quality Act, as no physical effect on the environment is anticipated. Based on a proposed 81 unit hotel the increase in annual revenue will be approximately \$42,000.

The purpose of the public hearing will be to give citizens an opportunity to make their comments known. If you are unable to attend the public hearing, you may direct written comments to the City of Winters, City Clerk, 318 First Street, Winters, CA 95694 or you may telephone (530) 795-4910, extension 101, before the public meeting or public hearing scheduled above. In addition, a public information file is available for review at the above address between the hours of 8:00 a.m. and 5:00 p.m. on weekdays.

If you plan on attending the public hearing and need a special accommodation because of a sensory or mobility impairment/disability, please contact Nanci G. Mills, City Clerk, at (530) 795-4910, extension 101 to arrange for those accommodations to be made.

Dated: January 14, 2014

John C. Wallace, City Attorney, City of Winters

Published January 16, 23, 30, 2014

ORDINANCE No. 2012-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WINTERS
AMENDING SECTIONS 3.24.020, 3.24.030, 3.24.060, AND 3.24.110
OF THE MUNICIPAL CODE AND ADDING SECTION 3.24.135 TO THE
MUNICIPAL CODE TO MAKE CERTAIN CLARIFYING AND CONFORMING CHANGES
CONCERNING THE CITY'S TRANSIENT OCCUPANCY TAX

WHEREAS, the City has not amended its transient occupancy tax ordinance for several years and now desires to do so, particularly in light of the fact that state law has changed with respect to certain aspects of the collection of the transient occupancy tax; and

WHEREAS, the City also desires to clarify that the transient occupancy tax is a tax imposed on transients for their occupancy in City hotels and similar lodgings, regardless of who the tax is collected by; and

WHEREAS, the City Council, in adopting this Ordinance, is making changes to certain aspects concerning the collection of the transient occupancy tax but is not increasing the tax in any way.

Now, therefore, the City Council of the City of Winters does hereby ordain as follows:

SECTION 1. PURPOSE

The purpose of this Ordinance is to amend and update sections 3.24.020, 3.24.030, 3.24.060, and 3.24.110 of, and to add section 3.24.135 to, the Winters Municipal Code concerning the City's transient occupancy tax in order to clarify certain provisions of the Code in a manner that is consistent with state law. This Ordinance does not increase the amount or rate of the transient occupancy tax.

SECTION 2. Throughout the entire Chapter 24 of Title 3 of the Winters Municipal Code, the Director of Financial Management shall be substituted for the Director of Administrative Services and the references to Administrative Services Department shall be changed to Financial Management Department. Section 3.24.020 of the Winters Municipal Code is hereby amended to amend the definitions of the words "Hotel," "Operator," and "Rent" to read as follows:

"Hotel" means any structure, or any portion of any structure, which is occupied or intended or designated for occupancy by transients for dwelling, lodging or sleeping purposes, *located in the City of Winters*, and includes any hotel, inn, tourist home or house, dormitory, public or private club, mobilehome or house trailer at a fixed location *outside a mobilehome park*, or other similar structure or portion thereof.

“Operator” means ~~any~~ the person who *charges for occupancy within a hotel regardless of whether the person has physical control over, or makes management decisions about, the hotel. An operator may include, but is not limited to, the* is-proprietor of the hotel, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee, or any other capacity. Where the operator performs his or her functions through a managing agent of any type or character other than an employee, the managing agent shall also be deemed an operator for the purposes of this chapter and shall have the same duties and liabilities as his or her principal. Compliances with the provisions of this chapter by either the principal or the managing agent shall, however, be considered to be compliance by both.

“Rent” means the *total* consideration charged *to the transient*, whether or not received, for the occupancy of space in a hotel. “Rent” *includes charges for equipment (such as, but not limited to, rollaway beds and cribs and in-room services (such as, but not limited to, movies and other services), valued in money, whether to be received in money, goods, labor or otherwise. “Rent” includes* all receipts, cash, credits and property and services of any kind or nature, without any deduction therefrom whatsoever.

SECTION 3. Section 3.24.020 of the Winters Municipal Code is hereby amended to add a definition for the words “Proprietor” and “Successor to Proprietor” as follows:

“Proprietor” means a person who has the legal right to operate, or the owner of, a hotel.

“Successor to Proprietor” or “Successor Proprietor” means any person who acquires the right to operate a hotel from a predecessor proprietor, directly or indirectly, by any means. If, following transfer of an ownership or management interest in a hotel, the hotel continues to operate as such, either continuously or for business interruption not exceeding thirty (30) days, the hotel shall constitute a succession for purposes of this chapter.

SECTION 4. Section 3.24.030 of the Winters Municipal Code is hereby amended to read as follows:

3.24.020 Tax imposed.

A. For the privilege of occupancy in any hotel, each transient is subject to and shall pay a tax in the amount of ten (10) percent of the rent charged by the operator in accordance with Revenue and Taxation Code Sections 7203.5 and 7282.3.

B. *Revenue and Taxation Code section 7282.3* ~~which~~ prohibits levying of such tax on any amount subject to sales and use tax. ~~Thus~~ the city cannot collect a transient occupancy tax on meals (*including beverages*) served to lodgers subject to sales and use tax.

C. The tax constitutes a debt owned by the transient to the city, which is extinguished only by payment to the operator or to the city. Transient shall pay the tax to the operator of the hotel at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient ceasing to occupy space in the hotel. If for any reason the tax due is not paid to the operator of the hotel, the Financial Management director shall require that such tax be paid directly to the Financial Management department of the city.

SECTION 5. Section 3.24.060 of the Winters Municipal Code is hereby amended to read as follows:

3.24.060 Registration.

Within thirty (30) days after the effective date of the ordinance codified in this chapter, or within thirty (30) days after commencing business, whichever is later, each ~~operator~~ *proprietor* of any hotel renting occupancy to transients shall register the hotel with the Financial Management department and obtain a transient occupancy registration certificate to be at all times posted in a conspicuous place on the premises. The certificate shall, among other things, state the following:

- A. The name of the *proprietor* ~~operator~~;
- B. The address of the hotel;
- C. The date upon which the certificate was issued;
- D. *The following statement:* "This Transient Occupancy Registration Certificate signifies that the person named on the face hereof has fulfilled the requirements of the ~~Uniform-Transient Occupancy Tax Ordinance~~ by registering with the Financial Management Department for the purpose of collection from transients the Transient Occupancy Tax and remitting said tax to the Financial Management Department. This certificate does not authorize any person to conduct any unlawful business in an unlawful manner, nor to operate a hotel without strictly complying with all local applicable laws, including but not limited to those requiring a permit from any board, commission, department or office of this City. This certificate does not constitute a permit."

SECTION 6. Section 3.24.110 of the Winters Municipal Code is hereby amended to require hotel operators to maintain records for four years, rather than three, in order to be consistent with the applicable statute of limitations set forth in Revenue and Taxation Code section 7283.51, and to read as follows:

3.24.110 Records.

(a) It shall be the duty of every operator liable for the collection and payment to the city of any tax imposed by this article to keep and preserve, for a period of four years, within the boundaries of this city, all business records as may be necessary to determine the amount of such tax for which the operator is liable for the collection and payment to the city. The Director and authorized deputies or agents, in the exercise of duties imposed by this article, shall have the right to inspect such records at all reasonable times and to apply auditing procedures necessary to determine the amount of tax due to the city. All records which may be necessary to inspect shall be kept within the city or shall be produced within ten working days of written notice at the business location within the city.

(b) In the event records are not produced upon request, or such records are not reasonably able to be audited, the tax, interest, and penalties will be levied based upon the prior collections and remittances of taxes by the operator to the city for that operator's hotel during the audit period. Further, and without limitation, any operator who does not produce records following written notice as set forth herein shall pay, as a civil penalty, in addition to any tax, penalty, or interest, the sum of \$100.00 per day for each business day the records are not produced for audit.

Section 7. Section 3.24.120(A) is hereby amended, reflecting the City's Claim Ordinance, to read as follows:

(A) Whenever the amount of any tax, interest, or penalty has been overpaid or paid more than once, or has been erroneously or illegally collected or received by the city under this article, it may be refunded as provided in subsections (b) and (c) of this section, provided that a claim in writing therefor, stating under penalty of perjury the specific grounds upon which the claim is founded, is filed with the Director within one year of the date of payment.

Section 8. Section 3.24.135 is hereby added to the Winters Municipal Code to read as follows:

3.24.135 Change of Ownership – Tax Clearance Certificate

A. Pursuant to California Revenue and Taxation Code section 7283.5, as it may be amended from time to time, a successor proprietor or prospective successor proprietor may request in writing from the City the issuance of a tax clearance certificate stating the amount of tax and any accrued penalties and interest, due and owing, if any.

B. The City shall, within 90 days of the receipt of the written request for a tax clearance certificate, issue the tax clearance certificate or may conduct an audit of the hotel. The audit must be completed within 90 days from the date the records of the hotel

were made available to the City, and a tax clearance certificate must be issued within 30 days of the completion of the audit.

C. *If, following an audit, the City determines that the current proprietor's records are insufficient to assess the amount of tax due and owing, the City shall, within 30 days of making that determination, notify the prospective successor proprietor that a tax clearance certificate will not be issued.*

D. *If the City does not comply with the request for a tax clearance certificate, the successor proprietor shall not be liable for any transient occupancy tax obligation incurred prior to the date of the purchase or transfer of the property.*

E. *The tax clearance certificate shall state the following:*

1. *The amount of tax, interest, and penalties then due and owing*
2. *The period of time for which the tax clearance certificate is valid; and*
3. *That the purchaser, transferee, or other person may rely on the tax clearance certificate as conclusive evidence of the tax liability associated with the property as of the date specified on the certificate.*

F. *Any successor proprietor who does not obtain a tax clearance certificate under this section, or who obtains a tax clearance certificate that indicates that tax is due and owing and fails to withhold sufficient funds in the escrow account for the purchase of the property to satisfy the transient tax liability shall be held liable for the amount of tax due and owing.*

G. *The fee for issuance of a tax clearance certificate shall be established by resolution of the City Council.*

SECTION 9: ENVIRONMENTAL REVIEW

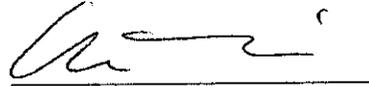
This ordinance is not subject to the California Environmental Quality Act ("CEQA" pursuant to 15060 (c)(2) (the activity will not result in a direct or reasonable foreseeable indirect physical change in the environment) and 15060 (c)(3) the activity is not a project as defined in 15378 of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations) because it has no potential for resulting in physical change to the environment, directly or indirectly; it prevents changes in the environment pending the completion of the contemplated studies. This ordinance also is exempt from CEQA pursuant to the "common sense" exemption under 15061(b)(3) of the CEQA Guidelines, because the City Council hereby determines and finds that there is no possibility that the ordinance may have a significant effect on the environment.

SECTION 9: Effective Date

This ordinance shall become effective May 3, 2012, provided it is published in full or in summary within fifteen (15) days after its adoption in a newspaper of general circulation.

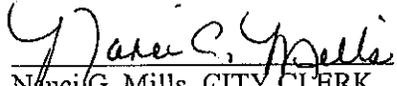
This ordinance was introduced, after public hearing, and the title thereof read at the regular meeting of the City Council on March 20, 2012, and adopted, after the second reading, at the regular meeting of the City Council on April 17, 2012, by the following vote:

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



Woody Fridae, MAYOR

ATTEST:



Nanci G. Mills, CITY CLERK