



Winters City Council Meeting
City Council Chambers
318 First Street
Tuesday, February 18, 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, February 4, 2014 *(pp 5-8)*
- B. Extension of the Riparian Habitat Restoration Agreement Between the City of Winters and the Lower Putah Creek Coordinating Committee and Solano County Water Agency from June 30, 2025 to December 31, 2043 *(pp 9-26)*
- C. Resolution 2014-06, A Resolution of the City Council of the City of Winters Declaring Two Fire Engines be Removed from Service as Surplus and Authorize the City Manager to Dispose of Them at His Discretion *(pp 27-28)*
- D. Amplified Sound Permit for Roots to Wine Art & Music Festival Sponsored by Rootstock to be Held on Saturday, April 26, 2014 in Rotary Park *(pp 29-31)*

DISCUSSION ITEMS

- 1. Resolution 2014-03, A Resolution of the City Council of the City of Winters Approving a Purchase and Sale Agreement for the Property at 311 First Street *(pp 32-87)*
- 2. Introduction and First Reading of Ordinance 2014-02, an Ordinance of the City Council of the City of Winters, Proposing the Amendment to Title 3, Chapter 3.24 of the City of Winters Municipal Code Increasing the Current Transient Occupancy Tax (TOT) from 10% to 12% *(pp 88-101)*
- 3. Resolution 2014-05, A Resolution of the City Council of the City of Winters Calling for an Election for June 3, 2014, Requesting the Yolo County Board of Supervisors to Consolidate the Election with the Statewide Gubernatorial Primary Election, and Direct the County Election's Official to Provide Services in Relation to the Election on Behalf of the City *(pp 102-104)*

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

1. Resolution SA-2014-01, A Resolution of the Successor Agency to the Dissolved Winters Community Development Agency Approving a Purchase and Sale Agreement for the Property at 311 First Street (105-160)
2. Public Hearing and Adoption of Resolution SA-2014-02, A Resolution of the Successor Agency to the Dissolved Winters Community Development Agency Approving the Transfer of a Portion of Grant Avenue Commercial Property (5,867feet) to the City of Winters to complete the Roundabout on Grant Avenue (pp 161-168)

DISCUSSION ITEMS – CITY COUNCIL TO RECONVENE

1. Public Hearing and City Council Acceptance of the Dedication of a Portion of Grant Avenue Commercial Property (5,867 feet), Contingent Upon the Approval by the Successor Agency to the Winters Community Development Agency (pp 169-171)

CITY MANAGER REPORT

INFORMATION ONLY

1. July, 2013 Treasurer Report (pp 172-178)
2. July, 2013 Investment Report (pp 179-180)
3. August, 2013 Treasurer Report (pp 181-187)
4. August, 2013 Investment Report (pp 188-189)
5. September, 2013 Treasurer Report (pp 190-196)
6. September, 2013 Investment Report (pp 197-198)
7. October, 2013 Treasurer Report (pp 199-205)
8. October, 2013 Investment Report (pp 206-207)
9. November, 2013 Treasurer Report (pp 208-214)
10. November, 2013 Investment Report (pp 215-216)

EXECUTIVE SESSION

ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the February 18, 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 February 12, 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.

How to obtain City Council Agendas:

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

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

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

Winters Library – 708 Railroad Avenue

City Hall – Finance Office - 318 First Street

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

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

Wednesday at 10:00 a.m.

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



Minutes of the Winters City Council Meeting
Held on February 4, 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 Clerk Nanci Mills, City Attorney John Wallace, Housing
Programs Manager Dan Maguire, and Management Analyst Mary
Jo Rodolfa.

The Pledge of Allegiance was led by Edgar Chavez.

Approval of Agenda: Council Member Fridae requested the Wastewater Services Quarterly Report be moved from the Consent Calendar to Presentations. Motion by Council Member Fridae to approve the agenda with this change. Second by Council Member Cowan. Motion carried with the following vote:

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

COUNCIL/STAFF COMMENTS

PUBLIC COMMENTS: None

CONSENT CALENDAR

- A. Minutes of the Regular Meeting of the Winters City Council Held on
Tuesday, January 21, 2014

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

Motion by Council Member Fridae to approve Items A, C and D of the Consent Calendar, with Item B moved to Presentations. Second by Council Member Anderson. Motion carried with the following vote:

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

PRESENTATIONS

Wastewater Services Quarterly Report

Jim Keating, Severn Trent Services Project Manager, gave an overview of the Wastewater Quarterly Report for November and December, 2013 and January, 2014.

Kim Kinnee, Sacramento Area Animal Coalition Representative and Chairperson for Spay Day Sacramento 2014

Kim Kinnee, who is also on the Board of Directors of the Yolo County SPCA, talked about the upcoming Spay Day 2014 to be held on February 23, 2014. Kim provided the website to review the spay day guidelines and eligibility criteria and said appointments are required. Kim directed those who are interested to their website at www.sacanimal.org to obtain information or to make an appointment.

Edgar Chavez – Youth City Council Proposal

Edgar Chavez requested approval to bring back to Council a proposal for the formation of a Winters Youth Council to involve the Winters youth in serving the community, which will include the formation of a 5-member Youth Council.

Council Member Cowan said one of the events the Youth Council could help with is Youth Day.

Environmental Services Manager Carol Scianna, as well as Council Member Fridae have volunteered to meet with Edgar to formulate a proposal to bring back to Council.

Council Member Anderson suggested Edgar contact Winters High School, as well as incoming 8th graders.

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)

City Attorney Wallace gave an overview. Matt Archibeque, Winters Chamber of Commerce President, said the Chamber really appreciates the support following the loss of the redevelopment agency and requested Council to earmark a portion of the Transient Occupancy Tax (TOT) to operate the Chamber office and Visitor's Center.

Council Member Guelden reiterated that he is not in favor of the proposed 2% increase as this will affect only the people coming to town. He shared with Council a spreadsheet with 300 California cities currently charging 10% TOT and only some were higher. City Attorney Wallace said the median TOT is 10%. Council Member Guelden proposed that Council put the proposed increase on hold and bring back in two years after we see what happens with the hotels.

Council Member Fridae said the City has invested quite a bid on the downtown and discussed the possibility of a sliding scale. The idea that the City is trying to gouge the public is inaccurate. He also noted the TOT in Portland, Oregon is 20%.

Council Member Anderson said the voters will ultimately decide, but it is the right time to do this and proposed moving forward with the 12% proposal.

Mayor Aguiar-Curry said if the City has an influx of visitors, there is a cost associated with tourism and this is a way to finance that cost. With the expected influx of people the PG&E facility is expected to bring, the City must provide services and prepare the downtown for the increased tourism.

Council Member Fridae said the City has been through a lot of budget difficulties and although he respects Council Member Guelden's opinion, the City must support the Chamber of Commerce by promoting the hotels and other businesses in town and moving forward with the TOT increase proposal.

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

1. None
-

CITY MANAGER REPORT: None

ADJOURNMENT: Mayor Aguiar-Curry adjourned the meeting at 7:55 p.m.

Cecilia Aguiar-Curry, MAYOR

ATTEST:

Nanci G. Mills, City Clerk



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Councilmembers
DATE: February 18, 2014
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Carol Scianna, Environmental Services Manager
SUBJECT: Riparian Habitat Restoration Extension of Agreement Between City and Lower Putah Creek Coordinating Committee/ Solano County Water Agency from June 30, 2025 to December 31, 2043

RECOMMENDATION: Staff recommends that the Mayor execute the extension of the Riparian Habitat Restoration Extension Agreement Between the City and Lower Putah Creek Coordinating Committee/ Solano County Water Agency from June 30, 2025 to December 31, 2043.

BACKGROUND: As part of the River Parkways Projects the City entered into an agreement No. WC-4009SC between State of California, Wildlife Conservation Board (Board) and Solano County Water Agency on behalf of Lower Putah Creek Coordinating Committee . The agreement allows for weed removal and riparian habitat enhancement activities. The initial agreement was only for six years. In December 2010 amendment number one was executed to extend the agreement to June 30, 2025. We have since been advised by the Board that this agreement needs to be extended further ensure all work will be completed and the continuing commitment of the project partners. The project area consists of five Yolo county parcels and two Solano county parcels all owned by the City.

FISCAL IMPACT: None

When recorded mail to:

Rich Marovich
Solano County Water Agency
P.O. Box 349
Elmira, California 95625-0349

_____ Space above this line for Recorder's Use _____

Project: **RIPARIAN HABITAT RESTORATION, LOWER PUTAH CREEK**

County: **YOLO COUNTY**

SECOND AMENDED NOTICE OF UNRECORDED GRANT AGREEMENT

A Grant Agreement titled for reference purposes as **RIPARIAN HABITAT RESTORATION, LOWER PUTAH CREEK** (Agreement No. **WC-4009SC**), was entered into by and between the State of California, by and through the Wildlife Conservation Board (Board), Solano County Water Agency (Agency) and the City of Winters (City).

The Board, Grantee and City entered into said Grant Agreement (No. **WC-4009SC**), pursuant to which the Board granted funds to Grantee to perform certain activities on the certain real property in Solano County owned by the Landowner, to perform weed removal and riparian habitat enhancement, and the use of a closed aeration pond site as a staging area. The Grant Agreement term runs from **August 12, 2004**, beginning with capital improvements and restoration activities, and continues to **December 31, 2043**, for management practices. The terms, conditions and restrictions of the Grant Agreement are binding upon and inure to the benefit of the Landowner, and their respective personal representatives, heirs, successors, and assigns and shall continue as a servitude running for the project life span of the project on the subject lands as described in Exhibit "A" hereto and incorporated herein by this reference. For additional terms and conditions of the Grant, reference should be made to the Grant Agreement which is on file with the Wildlife Conservation Board, 1807 13th Street, Suite 103, Sacramento, California 95814.

SIGNATURE OF GRANTEE (Solano County Water Agency)

By: **David Okita, General Mgr**

DATE: _____

SIGNATURE OF LANDOWNER (CITY OF WINTERS)

By: **Cecilia Aguiar-Curry, Mayor**

DATE: _____

Attest: _____
NANCI G. MILLS, CITY CLERK

SOLANO COUNTY WATER AGENCY

**SECOND AMENDMENT TO AGREEMENT FOR WEED REMOVAL AND RIPARIAN
HABITAT ENHANCEMENT
IMPLEMENTING WILDLIFE CONSERVATION BOARD
GRANT AGREEMENT NO. WC-4009SC**

AMENDMENT NUMBER: 2

LANDOWNER: CITY OF WINTERS.

EFFECTIVE DATE:

PROJECT: LPCCC Riparian Restoration

DESCRIPTION OF AMENDMENT:

1. Paragraph 5 of the Agreement is amended to extend the Term of the Agreement to December 31, 2043 for River Parkway projects.

SIGNATURES:

Solano County Water Agency,
a Public Agency

By: _____
David Okita, General Manager

CITY OF WINTERS.

By: _____
Cecilia Aguiar-Cutry, Mayor

Attest: _____
Nanci G. Mills, City Clerk

**AGREEMENT BETWEEN PROPERTY OWNER
AND THE
SOLANO COUNTY WATER AGENCY
ON BEHALF OF THE
LOWER PUTAH CREEK COORDINATING COMMITTEE
FOR
WEED REMOVAL AND RIPARIAN HABITAT ENHANCEMENT
IMPLEMENTING WILDLIFE CONSERVATION BOARD
GRANT AGREEMENT NO. WC-4009SC**

This AGREEMENT BETWEEN PROPERTY OWNER AND THE SOLANO COUNTY WATER AGENCY ON BEHALF OF THE LOWER PUTAH CREEK COORDINATING COMMITTEE FOR RESTORATION PROJECT ("Agreement") is entered into as of the 28 day of June, 2006 by and between John Donlevy ("Manager") and the Lower Putah Creek Coordinating Committee represented by the Solano County Water Agency ("Agency").

1. Recitals.

A. Owner is the Owner of certain real property described in Exhibit "A" attached hereto and by reference made a part of this Agreement ("Property").

B. The Agency on behalf of the Lower Putah Creek Coordinating Committee administers a grant that provides public funding for restoration projects on public and private lands adjacent to Putah Creek with willing Owners who decide to participate.

C. The project, described in Exhibit "B", the Project Description, attached hereto and by reference made a part of this Agreement, hereinafter referred to as the "Project", has been specifically approved by the Owner, Agency and the Lower Putah Creek Coordinating Committee.

D. It will be necessary for Agency personnel, or persons performing under contract to the Agency, to enter upon the Property for the purpose of conducting the Project.

E. This Agreement provides for right of entry for the work to be done.

2. Grant of Permission. Subject to the terms and conditions of this Agreement, Owner hereby grants to Agency, its contractors, subcontractors and their employees, representatives and agents; and the employees of the Wildlife Conservation Board and the California Department of Fish and Game permission to enter the Property for the limited purpose of removing solid waste, controlling invasive weeds and habitat enhancement and verifying work performed on the Property as specifically set forth in the Project Description.

3. Scope of Work. By their signature on this Agreement, the parties have agreed to the Project Description, and that the work to be undertaken by the Agency is limited to the work set forth in the Project Description, described in Exhibit 'B'.

4. Limitations on Use.

A. Prior to each entry onto the Property, Agency shall provide at least seventy-two (72) hours notice to Owner, arrange for access and, if requested by Owner, allow oversight of all on-site activities.

B. Agency shall make reasonable effort to ensure that none of its activities on the Property unreasonably interferes with Owner's operations or use of the Property.

5. Term. The term of this Agreement shall commence on the date of execution and shall continue until August 12, 2014. If the Project is not completed by August 12, 2014 this Agreement shall terminate.

6. Payment. There shall be no payment made to Owner for this right of entry. All work in the Project Description will be done at Agency cost.

7. Conditions at Completion of Project. Upon completion of the Project, Agency shall remove all equipment and leave the Property in its condition existing immediately prior to the effective date of this Agreement to the extent reasonably possible, except for the work undertaken pursuant to the Project Description.

8. Permits and Compliance with Law. Agency shall obtain and maintain all governmental permits and approvals required for the activities conducted under this Agreement and shall comply with all statutes, ordinances, rules, regulations, orders and requirements now in effect or that become effective during the term of this Agreement applicable to its work to be undertaken pursuant to the Project Description.

9. Rights Limited. This Agreement is intended and shall be construed only as temporary permission to enter and conduct the activities of the Project on the Property and not as a grant of any real property or other rights to Agency in the Property.

10. Indemnification for Project Construction

During the term of this Agreement, and to the fullest extent permitted by law, Agency shall indemnify, defend, protect and hold harmless Owner and Owner's personal representatives, successors, and assigned (collectively, the "Indemnitees"), from and against any and all claims, demands, losses, proceedings, damages, causes of action, liabilities, costs or expenses (including, but not limited to, attorney's fees) caused by access to and activities on the Property conducted by Agency or its agents, representatives, employees, servants, contractors, subcontractors, sub-subcontractors, suppliers, licensees, invitees or anyone directly or indirectly employed by any of them or anyone for whose acts they may be liable, unless caused by the negligent or willful misconduct of Indemnitees. The provisions of this paragraph shall survive termination of the Agreement as to any actions covered by this indemnification occurring during the term of the Agreement.

Except as expressly provided above, upon termination of this Agreement Agency's obligation to indemnify Owner shall cease, and from that point forward, and to the fullest extent permitted by law, Owner shall indemnify and hold harmless and defend Agency, its directors, officers, employees, or authorized volunteers, and each of them from and against any and all claims, demands, causes of action, damages, costs, expenses, losses or liabilities, in law or in equity, of every kind or nature whatsoever for, but not limited to, injury to or death of any person and damages to or destruction of property of any person, arising out of or in any manner directly or indirectly connected with this Agreement, or Agency's action under this Agreement, however caused. Owner's obligation to indemnify Agency shall survive the termination or expiration of this Agreement.

11. Maintenance.

A. This Agreement shall not bind Owner to any future maintenance.

B. Agency's consent to undertake the work agreed to in the Project Description is a one-time obligation of the Agency, and imposes no continuing obligation on the Agency to maintain the work, or to repeat the work if the need arises in the future except as specified in the Project Description.

C. IN WITNESS HEREOF, Agency and Owner have executed two (2) original copies of the Agreement as of the date first referenced above.

"Agency"

SOLANO COUNTY WATER AGENCY

By: David B. Okita
David B. Okita, General Manager
Solano County Water Agency
508 Elmira Road
Vacaville

"Owner"

By: Keith W. Fridae
Keith W. Fridae, Mayor

ATTEST: Nanci G. Mills
Nanci G. Mills, City Clerk

By: John Donlevy
John Donlevy, City Manager

Yolo: 003-222-024
Yolo: 003-222-001
Yolo: 003-048-021
Yolo: 038-018-046
Yolo: 038-007-033

Parcel Numbers

EXHIBIT A – Property Description



Yolo County:

003-222-024: (Winters Community Center) North bank of Putah Creek from the centerline of the channel to the top of the bank from the Winters Car Bridge to the western edge of 003-222-001.

003-222-001: North bank of Putah Creek from the centerline of the channel to the top of the bank from the eastern edge of 003-222-024 (Community Center) to the western edge of 003-048-021.

003-048-021: North bank of Putah Creek from the centerline of the channel to the top of the bank from the eastern edge of 003-222-001 to the western edge of properties on Caselli Lane.

038-018-046 North bank of Putah Creek from the centerline of the channel to the southern boundary of properties on Creekside Way from the eastern edge of properties on Caselli Court to the western boundary of parcel 038-007-033.

038-007-033: North bank of Putah Creek from the centerline of the channel to the southern boundary of properties on Creekside Way from the eastern edge of parcel 038-018-046 to the western boundary of 038-007-012.

Legal Description

That certain parcel of land situate in the City of Winters, County of Yolo, State of California, being a portion of the 160 foot wide strip of land described in judgment dated January 7, 1918, in Case entitled "Town of Winters v. Southern Pacific Company" in the Superior Court of the State of California in and for the County of Yolo, recorded January 26, 1918, in Volume 93 of Deeds; page 413, Records of Yolo County, and a portion of Block 4 of the Townsite of Winters as per map thereof recorded in Book 2 of Maps and Surveys at page 51, Records of said County, and more particularly described as follows:

Beginning at the point of intersection of the northeasterly line of said 160 foot wide strip of land described in said judgment with the southeasterly line of Main Street (80 feet wide), last said line being also the northwesterly line of said Block 4, said point of beginning being distant North 65°00' East 100 feet, measured at right angles, from the original located center line of Southern Pacific Transportation Company's former Winters Branch main track (now removed); thence North 65°00' East along said southeasterly line of Main Street, 200 feet to the northeasterly line of last said Company's land; thence South 25°00' East along last said line, 246 feet to the southeasterly line of said Block 4; thence South 65°00' West along last said line, 200 feet to a point in said northeasterly line of said 160 foot wide strip of land described in said judgment; thence South 25°00' East along last said line, 418 feet, more or less to the center line of Putah Creek; thence Southwesterly along last said center line, being also the boundary between the County of Solano and the County of Yolo, a distance of 164 feet, more or less, to the southwesterly line of said 160 foot wide strip of land, distant 60 feet southwesterly, measured at right angles, from said original located center line of former main track; thence North 25°00' West along said southwesterly line, 700 feet, more or less, to a point in the southwesterly prolongation of said southeasterly line of Main Street; thence North 65°00' East along said prolongation, 160 feet to the point of beginning, containing an area of 3.6 acres, more or less.

EXCEPTING THEREFROM that portion thereof included in Elliot Street.

APN: 003-222-024

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Legal Description

All that real property situate in the City of Winters, County of Yolo, State of California, described as follows:

PARCEL ONE:

Commencing at a point on the Southerly prolongation of the Westerly line of the S. P. R. Subdivision of Block 4 of the Town of Winters, according to the official plat thereof, filed in the office of the Recorder of Yolo County, California, on March 26, 1903, in Book 1 of Maps, at page 4, distant thereon 150 feet Southerly from the Southwest corner of said Block 4; thence Easterly parallel with the Southerly line of said Block 4, a distance of 200 feet to a point; thence Northeasterly 223.6 feet, more or less to a point on the Southerly prolongation of the Easterly line of said Block 4, distant thereon Southerly 50 feet from the Southeast corner of said Block 4; thence Southerly along the Southerly prolongation of said Easterly line of Block 4, to the center of Putah Creek; thence following the meanderings of Putah Creek Southwesterly to the Southerly prolongation of the Westerly line of said Block 4; thence Northerly along said Southerly prolongation of the Westerly line of said Block 4 to the point of commencement.

PARCEL TWO:

Lots 7,8, 9, and Lots 13 through 24, inclusive, as shown on the map of M. O. Wyatt's Addition to Winters, as filed for record in the office of the recorder of Yolo County in Book 2 of Maps, Page 5A, Yolo County Records.

EXCEPTING THEREFROM that portion described as follows:

Beginning at the Northwesterly corner of Lot 24, of said Subdivision, thence Easterly along the North line of said Lot 24 to the Northeasterly corner thereof, thence at right angles Southerly along the boundary line between Lots 23 and 24, 38.00 feet thence at right angles and parallel with the North line of said Lot 24, 100.00 feet to the West line of said Lot 24, thence Northerly along the West line of said Lot 24, 38.00 feet to the point of beginning.

Yolo County APN: 003-222-001

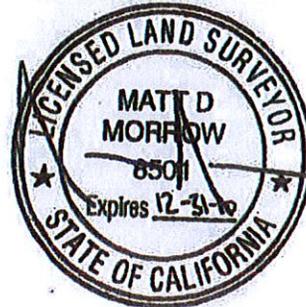
DESCRIPTION

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF YOLO, CITY OF WINTERS, AND IS DESCRIBED AS FOLLOWS:

ALL OF LOT 21 AS SHOWN ON THE MAP OF TRACT NO. 3575 "MORGAN ESTATES" FILED SEPTEMBER 23, 1987, IN BOOK 15 OF MAPS, PAGES 9 AND 10 RECORDS OF SAID COUNTY, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PORTION;

BEGINNING AT A POINT ON THE NORTHERLY LINE OF SAID LOT 21, SAID POINT BEING SOUTH 64°28'01" EAST 251.64 FEET FROM THE MOST NORTHERLY CORNER OF SAID LOT 21; THENCE SOUTH 64°28'01" EAST 243.97 FEET ALONG SAID NORTHERLY LINE OF SAID LOT 21; THENCE SOUTH 14°58'15" EAST 49.06 FEET ALONG THE EASTERLY LINE OF SAID LOT 21; THENCE SOUTH 59°00'15" WEST 445.00 FEET ALONG THE SOUTHEASTERLY LINE OF SAID LOT 21; THENCE NORTH 23°32'29" WEST, 141.74 FEET ALONG THE SOUTHWESTERLY LINE OF SAID LOT 21; THENCE LEAVING SAID SOUTHWESTERLY LINE OF LOT 21, NORTH 57°27'39" EAST 13.95 FEET; THENCE NORTH 43°49'19" EAST 157.64 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 605.75 FEET AND A CENTRAL ANGLE OF 12°57'59", A DISTANCE OF 137.08 FEET; THENCE NORTH 21°16'12" EAST, 19.07 FEET TO THE POINT OF BEGINNING;

CONTAINING ± 77,096 SQ. FT.



Yolo County APN: 003-048-021

Legal Description

That real property located in the City of Winters, County of Yolo, State of California described as:

Outlot "A" as dedicated on that map of Putah Creek Hamlet No. 1, Phase 1, filed October 6, 1992 in Book 17 of Maps, Pages 66, 67 and 68, Yolo County Records.

APN: 038-018-046 and 038-007-033

EXHIBIT B Project Description

This purpose of this project is to allow Agency to remove solid waste, remove and control invasive vegetation including Arundo, Himalayan blackberry, eucalyptus, tamarisk, domestic almond, tree-of-heaven and other non-native invasive weeds and to improve channel form and function where practical by restoring floodplains to functional elevation (two feet above low flow channel elevation) and sloping at a gentle grade from the toe of the bank to the low flow channel.

All herbicide applications will be made under the supervision of a licensed pest control operator using aquatic-safe herbicides and application methods. Disturbed sites will be treated to prevent erosion and planted to native vegetation.

The project also includes fish habitat enhancement consisting of two rock weirs, a w-weir at the riffle 210 feet below the percolation dam and a cross vane beneath highway 505. Rock weir construction will be supervised by a fluvial geomorphologist. The area upstream of the rock weirs will be filled with coarse gravel to enhance salmon spawning habitat.

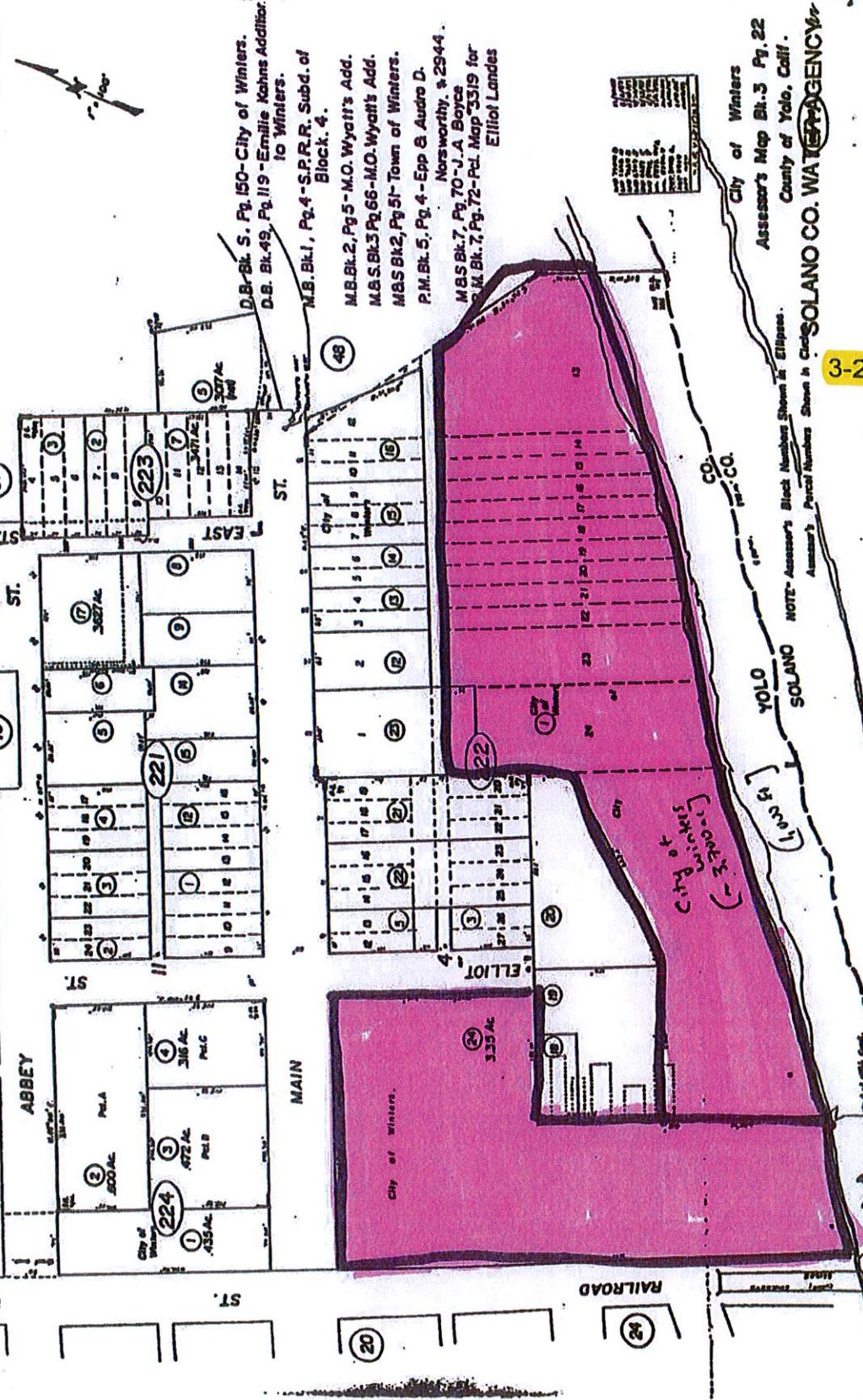
11

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CAUTION - These maps ARE NOT to be used for legal description. 3-22



D.B. Bl. S. Pg. 150 - City of Winters.
 D.B. Bl. 49, Pg. 119 - Emilie Kahns Additor to Winters.
 M.B. Bl. 1, Pg. 4 - S.P.R.R. Subd. of Block. 4.
 M.B. Bl. 2, Pg. 5 - M.O. Wyatt's Add.
 M.S. Bl. 3, Pg. 66 - M.O. Wyatt's Add.
 M.S. Bl. 2, Pg. 51 - Town of Winters.
 P.M. Bl. 5, Pg. 4 - Epp & Andra D. Norsworthy, & 2944.
 M.S. Bl. 7, Pg. 70 - J.A. Boyce
 M.B. Bl. 7, Pg. 72 - Plat Map 3319 for Elliot Landes

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48
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City of Winters
 Assessor's Map Bl. 3 Pg. 22
 County of Yolo, Calif.
 SOLANO CO. WATER AGENCY

3-22-1, 3-22-24

JAN 00 1994

RECEIVED

MOUGA RECORDED

~ 4 Acres

POR. RANCHO RIO DE LOS PUTOS

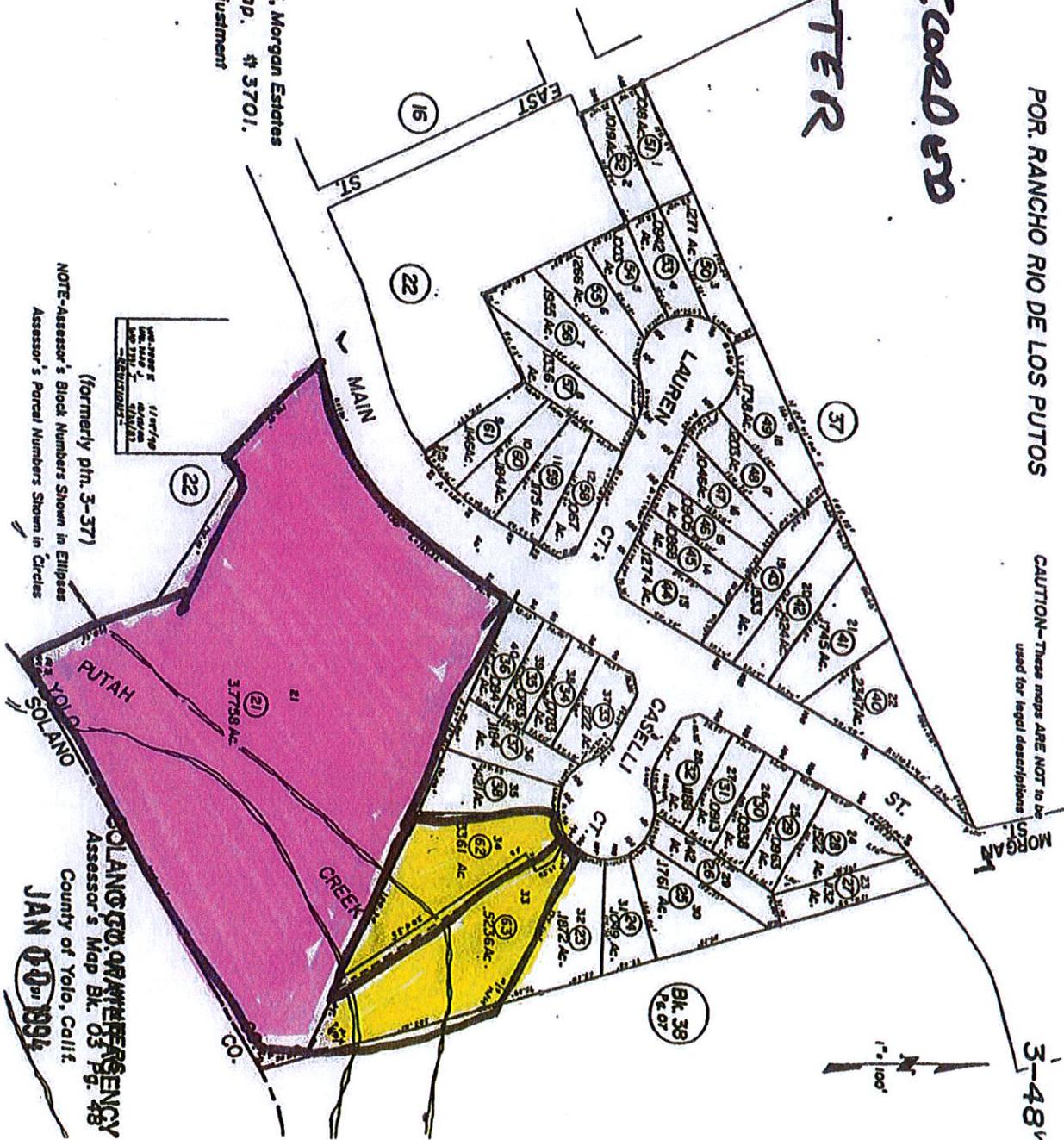
CAUTION-These maps ARE NOT to be used for legal descriptions

3-481

Yolo MORGAN RECORDS
LANDOWNER LETTER

3-48-21, 3-48-62, 3-48-63

M. Bk. 15, Pg. 9, 10 - Tract No. 3575, Morgan Estates
P. M. Bk. 9, Pg. 30, 31 - Parcel Map. # 3701.
M&S, Bk. 12, Pg. 69 - Lot Line Adjustment



U 62

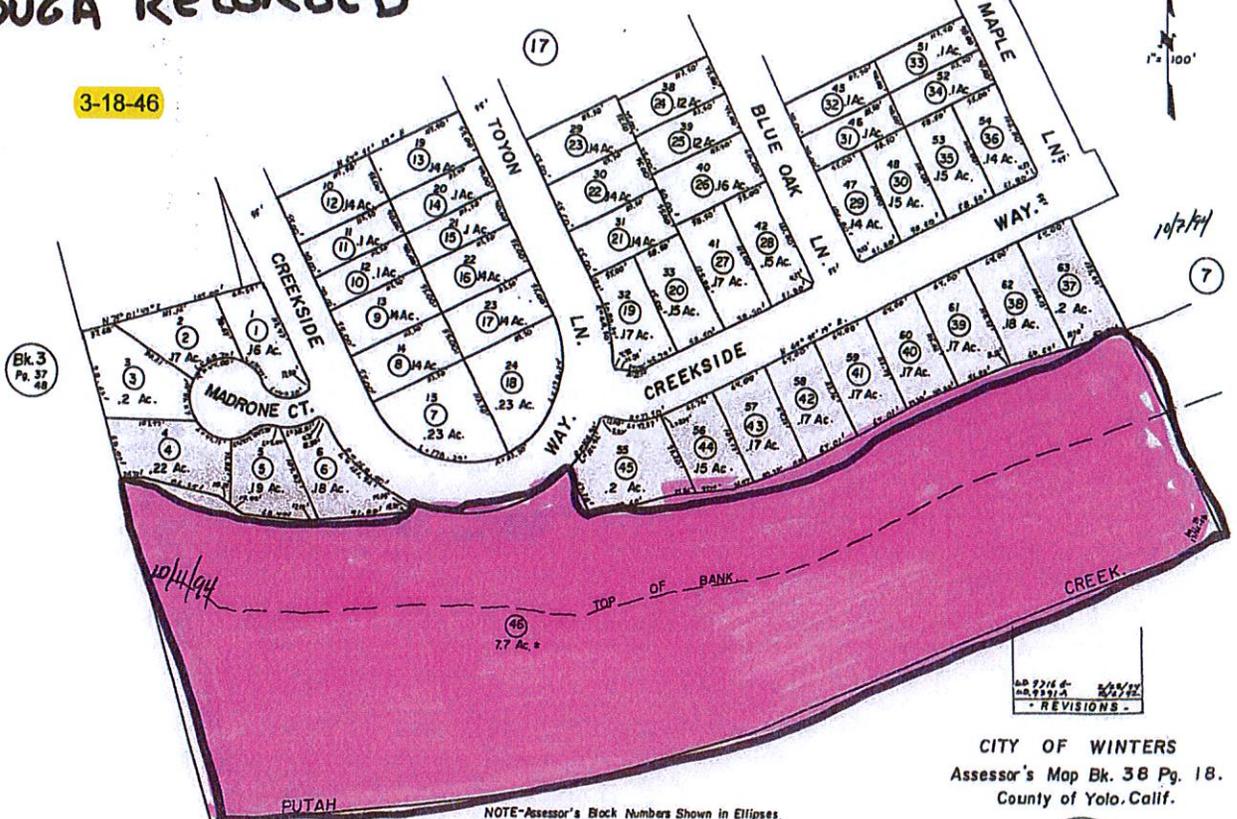
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POR. RANCHO RIO DE LOS PUTOS, T.8N., R.1W. M.D.B. & M.

CAUTION - These maps ARE NOT to be used for legal descriptions.

38-18 ✓

3-18-46



Bk. 3
Pg. 37
48

MAP 2776 A
M.B. 38-18
- REVISIONS -

CITY OF WINTERS
Assessor's Map Bk. 38 Pg. 18.
County of Yolo, Calif.

04/95

NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.
(formerly por 38-07)

M.B. Bk. 17, Pg. 66-68 - Putah Creek Hamlet Map. 4069.

1/27
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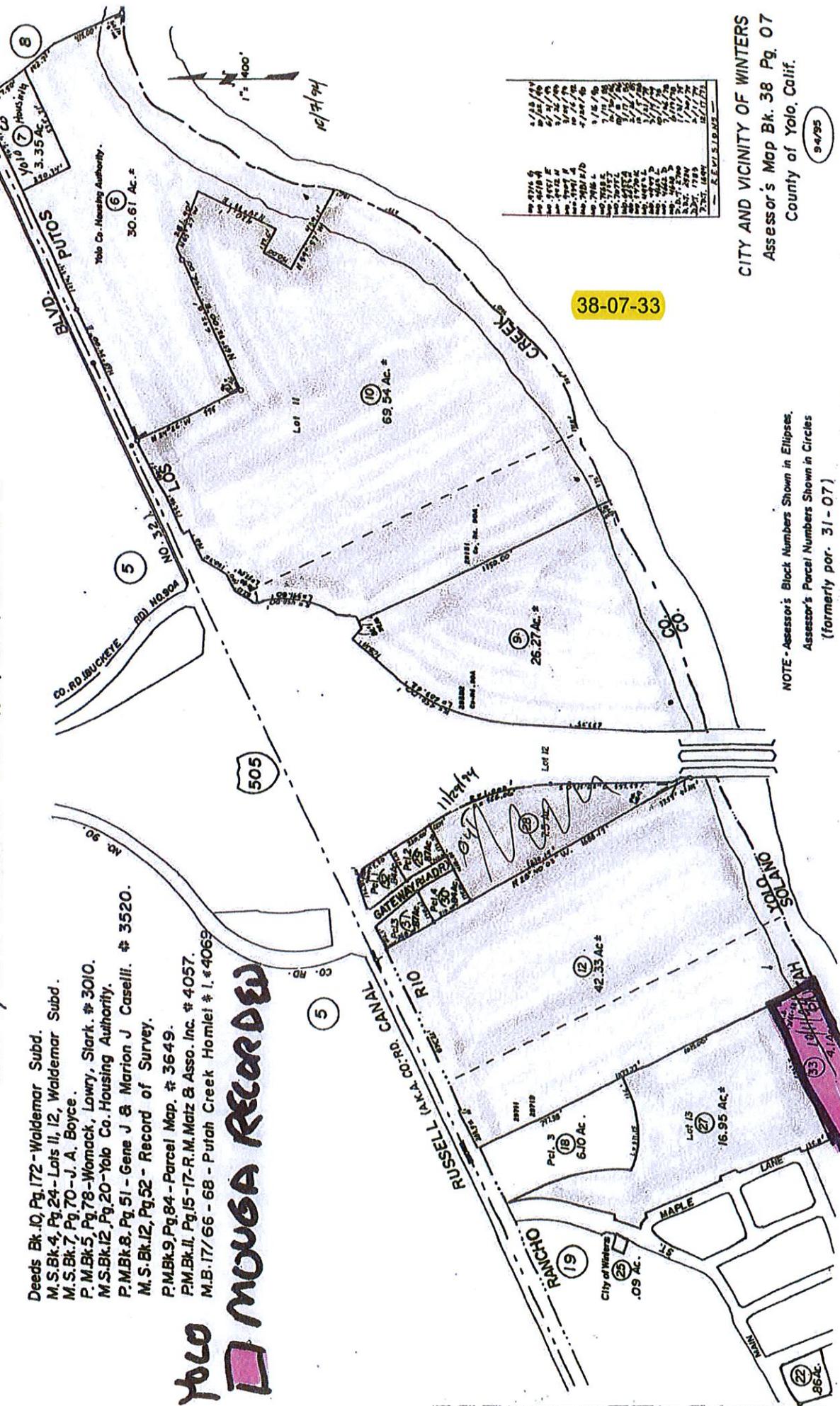
POR. RANCHO RIO DE LOS PUTOS
LOTS 11, 12, 13 WALDEMARS SUB. T.8 N, R.1W, M. D. B. & M.

CAUTION - These maps ARE NOT to be used for legal descriptions.

38-07

- Deeds Bk.10, Pg.172 - Waldemar Subd.
- M.S.Bk.4, Pg.24 - Lots 11, 12, Waldemar Subd.
- M.S.Bk.7, Pg.70 - J. A. Boyce
- P.M.Bk.5, Pg.78 - Womack, Lowry, Stark. # 3010.
- M.S.Bk.12, Pg.20 - Yolo Co. Housing Authority.
- P.M.Bk.8, Pg.51 - Gene J & Marion J Caselli. # 3520.
- M.S.Bk.12, Pg.52 - Record of Survey.
- P.M.Bk.9, Pg.84 - Parcel Map. # 3649.
- P.M.Bk.11, Pg.15-17 - R.M. Maiz & Asso. Inc. # 4057.
- M.B.17/66 - 68 - Putah Creek Homlet # 1. # 4069

Yolo
MOUSA RECORDED



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38-07-33

CITY AND VICINITY OF WINTERS
Assessor's Map Bk. 38 Pg. 07
County of Yolo, Calif.

9/4/95

NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles
(formerly par. 31-07)

ACKNOWLEDGMENT

State of California
County of _____)

On _____ before me, _____
(insert name and title of the officer)

personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

ACKNOWLEDGMENT

State of California
County of _____)

On _____ before me, _____
(insert name and title of the officer)

personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
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paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Councilmembers
DATE: February 18, 2014
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Fire Division Chief, Ron Karlen
SUBJECT: Surplus of Two (2) Out-of-Service Fire Engines

RECOMMENDATION:

Adopt Resolution 2014-06, a Resolution of the City Council of the City of Winters, declaring two fire engines removed from service as surplus and authorize the City Manager to dispose of them at his discretion.

BACKGROUND:

In 2012 the Winters Fire Department successfully obtained a grant from the FEMA Fire Assistance Grant for the replacement of the first out engine. The grant was awarded based on the recognition that the Winters Fire Department has two fire engines; the 1975 Type 2 Engine and a 1980 Type 3 Engine that have served well past their recommended service life.

FEMA requires that the engines be placed out of service and never be used again in an emergency service capacity anywhere in the World. They can serve in other capacities in a private or personal setting, parted or scrapped to be in compliance with FEMA guidelines.

FISCAL IMPACT:

Staff recommends the Council declare these engines surplus and authorize the City Manager to dispose of the two engines at his discretion. Due to the advanced age of the engines they have very little value.

ATTACHMENTS:

1. Resolution No. 2014-06

Resolution No. 2014-06

A Resolution of the City Council of the City of Winters Declaring Two Fire Engines be Removed from Service as Surplus and Authorize the City Manager to Dispose of Them at his Discretion

WHEREAS, The City of Winters Fire Department received a FEMA AFG award to purchase a new fire engine and,

WHEREAS, a part of the grant requirements stipulate that we must retire the two oldest fire engines that the new engine will replace and,

WHEREAS, the Fire Chief has recommended to the City Council that it surplus the two oldest fire engines; the 1975 Type 2 Engine and 1980 Type 3 Engine and,

WHEREAS, the Fire Chief has recommended that the City Manager dispose of the two engines at his discretion.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Winters, that the City Manager John Donlevy is authorized to surplus the two fire engines and dispose of them at his discretion.

DULY AND REGULARLY ADOPTED this 18th day of February, 2014 by the following vote:

Ayes:

Noes:

Absent:

Abstain:

CITY OF WINTERS

Cecilia Aguiar Curry, Mayor

ATTEST:

Nanci G. Mills, City Clerk



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Council Members
DATE: February 18, 2014
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Nanci G. Mills, Director of Administrative Services
SUBJECT: Amplified Sound Permit Application

RECOMMENDATION:

Approve the amplified sound permit application for the Roots to Wine Art & Music Festival sponsored by Rootstock.

BACKGROUND:

Rootstock is requesting this amplified sound permit for the annual Roots to Wine / Wine & Art in the Park Festival to be held on Saturday, April 26, 2014.

Per the City's noise Ordinance, the application requires Council approval.

FISCAL IMPACT:

None

Date of Application: 2-11-14 To City Council: 2-18-14

Name of Person(s)/ Organization: Roots to Wine Contact: Corrin
 Business Address: _____ Telephone: Armstrong
 Telephone: 530 795-3201 530 795-3201

Type of Event: Wine, Art & Music Festival

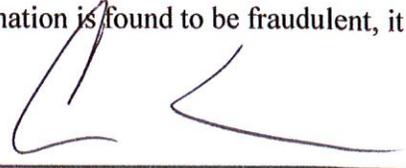
Purpose of Event: (ie; fundraiser, parade, festival, etc.): _____

Date/Time of Event: 4/26/13 From: 12 To: 10

Location/Address of Event: Rotary Park

Rated Output of Amplifier in Watts: _____ Number of Speakers: 4?

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

Signature: 

For City Use Only

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

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

Police Department: Approved Denied Date: _____

Authorized Signature: _____

City Council: Approved Denied Date: _____

Authorized Signature: _____



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers
DATE: February 18, 2014
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Shelly A. Gunby, Director of Financial Management *Shelly*
SUBJECT: Purchase and Sale Agreement for 311 First Street

RECOMMENDATION:

Staff recommends that the City Council adopt Resolution 2014-03, A Resolution of the City Council of the City of Winters approving a Purchase and Sale Agreement between the Successor Agency to the Dissolved Winters Community Development Agency and the City of Winters.

BACKGROUND:

The State of California dissolved all the Redevelopment Agencies in February 2012, and as a part of the dissolution, the Successor Agency was required to submit a Long Range Property Management Plan for the disposition of each of the properties owned by the dissolved redevelopment agency. The Successor Agency prepared and submitted the Long Range Property Management Plan to the Department of Finance for Approval. Approval of the Plan was received on December 20, 2013.

311 First Street was included on the Long Range Property Management Plan as Property 6. The disposition of this property was to be transferred to the City of Winters for future redevelopment use. Currently, this site is used as a parking lot, however, an RFP has been issued for construction of a downtown hotel that would utilize this property , as well as other adjacent properties .

The Successor Agency had the property appraised on 12/4/13, and the appraised amount was \$90,000.

FISCAL IMPACT:

The City will pay \$90,000 for the property per the attached appraisal report, and then proceeds of the sale will be distributed to the affected taxing entities by the Successor Agency. The City is an affected taxing entity and would received approximately \$27,000 from the sales proceeds based upon the tax rates for the Tax Rate Area the property is in, as provided by the Yolo County Auditor's office. The net cost of the property would be \$63,000.

ATTACHMENTS

Resolution 2014-03

Purchase and Sale Agreement

December 4, 2013 Appraisal Report

RESOLUTION 2014-03

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS APPROVING THE REAL PROPERTY PURCHASE AND SALE AGREEMENT BY AND BETWEEN THE CITY OF WINTER AND THE SUCCESSOR TO THE WINTERS COMMUNITY DEVELOPMENT AGENCY

WHEREAS, pursuant to the Community Development Law (the "CRL") (Health and Safety Code Sections 33000 et seq.) the City Council of the City of Winters ("City") created the Winters Community Development Agency ("Redevelopment Agency"); and

WHEREAS, in May 2009, the Winters CDA ("Redevelopment Agency") purchased the property described as 311 First Street, more particularly described on Exhibit A to the attached purchase and sale Agreement; and

WHEREAS, the Wood Rogers Report Dated September 9, 2005 established the need for a Drainage Impact fee; and

WHEREAS, as part of the Fiscal Year 2011-2012 State budget bill, the California state legislature enacted, and the Governor signed, Assembly Bill X126 ("AB 26"), which added Parts 1.8 and 1.85 to the CRL, and which laws caused the dissolution and winding down of all redevelopment agencies in California (the Dissolution Act); and

WHEREAS, on December 29, 2011, in the petition California Redevelopment Association v Matosantos, Case No S194861, the California Supreme Court upheld the Dissolution Act and thereby all redevelopment agencies in California were dissolved as of February 1, 2012 under the dates in the Dissolution Act that were reformed and extended thereby; and

WHEREAS, by Resolution considered and approved by the City Council in 2011 the City elected to become and serve as the successor agency to the Redevelopment Agency (the "Successor Agency"), with the responsibility to wind down the affairs of the Redevelopment Agency and dispose of its assets under the direction of and oversight board (the "Oversight Board"); and,

WHEREAS, as of February 1, 2012 the Redevelopment Agency dissolved and the Successor Agency became operational; and

WHEREAS, the Successor Agency has authority to sell assets of the former Redevelopment Agency pursuant to the requirement of AB26 and AB1484; and

WHEREAS, Health and Safety Code Section 34191.59b) requires the Successor Agency to submit the Long Range 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 received a Finding of Completion from the Department of Finance and submitted the Long Range Property Management Plan to the Department of Finance and the Oversight Board; and

WHEREAS, the Successor Agency received notification from the Department of Finance on December 20, 2013 that the Long Range Property Management Plan was approved as submitted.

NOW, THEREFORE , THE CITY COUNCIL OF THE CITY OF WINTERS DOES HEREBY RESOLVE THE FOLLOWING:

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 City of Winters has determined that the proposed Purchase and Sale contract qualifies as a governmental funding mechanism pursuant to 14 CCRE section 15378 which does not involve a commitment to any specific project which may result in a potentially significant environmental impact. As such the Purchase and Sale Agreement does not qualify as a project for purposes of the California Environmental Quality Act. The City Clerk of the City of Winters has filed a Notice of Exemption with the appropriate official of the County of Yolo, California within five days following the February 18, 2014 adoption of the Resolution.

Section 3. Authority- Approval of Purchase and Sale Agreement. Under California Health and Safety Code Section 341779e), the Successor Agency must dispose of assets and properties of the Dissolved CDA . The Purchase of this property from the Successor Agency is approved.

Section 4. Authorization to Take Action, the City Council hereby authorizes and directs the City Manager of the City of Winters to execute documents and instruments as are appropriate to effectuate and implement the terms of this Resolution.

Section 5. Certification The Successor Agency shall certify to the adoption of this Resolution.

Section 6. Effectiveness. This Resolution shall take effect at the time and in the manner prescribed in Health and Safety Code Section 34179(h) and Section 34181 (f).

PASSED AND ADOPTED by the City Council, City of Winters, this 18th day of February 2014 by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Woody Fridae, Chair

ATTEST:

Nanci G. Mills, Clerk

PURCHASE AND SALE AGREEMENT
(311 First Street, Winters, CA)

This PURCHASE AND SALE AGREEMENT (311 First Street, Winters, CA) (“**Agreement**”) is dated as of February 24, 2014, for reference purposes only, and is entered into by and between the SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WINTERS, a California municipal corporation (“**Successor Agency**”), the CITY OF WINTERS, a municipal corporation (“**City**”), the COUNTY OF YOLO, a California political subdivision (“**County**”), the WINTERS JOINT UNIFIED SCHOOL DISTRICT (“**School District**”), WINTERS CEMETERY DISTRICT, SACRAMENTO YOLO MOSQUITO VECTOR DISTRICT, YOLO COUNTY FLOOD CONTROL, YOLO COUNTY OFFICE OF EDUCATION, WINTERS JOINT UNIFIED SCHOOL DISTRICT, and SOLANO COMMUNITY COLLEGE. With the exception of the Successor Agency, each of the undersigned parties is a taxing entity as defined by Health & Safety Code section 34171(k), and are referred to individually in this Agreement as a “**Taxing Entity**” and collectively as the “**Taxing Entities.**” The Successor Agency and the Taxing Entities are collectively referred to herein as the “**Parties**” and individually as a “**Party.**” Successor Agency and the Taxing Entities enter into this Agreement with reference to the following recitals of fact (each, a “**Recital**”):

RECITALS

A. The Community Development Agency of the City of Winters (“**Community Development Agency**”) previously existed and operated as a redevelopment agency operating within the corporate boundaries of the City pursuant to the provisions of the California Community Redevelopment Law (Health & Safety Code §33000 *et seq.*).

B. The Community Development Agency owned that certain real property constituting approximately 9,017 square feet of real property located at 311 First Street (APN 003-204-002), as more particularly described in **Exhibit A**, attached hereto and incorporated herein by reference (the “**Property**”). The Property is located directly across from City Hall, and is improved with a parking lot. The parking lot is utilized by City staff and visitors to City Hall, as well as visitors to businesses located in downtown Winters.

C. The Community Development Agency was dissolved by operation of law on February 1, 2012, and all Community Development Agency assets, including the Property, were transferred to the Successor Agency, and the Successor Agency became responsible for disposing of the Agency’s real property assets. In connection with this responsibility, the Successor Agency prepared a Long Range Property Management Plan (“**LRPMP**”), which was approved by the Oversight Board of the Successor Agency and submitted to the State of California Department of Finance (“**DOF**”) on July 12, 2013. DOF approved the LRPMP on December 20, 2013.

D. In the LRPMP, the Successor Agency declared that it would convey the Property

to the City for future development in accordance with the Redevelopment Plan. Health & Safety Code section 34180(f)(1) requires that in the event the City wishes to retain a property for future redevelopment activities, it must reach a compensation agreement with the other taxing entities to provide payments to them in proportion to their shares of the base property tax, as determined pursuant to Section 34188, for the value of the property retained. The LRPMP specifically states that the City and Successor Agency will reach a compensation agreement with the affected taxing entities prior to development of the Property.

E. The City desires enter into this Agreement to acquire the Property from the Successor Agency pursuant to the LRPMP, and to compensate the Taxing Entities for such acquisition of the Property in accordance with Section 34180(f)(1). In order to determine the appropriate compensation for the Property, the City retained Lee Bartholomew of Bartholomew Associates, Inc., a California Certified General Real Estate Appraiser, to conduct an appraisal of the Property (the “**Appraisal**”). The Appraisal finds that the fair market value of the Property is Ninety Thousand Dollars (\$90,000.00) as of December 2, 2013.

F. The purpose of this Agreement is to provide for the purchase and sale of the Property from Successor Agency to City, and to compensate the Taxing Entities for such acquisition in accordance with Section 34180(f)(1).

AGREEMENT

NOW, THEREFORE, IN CONSIDERATION OF THE PROMISES AND COVENANTS OF SUCCESSOR AGENCY AND THE TAXING ENTITIES SET FORTH IN THIS AGREEMENT AND OTHER GOOD AND VALUABLE CONSIDERATION, SUCCESSOR AGENCY AND THE TAXING ENTITIES AGREE, AS FOLLOWS:

TERMS AND CONDITIONS

1. **EFFECTIVE DATE.** This Agreement shall become effective on the first date on which all of the following have occurred: (“**Effective Date**”): (a) this Agreement has been approved by the governing boards for each of the Taxing Entities and executed by an authorized representative of each of the Taxing Entities; (b) this Agreement has been approved by the Oversight Board and executed by the Executive Director of the Successor Agency; (c) the Agreement and the Oversight Board Resolution approving this Agreement has been submitted to DOF for review and approval and DOF has either granted such approval or DOF does not object to this Agreement within the review period provided, and the Oversight Board’s action is deemed final and conclusive under Health & Safety Code §34181(f).

2. PURCHASE AND SALE OF PROPERTY

2.1 **Purchase of Property.** Following the Effective Date, the Successor Agency shall sell and convey the Property to City, and City shall purchase and acquire the Property from Successor Agency pursuant to the terms and subject to the conditions set forth in this Agreement.

2.2 **Purchase Price.** The total purchase price for the Property shall be Ninety Thousand Dollars (\$90,000.00), which is equal to the current fair market value of the Property as

determined by an appraisal conducted by Bartholomew Associates, Inc., dated as of December 2, 2013.

2.3 Payment of Purchase Price. The Purchase Price shall be paid in cash by the City to the Taxing Entities in accordance with the requirements of this Agreement upon execution and delivery of a grant deed conveying the Property from the Successor Agency to the City in substantially the form set forth as **Exhibit B**, attached hereto and incorporated by reference herein (the "**Grant Deed**"). The Purchase Price shall be divided amongst the Taxing Entities on a proportionate basis based on their respective shares of the base property tax as determined pursuant to Section 34188. Each Taxing Entity's proportionate share of the Purchase Price is set forth in **Exhibit C**, attached hereto and incorporated herein by this reference.

3. **CONVEYANCE OF PROPERTY**

3.1 Time of Conveyance. Subject to the terms and conditions of this Agreement, the Successor Agency's delivery of the Grant Deed to the City shall occur no later than thirty (30) calendar days following the Effective Date.

3.2 "AS-IS" Acquisition. The Property is sold to City in the Property's AS IS, WHERE IS, SUBJECT TO ALL FAULTS CONDITION, WITHOUT WARRANTY as to character, quality, performance, condition, title, physical condition, soil conditions, the presence or absence of fill, shoring or bluff stability or support, subsurface or lateral support, zoning, land use restrictions, the availability or location of utilities or services, the location of any public infrastructure on or off of the Property (active, inactive or abandoned), and with full knowledge of the physical condition of the Property, the nature of Seller's interest in and use of the Property, all laws applicable to the Property and any and all conditions, covenants, restrictions, encumbrances and all matters of record relating to the Property.

3.3 Possession; Maintenance. The City shall be entitled to sole possession of the Property immediately upon recordation of the Grant Deed. Prior to the recordation of the Grant Deed, the Successor Agency shall continue to maintain the Property to current maintenance standards.

3.4 Risk of Loss. The Successor Agency shall bear the risk of any loss to the Property which occurs prior to the recordation of the Grant Deed and the City shall be responsible for any such loss occurring following the recordation of the Grant Deed.

4. **GENERAL PROVISIONS**

4.1 Notices, Demands and Communications Between the Parties.

4.1.1 **Delivery.** Any and all Notices submitted by any Party to another Party pursuant to or as required by this Agreement shall be proper, if in writing and sent for immediate personal delivery to the address of the recipient Party, as designated in Section 4.1.2. Notices may be sent in the same manner to such other addresses as either Party may from time to time designate by Notice in accordance with this Section 4.1. Notice shall be deemed received by the addressee, on the day that the Notice is delivered to a Party in accordance with this Section 4.1. Any attorney representing a Party may give any Notice on behalf of such Party.

4.1.2 **Addresses.** The Notice addresses for the Parties, as of the Effective Date, are as follows:

To City: City of Winters
318 First Street
Winters, CA 95694
Attn: City Manager

To Successor Agency: Successor Agency of the Community
Development Agency of the City of
Winters
318 First Street
Winters, CA 95694
Attn: Executive Director

To Yolo County: Office of the County Counsel
County of Yolo
625 Court Street, Room 201
Woodland, CA 95695

To Winters Cemetery
District: Larry Justus, Chairman
Winters Cemetery District
PO Box 402
Winters, CA 95694

To Sacramento-Yolo
Mosquito and Vector
Control District: Sacramento-Yolo Mosquito Abatement
and Vector Control District
Attn: District Manager
1650 Silica Ave
Sacramento, CA 95815

To Solano Community
College: Solano County Community College
District
Administrative and Business Services
4000 Suisun Valley Road
Suisun, CA 94585

To Winters Joint Unified
School District: Winters Joint Unified School District
909 Grant Ave
Winters, CA 95694

Yolo County Flood
Control: Yolo County Flood Control and Water
Conservation District
34274 California 16
Woodland, CA 95695

4.2 Risk of Loss. The Successor Agency shall bear the risk of any loss to the Property which occurs prior to the recordation of the Grant Deed and the City shall be responsible for any such loss occurring following the recordation of the Grant Deed.

4.3 Calculation of Time Periods. Unless otherwise specified, all references to time periods in this Agreement measured in days shall be to consecutive calendar days, all references to time periods in this Agreement measured in months shall be to consecutive calendar months and all references to time periods in this Agreement measured in years shall be to consecutive calendar years.

4.4 Principles of Interpretation. No inference in favor of or against any Party shall be drawn from the fact that such Party has drafted any part of this Agreement. The Parties have both participated substantially in the negotiation, drafting and revision of this Agreement, with advice from legal and other counsel and advisers of their own selection. A word, term or phrase defined in the singular in this Agreement may be used in the plural, and vice versa, all in accordance with ordinary principles of English grammar, which shall govern all language in this Agreement. The words "include" and "including" in this Agreement shall be construed to be followed by the words: "without limitation." Each collective noun in this Agreement shall be interpreted as if followed by the words "(or any part of it)," except where the context clearly requires otherwise. Every reference to any document, including this Agreement, refers to such document, as modified from time to time (excepting any modification that violates this Agreement), and includes all exhibits, schedules, addenda and riders to such document. The word "or" in this Agreement includes the word "and." Every reference to a law, statute, regulation, order, form or similar governmental requirement refers to each such requirement as amended, modified, renumbered, superseded or succeeded, from time to time.

4.5 Governing Law. The procedural and substantive laws of the State of California shall govern the interpretation and enforcement of this Agreement, without application of conflicts or choice of laws principles or statutes. The Parties acknowledge and agree that this Agreement is entered into, is to be fully performed in and relates to real property located in the County of Yolo, State of California. All legal actions arising from this Agreement shall be filed in the Superior Court of the State in and for the County or in the United States District Court with jurisdiction in the County.

4.6 No Third-Party Beneficiaries. Nothing in this Agreement, express or implied, is intended to confer any rights or remedies under or by reason of this Agreement on any Person other than the Parties and their respective permitted successors and assigns, nor is anything in this Agreement intended to relieve or discharge any obligation of any third person to any Party or give any third person any right of subrogation or action over or against any Party.

4.7 Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the Parties and their respective heirs, executors, administrators, legal representatives, successors and assigns.

4.8 Time Declared to be of the Essence. As to the performance of any obligation under this Agreement of which time is a component, the performance of such obligation within the time specified is of the essence.

4.9 Entire Agreement. This Agreement integrates all of the terms and conditions mentioned in this Agreement or incidental to this Agreement, and supersedes all prior or contemporaneous negotiations or previous agreements between the Parties, whether written or oral, with respect to all or any portion of the Site.

4.10 Waivers and Amendments. All waivers of the provisions of this Agreement must be in writing and signed by the authorized representative(s) of the Party making the waiver. All amendments to this Agreement must be in writing and signed by the authorized representative(s) of both Successor Agency and City.

4.11 No Implied Waiver. Failure to insist on any one occasion upon strict compliance with any term, covenant, condition, restriction or agreement contained in this Agreement shall not be deemed a waiver of such term, covenant, condition, restriction or agreement, nor shall any waiver or relinquishment of any rights or powers under this Agreement, at any one time or more times, be deemed a waiver or relinquishment of such right or power at any other time or times.

[Signatures on following page]

**SIGNATURE PAGE
TO
PURCHASE AND SALE AGREEMENT
(311 First Street, Winters, CA)**

IN WITNESS WHEREOF, the Parties have signed and entered into this Agreement by and through the signatures of their respective authorized representative(s) as follow:

SUCCESSOR AGENCY:

CITY:

SUCCESSOR AGENCY TO THE
COMMUNITY DEVELOPMENT AGENCY
OF THE CITY OF WINTERS, a public body,
corporate and politic

CITY OF WINTERS, a California municipal
corporation

By: _____
John W. Donlevy, Jr.
Executive Director

By: _____
John W. Donlevy, Jr.
City Manager

**WINTERS JOINT UNIFIED SCHOOL
DISTRICT:**

SOLANO COMMUNITY COLLEGE:

Winters Joint Unified School District, a public
body, corporate and politic

Solano County Community College District, a
public body (District)

By: _____

By: _____

**SACRAMENTO-YOLO MOSQUITO
ABATEMENT AND VECTOR DISTRICT:**

Sacramento-Yolo Mosquito Abatement and
Vector District, a public body, District

By: _____

WINTERS CEMETERY DISTRICT:

Winters Cemetery District, a public body
(District)

By: _____

YOLO COUNTY:

Yolo County, a public body

By: _____

**YOLO COUNTY FLOOD CONTROL
AND WATER CONSERVATION
DISTRICT:**

Yolo County Flood Control (District)

By: _____

**EXHIBIT A
TO
PURCHASE AND SALE AGREEMENT
(311 First Street, Winters, CA)**

Legal Description

According to Yolo County Quitclaim document #7663, which evidenced the 2011 transfer of the subject property, the legal description of the subject property is as follows:

Lots 17, 18 and 21, Block 10, Town (now city) of Winters, shown on the map thereof filed May 22, 1875, Book S of Deeds, Page 154, Yolo County Records.

**EXHIBIT B
TO
PURCHASE AND SALE AGREEMENT
(311 First Street, Winters, CA)**

Grant Deed

[Attached behind this cover page]

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

City of Winters
318 First Street
Winters, CA 95694
Attn: City Manager



APN: 003-204-002

SPACE ABOVE FOR RECORDER'S USE ONLY
EXEMPT FROM RECORDING FEES - GOVT. CODE § 27383

GRANT DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

THE SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT AGREEMENT OF THE CITY OF WINTERS, a public body, corporate and politic ("Transferor"), does hereby grant to **CITY OF WINTERS**, a California municipal corporation ("Transferee"), all right, title and interest of Transferor in that certain real property in the City of Winters, County of Yolo, State of California, specifically described in Exhibit "1" attached to this Grant Deed ("**Property**") and made a part of this Grant Deed by this reference.

Dated: _____

**SUCCESSOR AGENCY TO THE
COMMUNITY DEVELOPMENT AGENCY OF
THE CITY OF WINTERS**, a public body,
corporate and politic

By: _____
John W. Donlevy, Jr.
City Manager

STATE OF CALIFORNIA
COUNTY OF _____

On _____ before me, _____ (here insert name and title of the officer), personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

STATE OF CALIFORNIA
COUNTY OF _____

On _____ before me, _____ (here insert name and title of the officer), personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

**EXHIBIT C
TO
PURCHASE AND SALE AGREEMENT
(311 First Street, Winters, CA)**

Taxing Entity Proportionate Shares of Purchase Price

TAXING ENTITY	Percentage Share	Proceeds
County General Fund	0.27096342	\$ 24,386.71
County ACO Fund	0.01110556	\$ 999.50
County Library	0.02517451	\$ 2,265.71
City of Winters	0.30729203	\$ 27,656.28
Winters Cemetary District.	0.02304678	\$ 2,074.21
Sacramento Yolo Mosquito	0.0078089	\$ 702.80
Yolo County Flood	0.00920365	\$ 828.33
Yolo County Schools	0.02805045	\$ 2,524.54
Winters Joint Unified School District	0.28161651	\$ 25,345.49
Solano Community College	0.03573819	\$ 3,216.44
	1	\$ 90,000.00

Above percentages per Yolo County Auditor's Office.

December 4, 2013

Dan Maguire
Housing Program Manager
City of Winters
318 1st Street
Winters, CA 95694

John C. Wallace
Winters City Attorney
29605 The Horseshoe
Winters, CA

RE: 311 1st Street, Winters, CA

Gentlemen,

At your request I have developed, and with this letter, am transmitting an appraisal of the above referenced property. This report contains a market analysis, sales data, and conclusions regarding the property. This document provides adequate information and analysis to fully understand the property as of the date of this report. The subject property is more fully identified in the contents of the report which follows. This appraisal is complete in its development, and reported summarily.

A Sales Comparison approach to value was utilized in the development and reporting of this appraisal. A cost approach and an income approach were not completed for this property as these approaches are not meaningful for the subject property in the market.

This appraisal report was prepared in conformance to the rules set forth in the Uniform Standards of Professional Appraisal Practice (USPAP), effective 1/2012, which is the most current USPAP edition. The property was appraised subject to the Certification, Statements of Limiting Conditions, and Definitions, which are included within the body of the report.

This is an appraisal of a 9,017 square foot commercial lot, improved with a parking lot. It is located on the east side of Railroad Avenue south of Abbey Street in the town of Winters, CA. The intended use of the appraisal is to assist the City in the transfer of the real estate interest.

Subject to the stated assumptions and conditions, my opinion of the market value of the fee simple interest in the subject property, as of December 2, 2013 is as follows:

Market Value December 2, 2013: \$90,000

Thank you for the opportunity to be of service to you. Please don't hesitate to call if I can be of further help.

Sincerely,



Lee Bartholomew
CA Cert. Gen. R.E Appraiser #AG004317

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Summary of Salient Facts

Street Address	311 First Street
Municipality	Winters, CA
County	Yolo
Assessor's Parcel Number	003-204-002
Owner of Record	City of Winters
Dates of Value	December 2, 2013
Date of Inspection	November 8, 2013
Property Rights Valued	Fee simple
Date of Report	December 2, 2013
Intended Use	To assist client in an internal transfer of the property
Intended Users	Dan Maguire, John Wallace, City of Winters
Current Land Use	Parking lot - commercially zoned parcel
Property Size	9,017 sf (0.207 acres)
Lot Shape	Irregular
Topography	Nearly flat & level
Flood Zone	X, not a flood hazard zone
Planning Zone	C2, Central Business District
Highest & Best Use Determination	Commercial shop or warehouse
Opinion of Value	December 2, 2013: \$90,000

APPRAISAL PREMISES—SUMMARY INFORMATION

Purpose/Intended Use of the Appraisal

This appraisal was developed to furnish an opinion of value of the subject property, as of the date specified in the report. It is explicitly and solely for the use of the named clients, Dan Maguire, Housing Programs Manager and John C. Wallace, City Attorney. The intended use of the appraisal is to assist with the accounting associated with an internal transfer of the property.

Appraisal Firm

This report was prepared by Lee Bartholomew, Bartholomew Associates Inc. All of the contents of this report are the full responsibility of the signatory to this document. Kevin Ice, Appraisal Trainee of Bartholomew Associates Inc. provided assistance for the report.

Interest Valued

This is an appraisal of the fee simple interest in the real estate appraised.

Extraordinary Assumption

No extraordinary assumptions were used in this report.

Hypothetical Condition

No extraordinary assumptions were used in this report.

Assumptions and Limiting Conditions

This appraisal report has been made with the following assumptions and limiting conditions:

1. No responsibility is assumed for the legal description or matters including legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated.
2. The property is appraised free and clear of any or all liens or encumbrances unless otherwise stated.
3. Responsible ownership and competent property management are assumed.
4. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
5. All engineering is assumed to be correct. The plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.
6. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless noncompliance is stated, defined, and considered in the appraisal report.
7. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconforming issue has been stated, defined, and considered in the appraisal report.

8. It is assumed that all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
9. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described, and that there is no encroachment or trespass unless noted in the report.
10. The distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.
11. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person, other than the party to whom it is addressed, without written consent of the appraiser, and in any event only with properly written qualifications and only in its entirety.
12. The appraiser herein by reason of this appraisal is not required to give further consultation, testimony, or be in attendance in court with reference to the property in question unless arrangements have been previously made.
13. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of the appraiser.
14. The appraiser has not considered the potential for adverse environmental conditions. The appraisal was developed under the explicit condition that the property is not adversely affected by any subsurface issues, including but not limited to potential toxic substances. While we have no reason to believe that the property has environmental issues, if they prove to be found, we reserve the right to re-analyze our findings and render new opinions based on the findings.

Certifications

I certify that, to the best of my knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The report analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions, and conclusions.
3. In accordance with the competency provision of the Uniform Standards of Professional Appraisal Practice, I hereby verify that my knowledge and experience is sufficient to allow me to competently complete this appraisal agreement.
4. I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.
5. My compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event. Additionally, the appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.
6. My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
7. I have made a personal inspection of the property that is the subject of this report.
8. The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Appraisal Institute's Code of Professional Ethics and Standards of Professional Appraisal Practice, which includes the Uniform Standards of Professional Appraisal Practice.
9. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
10. Bartholomew Associates has completed prior assignments associated with the subject property. In all cases the client (City of Winters) is the same client as for the prior assignments.
11. Kevin Ice, Appraisal Trainee, provided significant assistance to this appraisal report. His duties included data collection and analysis, research and analysis, income research and analysis.



Lee Bartholomew
Ca. Cert. Gen. R.E. Appraiser
#AG004317

Dates of Appraisal

This appraisal property was inspected by the undersigned on November 8th, 2013. The effective date of appraisal is December 2, 2013. The report date is December 2, 2013, the date this report was developed.

Scope of Appraisal and Reporting Process

This appraisal report includes a market/marketability analysis, a highest and best use conclusion, and a valuation of the subject property assuming the use(s) concluded in the property analysis. This document is a complete summary appraisal, and all pertinent information is included in this report. The scope of the assignment included an inspection of the specific appraisal property and its surrounding market/trade area, an analysis of its surrounding uses, and a study of the market within which it competes. A fundamental market/marketability analysis was made. This included a study of trends involving both real estate and economic issues in the subject's market area, and an inventory of existing and potential competitive supply was measured and analyzed.

Source information was extracted from the following:

- NAIBT Commercial (www.naibtcommercial.com)
- Multiple Listing Service (www.prospector.metrolist.net)
- ReaList (www.reaList.com)
- CoStar Comps (www.costarcomps.com)
- STDB Online (www.stdbonline.com)
- City of Winters (www.cityofwinters.org)
 - Interviews with Planners
 - General Plan (www.cityofwinters.org/pdf/GeneralPlan.pdf)
 - Zoning Ordinance (www.municipalcodes.lexisnexis.com/codes/winters)
 - Chamber of Commerce (530) 795-2329
- SACOG (www.sacog.org)
- U.S. Census Bureau (www.census.gov)
- State of California, Employment Development Department (www.edd.ca.gov)
- Marcus & Millichap Office Research Report (www.MarcusMillichap.com)
- Freddie Mac (www.freddiemac.com)
- DataQuick Real Estate News (www.dqnews.com)
- Lake Berryessa Visitor's Center (707) 966-2111
- Yolo County Visitor's Bureau (www.davisvisitor.org)
- Other sources as referenced in the text or footnotes of the report

Once a highest and best use conclusion was reached, which includes market timing and most probable use conclusions, comparable market data were found. These were researched from Costar, the local MLS system, and internal office file data. The best available data were analyzed, adjusted, and reconciled into values for the subject. All of the information derived from this data gathering process was considered and utilized in the development and reporting of the value estimate and the market timing. The result of the analysis is a valuation of the property assuming the utilization provided in the highest and best use conclusion. Both the sales comparison and the income approaches were completed for the valuation of the subject property. The cost approach is not considered an appropriate method for determining the fair market value of the property.

DEFINITIONS

The following definitions were extracted from "The Dictionary of Real Estate Appraisal", 5th Ed., published by the Appraisal Institute, dated 2010.

Market Value

The subject property appraisal is an appraisal of the "market value" of the property. The Appraisal Institute source for this definition is The Federal Register, Vol. 55, No. 163, August 22, 1990; pages 34228 and 34229.

For the purposes of this appraisal, market value is defined as:

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently and knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- *buyer and seller are typically motivated;*
- *both parties are well informed or well advised, and each acting in what they consider their best interests;*
- *a reasonable time is allowed for exposure in the open market;*
- *payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and*
- *the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.*

Market Value "As Is"

The "as-is" value is the value of specific ownership rights to an identified parcel of real estate as of the effective date of the appraisal; relates to what physically exists and is legally permissible and excludes all assumptions concerning hypothetical market conditions or possible rezoning.

Exposure Time

Exposure time is the estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal.

Surplus Land

Land not necessary to support the highest and best use of the existing improvement but, because of physical limitations, building placement, or neighborhood norms, cannot be sold off separately. Such land may or may not contribute positively to value and may or may not accommodate future expansion of an existing or anticipated improvement.

Stabilized Value

A value opinion that excludes from consideration any abnormal relationship between supply and demand such as is experienced in boom periods, when cost and sale price may exceed the long-term value, or during periods of depression, when cost and sale price may fall short of long-term value.

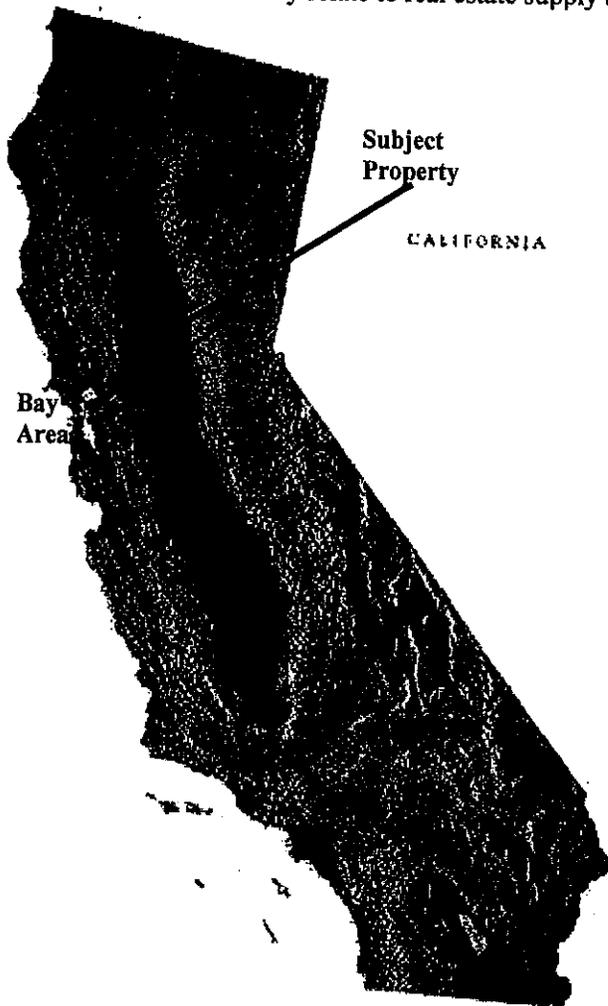
MARKET AREA ANALYSIS

Market Analysis--Introduction

The appraisal property is a 0.108 acre commercially approved parcel. The site is located on Railroad Avenue between and 1st Street in the town of Winters. In this portion of the report, the market within which the subject property competes is defined and discussed, and conclusions are reached as to the possible uses associated with the subject property. Conclusions reached here are carried forward in the highest and best use portion of the appraisal, later in the document.

Analysis

This portion of the appraisal report is a study of local and regional characteristics that influence real estate demand within a market area. The analysis here forms the basis for conclusions reached within the valuation portion of the report, and provides the foundation for highest and best use conclusions as well. This is a study of demographic and economic trends, transportation and economic linkage, and it includes a summary of geographic, social, economic, and governmental issues as they relate to real estate supply and demand within the area.



Geographic Issues

The subject property is located in the incorporated city of Winters, in Yolo County, CA. This community is located at the west side of the Sacramento Valley, about 10 miles north of Vacaville, and 30 miles west of Sacramento. Winters, which was originally developed in the early 1900's, was a rail-stop used by Central Valley growers to ship agricultural products to the San Francisco Bay markets. The foothills of the California Coastal range are just west of the town; this range forms a western boundary to the Sacramento Valley agricultural area. The area has suitable soils for most agricultural commodity cropping patterns, including fruit and nut permanent plantings. Agricultural activities are still predominating in the market area.

In the 1960's the state dammed Putah Creek, which is a coastal range tributary, to form Lake Berryessa, a source for irrigation and drinking water, and recreation. Lake Berryessa is one of the largest fresh water lakes in California containing about 1.6 million acre feet of water. It has 165 miles of shoreline and almost 10,000 acres of land for public use surrounding the lake. According to the Lake Berryessa Visitor's Center, the lake receives about

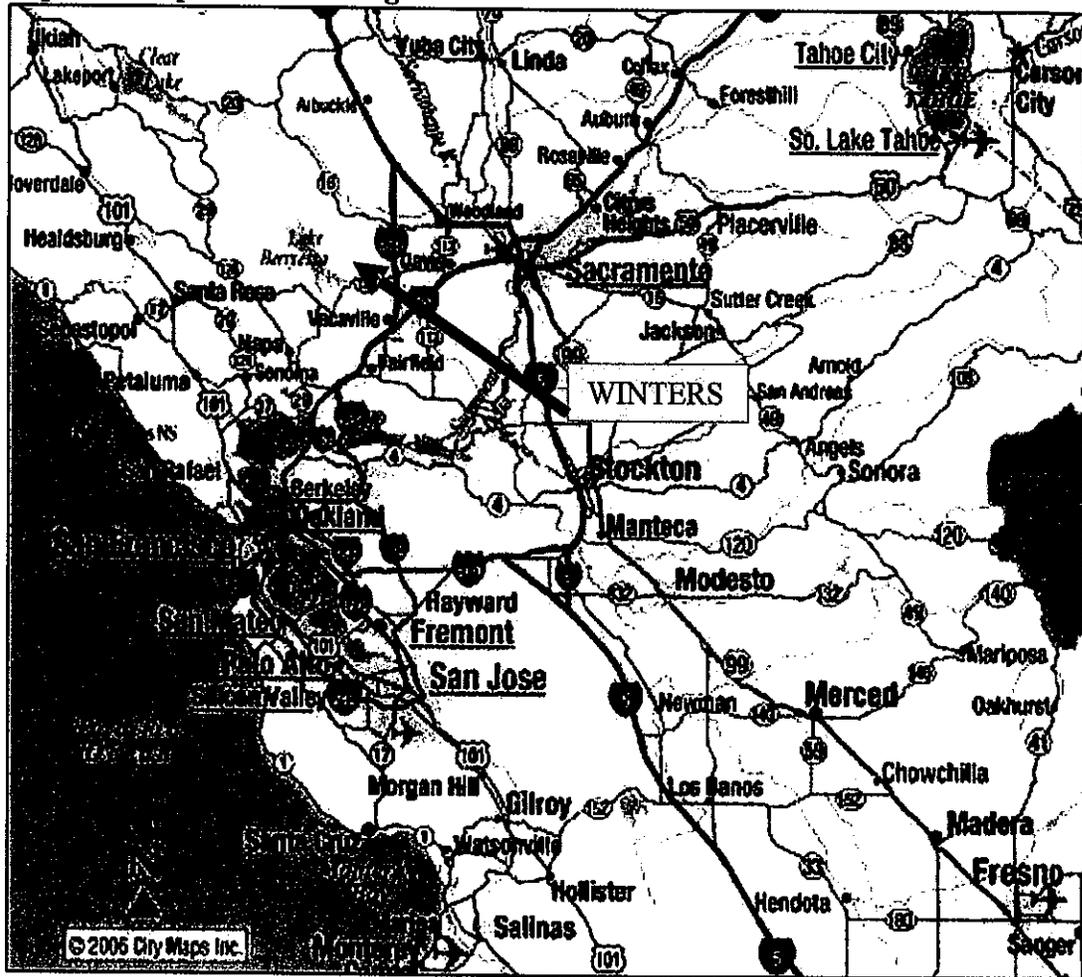
1.2 million visitors per year, mostly in the summer and mostly traveling west along Highway 128 through Winters. The bulk of these visitors are day users for hiking and boating, though there are several lodging options set up around and near the lake for longer stays including two motels and four clusters of cabins. These lodgings are open year round and provide 130 rooms for overnight

guests. Interviews with office staff at each location indicated that the winter months are very slow and summer is the primary season for guests. The Bureau of Reclamation also manages campgrounds and marinas at the lake. Winters is known as the “Gateway to Lake Berryessa,” and the tourist trade accounts for some measure of the area’s economy.

Transportation and Linkages

No significant rail transit exists in the area now; the north-south rail lines have been replaced by Highway 505, which connects Interstate 80 (at Vacaville in Solano County) with Interstate 5 (at Dunnigan in Yolo County). Interstate 505 forms the eastern boundary of the city limits of Winters where it intersects Highway 128. Highway 128 is a two lane highway that runs from Route 1 on the west coast (in Mendocino County) through California’s wine country and reaches its eastern terminus at its intersection with Highway 505 at the eastern city limits of Winters. East of Winters the highway is known as Russell Boulevard which runs through the city of Davis. As can be seen on the map (next page), an international airport exists in Sacramento, about 30 miles east of Winters, and easily accessible from the market area. The San Francisco Bay Area is about an hour southwest of Winters, along Interstate 80; this makes a reasonable commute to the economic and financial centers of the San Francisco Bay Area. Sacramento, which is the nearest second-tier metro area, is about 30 miles east on interstate freeways, as well. The state Capital, Sacramento, is the nearest financial center and government hub, and has the most economic size in the Sacramento Valley.

Map of Transportation Linkages



Regional Influences

Winters is a small city and it relies heavily on nearby urban centers and larger cities for employment and services. The economic ties to surrounding communities are crucial in the assessment of the growth trends in Winters. Traffic patterns indicate that the majority of commuters from Winters find work to the east in Davis or Sacramento and to the south in Vacaville or Fairfield. Services, such as hospital facilities, colleges and regional shopping are located in the surrounding cities of Davis, Sacramento, Vacaville and Fairfield. The Kaiser Permanente group has a large facility in Vacaville, about 8 miles south of the subject.

These cities are located in two distinct economic areas. Davis, Sacramento, and Winters are within the Sacramento Metropolitan Statistical Area.¹ Vacaville and Fairfield are within the Vallejo-Fairfield-Napa PMSA.² Linkages to two economic hubs suggests that the population of Winters has access to a wide array of economic opportunities.

Social Considerations

The area west of Winters is marked by coastal range topography and vegetation. Compared to the Central Valley, the climate in the area is more moderate, and this has attracted residents and visitors who wish to escape the hot, intensively farmed Sacramento Valley. Winters is about 14 miles west of the UC campus in Davis, which developed prominently during the 1970's and later. Currently the campus is the most significant economic driver in the market area. The campus owns about 5,000 acres and boasts roughly 30,000 students, including the medical center in Sacramento. Because of these factors, Winters has become home to a large population segment interested in the arts. While it is difficult to measure the effect of this segment of the society, it is clear that Winters benefits economically and socially from it. A recent City of Winters job posting described the town as follows: "Winters offers award-winning restaurants, an entertainment venue featuring world-renowned musicians, a thriving art community and unique shops, all within the heart of a rich agricultural region." It is clear that the City of Winters includes both culture and agriculture in its branding, and the connection of these two elements continues to be emphasized. There are 14 restaurants in Winters, and several wineries are located within a 20 mile radius of town. These offer a range of dining choices, many of which feature locally grown produce. As well, there has recently been an emphasis on art and music. The Palms Playhouse, which operates from the newly renovated Winters Opera House, is a favorite venue for national progressive music talent. Winters has a monthly art walk, where local artists display and sell their work. Recreationally, a very popular bicycle route leads from Davis (the bike capital of the US) along Putah Creek Road into Winters, and cyclists often stop in Winters for breakfast or lunch after a morning ride.

Summarizing, socially, this is an area with great benefit. The "cultural creative" community has taken to Winters, and this has enabled a melding of social benefits with agriculture, which historically was the primary economic driver for the area.

¹ An MSA, as designated by the Federal Office of Management & Budget, consists of a nucleus of high population related to adjacent communities through a significant level of economic and social integration. These statistical areas are updated every ten years based on reviews of economic dependency factors and commute patterns. The Sacramento MSA is currently composed of Sacramento County (the core of the MSA), El Dorado County (to the east), Yolo County (to the west) and Placer County (to the north).

² This is a Primary Metropolitan Statistical Area which is a sub-area of a MSA. These are areas that have ties to a major urban area (in this case the Bay Area) but also have strong economic links within the PMSA communities and could, in a sense, represent a unique MSA.

Traffic Counts

The traffic counts along the main thoroughfares within Winters are significant to any analysis of commercial property within the city. This is due to the large percentage of retail income attributed to tourism within the city each year. Traffic counts provide a snapshot of exposure along the roads to tourists and others passing through the city. For a retail establishment this is especially imperative as each passing auto is a potential customer. As such, study of the traffic counts along Highway 128 is summarized in the following paragraph.

Traffic counts³ along Highway 128 are low for most of its length (ranging from 930 to 4,600 average daily counts). There are four peaks, beginning with two sequential points in Napa County at Tubbs Road and at Petrified Forest Road. These points each showed AADT of 8,650 and 11,900 respectively. The second two points are both located in Winters. The first is at Railroad Avenue with an AADT of 9,200. The second is at the highway's terminus, its intersection with Highway 505, with an AADT of 11,200. Cal Trans also has data regarding the AADT for on and off ramps along Highway 505. The most recent count were reported for 2005. According to this data, the traffic traveling north on Highway 505 and exiting at Highway 128 averaged 2,770 daily. For south bound traffic, the average was 580. Traffic entering Highway 505 at this point averaged 410 bound north and 2,620 bound south. The amount of traffic entering and exiting the highway remained relatively stable between 2002 and 2006. They indicate strong economic ties to the communities located south of Winters. These figures of traffic at 505 most likely indicate commute patterns for local residents traveling outside Winters for work but may also be indicative of the day-users at Berryessa and surrounding attractions.

Demographics

Growth and development in communities often are driven by specific changes in demographics. For instance, residential development is directly correlated to population and employment growth. Retail growth is impacted by changes in the number of households and income. Office growth is directly related to job growth. In order to understand the current potential for growth, trends in population, income and employment are included below. These data are relevant specifically to the City of Winters but regional data is also included inasmuch as it impacts Winters. It should be noted that these are general drivers and more specific information relevant to the subject property will be discussed later.

Population⁴

Winters is a small community that has shown slow but steady growth over the past several years. In the 2000 census, the community recorded a population of 6,125. The 2010 census showed a population of 6,624. This represents growth of 0.82% per year. The age composition of Winters is slightly younger than state averages, but is relatively close. Household size is also similar, with both Winters and California averaging close to 3 people per household. Educational attainment in Winters is below state levels. About 77% of the population of the age of 25 has a high school diploma or equivalent (in California the figure is about 81%). The proportion of residents with a bachelor's degree or higher is 21%, significantly lower than the California figure of 31%. These data are consistent with areas with a large agricultural component.

³ All traffic count data within this section was extracted from the Cal Trans database and references the AADT – average annual daily traffic. This is a measurement based on samples of the estimated average traffic expected to travel on the road at a given point.

⁴ Sources for population data are as follows: 2000 and 2005-2009 data from the U.S. Census Bureau (www.census.gov), and 2035 data from Sacramento Area Council of Governments (www.sacog.org).

Employment

As mentioned earlier, Winters is in the Sacramento-Arden-Arcade-Roseville MSA, but is heavily influenced by the Vallejo-Fairfield MSA. Both of these regions have suffered from greatly decreased employment over the past several years. Regional unemployment figures for 2007 and 2012 are shown on the following table.

Regional Employment Data (EDD)				
	Sacramento MSA	Vallejo-Fairfield MSA (Solano County)	Yolo County	Winters
Unemployment Rate (March 2007)	5.2%	5.0%	6.0%	6.9%
Unemployment Rate (March 2012)	11.5%	11.1%	14.0%	15.8%

Unemployment has increased drastically throughout the region between 2007 and the value dates. The figures for Yolo County and Winters are higher than the Sacramento and Vallejo MSAs. Much of this can be attributed to the fact that these data are not seasonally adjusted, and the labor force in Winters and Yolo County has a large agricultural component. As such, peak unemployment tends to be in January and February of each year, with substantially lower unemployment rates during the summer and early fall. Irrespective of seasonal trends, the employment situation remains bleak, and this directly translates into reduced demand for residential property. Regional industry data is discussed in the following section.

Sacramento Region

The City of Sacramento is the state's capital, and as a result the primary economic driver in the Sacramento area is government. According to reports from the Employment Development Department, 25% of all jobs fall within the government sector in the Sacramento MSA as of March 2012, or about 227,000 jobs related to local, state and national government. This represents a slightly larger share of total employment than in March 2007 (24%) even though the total number of government jobs has decreased by about 8,000.

Secondary drivers within the economy are service related including retail and hospitality associated with regional shopping centers and tourism. Additionally, rural areas of the MSA, including large parts of Yolo and Placer Counties, have strong agricultural components.

Estimates of the fastest growing jobs in the area favor the Education sector with a 35% (23,390 new jobs) growth expected between 2004 and 2014. However, recent budget issues in California suggest major cuts in public education.⁵ This will likely impact any potential growth in this sector negatively. Health care is also one of few strong sectors and is expected to grow substantially in the next few years. Overall, however, the economic indicators emanating from national and state levels suggest a slower than normal growth in all areas.

⁵ Source: California School Finance, www.californiaschoolfinance.org.

City of Davis

Davis is the neighboring town to the east. Most of the area surrounding Winters has its basic economic strength in agriculture and agricultural support uses. Davis, since the growth of the UC campus, has been the exception. The primary economic stimulus within Davis is provided by the university. This is geographically the largest University of California campus; the UC Regents own over 5,000 acres between Davis and Winters.⁶ At its core Davis is a small university town with additional growth attributable to its proximity to the state capital. The residents of Davis are predominantly either students or professionals, commuting to the Sacramento or San Francisco Bay Area, or employed within the university system.⁷ The university is by far the largest employer in Davis, providing about 29,000 jobs in the Sacramento region.⁸ Because of its direct linkages to Davis, Winters benefits from the location of the university as well.

Eastern Solano County

In Solano County, Fairfield and Vacaville are the nearest cities to the south of Winters. These are similar to the Sacramento region in that they are also impacted by the national and state issues discussed previously. The employment in this region is primarily service related. However, several biotech and pharmaceutical R&D corporations have established sites in Vacaville, including Large Scale Biology Corporation, Genentech, ALZA Corporation, Novartis International AG, and Durect Corporation. Travis Air Force Base is located in Fairfield, as well, and is considered to be one of the primary local economic drivers. This military installation employs 14,353 military personnel and civilian employees. Approximately 25% of these are civilian workers and the balance is made up of active duty and reserve military personnel from various branches of the military. Additional drivers in this area include manufacturing, mining and technology.

City of Winters

According to the 2006-2010 American Community Survey (ACS) conducted by the Census Bureau, 67% of the total population in Winters was employed (3,233). The largest share of occupations in the workforce was Natural Resources, Construction, and Maintenance Operations (26.2%), followed by Management, Business, Science and Art Occupations (23.9%) and Sales and Office Occupations (23.0%). The balance of the workforce was occupied in Service (16.1%) and Production, Transportation, and Material Moving (10.8%). Overall, the Winters economy is fairly well diversified.

According to the 2006-2010 ACS, the average commute time was 25.8 minutes, suggesting that the bulk of the workforce commutes outside of Winters to find employment. Employment within Winters is largely service-related, including retail sales, restaurant and food services. Additionally, there are public sector jobs in education and local government.

⁶ Source: UC Davis, www.ucdavis.edu.

⁷ Source: U.S. Census 2000, www.census.gov.

⁸ Source: UC Davis Economic Impact Report, www.news.ucdavis.edu/special_reports/economic_impact

While ancillary to a discussion of the subject property, the economy of Winters is contingent on the health of the local agricultural community in and around Winters. While large corporate farming is evident, there is still a wide array of small family-operated farms in the immediate area. Typical plantings exist on 20- to 160-acre parcels, and while economic viability is difficult on these smaller parcels, the growers are finding creative ways to sell their product; farmer's markets, direct to restaurants, and retailing from local farm stands are among these. Weather and soils, irrigated from the Putah Creek aquifer, are suited to stone fruit, nut crops, olives and vines. Much of the area just south of Winters along Putah Creek is planted to walnuts—this is the highest grossing permanent planting in the market area. Row cropping is less prevalent in the Winters area than in the Sacramento Valley to the east, but there are some sizeable row crop growers in the Winters area.

Income

There are two measures of income used in the U.S. Census data, per capita income and household income. Per capita income is calculated by taking the total income reported for the community and dividing it by the total number of people living in the community. This provides an average income for all residents or citizens. Household income is reported in averages and medians by the Census. Average household income is calculated by taking the aggregate income for the entire population and dividing it by the total number of households in the population. This is the primary measure of income used in determining demand for goods and services as households typically function as a single economic unit. The median household income is more precise as it uses actual income for each household and then determines the median for the community. This also provides more precision in graphing the income distribution within a community. Roughly half of the households will have incomes below the median household income and the remaining half above the median.

In 2009, the median household income for Winters was \$61,146; this showed about 2.9% per annum growth over the 2000 figure of \$48,609.⁹ The median income levels are slightly higher than California income, and in fact the proportion of the Winters population living below the poverty line is one of the lowest in the area. Projections indicate this growth to continue for the next several years. In 2014, median income is projected to be \$62,573 for the City of Winters. Per capita income in Winters has grown at a slightly higher rate which suggests that disparity between higher and lower income households has grown in the past several years.¹⁰ This is consistent with most areas during this period.

⁹ Source: Site to Do Business report for the City of Winters at www.stdbonline.com

¹⁰ The per capita income uses the average of all income to the total population essentially assigning an equal amount to every person within the population. The median household income shows the midpoint of all household incomes. According to the U.S. Census Bureau, if the lower and higher income levels were growing at the same rate, the midpoint of household incomes would shift at about the same rate as the average income. Higher rates of growth in per capita income indicate that income growth is primarily attributable to the higher income streams. For Winters, the change in median household income between 2000 and 2009 was 25.8%; the change to per capita income was 29.1% over the same period. This is almost 5% difference in growth and indicates that there is a growing disparity between low earning households and high earning households.

Summary Conclusions

Overall, the city of Winters is the smallest incorporated city in Yolo County, but it has the unique quality of economic ties to two counties (Yolo and Solano) and it has proximity to nearby major economic regions (the Sacramento MSA and the San Francisco Bay Area MSA). Transportation linkages are favorable, with I-80, Freeway 505, and the Sacramento International Airport all very close to Winters. The city's population is characterized by young families with primary income generated through commuting to nearby economic centers. Although educational attainment levels are slightly below other areas, this is a community with indicators for growth in population and income. Despite steady, albeit slow growth, the city is likely to retain its agricultural ties and continue to meld family farming operations with the local social opportunities. This reflects a very positive and diverse future in respect to the local economy. As well, the proximity to recreational destinations such as Lake Berryessa and Lake Solano Park, contribute to the development of a tourist economy, which is tangible but still in its infancy as far as driving growth in the area. In general, growth in the city is likely to be slow and well-managed by city planning efforts to retain a community that appeals to residents and tourists alike.

In researching the community, several items are of interest. First, the income and education levels within town are diverse—there is a wide gap between two segments: residents who lack higher education and are mostly at the low end of the income levels,¹¹ and those who are well educated and are at the top of the economic spectrum. This is not unusual for valley towns, but the economic disparity between these groups does tend toward a social bifurcation. This bifurcation has implications for real estate demand analyses. The most important is that the lower income households tend to be under-served as a result of average figures often used in these studies. Understanding that there is a large segment of the population earning below the average income levels provides an indication that commercial, public and residential developments must be apportioned to accommodate this population segment, and that the community must be opportunistic in narrowing the gap between the population segments. Second, Winters has had, and continues to have, infrastructure barriers to new development. This hampers the city in regard to developing a critical mass of economic and population strength, without which local services and economic opportunities will be limited. These are discussed in more detail in the following sections, but it should be noted that it is anticipated that these barriers will be removed over the next several years. Third, there are a remarkably small number of seniors or retired people living within Winters. This market segment is one that, if encouraged, would tend to additionally stabilize the current position of Winters. With positive geographic characteristics and very good transportation linkages, it would seem as though this segment of the population should be encouraged to locate within the Winters market area. Many communities are currently striving to develop neighborhoods around senior needs. The seniors demographic is the fastest growing segment of society and is viewed as a group with substantial savings and retirement income.

¹¹ A guide to education and socioeconomic status is drawn from the Department of Education statistical database. Source data is from the California Department of Education (www.ed-data-k12.ca.us) and from the U.S. Department of Education (http://nces.ed.gov/ipeds/datasearch/district_list.asp). While there were discrepancies between the two data sets, the results regarding school district performance were consistent. In Winters, roughly 30% of students are English learners. This is relatively high when compared to Davis (9.4%), Yolo County (22.4%), Vacaville (12.1%) and Solano County (13.4%). About 45% are entitled for the free or reduced lunch program. Again this is a high number when compared with surrounding areas: Davis (19.2%), Yolo County (44.5%), Vacaville (27.9%) and Solano County (36.2%). 42% of the 1,800 total students from the 2006-2007 survey are characterized as socioeconomically disadvantaged, again a relatively high number when compared with surrounding regions: Davis (9.3%), Yolo County (42.5%), Vacaville (19.5%) and Solano County (24.4%). This, coupled with the relatively high income levels within Winters, indicates a wide disparity between the "haves" and the "have nots".

Market Trends in Real Estate

The subject of this appraisal is an improved commercial property. Although residential uses are not specifically allowed under the current zoning for the property, the health of the residential real estate market has a significant effect on commercial properties. Residential development tends to attract population growth, and a growing population drives new demand for retail and office space. This portion of the study is an analysis of potential commercial uses for the property, which is preceded by a brief summary of the current residential real estate market and its supply/demand issues. Excluded from this section is a discussion of the industrial, special purpose and agricultural markets. The primary reason for this exclusion is that the subject property does not have the potential for development to these uses.

Analysis of Available and Expired Listings

There is a noted dearth of market evidence with which to analyze the Winters commercial market. One sale in the past year is noted as informative to such a discussion, and is included in the sales comparison approach to value in this report. As such it is not possible to derive any meaningful trending for the Winters commercial market over the past 3 years. To better understand market conditions we analyzed the available and expired market listings throughout recent past in Winters. The following table lists the active and expired data.

Improved Property Listings

Address	PSF Asking Price	Active or Expired
3 Grant Ave Winters	\$287.50	Active
723 Railroad Ave Winters	\$50	Active
41 Main Street Winters	\$55.03	Active
1123 W Grant Ave Winters	\$216.67	Active
101 Abbey Street Winters	\$289	Expired
41 Main Street Winters	\$53	Expired

The listings data fall in two categories, roughly those offerings at roughly \$50 psf for very poor condition space, and those offerings above \$200 psf. In our analysis of the Winters commercial sales, we have not seen a transaction take place above \$200 psf. The \$200 psf level is noted to not be born by the marketplace, as indeed many of these listings are expired. In conclusion our analysis of available and expired listings has not produced any meaningful data with which to inform the value opinion of the subject.

It is our opinion, based on interviews with agents and city staff, that Winters is beginning to see some correction to the prior adverse market conditions. There is finally, in Winters, some development occurring, including the planning of the Hudson-Ogando property, which will add about 80 housing units within the near term. Additionally, there is ongoing tenant improvement construction, and the Main Street/Railroad Avenue core, which has been updated within the past ten years, is bringing new businesses to town. Among these are restaurant, retail, wine sales, and miscellaneous service commercial. The Main Street corridor is essentially occupied, with some exceptions, and overall, demand for properties along Main Street and Railroad Avenue is considered to be pretty strong. Retail locations off of this core, however, have not fared as well. In respect to rental levels, we have not seen any increase to speak of. Rent levels have hovered at about a dollar per square foot on a gross level for quite a while. Our 2011 rent survey, as well as the current survey, indicate about this level for downtown retail space that would directly compete with the subject property. As indicated on the table above, very few recent sales have occurred in town. While there is not enough market evidence for statistical analysis, our conclusion as to market conditions tends to a recent increase in prices.

SUBJECT PROPERTY DESCRIPTION

Site Description

This parcel is a rectangular lot, totaling 9,017 square feet in area (see parcel map, below). The Yolo APN for the parcel is 003-204-002. There are no building improvements on the parcel, it is asphalt paved and used as a parking lot. There is a contiguous parking lot located northwest of the subject. There is warehouse space to the east. There is some landscaping on the west and east edges of the parcel. This is a level parcel, without adverse drainage or flooding constraints.

Utilities and Services

The property is accessed by public roadway; First Street and an alley (Newt Expressway) on the south side. It features connections to the municipal water and sewer system. PG&E gas and electric, and city owned curbs, gutters, and sidewalks serve the site. Storm drainage is underground. The city maintains street lighting on First Street.

Flood Map

According to FEMA flood panel # 06113C0563G, dated June 18, 2010, the property is located in FEMA zone X, indicating that the property is not in a flood hazard area and is located outside both the 100- and 500-year floodplains.

Surrounding Uses

The City of Winters Fire Department is located adjacent to the subject to the east, and occupies a majority of the city block. Across First Street to the west is the Winters City Hall, and beyond that the neighborhood is exclusively residential. Uses to the north are primarily residential, and to the south across the alley are Central Business District buildings with frontage on Main Street.

Building Improvements

There are no building improvements on the site. Historically there was a steel building, which has recently been removed. The site is currently used as a paved parking lot for the Winters City Hall and Winters Community Parking.

Property Ownership/Sales History

The property is owned by the Dissolved Winters Community Development Agency (Successor agency to the Winters Community Development Agency). The property was owned by William and Mary Portello from the early 1970's until it was purchased by the Winters Community Development Agency in 2009. There was no cash involved in the transaction; rather it was a direct exchange for a rental house. The Agency then transferred the fee interest to its successor agency in June 2013, as evidenced by Quitclaim Deed #20914.

Taxes and Assessments

The subject property is exempt from property taxes as it is owned by a government entity.

Zoning

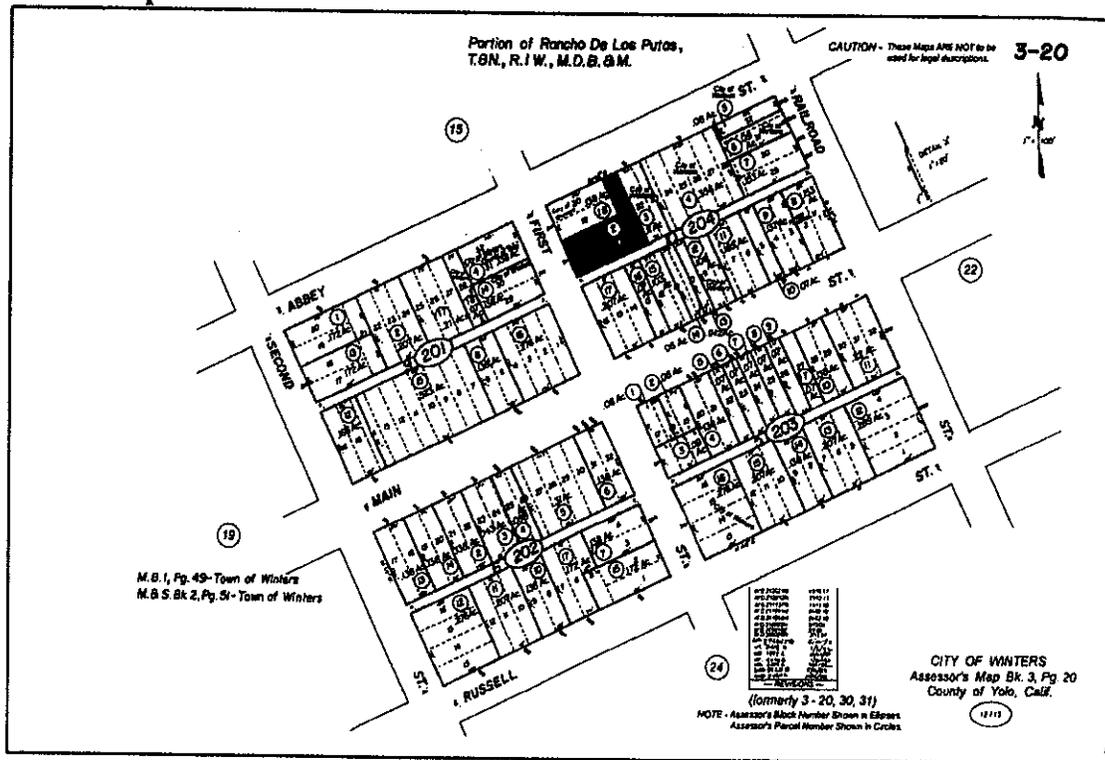
Zoning for the subject parcel is C-2, Central Business District. As described by the City of Winters Zoning Code, the purpose of the central business district zone is to stabilize, improve and protect the central business district of the city, including the downtown area, and related major area-wide business centers as designated in the general plan. A wide range of commercial activities and some residential applications are possible in the C-2 zone. There are form based codes that apply to the Winters CBD. These codes govern the design of improvements in the area, demanding a conforming look to the district. In addition, there are form based codes that apply to the Winters CBD. These codes govern the design of improvements in the area, demanding a conforming presentation with the rest of the district.

Legal Description

According to Yolo County Grant Deed document #7663, which evidenced the 2011 transfer of the subject property, the legal description of the subject property is as follows:

Lots 17, 18 and 21, Block 10, Town (now city) of Winters, shown on the map thereof filed May 22, 1875, Book S of Deeds, Page 154, Yolo County Records.

Parcel Map

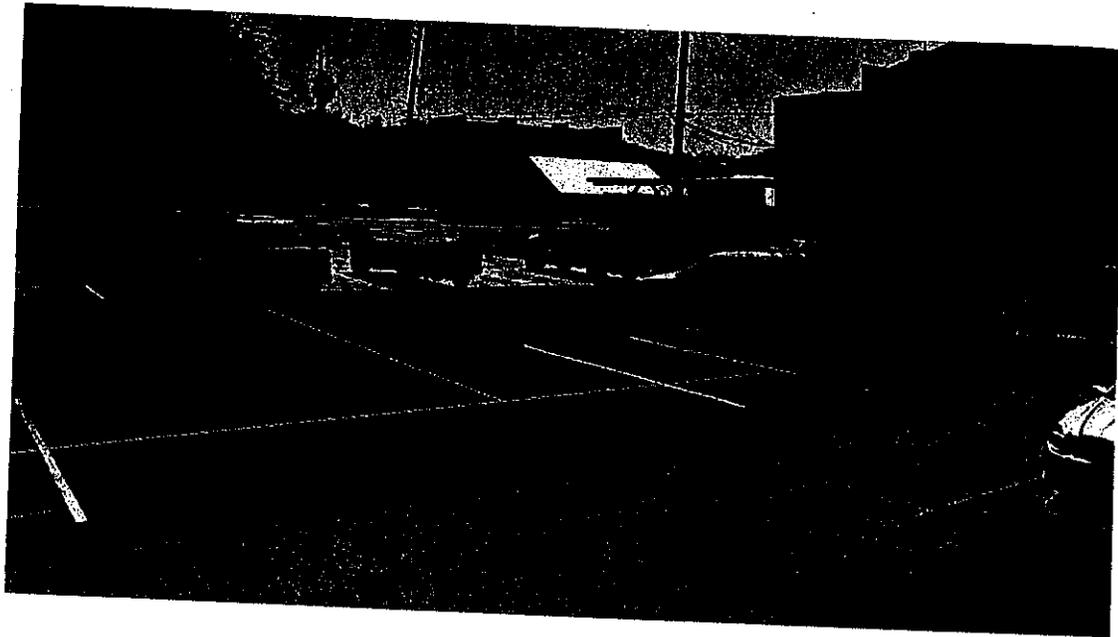


Subject Photos

From the South



From the North



Site Description

Component	Discussion
SITE	
Size/Topography	The site is 311 First Street, which is a rectangle with a protrusion to Abbey Street. There is a strip with frontage on Abbey, suitable for a narrow commercial building. The subject is located on the east side of First Street, and the south side of Abbey. The subject is less than a block from Main Street in downtown Winters. The total lot size is 9,017 square feet (roughly a fifth of an acre). Topography is generally level. The site is adjacent to a parking lot to the north and a commercial building across the alley to the south. The Abbey frontage is adjacent the current city fire station to the east.
Fronting Streets	Access is from three sides, although the alley (south) is not designed to be a useful or desirable access point. Frontage is roughly 25 feet on Abbey Street, and roughly 60 feet on First Street.
Access	Access is via public streets, First Street borders the subject to the west, and Newt Expressway borders the south. There is a narrow strip of Abbey Street frontage. The site is one and a half blocks from Railroad and Main, a central downtown Winters location.
Landscape	The subject is primarily paved parking, though it has trees along its western and southern edges.
Utility/Off-sites	The site is fully useable. It has curb, gutter and sidewalk to all the fronting streets except the alley. The City of Winters maintains street lighting.
Site Infrastructure	The property is fully served by City of Winters utilities, including water, sewer, and undergrounded drainage. PG&E provides electricity (on overhead lines) and natural gas to the property. Telecommunications are provided to the site as well.

HIGHEST AND BEST USE ANALYSIS

The highest and best use is defined as “The reasonable and probable use that supports the highest present value, as defined, as of the date of the appraisal”, and alternatively, “The reasonably probable and legal use of vacant land or an improved property that is physically possible, appropriately supported and financially feasible, and that results in the highest value” (source: *The Appraisal of Real Estate*, 12th edition, published by the Appraisal Institute, 2001, page 305). Implicit in this definition is that a particular use must meet four criteria in order to be considered as the highest and best use; the use must be physically possible, legally permissible, financially feasible, and maximally productive.

Highest & Best Use as Vacant

The C-2 zoning for the subject property allows for a variety of retail, professional and residential uses. There are no improvements currently contributing to the value of the property. Legal uses of the subject parcel are commercial in nature. Physical characteristics of the lot allow for almost any legal use, with the exception of those which require a larger land size than exists on this relatively small parcel. Financial feasibility is unlikely to be met with the development of a retail use or restaurant. In our analysis of market lease rates, we suggest that Winters retail space seems to be hovering at a gross rental rate around a dollar per square foot. Based on feasibility rent levels, the current predominant rent level is insufficient to incentivize new development at this time. This would lead to a “hold for a feasible development in the future” conclusion.

The subject is surrounded by City of Winters holdings, and is positioned well for inclusion in a scaled development, which would also include city-owned sites along Railroad Avenue, Abbey Street, and the alley. Because of the uses surrounding the subject property, there is not much natural pedestrian traffic at the present time. This may change, as the city grows and demand for downtown space increases. It is noted that the assemblage associated with the subject and the rest of the properties on its block (excluding the Winters Express property at 310-312 Railroad Avenue) limit the likely buyer of the subject, assuming it to be available to the marketplace for sale. The existing assemblage essentially creates a captive marketplace—the City of Winters is the only likely buyer of the property at the present moment. In valuing the property, which requires a hypothetical sale of the property to a market participant, we considered potential uses by typical participants. Given the enhanced value of the property by virtue of the existing assemblage with contiguous City of Winters parcels, the likely buyer is the city.

Given the economic reality, and the current feasibility associated with new development within Winters, the highest and best use of the subject (in its current vacant status) is to hold the parcel for development to a retail, restaurant, or other commercial use once demand for this type of development further increases in the market. A secondary highest and best use is to hold it in its current assemblage (along with the contiguous city owned parcels), and to develop it with a scaled project.

Exposure Period

In consideration of the data used within the value analysis, it is our opinion that the property would have required six to eighteen months in order to have achieved a successful contract/COE. Marketing period, which is prospective, may be as much as a year also.

VALUATION

In valuing real estate, three valuation methodologies are accepted as normative in the appraisal process. These are the Cost Approach, the Income Approach, and the Sales Comparison Approach.

The cost approach identifies market-supported improvements costs, subtracts a market-supported amount assignable to accrued depreciation, adds land value, and derives a value based on the cost to reproduce the improvements. This “cost approach” presumes that a typical buyer would not pay more for an existing improved property (or finished lot) than it would cost to reproduce the same improvements on a highly similar site. The cost approach was not undertaken in this assignment—the property is a vacant site.

The sales comparison approach utilizes the principle of substitution, wherein recently sold “substitute” properties are found, adjusted for market conditions, and then adjusted to account for differences between them and the subject property. The underlying assumption is that market support will be either similar to or identical to any of a group of adjusted substitute properties; thus, the indicated value for the subject is based on a range of adjusted values for the “substitute” or “comparable” transactions. The sales comparison approach is considered to be a reliable indicator of value for properties like the subject and was undertaken for this assignment.

The income approach seeks to identify market level income from a property, typically from rents, and either utilizes a gross rent multiplier or an overall capitalization rate to value the income stream from a property. The income approach to value was not undertaken for this assignment.

Sales Comparison Approach to Value

The sales comparison approach applies the principle of substitution, which assumes that a willing and prudent buyer will not pay more for a similar property than the cost to acquire a similar competitive property. The methodology in comparison includes identifying these similar, competitive properties that have sold, making appropriate adjustments to the consideration paid for them based on comparison with the subject, and reconciling the adjusted values into a value estimate for the subject.

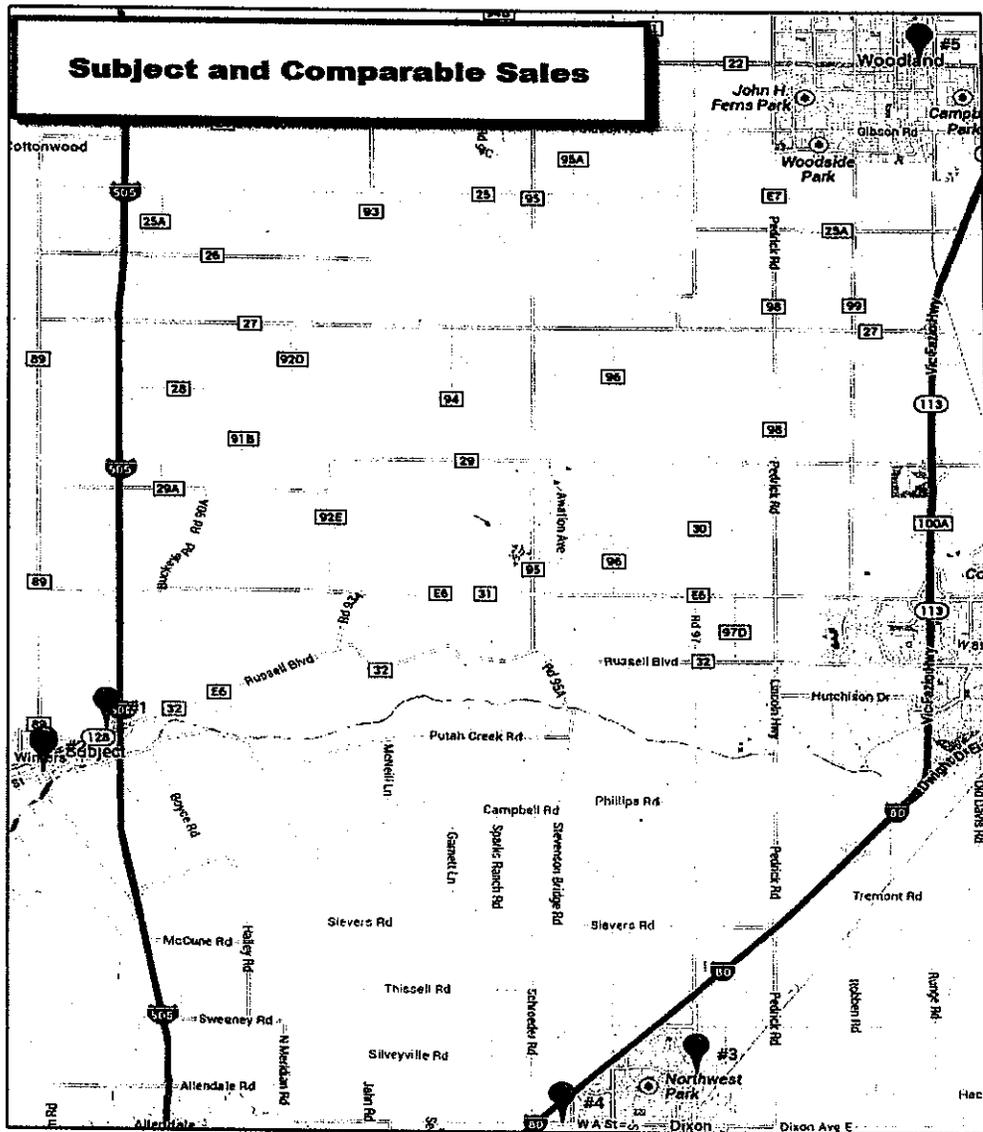
The comparison approach is applicable, particularly when there is enough information in a market to develop meaningful data with respect to market interaction. This implies that there is enough data to identify significant value patterns in the general market.

The process of developing a comparison approach for the subject property included interviewing brokers and agents and searching the public record and published data sources for sale transactions. These sales were verified and adjusted to account for changing market conditions as well as differences between the sale property and the subject property. Various elements of comparison were utilized in the analysis; they are described below.

The following chart summarizes the properties used as comparable transactions for this value approach.

Comparable Property Sales Summary

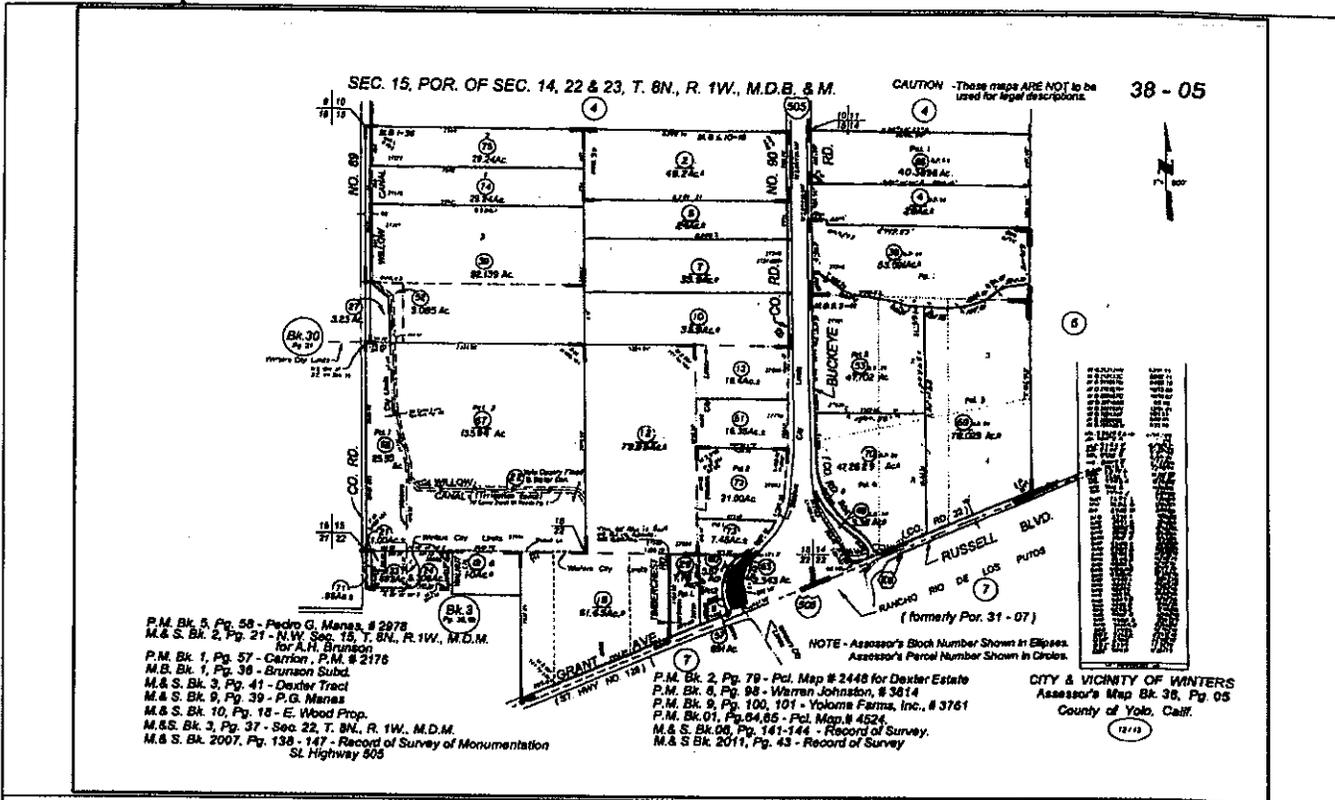
Property	Comp #1	Comp #2	Comp #3	Comp #4	Comp #5
Address	701 Matsumoto Lane	4 Edwards Street	1140 North First Street	2200 West A Street	901 Main Street
Location	Winters	Winters CBD	Dixon	Dixon	Woodland CBD
Sale Date	12/22/2010	1/24/2005	6/7/2013	4/18/2013	1/18/2013
Sale Price	\$500,000	\$117,500	\$117,500	\$125,000	\$185,000
Lot Size	2.34 acres	.124 acres	1 acre	1.02 acres	.38 acres
Zoning	Commercial	Commercial	Commercial	Commercial	Commercial
Financing	Cash	Conventional	Cash	Cash	Cash



The sales are described on data sheets on the following pages, and then adjusted for equivalency to the subject's market area and market timing.

Comparable Sales Data Sheets

Comparable Sale #1



East Grant Avenue at County Road 90, Winters 95694		Assessor's Parcel Number: 038-050-063		
Site	County	Yolo	Zoning	C-H, M-1
	City	Winters	Intended Use	Fast Food
Transaction	Seller	Winters LLC	Sale Date	12/22/2010
	Buyer	Winters Gateway Inc	Conditions of Sale	Arm's Length
	Listing Broker	Chuck Krouse	Marketing Time	Unknown
			Rights Conveyed	Fee simple
	Selling Broker	Chuck Krouse	Financing	Cash
	Sale Price	\$500,000	Loan Amount	N/A
	Unit Price	\$4.91 per sq. ft.	Lender	N/A
Confirmation: Chuck Krouse, broker; Public Records		Prepared by: Kevin Ice, 12/5/2013		
Property Characteristics	Site Size	2.34 acres	Topography	Level
	Street Frontage	Paved public street	Bonds	None
	Comments - This is the December 2010 sale of a 2.34 acre site located at the northeast corner of East Grant Avenue (Highway 128) and County Road 90 in Winters. It lies between the off ramp for Interstate 505 and County Road 90. It sold for \$500,000, or \$4.91 on a per square foot basis. The buyer paid all cash. The property has split zoning; the front portion of the site is zoned highway commercial, while the rear is zoned light industrial. Accordingly, the buyer intended to develop a fast food restaurant on the front portion of the site and a truck refueling station on the rear portion, with Arco AMPM and Burger King the tenants. The parcel was assigned the address 701 Matsumoto Ln.			

Comparable Sale #2

POR. OF SEC. 21 & 28, T.8N., R. 1W., M.D.B & M.

CAUTION - These Maps ARE NOT to be used for legal descriptions. 3 - 15

D.B. Bl. S, Pg. 164 - Town of Winters
 M. & S. Bl. 2, Pg. 51 - Town of Winters
 M. & S. Bl. 5, Pg. 63 - Lots: 29, 27, 28, Block 21, City of Winters
 M. & S. Bl. 7, Pg. 3 - Lots: 1 - 12, Block 21, City of Winters
 P.M. Bl. 9, Pg. 44 - Pol. Map # 3728 for Barb Sr. & Bellows
 P.M. Bl. 06, Pg. 160 - 161 - Pol. Map # 4868 for Tortoise Properties LLC.

CITY OF WINTERS
 Assessor's Map Bl. 3, Pg. 15
 County of Yolo, Calif.

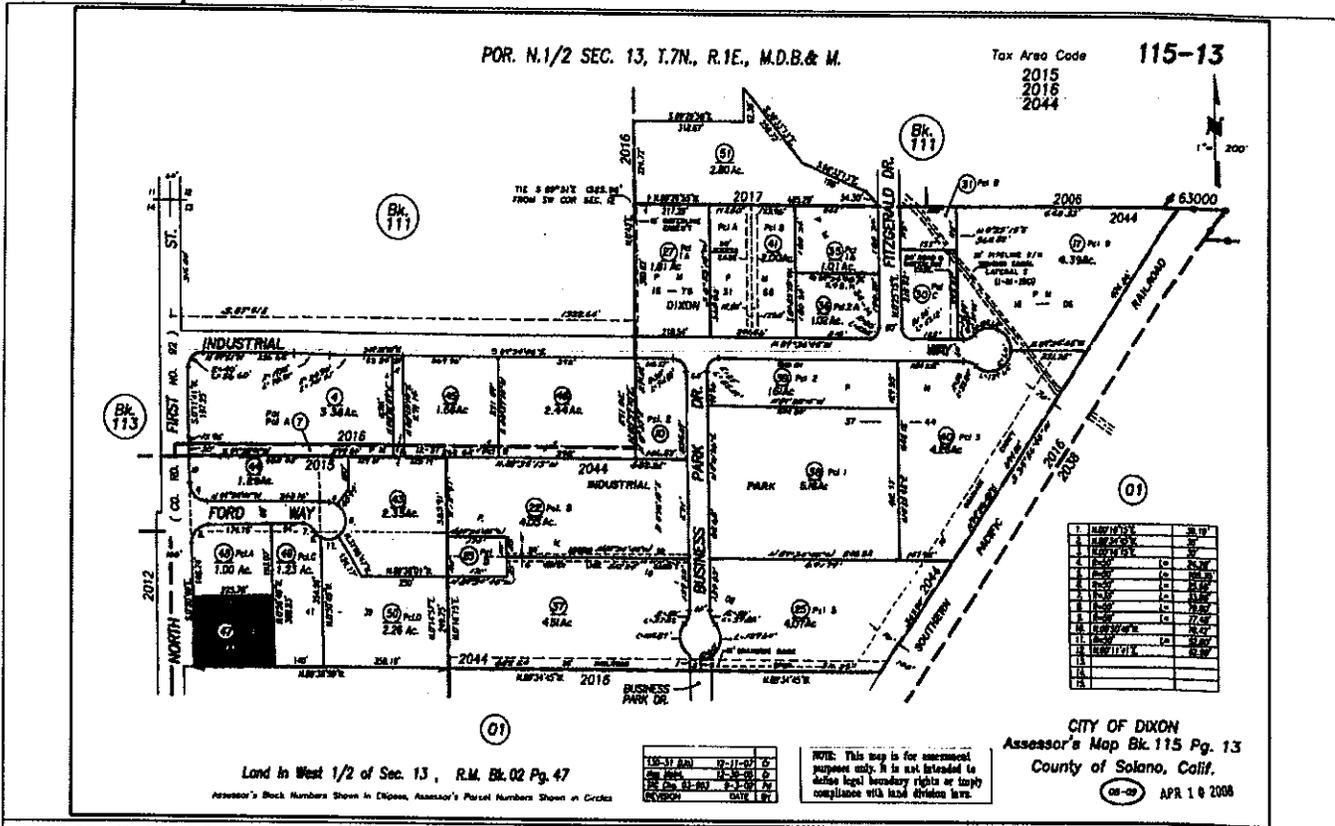
NOTE - Assessor's Block Number shown in Ellipses.
 Assessor's Parcel Number shown in Circles.

4 Edwards Street, Winters, CA 95694

Assessor's Parcel Number: 003-155-15

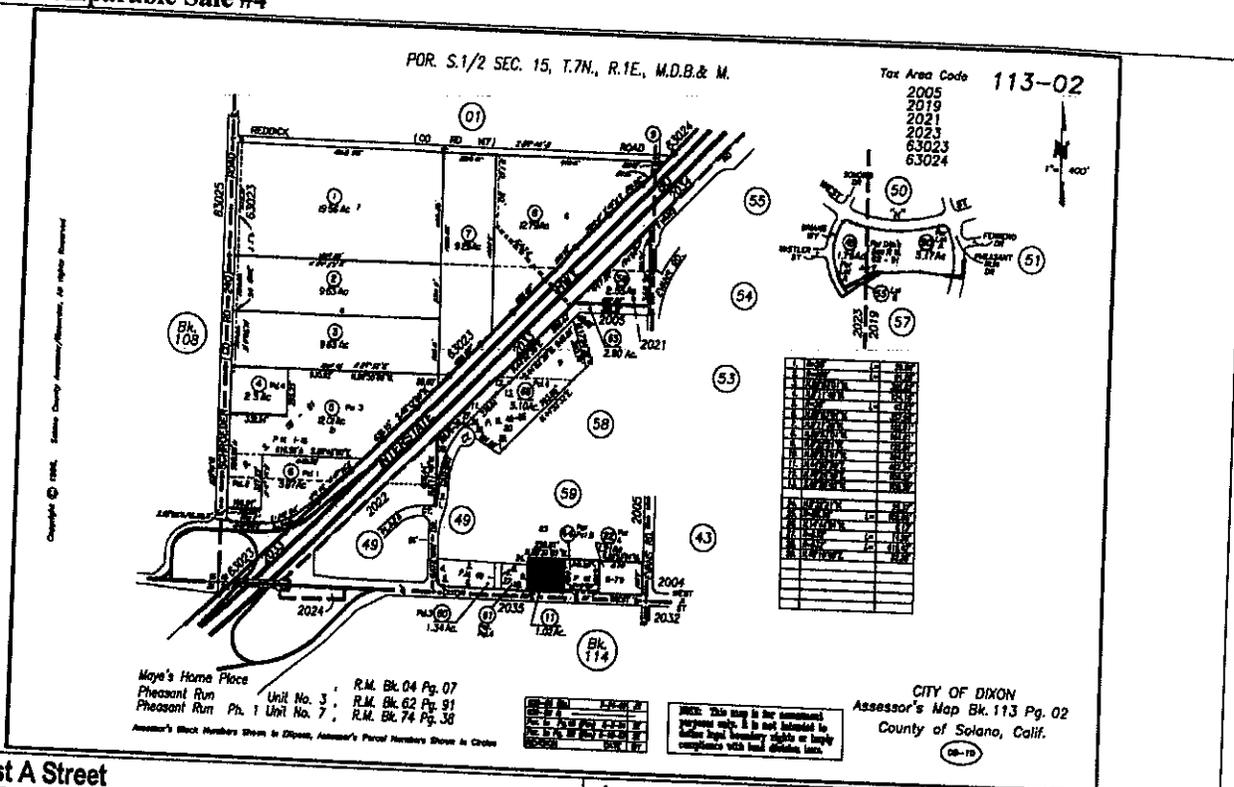
Site	County	Yolo	Zoning	C-2 CBD
	City	Winters	Intended Use	Unknown
Transaction	Seller	Berteaux	Sale Date	January 24, 2005
	Buyer	Platt	Conditions of Sale	Arm's Length
	Listing Broker	Kim Lamb, Coldwell Banker	Marketing Time	287 days
	Selling Broker	Kim Lamb, Coldwell Banker	Rights Conveyed	Fee simple
	Sale Price	\$117,500	Financing	Conventional
	Unit Price	\$21.76 per sq. ft.	Loan Amount	N/A
	Confirmation: MLS 40082723, Listing agent Kim Lamb, public records		Lender	Unknown
			Prepared by: Kevin Ice, 12/5/2013	
Property Characteristics	Site Size	5,400 square feet, .124 acres	Topography	Flat
	Street Frontage	Paved public street	Bonds	None
	Comments - This sale is of a downtown Winters commercial lot. Location is on Edwards, close to Railroad Ave. The sale took place at the height of the market boom. The buyer is Platt's Construction, a home remodeling company. As of May 2012 the parcel had a sign for the now defunct Platt's Construction company, with a trailer on the property.			

Comparable Sale #3



1140 North First Street		Assessor's Parcel Number: 0115-130-470		
Site	County	Solano	Zoning	CS
	City	Dixon	Intended Use	Unknown
Transaction	Seller	Wells Fargo Bank	Sale Date	6/7/2013
	Buyer	Mark & Hsiuhua Raymond	Conditions of Sale	REO
	Listing Broker	Randy Dawson Premier Commercial, Inc.	Marketing Time	108 days
			Rights Conveyed	Fee simple
	Selling Broker	Randy Dawson Premier Commercial, Inc.	Financing	Cash
			Loan Amount	N/A
	Sale Price	\$117,500	Lender	N/A
	Unit Price	\$2.70 per sq. ft.		
Confirmation: CoStar, MLS #21226028, public records		Prepared by: Sean Morrow, 9/9/2013		
Property Characteristics	Site Size	1 acre	Topography	Flat
	Street Frontage	Paved public street	Bonds	None
	Comments – This is the sale of a 1 acre commercial site located on the east side of North First Street. The property is rectangular and level. The site is bordered on the east by another vacant site, on the north by a flex building, and on the south by a residence. The flex building to the north is ¾ vacant, indicative of the weak Dixon commercial market. All utilities are to the site. The property has relatively easy access to Interstate 80 and excellent visibility along North First Street. It was a real estate owned transaction (REO). The seller, Wells Fargo Bank, was described by Randy Dawson as "highly motivated".			

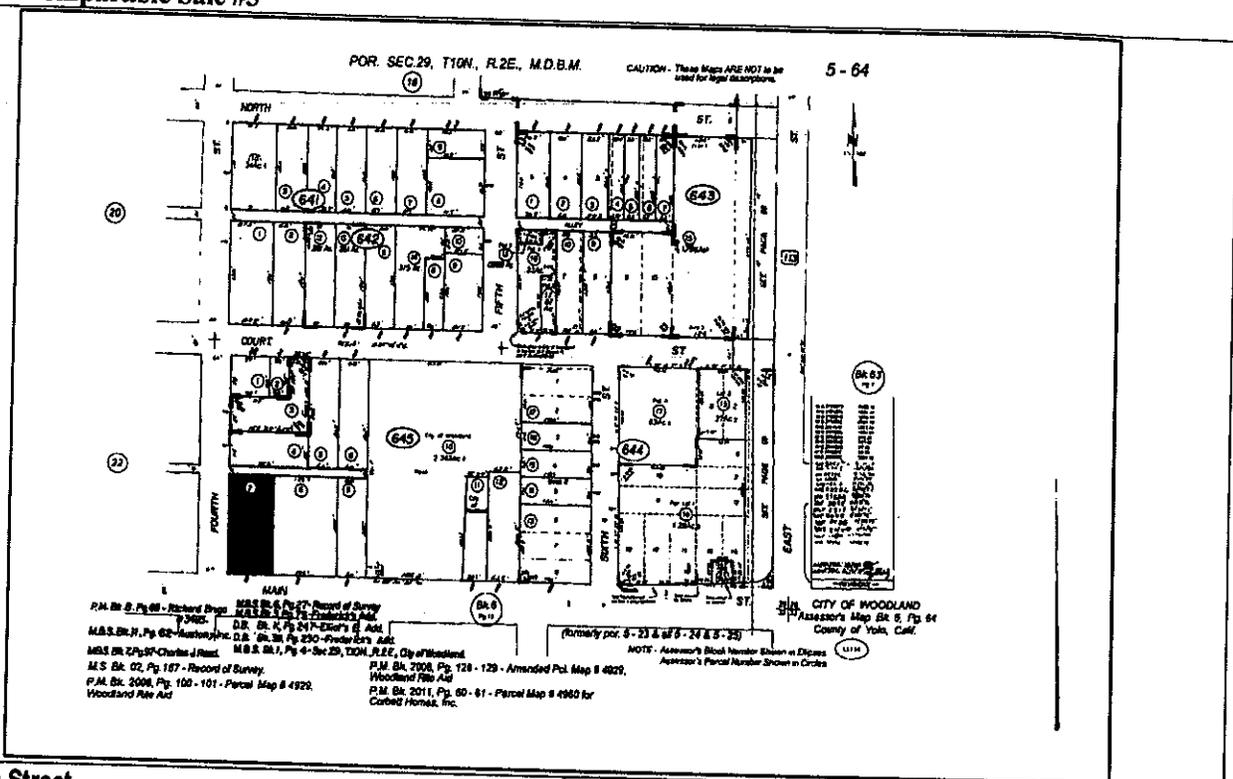
Comparable Sale #4



2200 West A Street

Site	County	Solano	Assessor's Parcel Number: 0113-020-110	
	City	Dixon	Zoning	CS-ML-PAO-PD
Transaction	Seller	Wells Fargo Bank	Intended Use	Unknown
	Buyer	Martin Pearl Investments LLC	Sale Date	4/18/2013
	Listing Broker	Randy Dawson Premier Commercial, Inc.	Conditions of Sale	REO
	Selling Broker	Randy Dawson Premier Commercial, Inc.	Marketing Time	1 year
	Sale Price	\$125,000	Rights Conveyed	Fee simple
	Unit Price	\$2.81 per sq. ft.	Financing	Cash
	Confirmation: MLS #21225947, public records		Loan Amount	N/A
Property Characteristics	Site Size	1.02 acres	Lender	N/A
	Street Frontage	Paved public street	Prepared by: Sean Morrow, 9/9/2013	
	Comments – This is the sale of a 1.02 acre vacant site located on West A Street, about a quarter mile east of its intersection with Interstate 80. The property is rectangular and level, and was formerly improved with a residence, though it is zoned commercial. Restaurant and highway commercial uses are located to the west of the property. It has very easy access to Interstate 80. The property is located on the southerly edge of town; agricultural uses are to the south. It was a real estate owned property (REO). The seller, Wells Fargo Bank, was described by Randy Dawson as "highly motivated".	Topography	Flat	
		Bonds	\$0.10/SF	

Comparable Sale #5



901 Main Street		Assessor's Parcel Number: 005-645-007		
Site	County	Yolo	Zoning	CBD, Central Business District
	City	Woodland	Intended Use	Hold for development
Transaction	Seller	Stacey Hatten Trust	Sale Date	1/18/2013
	Buyer	Stephen & Vicki Machado	Conditions of Sale	Arm's length
	Broker	John Reddoch Woodland Davis Real Estate	Marketing Time	222 days
			Financing	Cash
	Rights Conveyed	Fee simple	Loan Amount	N/A
	Sale Price	\$185,000	Lender	N/A
	Unit Price	\$11.18/SF		
Confirmation: MLS #12023035, John Reddoch, public records				
Property Characteristics	Site Size	0.38 acres	Topography	Flat
	Street Frontage	Corner	Improvements	Small block office
	Comments – This is the sale of a vacant parcel located at the northwest corner of Main Street and Fourth Street in downtown Woodland. The site is paved, and was formerly used as a car dealership, though it has been vacant for a lengthy period of time. According to the agent, who represented both sides, the buyer has no immediate plans for the property, but wanted to purchase while the market is depressed. There is a small block office on the site that is fully depreciated and did not contribute to the price. There is also a billboard on the site which reportedly earns around \$900 per year; however, the buyer plans to remove the billboard and did not allocate any value to it.			

Adjustments to the Comparable Data

Transaction Adjustments

The comparable sales are initially adjusted for equivalency to the market according to the following criteria. These adjustments are made to elements of the individual transactions which are affected by these market forces.

Rights Conveyed - The bundle of rights in real property includes all the ownership rights in a parcel of real estate. All of the comparable properties transferred the fee simple estate, and no adjustments were necessary.

Immediate Post-sale Expenditures - These are adjustments made to account for expenditures that buyers are expecting to make upon purchase of a property. Typically, the estimated amount of these expenditures is known by the buyer and factored into their decision. An expense to bring utilities to the site is an example of these costs. None of the sales necessitated adjustment for this element.

Financing - Financing adjustments, also known as cash-equivalency adjustments, relate to favorable or unfavorable sale terms, relative to typical market terms in place at the time of sale. All of the transactions were made with cash or cash-equivalent financing. Therefore, no adjustments were made for financing.

Conditions of Sale - As they affect a comparable property, conditions of sale tend to be tied to either buyer or seller motivation. Some conditions which may require adjustment include bank owned transactions (REO), 1031 exchanges, sales between related parties, and assemblages. Both of the Dixon data (#3 & #4) were Real Estate Owned (REO) properties, and warranted an adjustment for this element.

Market Conditions - Market condition adjustments reflect price trending within the market between the date of the comparable sale and the date of appraisal. The quantities for this adjustment are derived from the market conditions trending discussed in the economic analysis of the subject's market, earlier in the report. Data #2, from 2005, occurred near the historic peak of the market boom of the mid-2000s. The commercial land market fell precipitously during the time period between ~2007 and 2011 or even later. Then, and within the past year or so, this asset type has begun to rebound, and in some markets, it has increased significantly. Our belief is that the "small town" markets within the valley are still feeling the imbalance in supply/demand, and land values, while increasing, have not yet reached the price points of the peak of the market. In light of this, Data #2 was adjusted downward by 33%, which reflects the decline and the increase seen more recently. This data was used due to its other similarities with the subject—it is in Winters, within the CBD, and shares many of the subject's physical (property related) characteristics.

Adjustments for Property Related Elements

The transactions were then adjusted to account for property elements. These are physical, functional, and locational issues associated with the property. The adjustments are made in comparison to the subject property to account for the differences between the sales and the subject. The elements of comparison considered in this valuation include location, lot size, site elements, size of the improvements, and quality/condition of the improvements.

Location—these adjustments reflect the difference in price based on location. Data #5 is located on Main Street in Woodland. It is our view that the Woodland CBD and the Winters CBD are generally quite comparable. The data property is located on Main Street in Woodland, near the location of the courthouse, which is under construction. The subject does not front a primary retail/commercial street. As a result, the data is seen as slightly superior. This data was adjusted slightly downward.

Data #3 and #4 are in Dixon, which is seen as significantly inferior to the subject. They are located on arterial streets very near the freeway, but not in a CBD pedestrian-friendly location. In addition, the Dixon commercial market has high vacancy and is seen as generally weaker than the Winters commercial market. The data were adjusted upward.

Data #1 is a highway commercial location in Winters off of an I-505 off-ramp. While it enjoys a good amount of traffic, its location is seen as generally inferior to the Central Business District of Winters.

Site Size and Economies of Scale—these adjustments reflect differences in pricing attributable to lot size. Because the unit of comparison in the study is the price per square foot, the data were adjusted to account for economies of scale. Larger properties tend to sell for less on a per square foot basis, and smaller properties tend to sell for more on a per square foot basis. Data #1, 2, 3, and 4 were adjusted for this condition.

Access and Visibility – This adjustment category accounts for traffic and street frontage, vital issues for commercial development. All of the data were determined to have high visibility and sufficient access, and no adjustments were made for this element.

Zoning – The zoning of a vacant lot of land can considerably hinder or promote value. All of the data share comparable, general commercial zoning and no adjustments were made for this element.

Adjustment Grid

Item	Subject	Data 1	Data 2	Data 3	Data 4	Data 5
Address	311 First Street	701 Matsumoto Lane	4 Edwards Street	1140 North First Street	2200 West A Street	901 Main Street
City	Winters	Winters	Winters	Dixon	Dixon	Woodland
Price	N/A	\$500,000	\$117,500	\$117,500	\$125,000	\$185,000
Price/SF	N/A	\$4.91	\$21.76	\$2.70	\$2.81	\$11.18
Sale Date	N/A	12/22/2010	1/24/2005	6/7/2013	4/18/2013	1/18/2013
Rights Conveyed	N/A	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Adjustment		0%	0%	0%	0%	0%
Subtotal		\$500,000	\$117,500	\$117,500	\$125,000	\$185,000
Financing	N/A	Cash	Conventional	Cash	Cash	Cash
Adjustment		0%	0%	0%	0%	0%
Subtotal		\$500,000	\$117,500	\$117,500	\$125,000	\$185,000
Conditions of sale	N/A	Arm's Length	Arm's Length	REO	REO	Arm's Length
Adjustment		0%	0%	20%	20%	0%
Subtotal		\$500,000	\$117,500	\$141,000	\$150,000	\$185,000
Market conditions	N/A	Similar	Declining	Similar	Similar	Similar
Adjustment		0%	-33%	0%	0%	0%
Subtotal		\$500,000	\$78,725	\$141,000	\$150,000	\$185,000
Post-sale expenditures	N/A	\$0	\$0	\$0	\$0	\$0
Adjustment		0%	0%	0%	0%	0%
Analysis Price Per Square Foot		\$4.91	\$14.57	\$3.24	\$3.38	\$11.18
Location	Winters CBD	Winters	Winters CBD	Dixon	Dixon	Woodland CBD
Adjustment		+2.5%	0%	+50%	+50%	-2.5%
Site size/ economies of scale	0.207	2.340	0.124	1.000	1.020	0.380
Adjustment		+15%	-10%	+5%	+5%	--
Access/ Visibility	Average	Average	Average	Average	Average	Average
Adjustment		--	--	--	--	--
Zoning/Use	Commercial	Commercial	Commercial	Commercial	Commercial	Commercial
Adjustment		0%	0%	0%	0%	0%
Total adjustments		+17.5%	-10%	+55%	+55%	-2.5%
Indicated Price Per Square Foot		\$5.77	\$13.11	\$5.02	\$5.23	\$10.90
Average Per Square Foot Price	\$8.01					

Analysis & Reconciliation

The adjustment procedure results in a range of per square foot prices for the comparable properties from \$5.02 to \$13.11. While the average of all the data psf values is \$8.01. The data and their indicated values are discussed below.

Data #2 stands out on the high end of the value range at \$13.11 per square foot. It is our belief that the subject would not achieve this level if exposed to the market. This data is from 2005, and was included due to the dearth of recent comparable data from Winters. The market is significantly lower as of the current value date for the subject. The gross adjustments for Data #2 total 43%. As such it is our opinion that the data, while useful to note as a high end for the price range of the subject, indicates a level below \$13.11.

Data #3 and #4 are recent Dixon sales. We believe that they indicate a per square foot price above the ~\$5.00 level. This is because Dixon has an inferior commercial market, and both the sales took place under duress. The gross adjustments for both data #3 and #4 are 75%. These data are useful as a reflection of the extreme low end of the indicated range. Given the economic and property related differences between these data and the subject, we have less confidence in these as a value indicator for the subject. Given the total array of market information, we believe the subject's value is greater than these data.

Sale #1, the highway commercial location in Winters, indicates a price at \$5.77 psf. While it has a comparably low gross adjustment level at 17.5%, we believe that highway commercial location does not achieve the same price levels as the central business district location of the subject. Given the total array of market information, we believe the subject's value is greater than these data.

In our opinion, the most comparable sale is data #5, which indicates a per square foot value of \$10.90. The sale is a recent transaction of a comparable central business district location in Woodland. The data has a low gross adjustment of 2.5%. The roughly \$10 per square foot indication is consistent with the range suggested by the other data; less than \$13.11, and more than \$5 to \$6. The quality of data #5 leads us to reconcile to a \$10 per square foot price point. Reconciliation of market value for the subject is accordingly well supported at \$90,170. A final value indication for the fee simple interest in the subject property as of December 2, 2013, and subject to the assumptions and limiting conditions mentioned herein, is reconciled at \$90,000.

Market Value, Fee Simple December 2, 2013: \$90,000

This concludes the valuation report.

ADDENDA

Professional Resume

Lee Bartholomew

Appraisal Experience:

- 1985-1986 Cypress Valuation Group—Staff appraiser.
- 1986-1987 Smith-Denton Associates; Staff Appraiser. Assignments included residential and commercial appraisal in the 9-bay county region.
- 1987-present: Bartholomew Associates: Owner of an independent fee appraisal firm.

Education, Certification, Designations:

- 1972 B.A., California State Univ., San Jose (Social Sciences, music, & philosophy)
- 1976 M.Div.; Fuller Theological Seminary
- 1989 Lifetime Community College Teaching Credential; Real Estate
- 1990+ Appraisal Institute, General Associate Member
- 1992 General Appraisal Certification, State of California (number AG004317)
- 1999 California Real Estate Broker's License (number 00767609; exp.)
- 1990+ Testified in Sacramento, Solano, & Yolo County Superior Courts as expert.

Specific Appraisal/Real Estate Coursework:

- Real Estate Appraisal Principles, 1986 (AIREA Course 1a-1)
- Residential Valuation, 1986 (AIREA Course 8-2)
- Capitalization Theory & Techniques, Part A, 1986 (AIREA Course 1b-a)
- Residential Demonstration Report Writing, 1987 (AIREA Workshop)
- Standards of Professional Appraisal Practice, part A & B, 1988 (AIREA Course)
- Farm Valuation, 1991 (AIREA Workshop)
- Subdivision Analysis, 1993 (AIREA Workshop)
- Small Residential Income Property Valuation, 1993 (AI Workshop)
- Appraisal Report Writing, 1994 (Audit) (AI Course 500)
- Small Office Appraisal Software/Hardware, 1995 (AI Workshop)
- FIRREA; Overview & Application, 1995 (REEI Workshop)

- Course 410; Standards of Practice, Part A, 1996 (AI Course)
- Course 410, Standards of Practice, Part B, 1996 (AI Course)
- Large Scale Developments—Issues, solutions, and risks, 1996 (AI Workshop)
- Federal & State Laws & Regulations, 1996 (AI Workshop)
- Appraiser's Technology Workshop, 1996 (AI Workshop)
- Forecast '97 Workshop, 1997 (AI Workshop)
- Course 600—Valuation of Small Mixed Use Properties, 1999 (AI Course)
- FHA Seminar, 1999 (AI Seminar required for FHA appraisal)
- The Ugly House Seminar, 2003 (AI four hour Seminar)
- Counting Costs, 2003 (AI Seminar on Marshall-Swift cost guide)
- Course 510, Advanced Income Capitalization, 2005 (AI Course)
- Residential Construction Defect Litigation, 2006 (Lorman Seminar)
- Course 520, Highest & Best Use and Market Analysis, 2006 (AI Course)
- Uniform Standards of Professional Appraisal Practice (15 hour), 2006 (AI Course)
- Course 540, Report Writing and Valuation Analysis, 2006 (AI Course)
- Course 810, Lease by Lease Analysis; Computer cash flow modeling, 2004 (AI Course)
- Uniform Appraisal Standards for Federal Land Acquisitions, 2006 (AI Seminar)
- Course 530, Advanced Sales Comparison and Cost Approach, 2007 (AI Course)
- Office Building Valuation—a Contemporary Perspective, 2007 (AI Seminar)
- Course 550, Advanced Applications, 2007 (AI Course)
- Current Issues in Appraising, 2007 (AI Workshop)
- Appraisal in Litigation, 2007 (AI Workshop)
- Appraisal Institute 2008 Economic Update, 2008 (AI Seminar)
- Appraisal Institute 2009 Economic Update, 2009 (AI Seminar)
- Appraisal Institute 2010 Economic Update, 2010 (AI Seminar)
- Appraisal Institute 2009 Summer Conference (AI Seminar)
- Forecasting Revenue; AI Seminar, October, 2009
- Appraising Distressed Properties; AI Seminar, October, 2009
- The DCF Model: Concepts, Issues & Applications AI Seminar, April, 2010
- Using Spreadsheets in RE Appraisal; AI Seminar, April, 2010

Professional Experience:

25 years full-time appraisal experience. Assignments have included simple and complex properties in several Northern California Counties.

Client List:

Law Firms:

- Bair & Bair, Attorneys at Law
- Bartholomew, Wasznicky & Molinaro
- Calfee & Young
- Christine Callahan
- Law Offices of Les Hait
- Law Offices of Charles R. Jensen
- Downey Brand Attorneys LLP
- Harry D. Roth, Attorney at Law
- William D. Kopper, Attorney at Law

- Andrew Thompson Jr.
- Zipperian & Chediak Law Corporation
- Law Offices of Karen Ehler
- Law Offices of Christine Callahan
- Law Offices of Hoppin & Hoppin, Inc
- Law Offices of Poulos & Fullerton
- Law Offices of Randall L. Blake
- Law Offices of Roger Hahn
- Law Offices of Stanley Wells
- Law Offices of Henry Wang
- Michael Rand & Associates
- Yasmin Cogswell Spiegel
- Mark Y. Umeda, Attorney at Law
- Charlotte Keeley, Attorney at Law
- Larsen & Chaffin, LLP
- Ronald C. Hufft
- Caulfield, Davies & Donahue, LLP
- Michael Hanson, Attorney at Law
- Lewis & Blevans, Attorneys at Law
- Peyton & Associates
- Robert Millsap
- Roger L. Gambatese
- Law Division of NRT Incorporated
- Law Offices of Bailey & Brown
- Telles Walker & Kochenderfer, LLP
- UC Davis Family Protection Clinic
- Kronick Moskovitz Tiedemann & Girard
- William E. Woodcock, Attorney
- Gardner, Janes, Nakken, Hugo & Nolan
- Diepenbrock & Cotter LLP
- Offices of Borton, Petrini & Conron
- Goodman & Associates
- Christopher H. Engh, Attorney
- Diepenbrock-Harrison
- Moyer, Parshall & Tweedy, LLP
- Hollingshead & Associates
- David Michael Young, Attorney
- Ben-Ezra & Katz, PA
- Law Offices of Malovos & Mendoza
- Law Offices of Stephen M. Reynolds
- John C. Wallace, Attorney at Law
- Hauser & Mouzes
- Hakeem, Ellis & Marengo
- Law office of Palmer J. Swanson
- Wilson Petty Kosmo & Turner, LLP
- Law Offices of Lundgren & Reynolds
- Law Offices of Bailey & Brown
- Borton Petrini, LLP
- Cantor & Company, A Law Corporation
- Wendell, Rosen, Black & Dean, LLP

Accounting Firms:

- Brown, Fink, Boyce & Astle LLP
- Foothill Securities
- Carbahal & Company

Municipalities:

- University of California
- City of Dixon
- City of Winters
- City of Woodland
- Esparto Unified School District
- Davis Joint Unified School District

Private Entities:

- First Baptist Church of Woodland
- University of California
- Monley Cronin Properties
- KB Home Corporation
- Centex Homes
- Streng Brothers' Homes
- Pacific Gas & Electric Co.
- Russell Ranch Development
- Brandenburg Properties
- Davis Commercial Properties, Inc.
- Stonyford Land Company
- Tower Investments, LLC
- Harvest Valley School
- Cohousing Partners
- McCamant & Durett, LLC
- Sacramento Suburban Cohousing, LLC

Lenders:

- Napa Valley Bank
- Sacramento Valley Farm Credit
- Farm-Credit West
- First Northern Bank of Dixon
- First Community Bank
- Yolo Federal Credit Union



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Council members
DATE: February 18, 2014
THROUGH: John W. Donlevy, Jr., City Manager
FROM: John C. Wallace, City Attorney
SUBJECT: City Hotel Tax (TOT) - Introduction of Ordinance 2014 - 02
(Increase from 10% to 12% Transient Occupancy Tax)

RECOMMENDATION: Introduction of Ordinance, schedule March 4th for Public Hearing, Second Reading, and adoption. Ordinance shall be effective only upon majority voter approval in June.

BACKGROUND: The City Council at its last meeting approved staff preparation of an ordinance to increase the current hotel tax (Transient Occupancy Tax ("TOT")) from 10 percent to 12 percent. Pursuant to Council request, the amending ordinance has been simplified to reflect only the change in percentage, and not to include month-to-month rental properties or other businesses not currently covered by the ordinance. That way there will be voter issues regarding additional clauses or wording. 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. The February 4th public hearing accomplished that. This 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 after public hearing on March 4, 2014, the change to take affect only if approved 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 18th in chase wording issues come up.

FISCAL IMPACT: Possible increase in a general fund tax. Based on the study of an 80 unit hotel in Winters, the increase would be in the \$40,000 range.

**CITY OF WINTERS
ORDINANCE NO. 2014-02**

**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 Council of the City of Winters wishes to increase its transient occupancy tax from the existing 10 percent to 12 percent, subject to voter approval; 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 desires to clarify that the Department of Finance shall be administering the collection of the tax,

WHEREAS, the City Council, in adopting this Ordinance, is simply increasing the tax percentage, but is not otherwise changing the municipal in any other 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” includesing 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:

3.24.030 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 twelve (12) 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, after adoption, only upon approval by majority vote at the general election in June, 2014.

This ordinance was introduced on February 18, 2014, by title, at the regular meeting of the City Council on February 18, 2014, and adopted, after public hearing, at the regular meeting of the City Council on March 4, 2014, by the following vote:

AYES: Council Member(s):
NOES: Council Member(s):
ABSENT: Council Member(s):
ABSTAIN: Council Member(s):

Cecilia Aguiar-Curry, MAYOR

ATTEST:

Nanci G. Mills, CITY CLERK

Chapter 3.24 TRANSIENT OCCUPANCY TAX

Sections:

- 3.24.010 Short title.
- 3.24.020 Definitions.
- 3.24.030 Tax imposed.
- 3.24.040 Exemptions.
- 3.24.050 Operator's duties.
- 3.24.060 Registration.
- 3.24.070 Reporting and remitting.
- 3.24.080 Penalties and interest.
- 3.24.090 Failure to collect and report tax—Determination of tax by administrative services director.
- 3.24.100 Appeal.
- 3.24.110 Records.
- 3.24.120 Refunds.
- 3.24.130 Actions of collect.
- 3.24.140 Violations—Misdemeanor.

3.24.010 Short title.

This chapter shall be known as the "Uniform Transient Occupancy Tax Ordinance of the City of Winters." (Ord. 93-11 (part): prior code § 3-6.01)

3.24.020 Definitions.

Except where the context otherwise requires, the definitions given in this section govern the construction of this chapter.

"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, and includes any hotel, inn, tourist home or house, dormitory, public or private club, mobilehome or house trailer at a fixed location, or other similar structure or portion thereof.

"Occupancy" means the use or possession, or the right to the use or possession of any room or rooms or portion thereof, in any hotel for dwelling, lodging or sleeping purposes.

"Operator" means the person who 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.

"Person" means any individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit.

"Rent" means the consideration charged, whether or not received, for the occupancy of space in a hotel valued in money, whether to be received in money, goods, labor or otherwise, including all receipts, cash, credits and property and services of any kind or nature, without any deduction therefrom whatsoever.

"Transient" means any person who exercises occupancy or is entitled to occupancy by reasons of concession, permit, right of access, license or other agreement for a period of thirty (30) consecutive calendar days or less, counting portions of calendar days as full days. Any such person so occupying space in a hotel shall be deemed to be a transient until the period of thirty (30) days has expired unless there is an agreement in writing between the operator and the occupant providing for a longer period of occupancy. In determining whether a person is a transient, uninterrupted periods of time extending both prior and subsequent to the effective date of the ordinance codified in this chapter may be considered. (Ord. 93-11 (part): prior code § 3-6.02)

3.24.030 Tax imposed.

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 which prohibit levying of such tax on any amount subject to sales and use tax thus the city cannot collect a transient occupancy tax on meals served to lodgers subject to sales and use tax. 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 administrative services director shall require that such tax be paid directly to the administrative services department of the city. (Ord. 2003-07 § 2; Ord. 93-11 (part): prior code § 3-6.03)

3.24.040 Exemptions.

No tax shall be imposed upon:

A. Any person as to whom, or any occupancy as to which, it is beyond the power of the city to impose the tax herein provided;

B. Any officer or employee of a foreign government who is exempt by reason of express provision of federal law or international treaty.

No exemption shall be granted except upon a claim therefor made at the time rent is collected and under penalty of perjury upon a form prescribed by the administrative services director. (Ord. 93-11 (part): prior code § 3-6.04)

3.24.050 Operator's duties.

Each operator shall collect the tax imposed by this chapter to the same extent and at the same time as the rent is collected from every transient. The amount of tax shall be separately stated from the amount of the rent charged, and each transient shall receive a receipt for payment from the operator. No operator of a hotel shall advertise or state in any manner, whether directly or indirectly, that the tax or any part thereof will be assumed or absorbed by the operator, or that it will not be added to the rent, or that, if added, any part will be refunded except in the manner hereinafter provided. (Ord. 93-11 (part): prior code § 3-6.05)

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 of any hotel renting occupancy to transients shall register the hotel with the administrative services 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 operator;
- B. The address of the hotel;
- C. The date upon which the certificate was issued;
- D. "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 Administrative Services Department for the purpose of collection from transients the Transient Occupancy Tax and remitting said tax to the Administrative Services 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." (Ord. 93-11 (part): prior code § 3-6.06)

3.24.070 Reporting and remitting.

Each operator shall, on or before the last day of the month following the close of each calendar quarter, or at the close of any shorter reporting period which may be established by the administrative services director of the city, make a return to the administrative services department, on forms provided, of the total rents charged and received and the amount of tax collected for transient occupancies. At the time the return is filed, the full amount of the tax collected shall be remitted to the administrative services department. The administrative services director may establish shorter reporting periods for any certificate holder if he or she deems it necessary in order to insure collection of the tax and he or she may require further information in the return. Returns and payments are due immediately upon cessation of business for any reason. All taxes collected by operators pursuant to this chapter shall be held in trust for the account of the city until payment thereof is made to the administrative services department. (Ord. 93-11 (part): prior code § 3-6.07)

3.24.080 Penalties and interest.

A. Original Delinquency. Any operator who fails to remit any tax imposed by this chapter within the time required shall pay a penalty of ten (10) percent of the amount of the tax in addition to the amount of the tax.

B. Continued Delinquency. Any operator who fails to remit any delinquent remittance on or before a period of thirty (30) days following the date on which the remittance first became delinquent shall pay a second delinquency penalty of ten (10) percent of the amount of the tax in addition to the amount of the tax and the ten (10) percent penalty first imposed.

C. Fraud. The administrative services director determines that the non-payment of any remittance due under this ordinance is due to fraud, a penalty of twenty-five (25) percent of the amount of the tax shall be added thereto in addition to the penalties stated in subsections A and B of this section.

D. Interest. In addition to the penalties imposed, any operator who fails to remit any tax imposed by this chapter shall pay interest at the rate of one-half of one percent per month or fraction thereof on the amount of the tax, exclusive of penalties, from the date on which the remittance first became delinquent until paid.

E. Penalties Merged With Tax. Every penalty imposed and such interest as accrues under the provisions of this section shall become a part of the tax herein required to be paid. (Ord. 93-11 (part): prior code § 3-6.08)

3.24.090 Failure to collect and report tax—Determination of tax by administrative services director.

If any operator shall fail or refuse to collect the tax and to make, within the time provided in this chapter, any report and remittance of the tax or any portion thereof required by this chapter, the

administrative services director of the city shall proceed in such manner as may deem best to obtain facts and information on which to base his or her estimate of the tax due. As soon as the administrative services director shall procure such facts and information as is able to obtain upon which to base the assessment of any tax imposed by this chapter and payable by any operator who has failed or refused to collect the same and to make such report and remittance, he or she shall proceed to determine and assess against such operator the tax, interest and penalties provided for by this chapter. In case such determination is made, the administrative services director shall give a notice of the amount so assessed by serving it personally or by depositing it in the United States Mail, postage prepaid, addressed to the operator so assessed at his or her last known place of address. Such operator may within ten (10) days after the serving or mailing of such notice make application in writing to the administrative services director for a hearing on the amount assessed. If application by the operator for a hearing is not made within the time prescribed, the tax, interest and penalties, if any, determined by the administrative services director shall become final and conclusive and immediately due and payable. If such application is made, the administrative services director shall give not less than five days written notice in the manner prescribed herein to the operator to show cause at a time and place fixed in the notice why the amount specified therein should not be fixed for such tax, interest and penalties. At such hearing, the operator may appear and offer evidence why such specified tax, interest and penalties should not be so fixed. After such hearing the administrative services director shall determine the proper tax to be remitted and shall thereafter give written notice to the person in the manner prescribed herein of such determination and the amount of such tax, interest and penalties. The amount determined to be due shall be payable after fifteen (15) days unless an appeal is taken as provided in Section 3.24.100. (Ord. 93-11 (part); prior code § 3-6.09)

3.24.100 Appeal.

Any operator aggrieved by any decision of the administrative services director with respect to the amount of such tax, interest and penalties, if any, may appeal to the city council by filing a notice of appeal with the city clerk within fifteen (15) days of the serving or mailing of the determination of tax due. The city council shall fix a time and place for hearing such appeal, and the city clerk shall fix a time and place for hearing such appeal, and the city clerk shall give notice in writing to such operator at his or her last known place of address. The findings of the council shall be final and conclusive and shall be served upon the appellant in the manner prescribed above for service of notice of hearing. Any amount found to be due shall be immediately due and payable upon the service of notice. (Ord. 93-11 (part); prior code § 3-6.10)

3.24.110 Records.

It shall be the duty of every operator liable for the collection and payment to the city of any tax imposed by this chapter to keep and preserve, for a period of three years, all records as may be necessary to determine the amount of such tax as he or she may have been liable for the

collection of and payment to the city which records the administrative services director shall have the right to inspect at all reasonable times. (Ord. 93-11 (part); prior code § 3-6.11)

3.24.120 Refunds.

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 chapter it may be refunded as provided in subsections B and C of this section provided a claim in writing therefor, stating under penalty of perjury the specific grounds upon which the claim is founded, is filed by the administrative services director within three years of the date of payment. The claim shall be on forms furnished by the city clerk.

B. An operator may claim a refund or take as credit against taxes collected and remitted the amount overpaid, paid more than once or erroneously or illegally collected or received when it is established in a manner prescribed by the administrative services director that the person from whom the tax has been collected was not a transient; provided, however, that neither a refund nor a credit shall be allowed unless the amount of the tax so collected has either been refunded to the transient or credited to rent subsequently payable by the transient to the operator.

C. A transient may obtain a refund of taxes overpaid or paid more than once or erroneously or illegally collected or received by the city by filing a claim in the manner provided in subsection A of this section, but only when the tax was paid by the transient directly to the administrative services department, or when the transient having paid the tax to the operator, establishes to the satisfaction of the administrative services director that the transient has been unable to obtain a refund from the operator who collected the tax.

D. No refund shall be paid under the provisions of this section unless the claimant establishes his or her right thereto by written records showing entitlement thereto. (Ord. 93-11 (part); prior code § 3-6.12)

3.24.130 Actions of collect.

Any tax required to be paid by any transient under the provisions of this chapter shall be deemed a debt owed by the transient to the city. Any such tax collected by an operator which has not been paid to the city shall be deemed a debt owed by the operator to the city. Any person owing money to the city under the provisions of this chapter shall be liable to an action brought in the name of the city for the recovery of such amount. (Ord. 93-11 (part); prior code § 3-6.13)

3.24.140 Violations—Misdemeanor.

Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor and shall be punishable therefor by a fine of not more than one thousand dollars (\$1000.00) or by

imprisonment in the county of Yolo jail for a period of not more than six months or by both fine and imprisonment.

Any operator or other person who fails or refuses to register as required herein, or to furnish any return required to be made, or who fails or refuses to furnish a supplemental return or other data required by the administrative services director, or who renders a false or fraudulent return or claim, is guilty of a misdemeanor, and is punishable as aforesaid. Any person required to make, render, sign or verify any report or claim, who makes any false or fraudulent report or claim with intent to defeat or evade the determination of an amount due required by this chapter to be made, is guilty of a misdemeanor and is punishable as aforesaid. (Ord. 2003-07 § 2; Ord. 93-11 (part): prior code § 3-6.14)



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Council Members
DATE: February 18, 2014
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Nanci G. Mills, Director of Administrative Services/City Clerk
SUBJECT: Resolution 2014-05, A Resolution of the City Council of the City of Winters Requesting the Consolidation of the June 3, 2014 Election

RECOMMENDATION:

It is recommended that Council adopt Resolution 2014-05, calling for an election for June 3, 2014 to fill three vacancies on the City Council, the City Clerk position and the City Treasurer position, and requesting the Yolo County Board of Supervisors consolidate the election with the Statewide Gubernatorial Primary Election and direct the County Election's Official to provide services in relation to the election.

BACKGROUND:

Elections are held during every even numbered year and are consolidated with the County which substantially lessens the cost to the individual Cities and the County to conduct elections. The first step in the process is to adopt a Resolution to call for the election and request the services of the County in conducting the consolidated election. In keeping with the required deadlines as per election law and the needs of the County Elections Office, the Board of Supervisors will be asked to take action at their meeting of February 28, 2012 meeting to so call for the election.

Also of note is that the filing period for Council, City Clerk and Treasurer seats begins on February 10, 2014 and continues to March 7, 2014 and can be extended for new candidates to March 12, 2014 should incumbents choose not to file for re-election.

FISCAL IMPACT:

The cost for consolidation of these elections is dependent upon how many other jurisdictions and items are included in the election. The City will pay the cost of the candidate's filing and printing in English, which will be approximately \$235 for this election. Should the candidate choose to print an additional candidate's statement in Spanish, they must pay the additional cost, which is estimated to be \$431.

RESOLUTION No. 2014-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS CALLING AN ELECTION FOR JUNE 3, 2014 REQUESTING THE COUNTY OF YOLO TO CONSOLIDATE THE ELECTION WITH THE STATEWIDE GUBERNATORIAL PRIMARY ELECTION AND TO PROVIDE SERVICES RELATING TO THE ELECTION

WHEREAS, the City Council has determined that an Election shall be called for June 3, 2014, for the purpose of electing City Council Members for three vacant positions, City Clerk for one vacant position, and City Treasurer for one vacant position; and,

WHEREAS, the City Council has determined that the Election shall be consolidated with the Statewide Gubernatorial Election of the County of Yolo and the State of California to be held on that same date; and,

WHEREAS, the City requests the Board of Supervisors of the County of Yolo to direct the County Elections Official to render services to the City relating to the conduct of an election;

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

1. An Election is hereby called and shall be conducted in the City of Winters on June 3, 2014.
2. Pursuant to Elections Code Section 10403, the City Council requests the Yolo County Board of Supervisors to order the Election to be consolidated with the Statewide Gubernatorial Election to be held on that same date.
3. Pursuant to Elections Code Section 10002, the City requests the Yolo County Board of Supervisors to direct the County Elections Official to provide to the City those services necessary to implement and conduct the Election and to consolidate it with the Statewide Primary Election. Pursuant to said Section, the City shall be responsible for the cost of such Election.
4. Pursuant to Elections Code Section 9222, the following is hereby submitted to qualified electorate of the City of Winters:

Three Members of the City Council (full term of four years);

City Clerk (full term of four years);

City Treasurer (full term of four years).

PASSED AND ADOPTED by the City Council this 18th day of February, 2014 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Woody Fridae, MAYOR-PRO TEM

ATTEST:

Nanci G. Mills, City Clerk



Successor Agency to the Dissolved Winters Community Development Agency
STAFF REPORT

TO: Honorable Chairman and Board Members
DATE: February 18, 2014
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Shelly A. Gunby, Director of Financial Management
SUBJECT: Purchase and Sale Agreement for 311 First Street

RECOMMENDATION:

Staff recommends that the City Council adopt Resolution SA-2014-0, A Resolution of the Successor Agency to the Dissolved Winters Community Development Agency approving a Purchase and Sale Agreement between the Successor Agency to the Dissolved Winters Community Development Agency and the City of Winters.

BACKGROUND:

The State of California dissolved all the Redevelopment Agencies in February 2012, and as a part of the dissolution, the Successor Agency was required to submit a Long Range Property Management Plan for the disposition of each of the properties owned by the dissolved redevelopment agency. The Successor Agency prepared and submitted the Long Range Property Management Plan to the Department of Finance for Approval. Approval of the Plan was received on December 20, 2013.

311 First Street was included on the Long Range Property Management Plan as Property 6. The disposition of this property was to be transferred to the City of Winters for future redevelopment use. Currently, this site is used as a parking lot, however, an RFP has been issued for construction of a downtown hotel that would utilize this property , as well as other adjacent properties .

The Successor Agency had the property appraised on 12/4/13, and the appraised amount was \$90,000.

FISCAL IMPACT:

Each of the Taxing Entities will receive it's percentage share of the sales price as indicated on Exhibit C of the Purchase and Sale agreement. The tax rates were provided by the Yolo County Auditors Office.

ATTACHMENTS

Resolution 2014-03

Purchase and Sale Agreement

December 4, 2013 Appraisal Report

RESOLUTION SA-2014-01

RESOLUTION OF THE BOARD OF THE SUCCESSOR AGENCY TO THE DISSOLVED WINTERS COMMUNITY DEVELOPMENT AGENCY APPROVING THE REAL PROPERTY PURCHASE AND SALE AGREEMENT BY AND BETWEEN THE CITY OF WINTER AND THE SUCCESSOR TO THE WINTERS COMMUNITY DEVELOPMENT AGENCY

WHEREAS, pursuant to the Community Development Law (the "CRL") (Health and Safety Code Sections 33000 et seq.) the City Council of the City of Winters ("City") created the Winters Community Development Agency ("Redevelopment Agency"); and

WHEREAS, in May 2009, the Winters CDA ("Redevelopment Agency") purchased the property described as 311 First Street, more particularly described on Exhibit A to the attached purchase and sale Agreement; and

WHEREAS, the Wood Rogers Report Dated September 9, 2005 established the need for a Drainage Impact fee; and

WHEREAS, as part of the Fiscal Year 2011-2012 State budget bill, the California state legislature enacted, and the Governor signed, Assembly Bill X126 ("AB 26"), which added Parts 1.8 and 1.85 to the CRL, and which laws caused the dissolution and winding down of all redevelopment agencies in California (the Dissolution Act); and

WHEREAS, on December 29, 2011, in the petition California Redevelopment Association v Matosantos, Case No S194861, the California Supreme Court upheld the Dissolution Act and thereby all redevelopment agencies in California were dissolved as of February 1, 2012 under the dates in the Dissolution Act that were reformed and extended thereby; and

WHEREAS, by Resolution considered and approved by the City Council in 2011 the City elected to become and serve as the successor agency to the Redevelopment Agency (the "Successor Agency"), with the responsibility to wind down the affairs of the Redevelopment Agency and dispose of its assets under the direction of and oversight board (the "Oversight Board"); and,

WHEREAS, as of February 1, 2012 the Redevelopment Agency dissolved and the Successor Agency became operational; and

WHEREAS, the Successor Agency has authority to sell assets of the former Redevelopment Agency pursuant to the requirement of AB26 and AB1484; and

WHEREAS, Health and Safety Code Section 34191.59b) requires the Successor Agency to submit the Long Range 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 received a Finding of Completion from the Department of Finance and submitted the Long Range Property Management Plan to the Department of Finance and the Oversight Board; and

WHEREAS, the Successor Agency received notification from the Department of Finance on December 20, 2013 that the Long Range Property Management Plan was approved as submitted.

NOW, THEREFORE , THE CITY COUNCIL OF THE CITY OF WINTERS DOES HEREBY RESOLVE THE FOLLOWING:

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 City of Winters has determined that the proposed Purchase and Sale contract qualifies as a governmental funding mechanism pursuant to 14 CCRE section 15378 which does not involve a commitment to any specific project which may result in a potentially significant environmental impact. As such the Purchase and Sale Agreement does not qualify as a project for purposes of the California Environmental Quality Act. The City Clerk of the City of Winters has filed a Notice of Exemption with the appropriate official of the County of Yolo, California within five days following the February 18, 2014 adoption of the Resolution.

Section 3. Authority- Approval of Purchase and Sale Agreement. Under California Health and Safety Code Section 341779e), the Successor Agency must dispose of assets and properties of the Dissolved CDA . The disposition of this property to the City of Winters is approved

Section 4. Authorization to Take Action, the Successor Agency to the Dissolved Winters Community Development Agency herby authorizes and directs the City Manager of the City of Winters as Executive Director of the Successor Agency to execute documents and instruments as are appropriate to effectuate and implement the terms of this Resolution.

Section 5. Certification The Successor Agency shall certify to the adoption of this Resolution.

Section 6. Effectiveness. This Resolution shall take effect at the time and in the manner prescribed in Health and Safety Code Section 34179(h) and Section 34181 (f).

PASSED AND ADOPTED by the Successor Agency to the Dissolved Winters Community Development Agency, this 18th day of February 2014 by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Woody Fridae, Chair

ATTEST:

Nanci G. Mills, Clerk

PURCHASE AND SALE AGREEMENT
(311 First Street, Winters, CA)

This PURCHASE AND SALE AGREEMENT (311 First Street, Winters, CA) (“**Agreement**”) is dated as of February 24, 2014, for reference purposes only, and is entered into by and between the SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT AGENCY OF THE CITY OF WINTERS, a California municipal corporation (“**Successor Agency**”), the CITY OF WINTERS, a municipal corporation (“**City**”), the COUNTY OF YOLO, a California political subdivision (“**County**”), the WINTERS JOINT UNIFIED SCHOOL DISTRICT (“**School District**”), WINTERS CEMETERY DISTRICT, SACRAMENTO YOLO MOSQUITO VECTOR DISTRICT, YOLO COUNTY FLOOD CONTROL, YOLO COUNTY OFFICE OF EDUCATION, WINTERS JOINT UNIFIED SCHOOL DISTRICT, and SOLANO COMMUNITY COLLEGE. With the exception of the Successor Agency, each of the undersigned parties is a taxing entity as defined by Health & Safety Code section 34171(k), and are referred to individually in this Agreement as a “**Taxing Entity**” and collectively as the “**Taxing Entities.**” The Successor Agency and the Taxing Entities are collectively referred to herein as the “**Parties**” and individually as a “**Party.**” Successor Agency and the Taxing Entities enter into this Agreement with reference to the following recitals of fact (each, a “**Recital**”):

RECITALS

A. The Community Development Agency of the City of Winters (“**Community Development Agency**”) previously existed and operated as a redevelopment agency operating within the corporate boundaries of the City pursuant to the provisions of the California Community Redevelopment Law (Health & Safety Code §33000 *et seq.*).

B. The Community Development Agency owned that certain real property constituting approximately 9,017 square feet of real property located at 311 First Street (APN 003-204-002), as more particularly described in **Exhibit A**, attached hereto and incorporated herein by reference (the “**Property**”). The Property is located directly across from City Hall, and is improved with a parking lot. The parking lot is utilized by City staff and visitors to City Hall, as well as visitors to businesses located in downtown Winters.

C. The Community Development Agency was dissolved by operation of law on February 1, 2012, and all Community Development Agency assets, including the Property, were transferred to the Successor Agency, and the Successor Agency became responsible for disposing of the Agency’s real property assets. In connection with this responsibility, the Successor Agency prepared a Long Range Property Management Plan (“**LRPMP**”), which was approved by the Oversight Board of the Successor Agency and submitted to the State of California Department of Finance (“**DOF**”) on July 12, 2013. DOF approved the LRPMP on December 20, 2013.

D. In the LRPMP, the Successor Agency declared that it would convey the Property

to the City for future development in accordance with the Redevelopment Plan. Health & Safety Code section 34180(f)(1) requires that in the event the City wishes to retain a property for future redevelopment activities, it must reach a compensation agreement with the other taxing entities to provide payments to them in proportion to their shares of the base property tax, as determined pursuant to Section 34188, for the value of the property retained. The LRPMP specifically states that the City and Successor Agency will reach a compensation agreement with the affected taxing entities prior to development of the Property.

E. The City desires enter into this Agreement to acquire the Property from the Successor Agency pursuant to the LRPMP, and to compensate the Taxing Entities for such acquisition of the Property in accordance with Section 34180(f)(1). In order to determine the appropriate compensation for the Property, the City retained Lee Bartholomew of Bartholomew Associates, Inc., a California Certified General Real Estate Appraiser, to conduct an appraisal of the Property (the "**Appraisal**"). The Appraisal finds that the fair market value of the Property is Ninety Thousand Dollars (\$90,000.00) as of December 2, 2013.

F. The purpose of this Agreement is to provide for the purchase and sale of the Property from Successor Agency to City, and to compensate the Taxing Entities for such acquisition in accordance with Section 34180(f)(1).

AGREEMENT

NOW, THEREFORE, IN CONSIDERATION OF THE PROMISES AND COVENANTS OF SUCCESSOR AGENCY AND THE TAXING ENTITIES SET FORTH IN THIS AGREEMENT AND OTHER GOOD AND VALUABLE CONSIDERATION, SUCCESSOR AGENCY AND THE TAXING ENTITIES AGREE, AS FOLLOWS:

TERMS AND CONDITIONS

1. **EFFECTIVE DATE.** This Agreement shall become effective on the first date on which all of the following have occurred: ("**Effective Date**"): (a) this Agreement has been approved by the governing boards for each of the Taxing Entities and executed by an authorized representative of each of the Taxing Entities; (b) this Agreement has been approved by the Oversight Board and executed by the Executive Director of the Successor Agency; (c) the Agreement and the Oversight Board Resolution approving this Agreement has been submitted to DOF for review and approval and DOF has either granted such approval or DOF does not object to this Agreement within the review period provided, and the Oversight Board's action is deemed final and conclusive under Health & Safety Code §34181(f).

2. **PURCHASE AND SALE OF PROPERTY**

2.1 Purchase of Property. Following the Effective Date, the Successor Agency shall sell and convey the Property to City, and City shall purchase and acquire the Property from Successor Agency pursuant to the terms and subject to the conditions set forth in this Agreement.

2.2 Purchase Price. The total purchase price for the Property shall be Ninety Thousand Dollars (\$90,000.00), which is equal to the current fair market value of the Property as

determined by an appraisal conducted by Bartholomew Associates, Inc., dated as of December 2, 2013.

2.3 Payment of Purchase Price. The Purchase Price shall be paid in cash by the City to the Taxing Entities in accordance with the requirements of this Agreement upon execution and delivery of a grant deed conveying the Property from the Successor Agency to the City in substantially the form set forth as **Exhibit B**, attached hereto and incorporated by reference herein (the "**Grant Deed**"). The Purchase Price shall be divided amongst the Taxing Entities on a proportionate basis based on their respective shares of the base property tax as determined pursuant to Section 34188. Each Taxing Entity's proportionate share of the Purchase Price is set forth in **Exhibit C**, attached hereto and incorporated herein by this reference.

3. **CONVEYANCE OF PROPERTY**

3.1 Time of Conveyance. Subject to the terms and conditions of this Agreement, the Successor Agency's delivery of the Grant Deed to the City shall occur no later than thirty (30) calendar days following the Effective Date.

3.2 "AS-IS" Acquisition. The Property is sold to City in the Property's AS IS, WHERE IS, SUBJECT TO ALL FAULTS CONDITION, WITHOUT WARRANTY as to character, quality, performance, condition, title, physical condition, soil conditions, the presence or absence of fill, shoring or bluff stability or support, subsurface or lateral support, zoning, land use restrictions, the availability or location of utilities or services, the location of any public infrastructure on or off of the Property (active, inactive or abandoned), and with full knowledge of the physical condition of the Property, the nature of Seller's interest in and use of the Property, all laws applicable to the Property and any and all conditions, covenants, restrictions, encumbrances and all matters of record relating to the Property.

3.3 Possession; Maintenance. The City shall be entitled to sole possession of the Property immediately upon recordation of the Grant Deed. Prior to the recordation of the Grant Deed, the Successor Agency shall continue to maintain the Property to current maintenance standards.

3.4 Risk of Loss. The Successor Agency shall bear the risk of any loss to the Property which occurs prior to the recordation of the Grant Deed and the City shall be responsible for any such loss occurring following the recordation of the Grant Deed.

4. **GENERAL PROVISIONS**

4.1 Notices, Demands and Communications Between the Parties.

4.1.1 **Delivery.** Any and all Notices submitted by any Party to another Party pursuant to or as required by this Agreement shall be proper, if in writing and sent for immediate personal delivery to the address of the recipient Party, as designated in Section 4.1.2. Notices may be sent in the same manner to such other addresses as either Party may from time to time designate by Notice in accordance with this Section 4.1. Notice shall be deemed received by the addressee, on the day that the Notice is delivered to a Party in accordance with this Section 4.1. Any attorney representing a Party may give any Notice on behalf of such Party.

4.1.2 **Addresses.** The Notice addresses for the Parties, as of the Effective Date, are as follows:

- To City: City of Winters
318 First Street
Winters, CA 95694
Attn: City Manager
- To Successor Agency: Successor Agency of the Community
Development Agency of the City of
Winters
318 First Street
Winters, CA 95694
Attn: Executive Director
- To Yolo County: Office of the County Counsel
County of Yolo
625 Court Street, Room 201
Woodland, CA 95695
- To Winters Cemetery
District: Larry Justus, Chairman
Winters Cemetery District
PO Box 402
Winters, CA 95694
- To Sacramento-Yolo
Mosquito and Vector
Control District: Sacramento-Yolo Mosquito Abatement
and Vector Control District
Attn: District Manager
1650 Silica Ave
Sacramento, CA 95815
- To Solano Community
College: Solano County Community College
District
Administrative and Business Services
4000 Suisun Valley Road
Suisun, CA 94585
- To Winters Joint Unified
School District: Winters Joint Unified School District
909 Grant Ave
Winters, CA 95694
- Yolo County Flood
Control: Yolo County Flood Control and Water
Conservation District
34274 California 16
Woodland, CA 95695

4.2 Risk of Loss. The Successor Agency shall bear the risk of any loss to the Property which occurs prior to the recordation of the Grant Deed and the City shall be responsible for any such loss occurring following the recordation of the Grant Deed.

4.3 Calculation of Time Periods. Unless otherwise specified, all references to time periods in this Agreement measured in days shall be to consecutive calendar days, all references to time periods in this Agreement measured in months shall be to consecutive calendar months and all references to time periods in this Agreement measured in years shall be to consecutive calendar years.

4.4 Principles of Interpretation. No inference in favor of or against any Party shall be drawn from the fact that such Party has drafted any part of this Agreement. The Parties have both participated substantially in the negotiation, drafting and revision of this Agreement, with advice from legal and other counsel and advisers of their own selection. A word, term or phrase defined in the singular in this Agreement may be used in the plural, and vice versa, all in accordance with ordinary principles of English grammar, which shall govern all language in this Agreement. The words "include" and "including" in this Agreement shall be construed to be followed by the words: "without limitation." Each collective noun in this Agreement shall be interpreted as if followed by the words "(or any part of it)," except where the context clearly requires otherwise. Every reference to any document, including this Agreement, refers to such document, as modified from time to time (excepting any modification that violates this Agreement), and includes all exhibits, schedules, addenda and riders to such document. The word "or" in this Agreement includes the word "and." Every reference to a law, statute, regulation, order, form or similar governmental requirement refers to each such requirement as amended, modified, renumbered, superseded or succeeded, from time to time.

4.5 Governing Law. The procedural and substantive laws of the State of California shall govern the interpretation and enforcement of this Agreement, without application of conflicts or choice of laws principles or statutes. The Parties acknowledge and agree that this Agreement is entered into, is to be fully performed in and relates to real property located in the County of Yolo, State of California. All legal actions arising from this Agreement shall be filed in the Superior Court of the State in and for the County or in the United States District Court with jurisdiction in the County.

4.6 No Third-Party Beneficiaries. Nothing in this Agreement, express or implied, is intended to confer any rights or remedies under or by reason of this Agreement on any Person other than the Parties and their respective permitted successors and assigns, nor is anything in this Agreement intended to relieve or discharge any obligation of any third person to any Party or give any third person any right of subrogation or action over or against any Party.

4.7 Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the Parties and their respective heirs, executors, administrators, legal representatives, successors and assigns.

4.8 Time Declared to be of the Essence. As to the performance of any obligation under this Agreement of which time is a component, the performance of such obligation within the time specified is of the essence.

4.9 Entire Agreement. This Agreement integrates all of the terms and conditions mentioned in this Agreement or incidental to this Agreement, and supersedes all prior or contemporaneous negotiations or previous agreements between the Parties, whether written or oral, with respect to all or any portion of the Site.

4.10 Waivers and Amendments. All waivers of the provisions of this Agreement must be in writing and signed by the authorized representative(s) of the Party making the waiver. All amendments to this Agreement must be in writing and signed by the authorized representative(s) of both Successor Agency and City.

4.11 No Implied Waiver. Failure to insist on any one occasion upon strict compliance with any term, covenant, condition, restriction or agreement contained in this Agreement shall not be deemed a waiver of such term, covenant, condition, restriction or agreement, nor shall any waiver or relinquishment of any rights or powers under this Agreement, at any one time or more times, be deemed a waiver or relinquishment of such right or power at any other time or times.

[Signatures on following page]

**SIGNATURE PAGE
TO
PURCHASE AND SALE AGREEMENT
(311 First Street, Winters, CA)**

IN WITNESS WHEREOF, the Parties have signed and entered into this Agreement by and through the signatures of their respective authorized representative(s) as follow:

SUCCESSOR AGENCY:

CITY:

SUCCESSOR AGENCY TO THE
COMMUNITY DEVELOPMENT AGENCY
OF THE CITY OF WINTERS, a public body,
corporate and politic

CITY OF WINTERS, a California municipal
corporation

By: _____
John W. Donlevy, Jr.
Executive Director

By: _____
John W. Donlevy, Jr.
City Manager

**WINTERS JOINT UNIFIED SCHOOL
DISTRICT:**

SOLANO COMMUNITY COLLEGE:

Winters Joint Unified School District, a public
body, corporate and politic

Solano County Community College District, a
public body (District)

By: _____

By: _____

**SACRAMENTO-YOLO MOSQUITO
ABATEMENT AND VECTOR DISTRICT:**

Sacramento-Yolo Mosquito Abatement and
Vector District, a public body, District

By: _____

WINTERS CEMETERY DISTRICT:

Winters Cemetery District, a public body
(District)

By: _____

YOLO COUNTY:

Yolo County, a public body

By: _____

**YOLO COUNTY FLOOD CONTROL
AND WATER CONSERVATION
DISTRICT:**

Yolo County Flood Control (District)

By: _____

**EXHIBIT A
TO
PURCHASE AND SALE AGREEMENT
(311 First Street, Winters, CA)**

Legal Description

According to Yolo County Quitclaim document #7663, which evidenced the 2011 transfer of the subject property, the legal description of the subject property is as follows:

Lots 17, 18 and 21, Block 10, Town (now city) of Winters, shown on the map thereof filed May 22, 1875, Book S of Deeds, Page 154, Yolo County Records.

**EXHIBIT B
TO
PURCHASE AND SALE AGREEMENT
(311 First Street, Winters, CA)**

Grant Deed

[Attached behind this cover page]

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

City of Winters
318 First Street
Winters, CA 95694
Attn: City Manager

APN: 003-204-002

SPACE ABOVE FOR RECORDER'S USE ONLY
EXEMPT FROM RECORDING FEES – GOVT. CODE § 27383

GRANT DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

THE SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT AGREEMENT OF THE CITY OF WINTERS, a public body, corporate and politic (“**Transferor**”), does hereby grant to **CITY OF WINTERS**, a California municipal corporation (“**Transferee**”), all right, title and interest of Transferor in that certain real property in the City of Winters, County of Yolo, State of California, specifically described in Exhibit “1” attached to this Grant Deed (“**Property**”) and made a part of this Grant Deed by this reference.

Dated: _____

**SUCCESSOR AGENCY TO THE
COMMUNITY DEVELOPMENT AGENCY OF
THE CITY OF WINTERS**, a public body,
corporate and politic

By: _____

John W. Donlevy, Jr.
City Manager

STATE OF CALIFORNIA
COUNTY OF _____

On _____ before me, _____ (here insert name and title of the officer), personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

STATE OF CALIFORNIA
COUNTY OF _____

On _____ before me, _____ (here insert name and title of the officer), personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

**EXHIBIT C
TO
PURCHASE AND SALE AGREEMENT
(311 First Street, Winters, CA)**

Taxing Entity Proportionate Shares of Purchase Price

TAXING ENTITY	Percentage Share	Proceeds
County General Fund	0.27096342	\$ 24,386.71
County ACO Fund	0.01110556	\$ 999.50
County Library	0.02517451	\$ 2,265.71
City of Winters	0.30729203	\$ 27,656.28
Winters Cemetary District.	0.02304678	\$ 2,074.21
Sacramento Yolo Mosquito	0.0078089	\$ 702.80
Yolo County Flood	0.00920365	\$ 828.33
Yolo County Schools	0.02805045	\$ 2,524.54
Winters Joint Unified School District	0.28161651	\$ 25,345.49
Solano Community College	0.03573819	\$ 3,216.44
	1	\$ 90,000.00

Above percentages per Yolo County Auditor's Office.

December 4, 2013

Dan Maguire
Housing Program Manager
City of Winters
318 1st Street
Winters, CA 95694

John C. Wallace
Winters City Attorney
29605 The Horseshoe
Winters, CA

RE: 311 1st Street, Winters, CA

Gentlemen,

At your request I have developed, and with this letter, am transmitting an appraisal of the above referenced property. This report contains a market analysis, sales data, and conclusions regarding the property. This document provides adequate information and analysis to fully understand the property as of the date of this report. The subject property is more fully identified in the contents of the report which follows. This appraisal is complete in its development, and reported summarily.

A Sales Comparison approach to value was utilized in the development and reporting of this appraisal. A cost approach and an income approach were not completed for this property as these approaches are not meaningful for the subject property in the market.

This appraisal report was prepared in conformance to the rules set forth in the Uniform Standards of Professional Appraisal Practice (USPAP), effective 1/2012, which is the most current USPAP edition. The property was appraised subject to the Certification, Statements of Limiting Conditions, and Definitions, which are included within the body of the report.

This is an appraisal of a 9,017 square foot commercial lot, improved with a parking lot. It is located on the east side of Railroad Avenue south of Abbey Street in the town of Winters, CA. The intended use of the appraisal is to assist the City in the transfer of the real estate interest.

Subject to the stated assumptions and conditions, my opinion of the market value of the fee simple interest in the subject property, as of December 2, 2013 is as follows:

Market Value December 2, 2013: \$90,000

Thank you for the opportunity to be of service to you. Please don't hesitate to call if I can be of further help.

Sincerely,



Lee Bartholomew
CA Cert. Gen. R.E Appraiser #AG004317

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Summary of Salient Facts

Street Address	311 First Street
Municipality	Winters, CA
County	Yolo
Assessor's Parcel Number	003-204-002
Owner of Record	City of Winters
Dates of Value	December 2, 2013
Date of Inspection	November 8, 2013
Property Rights Valued	Fee simple
Date of Report	December 2, 2013
Intended Use	To assist client in an internal transfer of the property
Intended Users	Dan Maguire, John Wallace, City of Winters
Current Land Use	Parking lot - commercially zoned parcel
Property Size	9,017 sf (0.207 acres)
Lot Shape	Irregular
Topography	Nearly flat & level
Flood Zone	X, not a flood hazard zone
Planning Zone	C2, Central Business District
Highest & Best Use Determination	Commercial shop or warehouse
Opinion of Value	December 2, 2013: \$90,000

APPRAISAL PREMISES—SUMMARY INFORMATION

Purpose/Intended Use of the Appraisal

This appraisal was developed to furnish an opinion of value of the subject property, as of the date specified in the report. It is explicitly and solely for the use of the named clients, Dan Maguire, Housing Programs Manager and John C. Wallace, City Attorney. The intended use of the appraisal is to assist with the accounting associated with an internal transfer of the property.

Appraisal Firm

This report was prepared by Lee Bartholomew, Bartholomew Associates Inc. All of the contents of this report are the full responsibility of the signatory to this document. Kevin Ice, Appraisal Trainee of Bartholomew Associates Inc. provided assistance for the report.

Interest Valued

This is an appraisal of the fee simple interest in the real estate appraised.

Extraordinary Assumption

No extraordinary assumptions were used in this report.

Hypothetical Condition

No extraordinary assumptions were used in this report.

Assumptions and Limiting Conditions

This appraisal report has been made with the following assumptions and limiting conditions:

1. No responsibility is assumed for the legal description or matters including legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated.
2. The property is appraised free and clear of any or all liens or encumbrances unless otherwise stated.
3. Responsible ownership and competent property management are assumed.
4. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
5. All engineering is assumed to be correct. The plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.
6. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless noncompliance is stated, defined, and considered in the appraisal report.
7. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconforming issue has been stated, defined, and considered in the appraisal report.

8. It is assumed that all required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
9. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described, and that there is no encroachment or trespass unless noted in the report.
10. The distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.
11. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person, other than the party to whom it is addressed, without written consent of the appraiser, and in any event only with properly written qualifications and only in its entirety.
12. The appraiser herein by reason of this appraisal is not required to give further consultation, testimony, or be in attendance in court with reference to the property in question unless arrangements have been previously made.
13. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of the appraiser.
14. The appraiser has not considered the potential for adverse environmental conditions. The appraisal was developed under the explicit condition that the property is not adversely affected by any subsurface issues, including but not limited to potential toxic substances. While we have no reason to believe that the property has environmental issues, if they prove to be found, we reserve the right to re-analyze our findings and render new opinions based on the findings.

Certifications

I certify that, to the best of my knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The report analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions, and conclusions.
3. In accordance with the competency provision of the Uniform Standards of Professional Appraisal Practice, I hereby verify that my knowledge and experience is sufficient to allow me to competently complete this appraisal agreement.
4. I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.
5. My compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event. Additionally, the appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.
6. My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
7. I have made a personal inspection of the property that is the subject of this report.
8. The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Appraisal Institute's Code of Professional Ethics and Standards of Professional Appraisal Practice, which includes the Uniform Standards of Professional Appraisal Practice.
9. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
10. Bartholomew Associates has completed prior assignments associated with the subject property. In all cases the client (City of Winters) is the same client as for the prior assignments.
11. Kevin Ice, Appraisal Trainee, provided significant assistance to this appraisal report. His duties included data collection and analysis, research and analysis, income research and analysis.



Lee Bartholomew
Ca. Cert. Gen. R.E. Appraiser
#AG004317

Dates of Appraisal

This appraisal property was inspected by the undersigned on November 8th, 2013. The effective date of appraisal is December 2, 2013. The report date is December 2, 2013, the date this report was developed.

Scope of Appraisal and Reporting Process

This appraisal report includes a market/marketability analysis, a highest and best use conclusion, and a valuation of the subject property assuming the use(s) concluded in the property analysis.

This document is a complete summary appraisal, and all pertinent information is included in this report. The scope of the assignment included an inspection of the specific appraisal property and its surrounding market/trade area, an analysis of its surrounding uses, and a study of the market within which it competes. A fundamental market/marketability analysis was made. This included a study of trends involving both real estate and economic issues in the subject's market area, and an inventory of existing and potential competitive supply was measured and analyzed.

Source information was extracted from the following:

- NAIBT Commercial (www.naibtcommercial.com)
- Multiple Listing Service (www.prospector.metrolist.net)
- ReaList (www.reaList.com)
- CoStar Comps (www.costarcomps.com)
- STDB Online (www.stdbonline.com)
- City of Winters (www.cityofwinters.org)
 - Interviews with Planners
 - General Plan (www.cityofwinters.org/pdf/GeneralPlan.pdf)
 - Zoning Ordinance (www.municipalcodes.lexisnexis.com/codes/winters)
 - Chamber of Commerce (530) 795-2329
- SACOG (www.sacog.org)
- U.S. Census Bureau (www.census.gov)
- State of California, Employment Development Department (www.edd.ca.gov)
- Marcus & Millichap Office Research Report (www.MarcusMillichap.com)
- Freddie Mac (www.freddiemac.com)
- DataQuick Real Estate News (www.dqnews.com)
- Lake Berryessa Visitor's Center (707) 966-2111
- Yolo County Visitor's Bureau (www.davisvisitor.org)
- Other sources as referenced in the text or footnotes of the report

Once a highest and best use conclusion was reached, which includes market timing and most probable use conclusions, comparable market data were found. These were researched from Costar, the local MLS system, and internal office file data. The best available data were analyzed, adjusted, and reconciled into values for the subject. All of the information derived from this data gathering process was considered and utilized in the development and reporting of the value estimate and the market timing. The result of the analysis is a valuation of the property assuming the utilization provided in the highest and best use conclusion. Both the sales comparison and the income approaches were completed for the valuation of the subject property. The cost approach is not considered an appropriate method for determining the fair market value of the property.

DEFINITIONS

The following definitions were extracted from "The Dictionary of Real Estate Appraisal", 5th Ed., published by the Appraisal Institute, dated 2010.

Market Value

The subject property appraisal is an appraisal of the "market value" of the property. The Appraisal Institute source for this definition is The Federal Register, Vol. 55, No. 163, August 22, 1990; pages 34228 and 34229.

For the purposes of this appraisal, market value is defined as:

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently and knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- *buyer and seller are typically motivated;*
- *both parties are well informed or well advised, and each acting in what they consider their best interests;*
- *a reasonable time is allowed for exposure in the open market;*
- *payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and*
- *the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.*

Market Value "As Is"

The "as-is" value is the value of specific ownership rights to an identified parcel of real estate as of the effective date of the appraisal; relates to what physically exists and is legally permissible and excludes all assumptions concerning hypothetical market conditions or possible rezoning.

Exposure Time

Exposure time is the estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal.

Surplus Land

Land not necessary to support the highest and best use of the existing improvement but, because of physical limitations, building placement, or neighborhood norms, cannot be sold off separately. Such land may or may not contribute positively to value and may or may not accommodate future expansion of an existing or anticipated improvement.

Stabilized Value

A value opinion that excludes from consideration any abnormal relationship between supply and demand such as is experienced in boom periods, when cost and sale price may exceed the long-term value, or during periods of depression, when cost and sale price may fall short of long-term value.

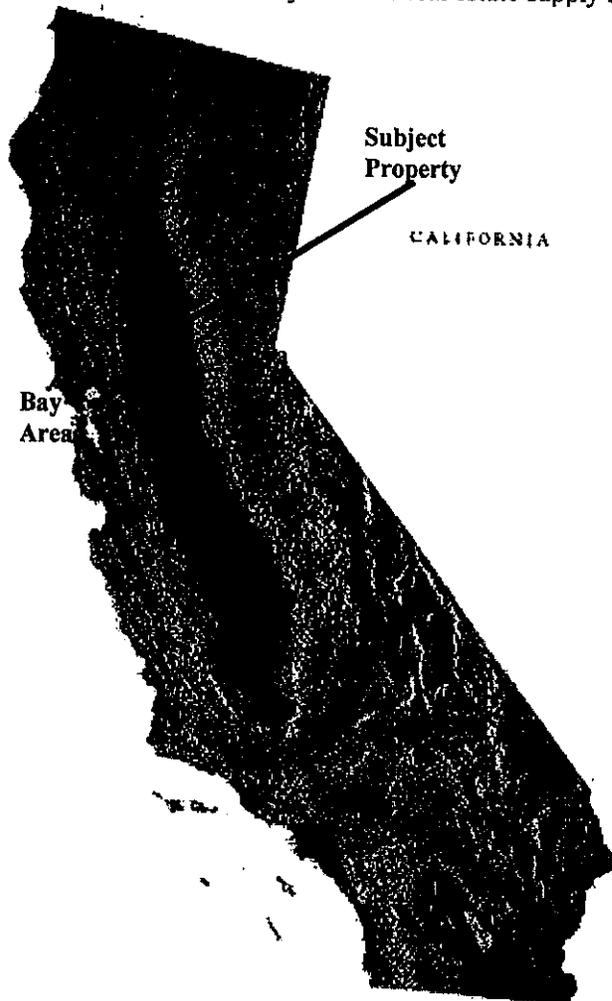
MARKET AREA ANALYSIS

Market Analysis--Introduction

The appraisal property is a 0.108 acre commercially approved parcel. The site is located on Railroad Avenue between and 1st Street in the town of Winters. In this portion of the report, the market within which the subject property competes is defined and discussed, and conclusions are reached as to the possible uses associated with the subject property. Conclusions reached here are carried forward in the highest and best use portion of the appraisal, later in the document.

Analysis

This portion of the appraisal report is a study of local and regional characteristics that influence real estate demand within a market area. The analysis here forms the basis for conclusions reached within the valuation portion of the report, and provides the foundation for highest and best use conclusions as well. This is a study of demographic and economic trends, transportation and economic linkage, and it includes a summary of geographic, social, economic, and governmental issues as they relate to real estate supply and demand within the area.



Geographic Issues

The subject property is located in the incorporated city of Winters, in Yolo County, CA. This community is located at the west side of the Sacramento Valley, about 10 miles north of Vacaville, and 30 miles west of Sacramento. Winters, which was originally developed in the early 1900's, was a rail-stop used by Central Valley growers to ship agricultural products to the San Francisco Bay markets. The foothills of the California Coastal range are just west of the town; this range forms a western boundary to the Sacramento Valley agricultural area. The area has suitable soils for most agricultural commodity cropping patterns, including fruit and nut permanent plantings. Agricultural activities are still predominating in the market area.

In the 1960's the state dammed Putah Creek, which is a coastal range tributary, to form Lake Berryessa, a source for irrigation and drinking water, and recreation. Lake Berryessa is one of the largest fresh water lakes in California containing about 1.6 million acre feet of water. It has 165 miles of shoreline and almost 10,000 acres of land for public use surrounding the lake. According to the Lake Berryessa Visitor's Center, the lake receives about

1.2 million visitors per year, mostly in the summer and mostly traveling west along Highway 128 through Winters. The bulk of these visitors are day users for hiking and boating, though there are several lodging options set up around and near the lake for longer stays including two motels and four clusters of cabins. These lodgings are open year round and provide 130 rooms for overnight

Regional Influences

Winters is a small city and it relies heavily on nearby urban centers and larger cities for employment and services. The economic ties to surrounding communities are crucial in the assessment of the growth trends in Winters. Traffic patterns indicate that the majority of commuters from Winters find work to the east in Davis or Sacramento and to the south in Vacaville or Fairfield. Services, such as hospital facilities, colleges and regional shopping are located in the surrounding cities of Davis, Sacramento, Vacaville and Fairfield. The Kaiser Permanente group has a large facility in Vacaville, about 8 miles south of the subject.

These cities are located in two distinct economic areas. Davis, Sacramento, and Winters are within the Sacramento Metropolitan Statistical Area.¹ Vacaville and Fairfield are within the Vallejo-Fairfield-Napa PMSA.² Linkages to two economic hubs suggests that the population of Winters has access to a wide array of economic opportunities.

Social Considerations

The area west of Winters is marked by coastal range topography and vegetation. Compared to the Central Valley, the climate in the area is more moderate, and this has attracted residents and visitors who wish to escape the hot, intensively farmed Sacramento Valley. Winters is about 14 miles west of the UC campus in Davis, which developed prominently during the 1970's and later. Currently the campus is the most significant economic driver in the market area. The campus owns about 5,000 acres and boasts roughly 30,000 students, including the medical center in Sacramento. Because of these factors, Winters has become home to a large population segment interested in the arts. While it is difficult to measure the effect of this segment of the society, it is clear that Winters benefits economically and socially from it. A recent City of Winters job posting described the town as follows: "Winters offers award-winning restaurants, an entertainment venue featuring world-renowned musicians, a thriving art community and unique shops, all within the heart of a rich agricultural region." It is clear that the City of Winters includes both culture and agriculture in its branding, and the connection of these two elements continues to be emphasized. There are 14 restaurants in Winters, and several wineries are located within a 20 mile radius of town. These offer a range of dining choices, many of which feature locally grown produce. As well, there has recently been an emphasis on art and music. The Palms Playhouse, which operates from the newly renovated Winters Opera House, is a favorite venue for national progressive music talent. Winters has a monthly art walk, where local artists display and sell their work. Recreationally, a very popular bicycle route leads from Davis (the bike capital of the US) along Putah Creek Road into Winters, and cyclists often stop in Winters for breakfast or lunch after a morning ride.

Summarizing, socially, this is an area with great benefit. The "cultural creative" community has taken to Winters, and this has enabled a melding of social benefits with agriculture, which historically was the primary economic driver for the area.

¹ An MSA, as designated by the Federal Office of Management & Budget, consists of a nucleus of high population related to adjacent communities through a significant level of economic and social integration. These statistical areas are updated every ten years based on reviews of economic dependency factors and commute patterns. The Sacramento MSA is currently composed of Sacramento County (the core of the MSA), El Dorado County (to the east), Yolo County (to the west) and Placer County (to the north).

² This is a Primary Metropolitan Statistical Area which is a sub-area of a MSA. These are areas that have ties to a major urban area (in this case the Bay Area) but also have strong economic links within the PMSA communities and could, in a sense, represent a unique MSA.

Traffic Counts

The traffic counts along the main thoroughfares within Winters are significant to any analysis of commercial property within the city. This is due to the large percentage of retail income attributed to tourism within the city each year. Traffic counts provide a snapshot of exposure along the roads to tourists and others passing through the city. For a retail establishment this is especially imperative as each passing auto is a potential customer. As such, study of the traffic counts along Highway 128 is summarized in the following paragraph.

Traffic counts³ along Highway 128 are low for most of its length (ranging from 930 to 4,600 average daily counts). There are four peaks, beginning with two sequential points in Napa County at Tubbs Road and at Petrified Forest Road. These points each showed AADT of 8,650 and 11,900 respectively. The second two points are both located in Winters. The first is at Railroad Avenue with an AADT of 9,200. The second is at the highway's terminus, its intersection with Highway 505, with an AADT of 11,200. Cal Trans also has data regarding the AADT for on and off ramps along Highway 505. The most recent count were reported for 2005. According to this data, the traffic traveling north on Highway 505 and exiting at Highway 128 averaged 2,770 daily. For south bound traffic, the average was 580. Traffic entering Highway 505 at this point averaged 410 bound north and 2,620 bound south. The amount of traffic entering and exiting the highway remained relatively stable between 2002 and 2006. They indicate strong economic ties to the communities located south of Winters. These figures of traffic at 505 most likely indicate commute patterns for local residents traveling outside Winters for work but may also be indicative of the day-users at Berryessa and surrounding attractions.

Demographics

Growth and development in communities often are driven by specific changes in demographics. For instance, residential development is directly correlated to population and employment growth. Retail growth is impacted by changes in the number of households and income. Office growth is directly related to job growth. In order to understand the current potential for growth, trends in population, income and employment are included below. These data are relevant specifically to the City of Winters but regional data is also included inasmuch as it impacts Winters. It should be noted that these are general drivers and more specific information relevant to the subject property will be discussed later.

Population⁴

Winters is a small community that has shown slow but steady growth over the past several years. In the 2000 census, the community recorded a population of 6,125. The 2010 census showed a population of 6,624. This represents growth of 0.82% per year. The age composition of Winters is slightly younger than state averages, but is relatively close. Household size is also similar, with both Winters and California averaging close to 3 people per household. Educational attainment in Winters is below state levels. About 77% of the population of the age of 25 has a high school diploma or equivalent (in California the figure is about 81%). The proportion of residents with a bachelor's degree or higher is 21%, significantly lower than the California figure of 31%. These data are consistent with areas with a large agricultural component.

³ All traffic count data within this section was extracted from the Cal Trans database and references the AADT – average annual daily traffic. This is a measurement based on samples of the estimated average traffic expected to travel on the road at a given point.

⁴ Sources for population data are as follows: 2000 and 2005-2009 data from the U.S. Census Bureau (www.census.gov), and 2035 data from Sacramento Area Council of Governments (www.sacog.org).

Employment

As mentioned earlier, Winters is in the Sacramento-Arden-Arcade-Roseville MSA, but is heavily influenced by the Vallejo-Fairfield MSA. Both of these regions have suffered from greatly decreased employment over the past several years. Regional unemployment figures for 2007 and 2012 are shown on the following table.

Regional Employment Data (EDD)				
	Sacramento MSA	Vallejo-Fairfield MSA (Solano County)	Yolo County	Winters
Unemployment Rate (March 2007)	5.2%	5.0%	6.0%	6.9%
Unemployment Rate (March 2012)	11.5%	11.1%	14.0%	15.8%

Unemployment has increased drastically throughout the region between 2007 and the value dates. The figures for Yolo County and Winters are higher than the Sacramento and Vallejo MSAs. Much of this can be attributed to the fact that these data are not seasonally adjusted, and the labor force in Winters and Yolo County has a large agricultural component. As such, peak unemployment tends to be in January and February of each year, with substantially lower unemployment rates during the summer and early fall. Irrespective of seasonal trends, the employment situation remains bleak, and this directly translates into reduced demand for residential property. Regional industry data is discussed in the following section.

Sacramento Region

The City of Sacramento is the state's capital, and as a result the primary economic driver in the Sacramento area is government. According to reports from the Employment Development Department, 25% of all jobs fall within the government sector in the Sacramento MSA as of March 2012, or about 227,000 jobs related to local, state and national government. This represents a slightly larger share of total employment than in March 2007 (24%) even though the total number of government jobs has decreased by about 8,000.

Secondary drivers within the economy are service related including retail and hospitality associated with regional shopping centers and tourism. Additionally, rural areas of the MSA, including large parts of Yolo and Placer Counties, have strong agricultural components.

Estimates of the fastest growing jobs in the area favor the Education sector with a 35% (23,390 new jobs) growth expected between 2004 and 2014. However, recent budget issues in California suggest major cuts in public education.⁵ This will likely impact any potential growth in this sector negatively. Health care is also one of few strong sectors and is expected to grow substantially in the next few years. Overall, however, the economic indicators emanating from national and state levels suggest a slower than normal growth in all areas.

⁵ Source: California School Finance, www.californiaschoolfinance.org.

City of Davis

Davis is the neighboring town to the east. Most of the area surrounding Winters has its basic economic strength in agriculture and agricultural support uses. Davis, since the growth of the UC campus, has been the exception. The primary economic stimulus within Davis is provided by the university. This is geographically the largest University of California campus; the UC Regents own over 5,000 acres between Davis and Winters.⁶ At its core Davis is a small university town with additional growth attributable to its proximity to the state capital. The residents of Davis are predominantly either students or professionals, commuting to the Sacramento or San Francisco Bay Area, or employed within the university system.⁷ The university is by far the largest employer in Davis, providing about 29,000 jobs in the Sacramento region.⁸ Because of its direct linkages to Davis, Winters benefits from the location of the university as well.

Eastern Solano County

In Solano County, Fairfield and Vacaville are the nearest cities to the south of Winters. These are similar to the Sacramento region in that they are also impacted by the national and state issues discussed previously. The employment in this region is primarily service related. However, several biotech and pharmaceutical R&D corporations have established sites in Vacaville, including Large Scale Biology Corporation, Genentech, ALZA Corporation, Novartis International AG, and Durect Corporation. Travis Air Force Base is located in Fairfield, as well, and is considered to be one of the primary local economic drivers. This military installation employs 14,353 military personnel and civilian employees. Approximately 25% of these are civilian workers and the balance is made up of active duty and reserve military personnel from various branches of the military. Additional drivers in this area include manufacturing, mining and technology.

City of Winters

According to the 2006-2010 American Community Survey (ACS) conducted by the Census Bureau, 67% of the total population in Winters was employed (3,233). The largest share of occupations in the workforce was Natural Resources, Construction, and Maintenance Operations (26.2%), followed by Management, Business, Science and Art Occupations (23.9%) and Sales and Office Occupations (23.0%). The balance of the workforce was occupied in Service (16.1%) and Production, Transportation, and Material Moving (10.8%). Overall, the Winters economy is fairly well diversified.

According to the 2006-2010 ACS, the average commute time was 25.8 minutes, suggesting that the bulk of the workforce commutes outside of Winters to find employment. Employment within Winters is largely service-related, including retail sales, restaurant and food services. Additionally, there are public sector jobs in education and local government.

⁶ Source: UC Davis, www.ucdavis.edu.

⁷ Source: U.S. Census 2000, www.census.gov.

⁸ Source: UC Davis Economic Impact Report, www.news.ucdavis.edu/special_reports/economic_impact

While ancillary to a discussion of the subject property, the economy of Winters is contingent on the health of the local agricultural community in and around Winters. While large corporate farming is evident, there is still a wide array of small family-operated farms in the immediate area. Typical plantings exist on 20- to 160-acre parcels, and while economic viability is difficult on these smaller parcels, the growers are finding creative ways to sell their product; farmer's markets, direct to restaurants, and retailing from local farm stands are among these. Weather and soils, irrigated from the Putah Creek aquifer, are suited to stone fruit, nut crops, olives and vines. Much of the area just south of Winters along Putah Creek is planted to walnuts—this is the highest grossing permanent planting in the market area. Row cropping is less prevalent in the Winters area than in the Sacramento Valley to the east, but there are some sizeable row crop growers in the Winters area.

Income

There are two measures of income used in the U.S. Census data, per capita income and household income. Per capita income is calculated by taking the total income reported for the community and dividing it by the total number of people living in the community. This provides an average income for all residents or citizens. Household income is reported in averages and medians by the Census. Average household income is calculated by taking the aggregate income for the entire population and dividing it by the total number of households in the population. This is the primary measure of income used in determining demand for goods and services as households typically function as a single economic unit. The median household income is more precise as it uses actual income for each household and then determines the median for the community. This also provides more precision in graphing the income distribution within a community. Roughly half of the households will have incomes below the median household income and the remaining half above the median.

In 2009, the median household income for Winters was \$61,146; this showed about 2.9% per annum growth over the 2000 figure of \$48,609.⁹ The median income levels are slightly higher than California income, and in fact the proportion of the Winters population living below the poverty line is one of the lowest in the area. Projections indicate this growth to continue for the next several years. In 2014, median income is projected to be \$62,573 for the City of Winters. Per capita income in Winters has grown at a slightly higher rate which suggests that disparity between higher and lower income households has grown in the past several years.¹⁰ This is consistent with most areas during this period.

⁹ Source: Site to Do Business report for the City of Winters at www.stdbonline.com

¹⁰ The per capita income uses the average of all income to the total population essentially assigning an equal amount to every person within the population. The median household income shows the midpoint of all household incomes. According to the U.S. Census Bureau, if the lower and higher income levels were growing at the same rate, the midpoint of household incomes would shift at about the same rate as the average income. Higher rates of growth in per capita income indicate that income growth is primarily attributable to the higher income streams. For Winters, the change in median household income between 2000 and 2009 was 25.8%; the change to per capita income was 29.1% over the same period. This is almost 5% difference in growth and indicates that there is a growing disparity between low earning households and high earning households.

Summary Conclusions

Overall, the city of Winters is the smallest incorporated city in Yolo County, but it has the unique quality of economic ties to two counties (Yolo and Solano) and it has proximity to nearby major economic regions (the Sacramento MSA and the San Francisco Bay Area MSA). Transportation linkages are favorable, with I-80, Freeway 505, and the Sacramento International Airport all very close to Winters. The city's population is characterized by young families with primary income generated through commuting to nearby economic centers. Although educational attainment levels are slightly below other areas, this is a community with indicators for growth in population and income. Despite steady, albeit slow growth, the city is likely to retain its agricultural ties and continue to meld family farming operations with the local social opportunities. This reflects a very positive and diverse future in respect to the local economy. As well, the proximity to recreational destinations such as Lake Berryessa and Lake Solano Park, contribute to the development of a tourist economy, which is tangible but still in its infancy as far as driving growth in the area. In general, growth in the city is likely to be slow and well-managed by city planning efforts to retain a community that appeals to residents and tourists alike.

In researching the community, several items are of interest. First, the income and education levels within town are diverse—there is a wide gap between two segments: residents who lack higher education and are mostly at the low end of the income levels,¹¹ and those who are well educated and are at the top of the economic spectrum. This is not unusual for valley towns, but the economic disparity between these groups does tend toward a social bifurcation. This bifurcation has implications for real estate demand analyses. The most important is that the lower income households tend to be under-served as a result of average figures often used in these studies. Understanding that there is a large segment of the population earning below the average income levels provides an indication that commercial, public and residential developments must be apportioned to accommodate this population segment, and that the community must be opportunistic in narrowing the gap between the population segments. Second, Winters has had, and continues to have, infrastructure barriers to new development. This hampers the city in regard to developing a critical mass of economic and population strength, without which local services and economic opportunities will be limited. These are discussed in more detail in the following sections, but it should be noted that it is anticipated that these barriers will be removed over the next several years. Third, there are a remarkably small number of seniors or retired people living within Winters. This market segment is one that, if encouraged, would tend to additionally stabilize the current position of Winters. With positive geographic characteristics and very good transportation linkages, it would seem as though this segment of the population should be encouraged to locate within the Winters market area. Many communities are currently striving to develop neighborhoods around senior needs. The seniors demographic is the fastest growing segment of society and is viewed as a group with substantial savings and retirement income.

¹¹ A guide to education and socioeconomic status is drawn from the Department of Education statistical database. Source data is from the California Department of Education (www.ed-data-k12.ca.us) and from the U.S. Department of Education (http://nces.ed.gov/ccd/districtsearch/district_list.asp). While there were discrepancies between the two data sets, the results regarding school district performance were consistent. In Winters, roughly 30% of students are English learners. This is relatively high when compared to Davis (9.4%), Yolo County (22.4%), Vacaville (12.1%) and Solano County (13.4%). About 45% are entitled for the free or reduced lunch program. Again this is a high number when compared with surrounding areas: Davis (19.2%), Yolo County (44.5%), Vacaville (27.9%) and Solano County (36.2%). 42% of the 1,800 total students from the 2006-2007 survey are characterized as socioeconomically disadvantaged, again a relatively high number when compared with surrounding regions: Davis (9.3%), Yolo County (42.5%), Vacaville (19.5%) and Solano County (24.4%). This, coupled with the relatively high income levels within Winters, indicates a wide disparity between the "haves" and the "have nots".

Market Trends in Real Estate

The subject of this appraisal is an improved commercial property. Although residential uses are not specifically allowed under the current zoning for the property, the health of the residential real estate market has a significant effect on commercial properties. Residential development tends to attract population growth, and a growing population drives new demand for retail and office space. This portion of the study is an analysis of potential commercial uses for the property, which is preceded by a brief summary of the current residential real estate market and its supply/demand issues. Excluded from this section is a discussion of the industrial, special purpose and agricultural markets. The primary reason for this exclusion is that the subject property does not have the potential for development to these uses.

Analysis of Available and Expired Listings

There is a noted dearth of market evidence with which to analyze the Winters commercial market. One sale in the past year is noted as informative to such a discussion, and is included in the sales comparison approach to value in this report. As such it is not possible to derive any meaningful trending for the Winters commercial market over the past 3 years. To better understand market conditions we analyzed the available and expired market listings throughout recent past in Winters. The following table lists the active and expired data.

Improved Property Listings

Address	PSF Asking Price	Active or Expired
3 Grant Ave Winters	\$287.50	Active
723 Railroad Ave Winters	\$50	Active
41 Main Street Winters	\$55.03	Active
1123 W Grant Ave Winters	\$216.67	Active
101 Abbey Street Winters	\$289	Expired
41 Main Street Winters	\$53	Expired

The listings data fall in two categories, roughly those offerings at roughly \$50 psf for very poor condition space, and those offerings above \$200 psf. In our analysis of the Winters commercial sales, we have not seen a transaction take place above \$200 psf. The \$200 psf level is noted to not be born by the marketplace, as indeed many of these listings are expired. In conclusion our analysis of available and expired listings has not produced any meaningful data with which to inform the value opinion of the subject.

It is our opinion, based on interviews with agents and city staff, that Winters is beginning to see some correction to the prior adverse market conditions. There is finally, in Winters, some development occurring, including the planning of the Hudson-Ogando property, which will add about 80 housing units within the near term. Additionally, there is ongoing tenant improvement construction, and the Main Street/Railroad Avenue core, which has been updated within the past ten years, is bringing new businesses to town. Among these are restaurant, retail, wine sales, and miscellaneous service commercial. The Main Street corridor is essentially occupied, with some exceptions, and overall, demand for properties along Main Street and Railroad Avenue is considered to be pretty strong. Retail locations off of this core, however, have not fared as well. In respect to rental levels, we have not seen any increase to speak of. Rent levels have hovered at about a dollar per square foot on a gross level for quite a while. Our 2011 rent survey, as well as the current survey, indicate about this level for downtown retail space that would directly compete with the subject property. As indicated on the table above, very few recent sales have occurred in town. While there is not enough market evidence for statistical analysis, our conclusion as to market conditions tends to a recent increase in prices.

SUBJECT PROPERTY DESCRIPTION

Site Description

This parcel is a rectangular lot, totaling 9,017 square feet in area (see parcel map, below). The Yolo APN for the parcel is 003-204-002. There are no building improvements on the parcel, it is asphalt paved and used as a parking lot. There is a contiguous parking lot located northwest of the subject. There is warehouse space to the east. There is some landscaping on the west and east edges of the parcel. This is a level parcel, without adverse drainage or flooding constraints.

Utilities and Services

The property is accessed by public roadway; First Street and an alley (Newt Expressway) on the south side. It features connections to the municipal water and sewer system. PG&E gas and electric, and city owned curbs, gutters, and sidewalks serve the site. Storm drainage is underground. The city maintains street lighting on First Street.

Flood Map

According to FEMA flood panel # 06113C0563G, dated June 18, 2010, the property is located in FEMA zone X, indicating that the property is not in a flood hazard area and is located outside both the 100- and 500-year floodplains.

Surrounding Uses

The City of Winters Fire Department is located adjacent to the subject to the east, and occupies a majority of the city block. Across First Street to the west is the Winters City Hall, and beyond that the neighborhood is exclusively residential. Uses to the north are primarily residential, and to the south across the alley are Central Business District buildings with frontage on Main Street.

Building Improvements

There are no building improvements on the site. Historically there was a steel building, which has recently been removed. The site is currently used as a paved parking lot for the Winters City Hall and Winters Community Parking.

Property Ownership/Sales History

The property is owned by the Dissolved Winters Community Development Agency (Successor agency to the Winters Community Development Agency). The property was owned by William and Mary Portello from the early 1970's until it was purchased by the Winters Community Development Agency in 2009. There was no cash involved in the transaction; rather it was a direct exchange for a rental house. The Agency then transferred the fee interest to its successor agency in June 2013, as evidenced by Quitclaim Deed #20914.

Taxes and Assessments

The subject property is exempt from property taxes as it is owned by a government entity.

Zoning

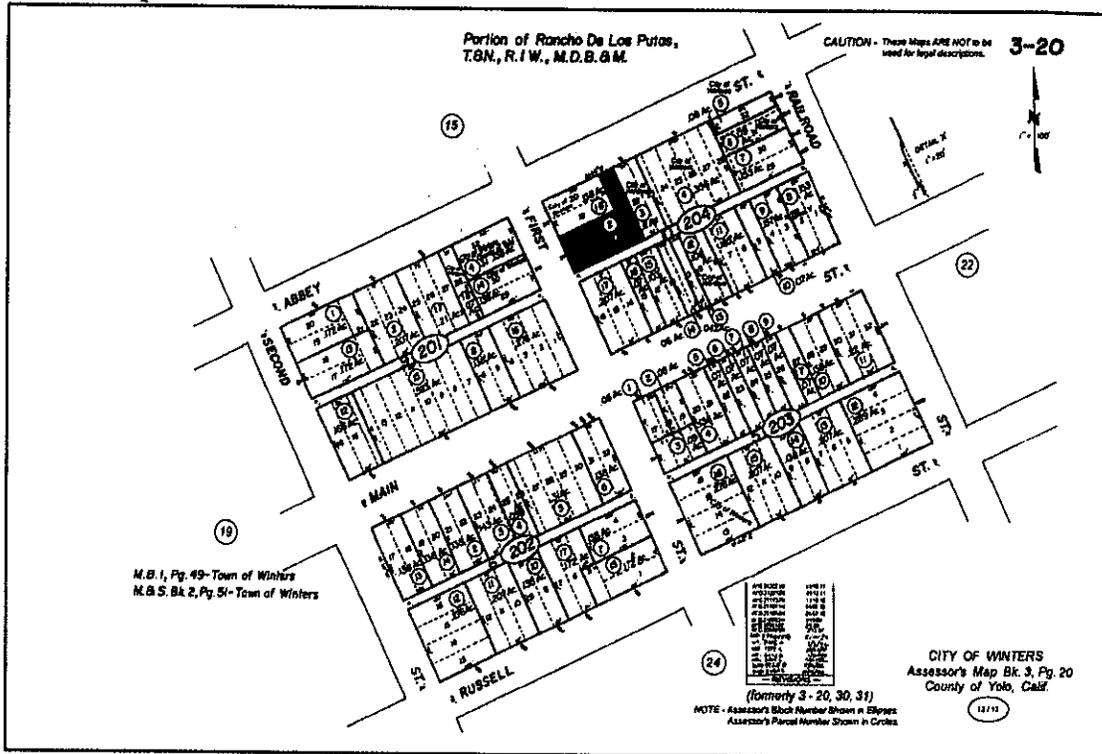
Zoning for the subject parcel is C-2, Central Business District. As described by the City of Winters Zoning Code, the purpose of the central business district zone is to stabilize, improve and protect the central business district of the city, including the downtown area, and related major area-wide business centers as designated in the general plan. A wide range of commercial activities and some residential applications are possible in the C-2 zone. There are form based codes that apply to the Winters CBD. These codes govern the design of improvements in the area, demanding a conforming look to the district. In addition, there are form based codes that apply to the Winters CBD. These codes govern the design of improvements in the area, demanding a conforming presentation with the rest of the district.

Legal Description

According to Yolo County Grant Deed document #7663, which evidenced the 2011 transfer of the subject property, the legal description of the subject property is as follows:

Lots 17, 18 and 21, Block 10, Town (now city) of Winters, shown on the map thereof filed May 22, 1875, Book S of Deeds, Page 154, Yolo County Records.

Parcel Map



Subject Photos

From the South



From the North



Site Description

Component	Discussion
SITE	
Size/Topography	The site is 311 First Street, which is a rectangle with a protrusion to Abbey Street. There is a strip with frontage on Abbey, suitable for a narrow commercial building. The subject is located on the east side of First Street, and the south side of Abbey. The subject is less than a block from Main Street in downtown Winters. The total lot size is 9,017 square feet (roughly a fifth of an acre). Topography is generally level. The site is adjacent to a parking lot to the north and a commercial building across the alley to the south. The Abbey frontage is adjacent the current city fire station to the east.
Fronting Streets	Access is from three sides, although the alley (south) is not designed to be a useful or desirable access point. Frontage is roughly 25 feet on Abbey Street, and roughly 60 feet on First Street.
Access	Access is via public streets, First Street borders the subject to the west, and Newt Expressway borders the south. There is a narrow strip of Abbey Street frontage. The site is one and a half blocks from Railroad and Main, a central downtown Winters location.
Landscape	The subject is primarily paved parking, though it has trees along its western and southern edges.
Utility/Off-sites	The site is fully useable. It has curb, gutter and sidewalk to all the fronting streets except the alley. The City of Winters maintains street lighting.
Site Infrastructure	The property is fully served by City of Winters utilities, including water, sewer, and undergrounded drainage. PG&E provides electricity (on overhead lines) and natural gas to the property. Telecommunications are provided to the site as well.

HIGHEST AND BEST USE ANALYSIS

The highest and best use is defined as “The reasonable and probable use that supports the highest present value, as defined, as of the date of the appraisal”, and alternatively, “The reasonably probable and legal use of vacant land or an improved property that is physically possible, appropriately supported and financially feasible, and that results in the highest value” (source: The Appraisal of Real Estate, 12th edition, published by the Appraisal Institute, 2001, page 305). Implicit in this definition is that a particular use must meet four criteria in order to be considered as the highest and best use; the use must be physically possible, legally permissible, financially feasible, and maximally productive.

Highest & Best Use as Vacant

The C-2 zoning for the subject property allows for a variety of retail, professional and residential uses. There are no improvements currently contributing to the value of the property. Legal uses of the subject parcel are commercial in nature. Physical characteristics of the lot allow for almost any legal use, with the exception of those which require a larger land size than exists on this relatively small parcel. Financial feasibility is unlikely to be met with the development of a retail use or restaurant. In our analysis of market lease rates, we suggest that Winters retail space seems to be hovering at a gross rental rate around a dollar per square foot. Based on feasibility rent levels, the current predominant rent level is insufficient to incentivize new development at this time. This would lead to a “hold for a feasible development in the future” conclusion.

The subject is surrounded by City of Winters holdings, and is positioned well for inclusion in a scaled development, which would also include city-owned sites along Railroad Avenue, Abbey Street, and the alley. Because of the uses surrounding the subject property, there is not much natural pedestrian traffic at the present time. This may change, as the city grows and demand for downtown space increases. It is noted that the assemblage associated with the subject and the rest of the properties on its block (excluding the Winters Express property at 310-312 Railroad Avenue) limit the likely buyer of the subject, assuming it to be available to the marketplace for sale. The existing assemblage essentially creates a captive marketplace—the City of Winters is the only likely buyer of the property at the present moment. In valuing the property, which requires a hypothetical sale of the property to a market participant, we considered potential uses by typical participants. Given the enhanced value of the property by virtue of the existing assemblage with contiguous City of Winters parcels, the likely buyer is the city.

Given the economic reality, and the current feasibility associated with new development within Winters, the highest and best use of the subject (in its current vacant status) is to hold the parcel for development to a retail, restaurant, or other commercial use once demand for this type of development further increases in the market. A secondary highest and best use is to hold it in its current assemblage (along with the contiguous city owned parcels), and to develop it with a scaled project.

Exposure Period

In consideration of the data used within the value analysis, it is our opinion that the property would have required six to eighteen months in order to have achieved a successful contract/COE. Marketing period, which is prospective, may be as much as a year also.

VALUATION

In valuing real estate, three valuation methodologies are accepted as normative in the appraisal process. These are the Cost Approach, the Income Approach, and the Sales Comparison Approach.

The cost approach identifies market-supported improvements costs, subtracts a market-supported amount assignable to accrued depreciation, adds land value, and derives a value based on the cost to reproduce the improvements. This “cost approach” presumes that a typical buyer would not pay more for an existing improved property (or finished lot) than it would cost to reproduce the same improvements on a highly similar site. The cost approach was not undertaken in this assignment—the property is a vacant site.

The sales comparison approach utilizes the principle of substitution, wherein recently sold “substitute” properties are found, adjusted for market conditions, and then adjusted to account for differences between them and the subject property. The underlying assumption is that market support will be either similar to or identical to any of a group of adjusted substitute properties; thus, the indicated value for the subject is based on a range of adjusted values for the “substitute” or “comparable” transactions. The sales comparison approach is considered to be a reliable indicator of value for properties like the subject and was undertaken for this assignment.

The income approach seeks to identify market level income from a property, typically from rents, and either utilizes a gross rent multiplier or an overall capitalization rate to value the income stream from a property. The income approach to value was not undertaken for this assignment.

Sales Comparison Approach to Value

The sales comparison approach applies the principle of substitution, which assumes that a willing and prudent buyer will not pay more for a similar property than the cost to acquire a similar competitive property. The methodology in comparison includes identifying these similar, competitive properties that have sold, making appropriate adjustments to the consideration paid for them based on comparison with the subject, and reconciling the adjusted values into a value estimate for the subject.

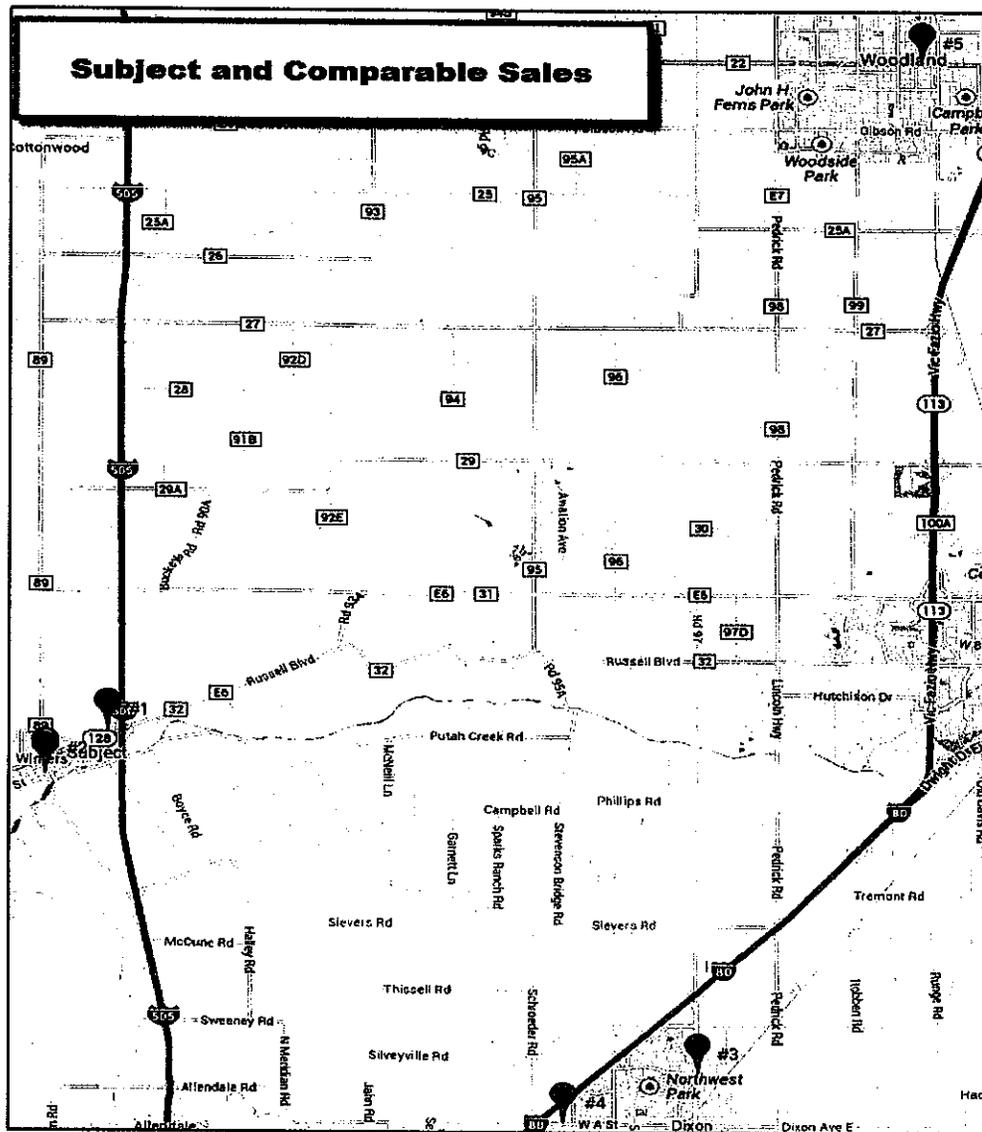
The comparison approach is applicable, particularly when there is enough information in a market to develop meaningful data with respect to market interaction. This implies that there is enough data to identify significant value patterns in the general market.

The process of developing a comparison approach for the subject property included interviewing brokers and agents and searching the public record and published data sources for sale transactions. These sales were verified and adjusted to account for changing market conditions as well as differences between the sale property and the subject property. Various elements of comparison were utilized in the analysis; they are described below.

The following chart summarizes the properties used as comparable transactions for this value approach.

Comparable Property Sales Summary

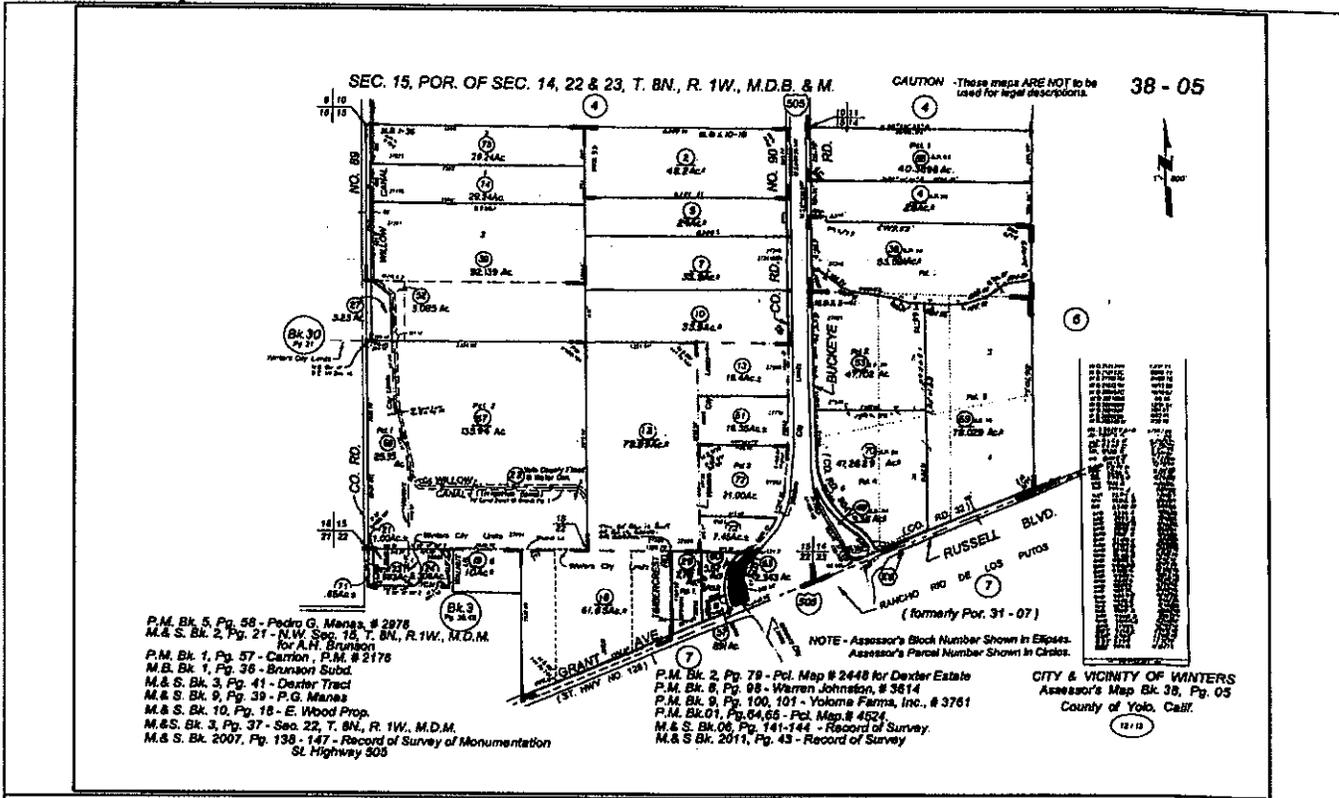
Property	Comp #1	Comp #2	Comp #3	Comp #4	Comp #5
Address	701 Matsumoto Lane	4 Edwards Street	1140 North First Street	2200 West A Street	901 Main Street
Location	Winters	Winters CBD	Dixon	Dixon	Woodland CBD
Sale Date	12/22/2010	1/24/2005	6/7/2013	4/18/2013	1/18/2013
Sale Price	\$500,000	\$117,500	\$117,500	\$125,000	\$185,000
Lot Size	2.34 acres	.124 acres	1 acre	1.02 acres	.38 acres
Zoning	Commercial	Commercial	Commercial	Commercial	Commercial
Financing	Cash	Conventional	Cash	Cash	Cash



The sales are described on data sheets on the following pages, and then adjusted for equivalency to the subject's market area and market timing.

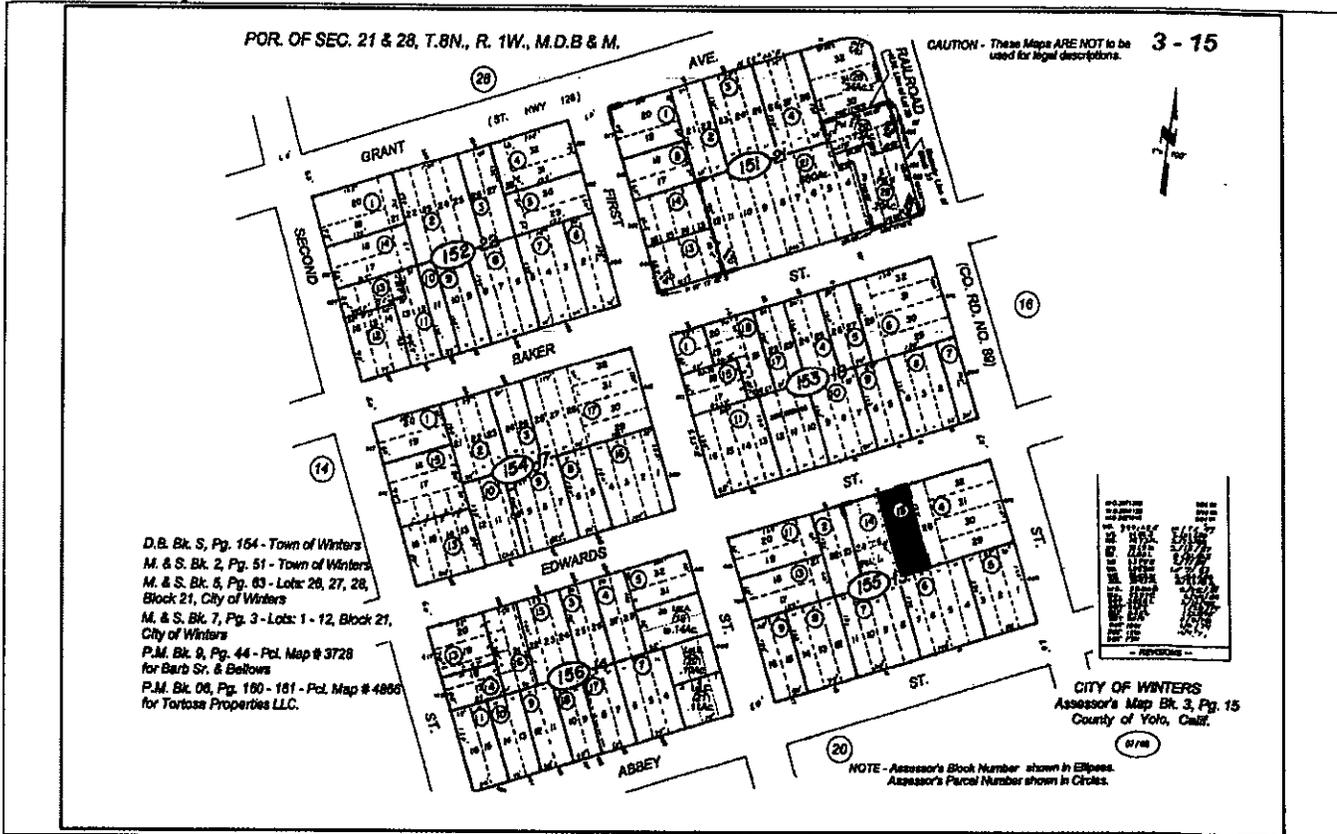
Comparable Sales Data Sheets

Comparable Sale #1



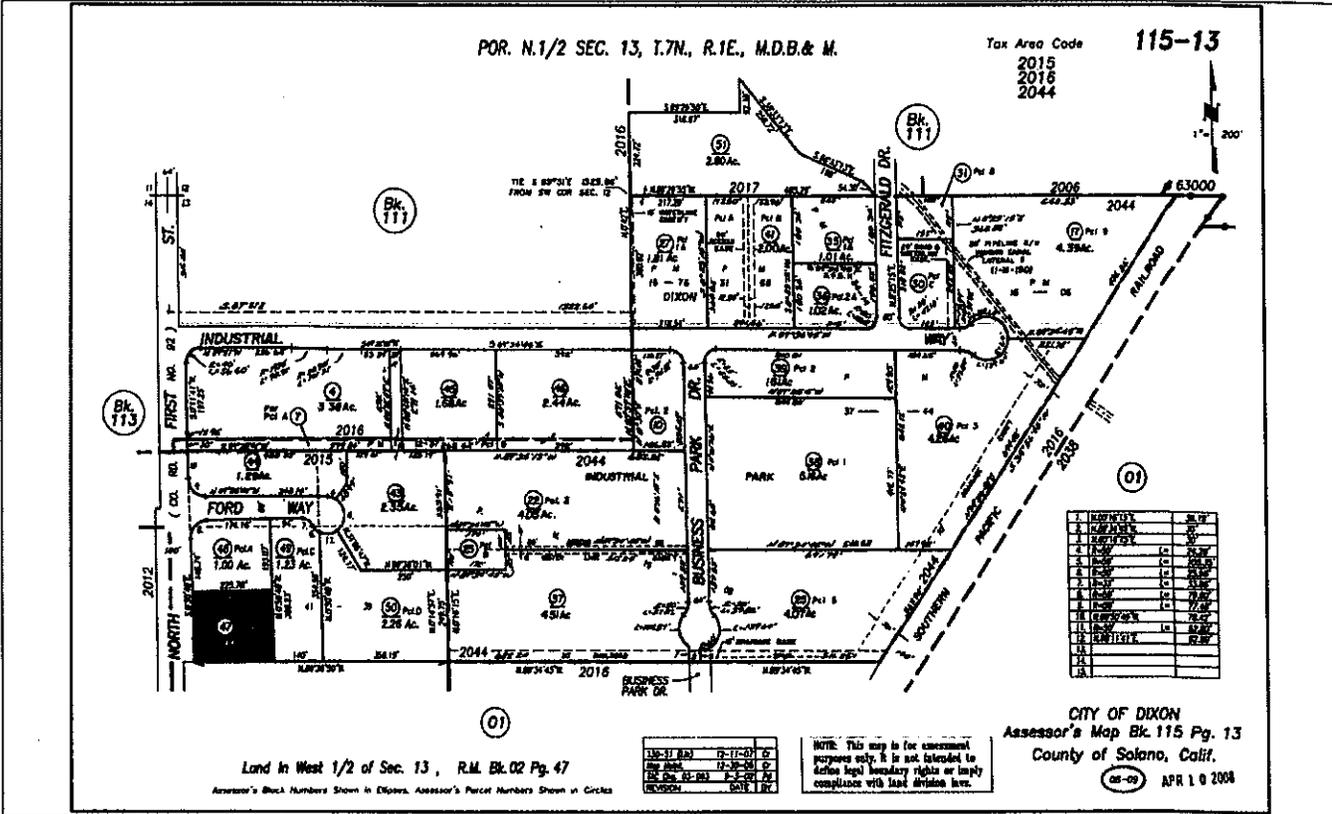
East Grant Avenue at County Road 90, Winters 95694		Assessor's Parcel Number: 038-050-063		
Site	County	Yolo	Zoning	C-H, M-1
	City	Winters	Intended Use	Fast Food
Transaction	Seller	Winters LLC	Sale Date	12/22/2010
	Buyer	Winters Gateway Inc	Conditions of Sale	Arm's Length
	Listing Broker	Chuck Krouse	Marketing Time	Unknown
			Rights Conveyed	Fee simple
	Selling Broker	Chuck Krouse	Financing	Cash
			Loan Amount	N/A
	Sale Price	\$500,000	Lender	N/A
Unit Price	\$4.91 per sq. ft.	Confirmation: Chuck Krouse, broker, Public Records		
Prepared by: Kevin Ice, 12/5/2013				
Property Characteristics	Site Size	2.34 acres	Topography	Level
	Street Frontage	Paved public street	Bonds	None
	Comments – This is the December 2010 sale of a 2.34 acre site located at the northeast corner of East Grant Avenue (Highway 128) and County Road 90 in Winters. It lies between the off ramp for Interstate 505 and County Road 90. It sold for \$500,000, or \$4.91 on a per square foot basis. The buyer paid all cash. The property has split zoning; the front portion of the site is zoned highway commercial, while the rear is zoned light industrial. Accordingly, the buyer intended to develop a fast food restaurant on the front portion of the site and a truck refueling station on the rear portion, with Arco AMPM and Burger King the tenants. The parcel was assigned the address 701 Matsumoto Ln.			

Comparable Sale #2



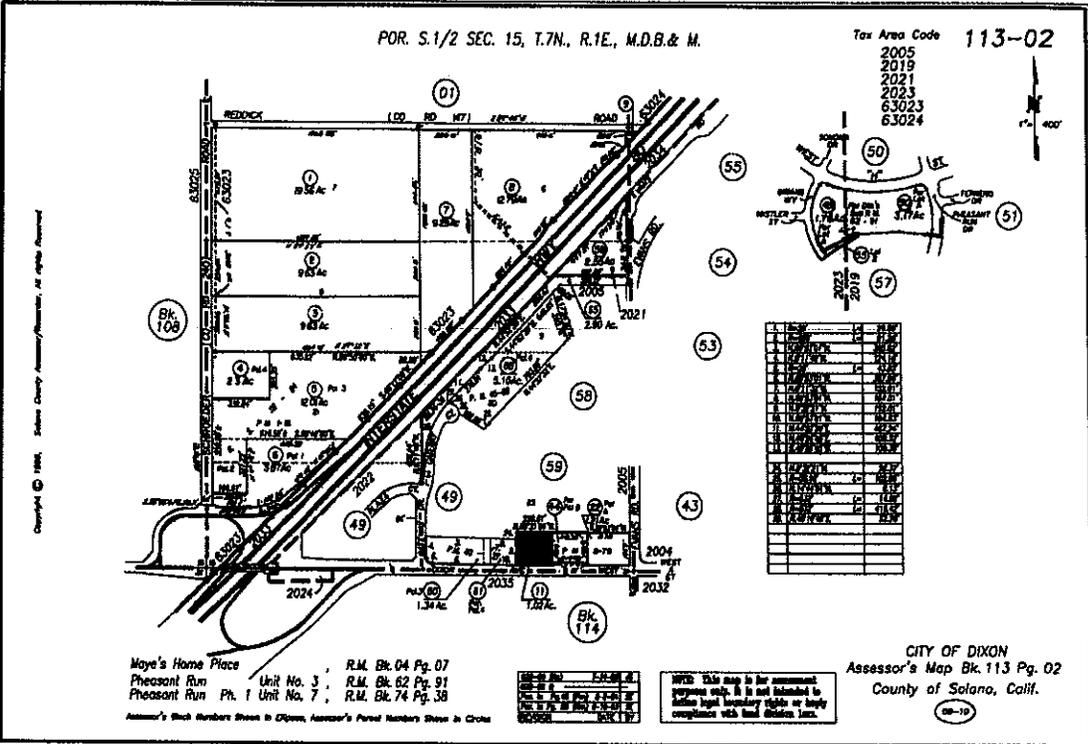
4 Edwards Street, Winters, CA 95694		Assessor's Parcel Number: 003-155-15		
Site	County	Yolo	Zoning	C-2 CBD
	City	Winters	Intended Use	Unknown
Transaction	Seller	Berteaux	Sale Date	January 24, 2005
	Buyer	Platt	Conditions of Sale	Arm's Length
	Listing Broker	Kim Lamb, Coldwell Banker	Marketing Time	287 days
			Rights Conveyed	Fee simple
	Selling Broker	Kim Lamb, Coldwell Banker	Financing	Conventional
			Loan Amount	N/A
	Sale Price	\$117,500	Lender	Unknown
	Unit Price	\$21.76 per sq. ft.		
Confirmation: MLS 40082723, Listing agent Kim Lamb, public records		Prepared by: Kevin Ice, 12/5/2013		
Property Characteristics	Site Size	5,400 square feet, .124 acres	Topography	Flat
	Street Frontage	Paved public street	Bonds	None
	Comments - This sale is of a downtown Winters commercial lot. Location is on Edwards, close to Railroad Ave. The sale took place at the height of the market boom. The buyer is Platt's Construction, a home remodeling company. As of May 2012 the parcel had a sign for the now defunct Platt's Construction company, with a trailer on the property.			

Comparable Sale #3



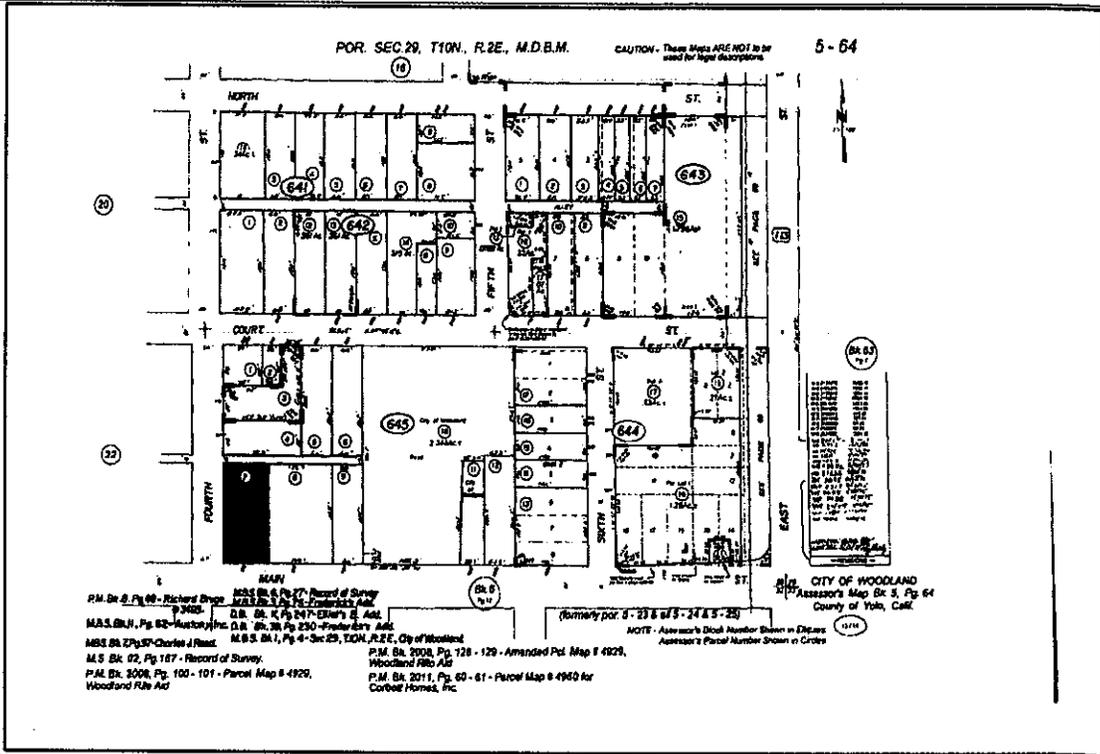
1140 North First Street		Assessor's Parcel Number: 0115-130-470		
Site	County	Solano	Zoning	CS
	City	Dixon	Intended Use	Unknown
Transaction	Seller	Wells Fargo Bank	Sale Date	6/7/2013
	Buyer	Mark & Hsiuhua Raymond	Conditions of Sale	REO
	Listing Broker	Randy Dawson Premier Commercial, Inc.	Marketing Time	108 days
			Rights Conveyed	Fee simple
	Selling Broker	Randy Dawson Premier Commercial, Inc.	Financing	Cash
			Loan Amount	N/A
	Sale Price	\$117,500	Lender	N/A
Unit Price	\$2.70 per sq. ft.			
Confirmation: CoStar, MLS #21226028, public records		Prepared by: Sean Morrow, 9/9/2013		
Property Characteristics	Site Size	1 acre	Topography	Flat
	Street Frontage	Paved public street	Bonds	None
	Comments – This is the sale of a 1 acre commercial site located on the east side of North First Street. The property is rectangular and level. The site is bordered on the east by another vacant site, on the north by a flex building, and on the south by a residence. The flex building to the north is ¾ vacant, indicative of the weak Dixon commercial market. All utilities are to the site. The property has relatively easy access to Interstate 80 and excellent visibility along North First Street. It was a real estate owned transaction (REO). The seller, Wells Fargo Bank, was described by Randy Dawson as "highly motivated".			

Comparable Sale #4



2200 West A Street		Assessor's Parcel Number: 0113-020-110		
Site	County	Solano	Zoning	CS-ML-PAO-PD
	City	Dixon	Intended Use	Unknown
Transaction	Seller	Wells Fargo Bank	Sale Date	4/18/2013
	Buyer	Martin Pearl Investments LLC	Conditions of Sale	REO
	Listing Broker	Randy Dawson Premier Commercial, Inc.	Marketing Time	1 year
			Rights Conveyed	Fee simple
	Selling Broker	Randy Dawson Premier Commercial, Inc.	Financing	Cash
			Loan Amount	N/A
	Sale Price	\$125,000	Lender	N/A
Unit Price	\$2.81 per sq. ft.			
Confirmation: MLS #21225947, public records		Prepared by: Sean Morrow, 9/9/2013		
Property Characteristics	Site Size	1.02 acres	Topography	Flat
	Street Frontage	Paved public street	Bonds	\$0.10/SF
	<p>Comments – This is the sale of a 1.02 acre vacant site located on West A Street, about a quarter mile east of its intersection with Interstate 80. The property is rectangular and level, and was formerly improved with a residence, though it is zoned commercial. Restaurant and highway commercial uses are located to the west of the property. It has very easy access to Interstate 80. The property is located on the southerly edge of town; agricultural uses are to the south. It was a real estate owned property (REO). The seller, Wells Fargo Bank, was described by Randy Dawson as "highly motivated".</p>			

Comparable Sale #5



901 Main Street		Assessor's Parcel Number: 005-645-007		
Site	County	Yolo	Zoning	CBD, Central Business District
	City	Woodland	Intended Use	Hold for development
Transaction	Seller	Stacey Hatten Trust	Sale Date	1/18/2013
	Buyer	Stephen & Vicki Machado	Conditions of Sale	Arm's length
	Broker	John Reddoch Woodland Davis Real Estate	Marketing Time	222 days
			Financing	Cash
	Rights Conveyed	Fee simple	Loan Amount	N/A
	Sale Price	\$185,000	Lender	N/A
Unit Price	\$11.18/SF			
Confirmation: MLS #12023035, John Reddoch, public records				
Property Characteristics	Site Size	0.38 acres	Topography	Flat
	Street Frontage	Corner	Improvements	Small block office
	<p>Comments – This is the sale of a vacant parcel located at the northwest corner of Main Street and Fourth Street in downtown Woodland. The site is paved, and was formerly used as a car dealership, though it has been vacant for a lengthy period of time. According to the agent, who represented both sides, the buyer has no immediate plans for the property, but wanted to purchase while the market is depressed. There is a small block office on the site that is fully depreciated and did not contribute to the price. There is also a billboard on the site which reportedly earns around \$900 per year; however, the buyer plans to remove the billboard and did not allocate any value to it.</p>			

Adjustments to the Comparable Data

Transaction Adjustments

The comparable sales are initially adjusted for equivalency to the market according to the following criteria. These adjustments are made to elements of the individual transactions which are affected by these market forces.

Rights Conveyed - The bundle of rights in real property includes all the ownership rights in a parcel of real estate. All of the comparable properties transferred the fee simple estate, and no adjustments were necessary.

Immediate Post-sale Expenditures - These are adjustments made to account for expenditures that buyers are expecting to make upon purchase of a property. Typically, the estimated amount of these expenditures is known by the buyer and factored into their decision. An expense to bring utilities to the site is an example of these costs. None of the sales necessitated adjustment for this element.

Financing - Financing adjustments, also known as cash-equivalency adjustments, relate to favorable or unfavorable sale terms, relative to typical market terms in place at the time of sale. All of the transactions were made with cash or cash-equivalent financing. Therefore, no adjustments were made for financing.

Conditions of Sale - As they affect a comparable property, conditions of sale tend to be tied to either buyer or seller motivation. Some conditions which may require adjustment include bank owned transactions (REO), 1031 exchanges, sales between related parties, and assemblages. Both of the Dixon data (#3 & #4) were Real Estate Owned (REO) properties, and warranted an adjustment for this element.

Market Conditions - Market condition adjustments reflect price trending within the market between the date of the comparable sale and the date of appraisal. The quantities for this adjustment are derived from the market conditions trending discussed in the economic analysis of the subject's market, earlier in the report. Data #2, from 2005, occurred near the historic peak of the market boom of the mid-2000s. The commercial land market fell precipitously during the time period between ~2007 and 2011 or even later. Then, and within the past year or so, this asset type has begun to rebound, and in some markets, it has increased significantly. Our belief is that the "small town" markets within the valley are still feeling the imbalance in supply/demand, and land values, while increasing, have not yet reached the price points of the peak of the market. In light of this, Data #2 was adjusted downward by 33%, which reflects the decline and the increase seen more recently. This data was used due to its other similarities with the subject—it is in Winters, within the CBD, and shares many of the subject's physical (property related) characteristics.

Adjustments for Property Related Elements

The transactions were then adjusted to account for property elements. These are physical, functional, and locational issues associated with the property. The adjustments are made in comparison to the subject property to account for the differences between the sales and the subject. The elements of comparison considered in this valuation include location, lot size, site elements, size of the improvements, and quality/condition of the improvements.

Location—these adjustments reflect the difference in price based on location. Data #5 is located on Main Street in Woodland. It is our view that the Woodland CBD and the Winters CBD are generally quite comparable. The data property is located on Main Street in Woodland, near the location of the courthouse, which is under construction. The subject does not front a primary retail/commercial street. As a result, the data is seen as slightly superior. This data was adjusted slightly downward.

Data #3 and #4 are in Dixon, which is seen as significantly inferior to the subject. They are located on arterial streets very near the freeway, but not in a CBD pedestrian-friendly location. In addition, the Dixon commercial market has high vacancy and is seen as generally weaker than the Winters commercial market. The data were adjusted upward.

Data #1 is a highway commercial location in Winters off of an I-505 off-ramp. While it enjoys a good amount of traffic, its location is seen as generally inferior to the Central Business District of Winters.

Site Size and Economies of Scale—these adjustments reflect differences in pricing attributable to lot size. Because the unit of comparison in the study is the price per square foot, the data were adjusted to account for economies of scale. Larger properties tend to sell for less on a per square foot basis, and smaller properties tend to sell for more on a per square foot basis. Data #1, 2, 3, and 4 were adjusted for this condition.

Access and Visibility – This adjustment category accounts for traffic and street frontage, vital issues for commercial development. All of the data were determined to have high visibility and sufficient access, and no adjustments were made for this element.

Zoning – The zoning of a vacant lot of land can considerably hinder or promote value. All of the data share comparable, general commercial zoning and no adjustments were made for this element.

Adjustment Grid

Item	Subject	Data 1	Data 2	Data 3	Data 4	Data 5
Address	311 First Street	701 Matsumoto Lane	4 Edwards Street	1140 North First Street	2200 West A Street	901 Main Street
City	Winters	Winters	Winters	Dixon	Dixon	Woodland
Price	NA	\$500,000	\$117,500	\$117,500	\$125,000	\$185,000
Price/SF	NA	\$4.91	\$21.76	\$2.70	\$2.81	\$11.18
Sale Date	NA	12/22/2010	1/24/2005	6/7/2013	4/18/2013	1/18/2013
Rights Conveyed	NA	Fee Simple	Fee Simple	Fee Simple	Fee Simple	Fee Simple
Adjustment		0%	0%	0%	0%	0%
Subtotal		\$500,000	\$117,500	\$117,500	\$125,000	\$185,000
Financing	NA	Cash	Conventional	Cash	Cash	Cash
Adjustment		0%	0%	0%	0%	0%
Subtotal		\$500,000	\$117,500	\$117,500	\$125,000	\$185,000
Conditions of sale	NA	Arm's Length	Arm's Length	REO	REO	Arm's Length
Adjustment		0%	0%	20%	20%	0%
Subtotal		\$500,000	\$117,500	\$141,000	\$150,000	\$185,000
Market conditions	NA	Similar	Declining	Similar	Similar	Similar
Adjustment		0%	-33%	0%	0%	0%
Subtotal		\$500,000	\$78,725	\$141,000	\$150,000	\$185,000
Post-sale expenditures	NA	\$0	\$0	\$0	\$0	\$0
Adjustment		0%	0%	0%	0%	0%
Analysis Price Per Square Foot		\$4.91	\$14.57	\$3.24	\$3.38	\$11.18
Location	Winters CBD	Winters	Winters CBD	Dixon	Dixon	Woodland CBD
Adjustment		+2.5%	0%	+50%	+50%	-2.5%
Site size/ economies of scale	0.207	2.340	0.124	1.000	1.020	0.380
Adjustment		+15%	-10%	+5%	+5%	--
Access/ Visibility	Average	Average	Average	Average	Average	Average
Adjustment		--	--	--	--	--
Zoning/Use	Commercial	Commercial	Commercial	Commercial	Commercial	Commercial
Adjustment		0%	0%	0%	0%	0%
Total adjustments		+17.5%	-10%	+55%	+55%	-2.5%
Indicated Price Per Square Foot		\$5.77	\$13.11	\$5.02	\$5.23	\$10.90
Average Per Square Foot Price	\$8.01					

Analysis & Reconciliation

The adjustment procedure results in a range of per square foot prices for the comparable properties from \$5.02 to \$13.11. While the average of all the data psf values is \$8.01. The data and their indicated values are discussed below.

Data #2 stands out on the high end of the value range at \$13.11 per square foot. It is our belief that the subject would not achieve this level if exposed to the market. This data is from 2005, and was included due to the dearth of recent comparable data from Winters. The market is significantly lower as of the current value date for the subject. The gross adjustments for Data #2 total 43%. As such it is our opinion that the data, while useful to note as a high end for the price range of the subject, indicates a level below \$13.11.

Data #3 and #4 are recent Dixon sales. We believe that they indicate a per square foot price above the ~\$5.00 level. This is because Dixon has an inferior commercial market, and both the sales took place under duress. The gross adjustments for both data #3 and #4 are 75%. These data are useful as a reflection of the extreme low end of the indicated range. Given the economic and property related differences between these data and the subject, we have less confidence in these as a value indicator for the subject. Given the total array of market information, we believe the subject's value is greater than these data.

Sale #1, the highway commercial location in Winters, indicates a price at \$5.77 psf. While it has a comparably low gross adjustment level at 17.5%, we believe that highway commercial location does not achieve the same price levels as the central business district location of the subject. Given the total array of market information, we believe the subject's value is greater than these data.

In our opinion, the most comparable sale is data #5, which indicates a per square foot value of \$10.90. The sale is a recent transaction of a comparable central business district location in Woodland. The data has a low gross adjustment of 2.5%. The roughly \$10 per square foot indication is consistent with the range suggested by the other data; less than \$13.11, and more than \$5 to \$6. The quality of data #5 leads us to reconcile to a \$10 per square foot price point. Reconciliation of market value for the subject is accordingly well supported at \$90,170. A final value indication for the fee simple interest in the subject property as of December 2, 2013, and subject to the assumptions and limiting conditions mentioned herein, is reconciled at \$90,000.

Market Value, Fee Simple December 2, 2013: \$90,000

This concludes the valuation report.

ADDENDA

Professional Resume

Lee Bartholomew

Appraisal Experience:

- 1985-1986 Cypress Valuation Group—Staff appraiser.
- 1986-1987 Smith-Denton Associates; Staff Appraiser. Assignments included residential and commercial appraisal in the 9-bay county region.
- 1987-present: Bartholomew Associates: Owner of an independent fee appraisal firm.

Education, Certification, Designations:

- 1972 B.A., California State Univ., San Jose (Social Sciences, music, & philosophy)
- 1976 M.Div.; Fuller Theological Seminary
- 1989 Lifetime Community College Teaching Credential; Real Estate
- 1990+ Appraisal Institute, General Associate Member
- 1992 General Appraisal Certification, State of California (number AG004317)
- 1999 California Real Estate Broker's License (number 00767609; exp.)
- 1990+ Testified in Sacramento, Solano, & Yolo County Superior Courts as expert.

Specific Appraisal/Real Estate Coursework:

- Real Estate Appraisal Principles, 1986 (AIREA Course 1a-1)
- Residential Valuation, 1986 (AIREA Course 8-2)
- Capitalization Theory & Techniques, Part A, 1986 (AIREA Course 1b-a)
- Residential Demonstration Report Writing, 1987 (AIREA Workshop)
- Standards of Professional Appraisal Practice, part A & B, 1988 (AIREA Course)
- Farm Valuation, 1991 (AIREA Workshop)
- Subdivision Analysis, 1993 (AIREA Workshop)
- Small Residential Income Property Valuation, 1993 (AI Workshop)
- Appraisal Report Writing, 1994 (Audit) (AI Course 500)
- Small Office Appraisal Software/Hardware, 1995 (AI Workshop)
- FIRREA; Overview & Application, 1995 (REEI Workshop)

- Course 410; Standards of Practice, Part A, 1996 (AI Course)
- Course 410, Standards of Practice, Part B, 1996 (AI Course)
- Large Scale Developments—Issues, solutions, and risks, 1996 (AI Workshop)
- Federal & State Laws & Regulations, 1996 (AI Workshop)
- Appraiser’s Technology Workshop, 1996 (AI Workshop)
- Forecast ‘97 Workshop, 1997 (AI Workshop)
- Course 600—Valuation of Small Mixed Use Properties, 1999 (AI Course)
- FHA Seminar, 1999 (AI Seminar required for FHA appraisal)
- The Ugly House Seminar, 2003 (AI four hour Seminar)
- Counting Costs, 2003 (AI Seminar on Marshall-Swift cost guide)
- Course 510, Advanced Income Capitalization, 2005 (AI Course)
- Residential Construction Defect Litigation, 2006 (Lorman Seminar)
- Course 520, Highest & Best Use and Market Analysis, 2006 (AI Course)
- Uniform Standards of Professional Appraisal Practice (15 hour), 2006 (AI Course)
- Course 540, Report Writing and Valuation Analysis, 2006 (AI Course)
- Course 810, Lease by Lease Analysis; Computer cash flow modeling, 2004 (AI Course)
- Uniform Appraisal Standards for Federal Land Acquisitions, 2006 (AI Seminar)
- Course 530, Advanced Sales Comparison and Cost Approach, 2007 (AI Course)
- Office Building Valuation—a Contemporary Perspective, 2007 (AI Seminar)
- Course 550, Advanced Applications, 2007 (AI Course)
- Current Issues in Appraising, 2007 (AI Workshop)
- Appraisal in Litigation, 2007 (AI Workshop)
- Appraisal Institute 2008 Economic Update, 2008 (AI Seminar)
- Appraisal Institute 2009 Economic Update, 2009 (AI Seminar)
- Appraisal Institute 2010 Economic Update, 2010 (AI Seminar)
- Appraisal Institute 2009 Summer Conference (AI Seminar)
- Forecasting Revenue; AI Seminar, October, 2009
- Appraising Distressed Properties; AI Seminar, October, 2009
- The DCF Model: Concepts, Issues & Applications AI Seminar, April, 2010
- Using Spreadsheets in RE Appraisal; AI Seminar, April, 2010

Professional Experience:

25 years full-time appraisal experience. Assignments have included simple and complex properties in several Northern California Counties.

Client List:

Law Firms:

- Bair & Bair, Attorneys at Law
- Bartholomew, Wasznicky & Molinaro
- Calfee & Young
- Christine Callahan
- Law Offices of Les Hait
- Law Offices of Charles R. Jensen
- Downey Brand Attorneys LLP
- Harry D. Roth, Attorney at Law
- William D. Kopper, Attorney at Law

- Andrew Thompson Jr.
- Zipperian & Chediak Law Corporation
- Law Offices of Karen Ehler
- Law Offices of Christine Callahan
- Law Offices of Hoppin & Hoppin, Inc
- Law Offices of Poulos & Fullerton
- Law Offices of Randall L. Blake
- Law Offices of Roger Hahn
- Law Offices of Stanley Wells
- Law Offices of Henry Wang
- Michael Rand & Associates
- Yasmin Cogswell Spiegel
- Mark Y. Umeda, Attorney at Law
- Charlotte Keeley, Attorney at Law
- Larsen & Chaffin, LLP
- Ronald C. Hufft
- Caulfield, Davies & Donahue, LLP
- Michael Hanson, Attorney at Law
- Lewis & Blevans, Attorneys at Law
- Peyton & Associates
- Robert Millsap
- Roger L. Gambatese
- Law Division of NRT Incorporated
- Law Offices of Bailey & Brown
- Telles Walker & Kochenderfer, LLP
- UC Davis Family Protection Clinic
- Kronick Moskovitz Tiedemann & Girard
- William E. Woodcock, Attorney
- Gardner, Janes, Nakken, Hugo & Nolan
- Diepenbrock & Cotter LLP
- Offices of Borton, Petrini & Conron
- Goodman & Associates
- Christopher H. Engh, Attorney
- Diepenbrock-Harrison
- Moyer, Parshall & Tweedy, LLP
- Hollingshead & Associates
- David Michael Young, Attorney
- Ben-Ezra & Katz, PA
- Law Offices of Malovos & Mendoza
- Law Offices of Stephen M. Reynolds
- John C. Wallace, Attorney at Law
- Hauser & Mouzes
- Hakeem, Ellis & Marengo
- Law office of Palmer J. Swanson
- Wilson Petty Kosmo & Turner, LLP
- Law Offices of Lundgren & Reynolds
- Law Offices of Bailey & Brown
- Borton Petrini, LLP
- Cantor & Company, A Law Corporation
- Wendell, Rosen, Black & Dean, LLP

Accounting Firms:

- Brown, Fink, Boyce & Astle LLP
- Foothill Securities
- Carbahal & Company

Municipalities:

- University of California
- City of Dixon
- City of Winters
- City of Woodland
- Esparto Unified School District
- Davis Joint Unified School District

Private Entities:

- First Baptist Church of Woodland
- University of California
- Monley Cronin Properties
- KB Home Corporation
- Centex Homes
- Streng Brothers' Homes
- Pacific Gas & Electric Co.
- Russell Ranch Development
- Brandenburg Properties
- Davis Commercial Properties, Inc.
- Stonyford Land Company
- Tower Investments, LLC
- Harvest Valley School
- Cohousing Partners
- McCamant & Durett, LLC
- Sacramento Suburban Cohousing, LLC

Lenders:

- Napa Valley Bank
- Sacramento Valley Farm Credit
- Farm-Credit West
- First Northern Bank of Dixon
- First Community Bank
- Yolo Federal Credit Union



SUCCESSOR AGENCY
STAFF REPORT

TO: Honorable Chairman and Successor Agency Members
DATE: February 18, 2014
THROUGH: John W. Donlevy, Jr., City Manager
FROM: John C. Wallace, City Attorney
SUBJECT: Agenda Item - Successor Agency Grant Deed to City of Winters -
Dedication - Roundabout Right of Way

RECOMMENDATION: Approval of Transfer, subject to Oversight Board Approval, State of California approval.

BACKGROUND: The City needs a small portion of the Grant Avenue Commercial property (5,867 square feet) to complete the Roundabout on Grant Avenue. If you recall, previously on demand by the State Department of Finance the City's ownership of the Grant Avenue Commercial property was transferred to the Successor Agency. Since the City owns Grant Avenue, the roundabout will use part of the Grant Avenue property and that section has to be transferred from you as Successor Agency to the City to comply with CalTrans requirements.

FISCAL IMPACT: Staff time, and the loss of that section of the property. Staff believes development of the Yolo Federal Credit Union site and the remaining site will not be affected. Dollar General should not be impacted at all.

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the “Successor Agency” of the former City of Winters Community Development Agency (“CDA”), currently consisting of the sitting members of the Winters City Council, will meet on February 18, 2014, at 6:30 p.m., following the City Council agenda, in the City Hall Council Chambers, 318 First Street, Winters, to consider transferring a Right of Way Dedication, a portion of YOLO COUNTY APNs 003-370-028, 003-370-029, 003-370-030, LOCATED ON EAST GRANT AVENUE BETWEEN MORGAN STREET AND EAST STREET. The Dedication is to the City of Winters, for a right of way, approximately 5,867 square feet, to accommodate a roundabout to be constructed near the northeasterly portion of the real property. The Dedication is in compliance with the Successor Agency Property Management Plan (PMP) previously approved by both the Successor Agency Oversight Board and the State of California. The transfer and deed is contingent on the approval by the Oversight Board of the transfer, and ratification by the State of California, Department of Finance.

NOTICE IS FURTHER GIVEN that, at the Council meeting at the same place and time, the Winters City Council will decide on the issue of accepting the Dedication.

Copies of the PMP and the Resolution of Acceptance are on file with the Winters City Clerk, 318 First Street (City Hall), Winters, California. California law provides that citizens have the right to be heard on any agenda item. You may also 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 5 p.m. on the date of the meeting. 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 meeting and need a special accommodation because of a sensory or mobility impairment/disability, please contact City Clerk Nanci Mills, (530) 795-4910, extension 101 to arrange for those accommodations to be made.

Dated: February 11, 2014

John C. Wallace, Staff Counsel,
City of Winters - Successor Agency to the
Former Community Development Agency.

THE CITY OF WINTERS AS SUCCESSOR AGENCY - RESOLUTION NO. 2014 -

**A RESOLUTION OF THE SUCCESSOR AGENCY FOR THE DISSOLVED
WINTERS COMMUNITY DEVELOPMENT AGENCY APPROVING THE
REAL PROPERTY TRANSFER TO THE CITY OF WINTERS OF A RIGHT-
OF-WAY DEDICATION (Roundabout)**

A portion of Yolo County APN 003-370-028, 029, 030 (Winters)

WHEREAS, pursuant to the Community Development Law (the "CRL") (Health and Safety Code Sections 33000 et seq.), the City Council of the City of Winters ("City") created the Winters Community Development Agency ("Redevelopment Agency"); and

WHEREAS, in May 2009, the Winters CDA ("Redevelopment Agency") purchased the Grant Avenue lot on the south side of Grant Avenue between East Street and Morgan Street formerly known as Granite Bay Commercial (APNs: 003-370-028, 029 and 030). The Real Property is more particularly described on Exhibit A, attached hereto and made a part hereof. The CDA subsequently authorized the issuance of an RFP for potential developers to offer proposals for development of the site. Although the CDA did enter into an Exclusive Negotiation Agreement ("ENA") with the Yackzan Group, that ENA did not result in any development on the property; and

WHEREAS, in March 2011, the City Council of the City of Winters adopted Resolution 2011-15 approving a Purchase and Sale Agreement with the Winters CDA with respect to the property. The Resolution laid out the findings for the transfer of this property in consideration of the debt owed to the City by the Winters CDA; and

WHEREAS, as part of the Fiscal Year 2011-2012 State budget bill, the California state legislature enacted, and the Governor signed, Assembly Bill X1 26 ("AB 26"), which added Parts 1.8 and 1.85 to the CRL, and which laws caused the dissolution and winding down of all redevelopment agencies in California (the "Dissolution Act"); and

WHEREAS, on December 29, 2011, in the petition California Redevelopment Association v. Matosantos, Case No. S194861, the California Supreme Court upheld the Dissolution Act and thereby all redevelopment agencies in California were dissolved as of February 1, 2012 under the dates in the Dissolution Act that were reformed and extended thereby; and

WHEREAS, by Resolution considered and approved by the City Council in 2012, the City elected to become and serve as the successor agency to the Redevelopment Agency (the "Successor Agency"), with the responsibility to wind down the affairs of the Redevelopment Agency and dispose of its assets under the direction of an oversight board (the "Oversight Board"); and

WHEREAS, as of February 1, 2012, the Redevelopment Agency dissolved and the Successor Agency became operational; and

WHEREAS, AB 26 was amended by the State Legislature in June, 2012, pursuant to Assembly Bill 1484 ("AB 1484") to provide new requirements and clarification of prior requirements to wind down the affairs of the dissolved Redevelopment Agency; and

WHEREAS, the Successor Agency has authority to sell assets of the former Redevelopment Agency pursuant to the requirements of AB 26 and AB 1484; and

WHEREAS, at the October 2, 2013 City Council meeting, the City Council authorized the City Manager to execute a Purchase and Sale Agreement with Cross Development for commercial development on a portion of the property, consistent with the original intent of the acquisition. The Agreement allowed for up to 180 days for Cross Development, LLC, to complete their due diligence review, with the close of escrow to be completed by May 24, 2013. City Council subsequently approved the First Amendment to the Purchase and Sale Agreement, extending the agreement by an additional 90 days; and

WHEREAS, On May 13, 2013, the California State Controller issued a final ruling that the property transfer of March 2011 was an unallowable transfer, and based on Health and Safety Code 34167.5, ordered the City of Winters to reverse the transfer of that property and other real property assets; and

WHEREAS, in accordance with that ruling the City of Winters has transferred that real property to the Successor Agency of the Dissolved Winters Community Development agency; and

WHEREAS, Health and Safety Code Section 34191.5(b) 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 received a Finding of Completion from the Department of Finance and has submitted its Property Management Plan to the Oversight Board for approval; and

WHEREAS, in order to complete the Purchase and Sale Agreement with Cross Development LLC, 1) the Successor Agency, Oversight Board, and Department of Finance must approve the Successor Agency's Property Management Plan, and 2) the Successor Agency, Oversight Board, and Department of Finance must approve the individual Purchase and Sale Agreement; and

WHEREAS, the Successor Agency has on July 2, 2013 adopted Resolution SA-2013-01 approving the Property Management Plan; and

WHEREAS, the Successor Agency has on July 2, 2013, adopted Resolution SA-2013-02, approving the Purchase and Sale Agreement for a portion of the Real Property as shown on Exhibit A, for the construction of a Dollar General retail store; and

WHEREAS, the Successor Agency has on July 2, 2013, adopted Resolution SA 2013-03, approving the Purchase and Sale Agreement of a portion of the Real property as shown on Exhibit A, to Yolo Federal Credit Union; and

WHEREAS, this Oversight Board of the Successor Agency has on July 8, 2013 adopted a Resolution approving the Purchase and Sale Agreement for the construction of a Dollar General retail store; and

WHEREAS, this Oversight Board of the Successor Agency has on July 8, 2013 adopted a Resolution approving the Purchase and Sale Agreement to Yolo Federal Credit Union for development of a portion of the real property; and

WHEREAS, to complete the Purchase and Sale agreements the Successor Agency was required to reconfigure the real property into three different parcels through a lot line adjustment procedure; and

WHEREAS, the Successor Agency has by Resolution approved the lot line adjustment necessary to complete the Purchase and Sale Agreements; and

WHEREAS, the Oversight Board has by Resolution approved the lot line adjustment necessary to complete the Purchase and Sale Agreements; and

WHEREAS, a Right of Way dedication is needed to accommodate the roundabout to be constructed adjacent to the Grant Avenue property;

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 Successor Agency to the dissolved Winters Community Development Agency has determined that the proposed Dedication does not involve a commitment to any specific project which may result in a potentially significant environmental impact. As such the transfer of the Dedication does not qualify as a project for purposes of the California Environmental Quality Act. The City Clerk of the City of Winters will file a Notice of Exemption with the appropriate official of the County of Yolo, California, within five (5) days following the adoption of this Resolution. Similarly, the Dedication attached hereto as Exhibit B is specifically exempt under CEQA. The City Clerk of the City of Winters has filed a Notice of Exemption with the appropriate state and local agencies.

Section 3. Authority - Approval of Real Property Dedication. Under California Health and Safety Code Section 34177(e), the Successor Agency must dispose of assets and properties of the Dissolved CDA as directed by the Oversight Board. This Dedication is in compliance with that disposition and the approved Property Management Plan.

Section 4. Authorization to Take Action. Pursuant to California Health and Safety Code Section 34181(a), The Successor Agency to the dissolved Winters Community Development Agency, hereby authorizes and directs the City Manager of the City of Winters, acting on behalf of the Successor Agency, to execute the documents and instruments as are appropriate, in consultation with the counsel to the Successor Agency, to effectuate and implement the terms of this Resolution. Approval of the Dedication is contingent on approval by both the Oversight Board and the State of California.

Section 5. Certification. The Successor Agency shall certify to the adoption of this Resolution.

Section 6. Effectiveness. This Resolution shall take effect at the time and in the manner prescribed in Health and Safety Code Section 34179(h) and Section 34181(f).

PASSED, APPROVED AND ADOPTED at a regular meeting of the Successor Agency to the dissolved Winters Community Development Agency on the 18th day of February, 2014, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____, Chair

ATTEST:

Secretary

**RIGHT-OF-WAY DEDICATION
to the
CITY OF WINTERS**

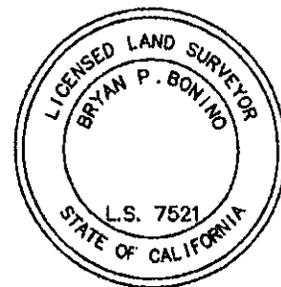
All that real property situate in the City of Winters, County of Yolo, State of California, and being a portion of projected Section 22, Township 8 North, Range 1 West, Mount Diablo Base and Meridian, and being a portion of Parcel 4, as it appears on Parcel Map No. 4164 for Richard A. & Suzanne M. Cordes, filed February 28, 1994, in Book 11 of Parcel Maps, at Page 30, Official Records of Yolo County, and being more particularly described as follows:

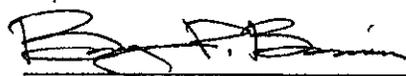
BEGINNING at a point on the North line of said Parcel 4, said line also being the South line of State Highway 128, as it appears on said Parcel Map, said point being distant South 65°50'17" West 64.49 feet from the Northeast corner of said Parcel 4; thence, leaving said North line, South 24°08'28" East 1.93 feet; thence South 65°51'25" West 19.32 feet; thence, along a tangent curve to the left having a radius bearing South 24°08'35" East 18.00 feet, a central angle of 28°35'18", through an arc length of 8.98 feet to a point of compound curvature; thence, along a curve to the left having a radius bearing South 52°43'53" East 72.00 feet, a central angle of 40°37'02", through an arc length of 51.04 feet to a point of compound curvature; thence, along a curve to the left having a radius bearing North 86°39'05" East 28.00 feet, a central angle of 18°41'38", through an arc length of 9.14 feet; thence South 22°02'33" East 5.52 feet; thence South 65°00'02" West 75.99 feet; thence along a non-tangent curve to the left having a radius bearing South 59°47'47" West 72.00 feet, a central angle of 52°13'29", through an arc length 65.63 feet to a point of compound curvature; thence along a compound curve to the left having a radius bearing South 07°34'18" West 3.00 feet, a central angle of 32°36'25", through an arc length of 1.71 feet; thence South 64°57'52" 23.26 feet; thence North 24°58'30" West 3.56 feet to a point on the North line of said Parcel 4; thence, along said North line, North 65°50'17" East 197.45 feet to the POINT OF BEGINNING.

Containing 5,867 square feet (0.13 acre) of land, more or less.

The Basis of Bearings for this description is the centerline of State Highway 128, shown as North 65°00'00" East in Book 11 of Parcel Maps, at Page 30.

End of description.



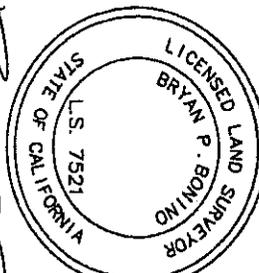
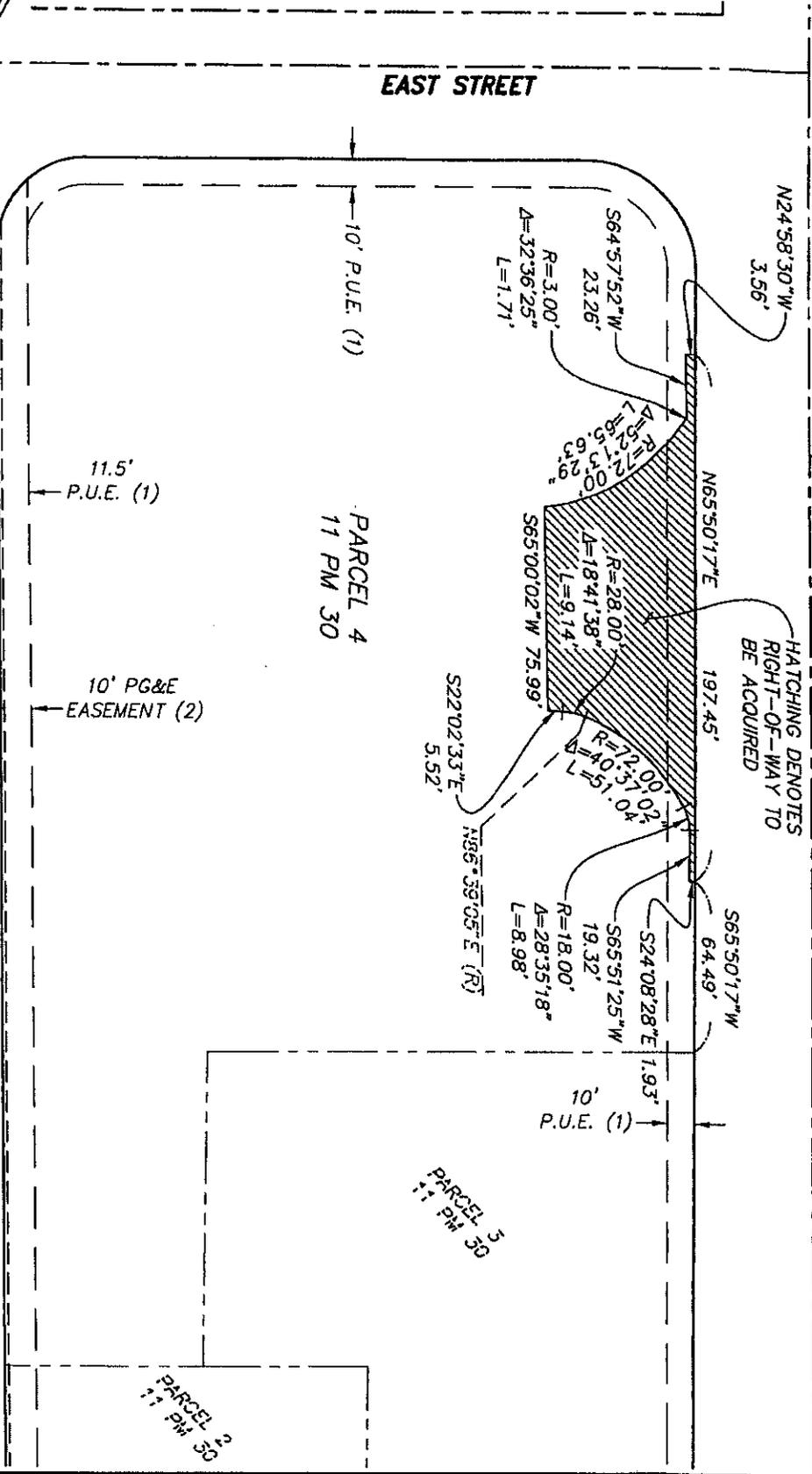


Bryan P. Bonino, L.S.

1/27/14

Date

GRANT AVENUE / (STATE HIGHWAY 128)



BRYAN P. BONINO
DATE 1/27/14

THIS EXHIBIT WAS PREPARED BY ME OR UNDER MY DIRECTION IN ACCORDANCE WITH SECTION 8761 OF THE PROFESSIONAL LAND SURVEYORS' ACT.

RECORD DATA:

- (1) BOOK 11, PARCEL MAPS, PAGE 30
- (2) BOOK 1516, OFFICIAL RECORDS, PAGE 202

NOTE:
EASEMENTS OR OTHER ENCUMBRANCES MAY AFFECT SUBJECT PROPERTY WHICH ARE NOT SHOWN HEREON.

**EXHIBIT B
RIGHT-OF-WAY DEDICATION**

FOR
CITY OF WINTERS

BEING A PORTION OF PARCEL 4 OF PARCEL MAP NO. 4164 LOCATED IN A PORTION OF RANCHO RIO DE LOS PUTOS, BEING LOCATED IN PROJECTED SECTION 22, TOWNSHIP 8 NORTH, RANGE 1 WEST, MOUNT DIABLO MERIDIAN, CITY OF WINTERS, YOLO COUNTY, CALIFORNIA

LM LAUGENOUR AND MEIKLE
CIVIL ENGINEERING • LAND SURVEYING • PLANNING
608 COURT STREET, WOODLAND, CALIFORNIA 95665 • PHONE: (530) 963-1755
P.O. BOX 828, WOODLAND, CALIFORNIA 95778 • FAX: (530) 962-4602
SHEET 1 OF 1
JANUARY 27, 2014



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers
DATE: February 18, 2014
THROUGH: John W. Donlevy, Jr., City Manager
FROM: John C. Wallace, City Attorney
SUBJECT: Agenda Item – City Council acceptance of Dedication – Roundabout Right of Way

RECOMMENDATION: Acceptance, contingent on Successor Agency approval, Oversight Board Approval, State of California approval.

BACKGROUND: The City needs a small portion of the Grant Avenue Commercial property (5,867 square feet) to complete the Roundabout on Grant Avenue. If you recall, previously on demand by the State Department of Finance the City's ownership of the Grant Avenue Commercial property was transferred to the Successor Agency. Since the City owns Grant Avenue, the roundabout will use part of the Grant Avenue property and that section has to be transferred to the City to comply with CalTrans requirements.

FISCAL IMPACT: Staff time, and the loss of that section of the property. Staff believes development of the Yolo Federal Credit Union site and the remaining site will not be affected. Dollar General should not be impacted at all.

**RIGHT-OF-WAY DEDICATION
to the
CITY OF WINTERS**

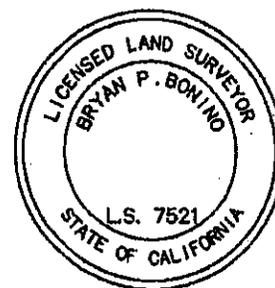
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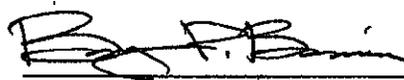
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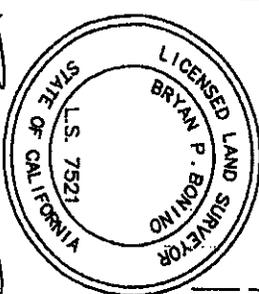
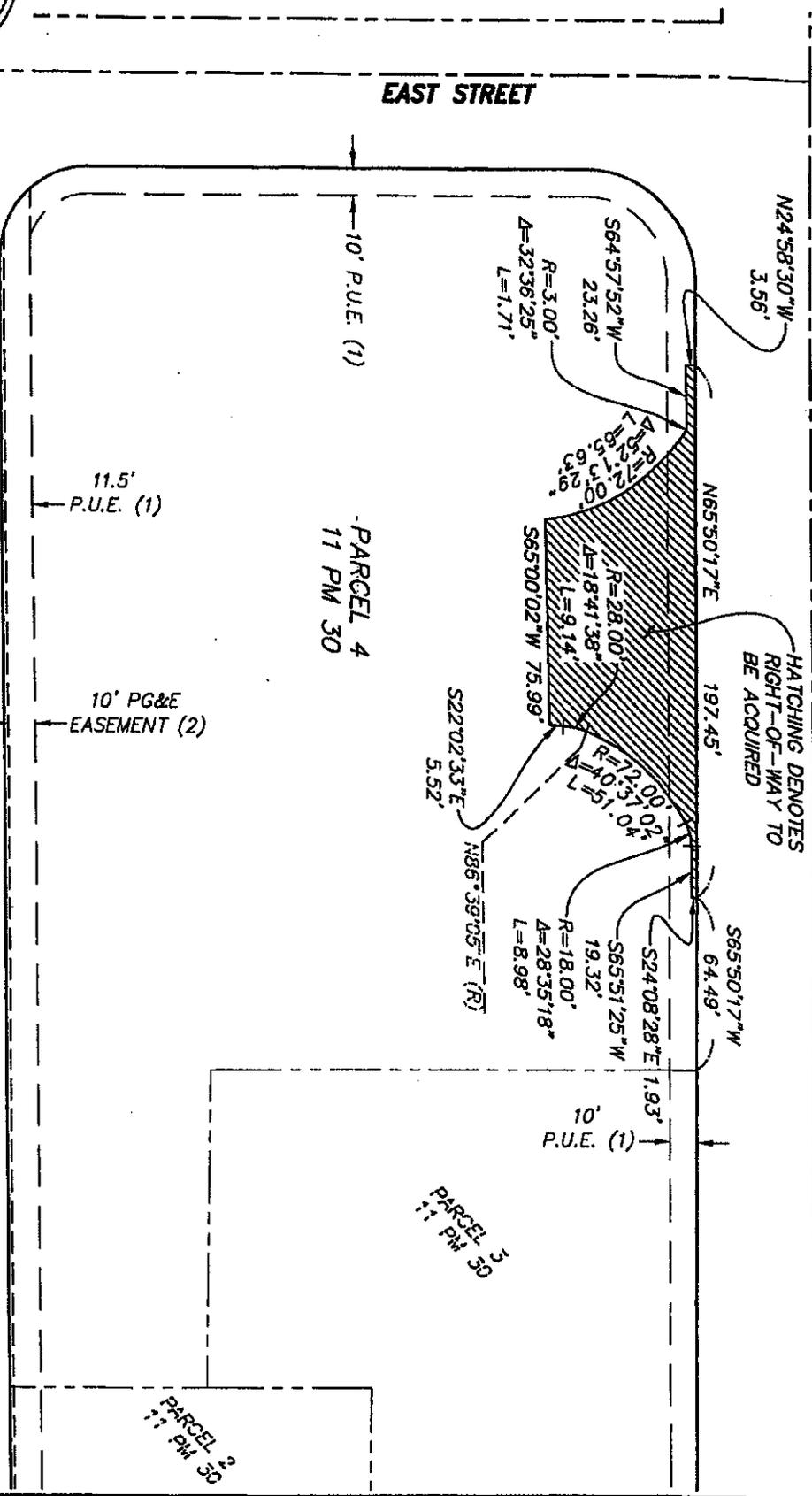
End of description.




Bryan P. Bonino, L.S.

1/27/14
Date

GRANT AVENUE / (STATE HIGHWAY 128)



0 30 60 120
LM
 SCALE: 1"=60'

BRYAN P. BONINO DATE 1/27/14
 THIS EXHIBIT WAS PREPARED BY ME OR UNDER MY DIRECTION IN ACCORDANCE WITH SECTION 8761 OF THE PROFESSIONAL LAND SURVEYORS' ACT.

RECORD DATA:
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EXHIBIT B
RIGHT-OF-WAY DEDICATION
 FOR
CITY OF WINTERS

BEING A PORTION OF PARCEL 4 OF PARCEL MAP NO. 4164 LOCATED IN A PORTION OF RANCHO RIO DE LOS PUTOS, BEING LOCATED IN PROJECTED SECTION 22, TOWNSHIP 8 NORTH, RANGE 1 WEST, MOUNT DIABLO MERIDIAN, CITY OF WINTERS, YOLO COUNTY, CALIFORNIA

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 SHEET 1 OF 1
 JANUARY 27, 2014



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers
DATE: February 18, 2014
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Shelly A. Gunby, Director of Financial Management *Shelly*
SUBJECT: July 2013 Treasurer Report

RECOMMENDATION:

Staff recommends that the City Council receive and file the City of Winters Treasurer Report for July 2013.

BACKGROUND:

The City of Winters financial policy requires monthly reports regarding receipts, disbursement and fund balances be submitted to the City Council for review, due to the workload created by the dissolution of the redevelopment agency, staff has prepared a report for the period July 1, 2013 through July 31, 2013 and it is attached for Council review.

Items of note in the attached report are as follows:

General Fund

General Fund revenues are 3% of budgeted; the following items affect the cash flows into the General Fund.

- The first installment of Property Tax will be received in January 2014.
- The first installment of Property Tax in lieu of Sales Tax will be received in January 2014.
- The first installment of Property Tax in lieu of VLF will be received in January 2014
- Sale and use taxes are remitted to the City two (2) months after they are received by the State Board of Equalization, receipts won't be received until September.
- Utility User Tax is 0% of budget. We receive the UUT approximately 1-3 months after the utilities are used.
- Building permit fees received are 6% of budget.
- General Fund expenditures are 5% of budget.

Other funds:

Fund 221 Gas Tax Fund: Gas Tax revenues have not been received in the current year.

Fund 211 City Wide Assessment District: The first installment will be received in January 2014.

Fund 611 Water: Water fund revenues are 10% of budget and expenditures are 7% of budget.

Fund 621 Sewer: Sewer fund revenues are 8% of budget and expenditures are 5% of budget.

FISCAL IMPACT:

None

City of Winters
General Fund Revenue Summary
July 1, 2013 through July 31, 2013

G/L Code	Account Description	Budget 2013-2014	% of Year Complete		% of Budget Received
			July Actual	Year to Date Actual	
101-41101	Property Tax	\$ 658,317			
101-41102	Property Tax in Lieu of Sales Tax	118,849			
101-41103	Property Tax in Lieu of VLF	454,132			
101-41401	Sales & Use Tax	377,380			
101-41402	Prop 172	62,295			
101-41403	Franchise Fee	203,431			
101-41404	Property Transfer Tax	10,000			
101-41405	Utility Tax	738,000			
101-41406	Municiple Services Tax	320,000	24,700	24,700	8%
101-41407	Business Licenses	24,000	620	620	3%
101-41408	TOT Tax	5,000			0%
101-41507	Motor Vehicle in Lieu	6,500			0%
101-41509	Homeowners Property Tax Relief	16,300			0%
101-41511	Off-Highway Motor Vehicle				
101-42102	Copy Fees	50	16	16	32%
101-42103	Plan Check Fees	15,000	408	408	3%
101-42104	Planning Application Fees	10,000			
101-42107	Project Monitoring Fees	500	85	85	
101-42108	Police Reports	500	10	10	2%
101-42109	Fingerprint Fees	3,500	185	185	5%
101-42111	Towing/DUI Reimbursement	1,500	65	65	4%
101-42112	Ticket Sign Off Fees	250	40	40	16%
101-42201	Recreation Fees	3,000			0%
101-42205	Basketball Revenues	5,800			0%
101-42211	Pool Ticket Sales	6,100	2,157	2,157	35%
101-42212	Pool Concession Stand Revenues	4,500	2,064	2,064	46%
101-42213	Pool Proceeds	600	515	515	86%
101-42215	Swim Passes	6,000			0%
101-42216	Swim Lessons	11,000	5,420	5,420	49%
101-42217	Water Aerobics Fees	150			0%
101-42218	Swim Team Reimbursement	8,000			0%
101-42301	Park Rental	1,400	570	570	41%
101-42303	Community Center Rental	12,750	2,180	2,180	17%
101-42308	Ambulance Service Charge	7,500	336	336	4%
101-43151	Fire District Payments	222,533			0%
101-44101	Rents/Leases Revenues	38,500	6,432	6,432	17%
101-44102	Interest Earnings	3,000			0%
101-46102	Building Permits	85,581	5,220	5,220	6%
101-46103	Encroachment Permit	1,200	786	786	66%
101-46104	Other Licenses & Permits	30,000	2,492	2,492	8%
101-46106	Reinspect Fee	250	53	53	
101-48103	State Government Grants	3,000			
101-48106	Post Reimbursement	5,000	1,341	1,341	27%
101-49101	Contributions	10,500	3,469	3,469	33%
101-49104	Miscellaneous Revenues	26,000	715	715	3%
101-49999	Interfund Operating Transfer	73,372			0%
	Total General Fund Revenues	\$ 3,591,240	\$ 59,879	\$ 59,879	2%

City of Winters
 Summary of Expenditures
 July 1, 2013 through July 31, 2013

		% of Year Complete					8%
Fund	Fund Description	Budget 2013-2014	July 2013 Actual	Year to Date Actual	Balance of Budget Unspent	% of Budget Spent	
101	General Fund Expenditures by Department						
110	City Council	\$ 12,324	\$ 322	\$ 322	\$ 12,002	3%	
120	City Clerk	16,935	653	653	16,282	4%	
130	City Treasurer	338	53	53	285	16%	
160	City Manager	31,718	3,562	3,562	28,156	11%	
161	Economic Development & Housing	17,925	1,413	1,413	16,512	8%	
170	Administrative Services	187,294	12,003	12,003	175,291	6%	
180	Finance	4,000	245	245	3,755	6%	
210	Police Department	2,205,483	96,863	96,863	2,108,620	4%	
310	Fire Department	798,903	31,870	31,870	767,033	4%	
410	Community Development	125,299	2,180	2,180	123,119	2%	
420	Building Inspections	168,763	10,682	10,682	158,081	6%	
610	Public Works-Administration	258,845	12,720	12,720	246,125	5%	
710	Recreation	6,200	5,876	5,876	324	95%	
720	Community Center	88,838	7,000	7,000	81,838	8%	
730	Swimming Pool	71,005	7,226	7,226	63,779	10%	
	Total General Fund Expenditure	<u>\$ 3,993,870</u>	<u>\$ 192,668</u>	<u>\$ 192,668</u>	<u>\$ 3,801,202</u>	<u>5%</u>	
104	Fireworks Fund	\$ 14,000			\$ 14,000		
110	Housing Successor Agency		647	647	(647)		
201	Fire Prevention Grant	456			456		
211	City Wide Assessment	262,836	21,588	21,588	241,248	8%	
221	Gas Tax Fund	248,420	7,953	7,953	240,467	3%	
231	State COPS 1913	77,332	4,447	4,447	72,885	6%	
252	Asset Forfeiture	4,500			4,500		
262	Street Grants	876,447			876,447		
287	Afterschool Donations	1,687			1,687		
289	Dry Slough Bridge		2,633	2,633	(2,633)		
291	Beverage Recycling Grant	5,000			5,000		
294	Transportation	245,812	633	633	245,179		
299	After School Program	143,624	274	274	143,350		
313	STBG 96-1043 Housing & Public W	7,522			7,522		
318	10-STBG-6745 OV Park Grant		12,387	12,387	(12,387)		
321	EDBG 99-688 Buckhorn	19,580	1,450	1,450	18,130	7%	
322	EDBG 405-Cradwick	5,548	1,550	1,550	3,998	28%	
413	Park & Recreation Impact Fee		3,983	3,983	(3,983)		
417	Water Impact Fee	96,772			96,772		
418	Sewer Impact Fee	93,672			93,672		
422	Landfill Capital	9,500			9,500		
429	Service Reserve	34,187			34,187		
611	Water O & M	1,187,438	86,379	86,379	1,101,059	7%	
616	Water Conservation Fund	6,600			6,600		
617	Water Meter Fund	5,000			5,000		
621	Sewer O & M	1,797,406	87,552	87,552	1,709,854	5%	
651	Central Service Overhead	155,274			155,274		
652	Equipment Fund	421,910			421,910		
771	RORF		27,310	27,310	(27,310)		
821	Winters Library	25,000			25,000		
831	Swim Team	67,715	13,269	13,269	54,446	20%	
833	Festival de la Comunidad	7,000			7,000		
846	Quilt Festival	750	11	11	739	1%	
	Total Expenditures	<u>\$ 9,814,858</u>	<u>\$ 464,734</u>	<u>\$ 464,734</u>	<u>\$ 9,350,124</u>	<u>5%</u>	

City of Winters
 Summary of Revenues
 July 1, 2013 through July 31, 2013

		% of Year Complete				8%
Fund	Fund Description	Budget 2013-2014	July Actual	Year to Date Actual	Unreceived Budget	% of Budget Received
101	General Fund	\$ 3,591,240	\$ 59,878	\$ 59,878	\$ 3,531,362	2%
104	Fireworks Fund	14,000	2,657	2,657	11,343	19%
107	Park Maintenance					
211	City Wide Assessment	258,986			258,986	
212	Flood Assessment District	28			28	
221	Gas Tax	190,338			190,338	
231	State COPS AB1913	100,000			100,000	
251	Traffic Saftey	6,800	120	120	6,680	2%
252	Asset Forfieture	52			52	
254	Vehicle Theft Deterrent	185			185	
262	Street Grants	876,447			876,447	
267	Grant Ave Improvement					
276	Putah Creek North Bank Improvem		12	12	(12)	
291	Beverage Recycling	5,100			5,100	
294	Transportation	304,925			304,925	
299	After School Program	141,670			141,670	
313	STBG 96-1043 Housing & Public W	7,522			7,522	
321	EDBG 99-688 Buckhorn	19,580	1,450	1,450	18,130	7%
322	EDBG 96-405 Cradwick	5,548	1,550	1,550	3,998	28%
355	RLF Small Business	34,114	3,676	3,676	30,438	11%
356	RLF HOME Program	282			282	
411	Street Impact Fee	179,586			179,586	
412	Storm Drain Impact Fee	4,766			4,766	
413	Parks & Recreation Impact Fee	1,918			1,918	
414	Public Saftey Impact Fee	33,819			33,819	
415	Fire Impact Fee	67,388			67,388	
416	General Facilities Impact Fee	118,301			118,301	
417	Water Impact Fee	35,266			35,266	
418	Sewer Impact Fee	64,695			64,695	
421	General Fund Capital	2,085			2,085	
422	Landfill Capital	820			820	
424	Parks & Recreation Capital	29			29	
427	Capital Equipment	151,874			151,874	
429	Service Reserve Fund	2,163			2,163	
481	General Plan 1992	41,600			41,600	
482	Flood Control Study	5			5	
492	RAJA Storm Drain	246			246	
494	CARF	1,090	915	915	175	84%
495	Monitoring Fee	41,600			41,600	
496	Storm Drain Non-Flood	2			2	
501	General Debt Service	212			212	
611	Water O & M	1,394,348	133,394	133,394	1,260,954	10%
612	Water Reserve	9,292	1,729	1,729	7,563	19%
616	Water Conservation	12,000			12,000	
617	Water Meter Fund	82,716	4,187	4,187	78,529	5%
621	Sewer O & M	1,712,829	133,308	133,308	1,579,521	8%
771	RORF	1,723,789	25	25	1,723,764	
821	Winters Library	75			75	
831	Swim Team	62,300	29,363	29,363	32,937	47%
833	Festival de la Comunidad	6,402			6,402	
846	Quilt Festival	1,000			1,000	
Total Revenues		\$ 11,309,033	\$ 372,264	\$ 372,264	\$ 10,936,769	3%

City of Winters
Cash and LAIF Report
Cash and LAIF Balances as of July 31, 2013

Fund	Fund Description	Balance 6/30/2013	Balance 7/31/2013
101	General Fund	\$ 861,149	\$ 765,276
104	Fireworks Fund	3,387	6,044
105	Senior Fund	421	421
107	Park Maintenance	2,200	2,202
110	Housing Successor Agency	(217,333)	(217,980)
113	Housing 2007 Tabs	1,140,560	1,140,617
201	Fire Prevention Grant	854	855
208	First Time Homebuyer	84,357	84,412
211	City Wide Assessment	70,913	48,092
212	Flood Assessment District	3,824	3,827
221	Gas Tax	212,224	219,605
223	PERS Trust Fund		1
231	State COPS 1913	(59,908)	(64,355)
233	Realignment	16,874	16,874
234	Distracted Driver Grant	(4,402)	(4,402)
251	Traffic Safty	174,640	169,718
252	Asset Forfeiture	13,202	13,210
254	Vehicle Theft Deterrent	66,779	66,823
276	North Bank Putah Creek Project	322	322
278	Prop 84 Park Grant	(116,322)	(116,322)
287	After School Contributions	429	430
289	Dry Slough Bridge	(28,202)	(15,556)
291	Beverage Recycling Fund	22,022	25,036
294	Transportation(Including Bus Service	243,939	290,521
299	After School Program	122,236	123,764
318	10-STBG 6745 Grant	(36,662)	(62,337)
319	CDBG Park Grant	(261)	(261)
351	RLF Housing Rehab	293,618	293,808
352	RLF First Time Homebuyer	27	27
355	RLF Small Business	89,920	93,650
356	RLF-HOME Program	74,978	75,026
381	Cal Fire Grant	(7,831)	(8,806)
411	Street Impact Fee	632,982	633,196
412	Storm Impact Fee	159,425	159,528
413	Parks and Recreation Impact Fees	(233,566)	(237,548)
414	Police Impact Fee	271,411	271,586
415	Fire Impact Fee	271,597	271,772
416	General Facilities Impact Fee	346,325	346,549
417	Water Impact Fee	433,289	433,563
418	Sewer Impact Fee	216,726	216,853
419	Flood Fee	228,935	229,083
421	General Fund Capital	551,276	551,632
422	Landfill Capital	205,659	205,792
427	Capital Equipment Fund	292,245	291,882
429	Service Reserve	731,350	731,684
481	General Plan 1992 Study	(488,932)	(488,932)
482	Flood Control Study	1,295	1,296
492	RAJA Storm Drain	38,478	38,503
494	Captial Asset Recovery Fee	62,802	63,755
496	Storm Drain Non-Flood	234	234
501	General Debt Service	56,104	56,140
611	Water O & M	671,333	705,549
612	Water Reserve	106,686	108,548
615	07 Water Bonds	100	100
616	Water Conservation	20,729	20,734
617	Water Meter	254,297	258,808
621	Sewer O & M	1,512,814	1,539,130
626	07 Sewer Bonds	(352,640)	(352,640)
629	Sewer Debt Service	60,961	61,001
651	Central Services	15,182	17,030
652	Central Service w PD & FD	13,363	23,692
771	RORF	745,651	716,710
773	2007 TABS	11,313	11,320
781	Successor RDA LTD	11,320	11,320
821	Winters Library	53,988	54,023
831	Swim Team	83,472	99,621
833	Festival de la Comunidad	2,777	2,777
846	Quilt Festival	321	(286)
	Total Cash	<u>\$ 10,017,256</u>	<u>\$ 10,004,547</u>

City of Winters
Fund Balances Report
Estimated Fund Balances as of July 31, 2013

Fund	Fund Description	Unaudited		July 2013 Expenditures	Transfers In/(Out)	Change From 6/30/2013
		Fund Balance June 30, 2013	July 2013 Revenues			
101	General Fund	\$ 1,011,245	\$ 59,878	\$ 192,666	\$ -	\$ (132,788)
104	Fireworks Fund	3,387	2,657	-	-	2,657
105	Senior Fund	421	-	-	-	-
107	City Park Maintenance	2,202	-	-	-	-
110	Housing Successor	(217,418)	-	647	-	(647)
113	2007 Housing TABS	1,268,555	-	-	-	-
201	Fire Prevention Grant	855	-	-	-	-
208	First Time Homebuyer	84,412	-	-	-	-
211	City Wide Assessment	70,253	-	21,588	-	(21,588)
212	Flood Assessment District	3,827	-	-	-	-
221	Gas Tax	226,490	-	7,953	-	(7,953)
223	PERS Trust Fund	1	-	-	-	-
231	State COPS 1913	(59,908)	-	4,447	-	(4,447)
233	Realignment Funds	16,874	-	-	-	-
251	Traffic Safety	174,234	120	-	-	120
252	Asset Forfeiture	13,210	-	-	-	-
254	Vehicle Theft Deterrent	66,823	-	-	-	-
276	Putah Creek North Bank Imp	149,231	12	-	-	12
278	Prop 84 Park	(116,322)	-	-	-	-
287	After School Program Contr	430	-	-	-	-
289	Dry Slough Bridge	(16,043)	-	2,633	-	(2,633)
291	Beverage Recycling Grant	25,036	-	-	-	-
294	Transportation	286,832	-	633	-	(633)
299	After School Program	121,167	-	274	-	(274)
313	STBG-96-1043 Housing and P	(29,070)	-	-	-	-
318	10-STBG-674S Grant	(60,295)	-	12,387	-	(12,387)
319	CDBG Park Grant	(261)	-	-	-	-
321	EDBG 99-688 Buckhorn	12	1,450	-	(1,450)	-
322	EDBG 96-405 Cradwick	30	1,550	-	(1,550)	-
351	RLF Housing Rehabilitation	306,644	-	-	-	-
352	RLF Affordable Housing	17,454	-	-	-	-
355	RLF Small Business	89,973	676	-	3,000	3,676
356	RLF HOME Program	75,026	-	-	-	-
381	Cal Fire Grant	(11,702)	-	-	-	-
411	Street Impact Fee	728,196	-	-	-	-
412	Storm Drain Impact Fee	189,528	-	-	-	-
413	Parks & Recreation Impact	(233,566)	-	3,983	-	(3,983)
414	Public Safety Impact Fee	271,586	-	-	-	-
415	Fire Impact Fee	271,772	-	-	-	-
416	General Facilities Impact	346,549	-	-	-	-
417	Water Impact Fee	433,563	-	-	-	-
418	Sewer Impact Fee	(199,704)	-	-	-	-
419	Flood Control Fee	229,083	-	-	-	-
421	General Fund Capital	551,632	-	-	-	-
422	Landfill Capital	205,792	-	-	-	-
427	Equipment Replacement Fund	479,882	-	-	-	-
429	Service Reserve Fund	1,001,505	-	-	-	-
481	General Plan 1992	605,970	-	-	-	-
482	Flood Control Study	(123,704)	-	-	-	-
492	RAJA Storm Drain	28,914	-	-	-	-
494	CARF	62,840	915	-	-	915
496	Storm Drain Non-Flood	234	-	-	-	-
501	General Debt Service	56,140	-	-	-	-
611	Water O & M	4,401,535	133,394	86,379	-	47,015
612	Water Reserve	1,611,953	1,729	-	-	1,729
615	2007 Water Bonds	189,497	-	-	-	-
616	Water Conservation	20,734	-	-	-	-
617	Water Meter Fund	260,875	4,187	-	-	4,187
619	Water Debt Service Fund	(3,297,062)	-	-	-	-
621	Sewer O & M	4,944,488	133,308	87,552	-	45,756
626	2007 Sewer Bonds	2,136,326	-	-	-	-
629	Sewer Debt Service	(3,841,172)	-	-	-	-
771	RORF	(15,876,718)	25	27,310	-	(27,285)
772	RDA Trust	12,087,165	-	-	-	-
773	2007 TABS	11,320	-	-	-	-
781	RDA Long Term Debt	521,310	-	-	-	-
821	Winters Library	54,023	-	-	-	-
831	Winters Library	75,526	29,363	13,269	-	16,094
833	Festival de La Comunidad	2,777	-	-	-	-
846	Quilt Festival	(275)	-	11	-	(11)
911	General Fixed Assets	22,380,872	-	-	-	-
Totals		\$ 34,092,991	\$ 369,264	\$ 461,732	\$ -	\$ (92,468)



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers
DATE: February 18, 2014
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Shelly A. Gunby, Director of Financial Management *Shelly*
SUBJECT: July 2013 Investment Report

RECOMMENDATION:

Staff recommends that the City Council receive and file the City of Winters investment for the period July 1, 2013 through July 31, 2013.

BACKGROUND:

The City of Winters financial policy requires, at a minimum, quarterly investment earnings reports. The attached report shows the earnings for July through July 2013. The City of Winters is invested in the Local Agency Investment Funds (LAIF), a savings account at our local First Northern Bank, a Guaranteed Investment Contract (GIC) for the 2004 Tax Allocation Bond Reserve, and receives interest payments on the various CDBG and EDBG funded loans made to residents and businesses within the City of Winters, as well as from the Money Market Account set up for the North Bank Putah Creek Improvement Elderberry Beetle Mitigation.

The investment report for the month of July 2013 reflects interest from the various CDBG and EDBG funded loans and from the Money Market Account set up for the North Bank Putah Creek Improvement Elderberry Beetle Mitigation Fund.

FISCAL IMPACT:

None

City of Winters
Investment Earnings Report
As of July 31, 2013

<u>Fund</u>	<u>Fund Description</u>	<u>July Investment Earnings</u>	<u>Year to Date Investment Earnings</u>
278	NORTH BANK IMPROVEMENTS	\$ 12	\$ 12
321	EDBG 99-688	588	588
322	EDBG 96-405 CRADWICK	858	858
355	RLF SMALL BUSINESS	165	165
	Total Investment Earnings	<u>\$ 1,623</u>	<u>\$ 1,623</u>



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers
DATE: February 18, 2014
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Shelly A. Gunby, Director of Financial Management *Shelly*
SUBJECT: August 2013 Treasurer Report

RECOMMENDATION:

Staff recommends that the City Council receive and file the City of Winters Treasurer Report for August 2013.

BACKGROUND:

The City of Winters financial policy requires monthly reports regarding receipts, disbursement and fund balances be submitted to the City Council for review, due to the workload created by the dissolution of the redevelopment agency, staff has prepared a report for the period July 1, 2013 through August 31, 2013 and it is attached for Council review.

Items of note in the attached report are as follows:

General Fund

General Fund revenues are 5% of budgeted; the following items affect the cash flows into the General Fund.

- The first installment of Property Tax will be received in January 2014.
- The first installment of Property Tax in lieu of Sales Tax will be received in January 2014.
- The first installment of Property Tax in lieu of VLF will be received in January 2014
- Sale and use taxes are remitted to the City two (2) months after they are received by the State Board of Equalization, receipts won't be received until September.
- Utility User Tax is 8% of budget. We receive the UUT approximately 1-3 months after the utilities are used.
- Building permit fees received are 11% of budget.
- General Fund expenditures are 15% of budget.

Other funds:

Fund 221 Gas Tax Fund: Gas Tax revenues are 11% of Budget

Fund 211 City Wide Assessment District: The first installment will be received in January 2014.

Fund 611 Water: Water fund revenues are 33% of budget and expenditures are 29% of budget.

Fund 621 Sewer: Sewer fund revenues are 16% of budget and expenditures are 27% of budget.

FISCAL IMPACT:

None

City of Winters
Summary of Revenues
July 1, 2013 through August 31, 2013

Fund	Fund Description	% of Year Complete				17%
		Budget 2013-2014	August Actual	Year to Date Actual	Unreceived Budget	% of Budget Received
101	General Fund	\$ 3,591,240	\$ 107,980	\$ 167,859	\$ 3,423,381	5%
104	Fireworks Fund	14,000		2,657	11,343	19%
107	Park Maintenance					
211	City Wide Assessment	258,986			258,986	
212	Flood Assessment District	28			28	
221	Gas Tax	190,338	21,208	21,208	169,130	11%
231	State COPS AB1913	100,000			100,000	
251	Traffic Safety	6,800	45	165	6,635	2%
252	Asset Forfeiture	52			52	
254	Vehicle Theft Deterrent	185			185	
262	Street Grants	876,447			876,447	
267	Grant Ave Improvement					
276	Putah Creek North Bank Improvem		12	24	(24)	
287	After School Contributions		200	200	(200)	
289	Dry Slough Bridge Grant		6,762	6,762	(6,762)	
291	Beverage Recycling	5,100			5,100	
294	Transportation	304,925			304,925	
299	AFter School Program	141,670			141,670	
313	STBG 96-1043 Housing & Public W	7,522			7,522	
321	EDBG 99-688 Buckhorn	19,580	1,438	2,889	16,691	15%
322	EDBG 96-405 Cradwick	5,548	1,520	3,070	2,478	55%
351	RLF Housing Rehab		3,796	3,796	(3,796)	
355	RLF Small Business	34,114	676	4,352	29,762	13%
356	RLF HOME Program	282	35,045	35,045	(34,763)	999%
411	Street Impact Fee	179,586			179,586	
412	Storm Drain Impact Fee	4,766			4,766	
413	Parks & Recreation Impact Fee	1,918			1,918	
414	Public Saftey Impact Fee	33,819			33,819	
415	Fire Impact Fee	67,388			67,388	
416	General Facilities Impact Fee	118,301			118,301	
417	Water Impact Fee	35,266	896	896	34,370	3%
418	Sewer Impact Fee	64,695			64,695	
421	General Fund Capital	2,085			2,085	
422	Landfill Capital	820			820	
424	Parks & Recreation Capital	29			29	
427	Capital Equipment	151,874	3,074	3,074	148,800	2%
429	Service Reserve Fund	2,163			2,163	
481	General Plan 1992	41,600			41,600	
482	Flood Control Study	5			5	
492	RAJA Storm Drain	246			246	
494	CARF	1,090	845	1,760	(670)	161%
495	Monitoring Fee	41,600			41,600	
496	Storm Drain Non-Flood	2			2	
501	General Debt Service	212			212	
611	Water O & M	1,394,348	320,467	453,861	940,487	33%
612	Water Reserve	9,292	1,444	3,174	6,118	34%
616	Water Conservation	12,000			12,000	
617	Water Meter Fund	82,716	3,760	7,947	74,769	10%
619	Water Debt Service		143,044	143,044	(143,044)	
621	Sewer O & M	1,712,829	133,019	266,326	1,446,503	16%
629	Sewer Debt Service		168,001	168,001	(168,001)	
771	RORF	1,723,789	13,990	14,015	1,709,774	1%
781	RDA Long Term Debt		9,990	9,990	(9,990)	
821	Winters Library	75			75	
831	Swim Team	62,300	1,264	30,628	31,672	49%
833	Festival de la Comunidad	6,402	3,350	3,350	3,052	52%
846	Quilt Festival	1,000			1,000	
Total Revenues		\$ 11,309,033	\$ 981,826	\$ 1,354,093	\$ 9,954,940	12%

City of Winters
 General Fund Revenue Summary
 July 1, 2013 through August 31, 2013

G/L Code	Account Description	Budget 2013-2014	August Actual	% Of Year		Completed
				Year to Date Actual	% of Budget Received	83
101-41101	Property Tax	\$ 658,317				0%
101-41102	Property Tax in Lieu of Sales Tax	118,849				0%
101-41103	Property Tax in Lieu of VLF	454,132				0%
101-41401	Sales & Use Tax	377,380				0%
101-41402	Prop 172	62,295				0%
101-41403	Franchise Fee	203,431				0%
101-41404	Property Transfer Tax	10,000				0%
101-41405	Utility Tax	738,000	60,641	60,641		8%
101-41406	Municipal Services Tax	320,000	24,710	49,410		15%
101-41407	Business Licenses	24,000	1,348	1,968		8%
101-41408	TOT Tax	5,000				0%
101-41507	Motor Vehicle in Lieu	6,500				0%
101-41509	Homeowners Property Tax Relief	16,300				0%
101-41511	Off-Highway Motor Vehicle					
101-42102	Copy Fees	50		16		32%
101-42103	Plan Check Fees	15,000	624	1,032		7%
101-42104	Planning Application Fees	10,000				
101-42107	Project Monitoring Fees	500	780	865		
101-42108	Police Reports	500	26	36		7%
101-42109	Fingerprint Fees	3,500	275	460		13%
101-42111	Towing/DUI Reimbursement	1,500	25	90		6%
101-42112	Ticket Sign Off Fees	250	15	55		22%
101-42201	Recreation Fees	3,000				0%
101-42205	Basketball Revenues	5,800				0%
101-42211	Pool Ticket Sales	6,100	700	2,857		47%
101-42212	Pool Concession Stand Revenues	4,500	1,095	3,159		70%
101-42213	Pool Proceeds	600		515		86%
101-42215	Swim Passes	6,000				0%
101-42216	Swim Lessons	11,000	35	5,455		50%
101-42217	Water Aerobics Fees	150				0%
101-42218	Swim Team Reimbursement	8,000				0%
101-42301	Park Rental	1,400	255	825		59%
101-42303	Community Center Rental	12,750	1,730	3,910		31%
101-42304	Community Center Insurance Collected		353	353		
101-42308	Ambulance Service Charge	7,500	534	870		12%
101-43151	Fire District Payments	222,533				0%
101-44101	Rents/Leases Revenues	38,500	2,564	8,996		23%
101-44102	Interest Earnings	3,000				0%
101-46102	Building Permits	85,581	4,135	9,354		11%
101-46103	Encroachment Permit	1,200	815	1,601		133%
101-46104	Other Licenses & Permits	30,000	3,080	5,572		19%
101-46106	Reinspect Fee	250	53	106		
101-48103	State Government Grants	3,000				
101-48106	Post Reimbursement	5,000		1,341		27%
101-49101	Contributions	10,500	3,469	6,938		66%
101-49102	Reimbursements/Refunds		1,151	1,151		
101-49104	Miscellaneous Revenues	26,000	(422)	293		1%
101-49106	Cash Over/Short		(11)	(11)		
101-49999	Interfund Operating Transfer	73,372				0%
	Total General Fund Revenues	\$ 3,591,240	\$ 107,980	\$ 167,858		5%

City of Winters
 Summary of Expenditures
 July 1, 2013 through August 31, 2013

Fund	Fund Description	% of Year Complete					17%
		Budget 2013-2014	August Actual	Year to Date Actual	Balance of Budget Unspent	% of Budget Spent	
101	General Fund Expenditures by Department						
110	City Council	\$ 12,324	\$ 83	\$ 405	\$ 11,919	3%	
120	City Clerk	16,935	549	1,202	15,733	7%	
130	City Treasurer	338	27	80	258	24%	
160	City Manager	31,718	4,372	7,934	23,784	25%	
161	Economic Development & Housing	17,925	585	1,998	15,927	11%	
170	Administrative Services	187,294	13,598	25,601	161,693	14%	
180	Finance	4,000	277	522	3,478	13%	
210	Police Department	2,205,483	281,132	377,995	1,827,488	17%	
310	Fire Department	798,903	70,287	102,158	696,745	13%	
410	Community Development	125,299	1,713	3,892	121,407	3%	
420	Building Inspections	168,763	10,666	21,347	147,416	13%	
610	Public Works-Administration	258,845	14,809	27,529	231,316	11%	
710	Recreation	6,200	(5,000)	876	5,324	14%	
720	Community Center	88,838	4,235	11,234	77,604	13%	
730	Swimming Pool	71,005	9,174	16,399	54,606	23%	
	Total General Fund Expenditure	\$ 3,993,870	\$ 406,507	\$ 599,172	\$ 3,394,698	15%	
104	Fireworks Fund	14,000	5,000	5,000	9,000	36%	
110	Housing Successor Agency			647	(647)		
201	Fire Prevention Grant	456			456		
211	City Wide Assessment	262,836	14,024	35,695	227,141	14%	
221	Gas Tax Fund	248,420	46,108	54,061	194,359	22%	
231	State COPS 1913	77,332	5,349	9,796	67,536	13%	
251	Traffic Safety		3,991	3,991	(3,991)		
252	Asset Forfeiture	4,500			4,500		
262	Street Grants	876,447			876,447		
278	Prop 84 Park Grant		13,568	13,568	(13,568)		
287	Afterschool Donations	1,687			1,687		
289	Dry Slough Bridge		6,712	9,345	(9,345)		
291	Beverage Recycling Grant	5,000			5,000		
294	Transportation	245,812	1,674	2,307	243,505	1%	
299	After School Program	143,624	2,816	3,091	140,533	2%	
313	STBG 96-1043 Housing & Public W	7,522			7,522		
318	10-STBG-6745 OV Park Grant		396,342	408,729	(408,729)		
321	EDBG 99-688 Buckhorn	19,580	1,450	2,901	16,679	15%	
322	EDBG 405-Cradwick	5,548	1,550	3,100	2,448	56%	
381	CAL Fire Grant		2,009	2,009	(2,009)		
413	Park & Recreation Impact Fee		8,261	12,244	(12,244)		
414	Public Safety Impact Fee		29,716	29,716	(29,716)		
417	Water Impact Fee	96,772			96,772		
418	Sewer Impact Fee	93,672			93,672		
422	Landfill Capital	9,500	3,435	3,435	6,065	36%	
427	Equipment Replacement Fund		15,167	15,167	(15,167)		
429	Service Reserve	34,187			34,187		
611	Water O & M	1,187,438	253,409	339,789	847,649	29%	
616	Water Conservation Fund	6,600			6,600		
617	Water Meter Fund	5,000	1,734	1,734	3,266	35%	
621	Sewer O & M	1,797,406	397,974	485,526	1,311,880	27%	
626	2007 Sewer Bond		65,111	65,111	(65,111)		
651	Central Service Overhead	155,274			155,274		
652	Equipment Fund	421,910			421,910		
771	RORF		130,551	157,861	(157,861)		
781	RDA Long Term Debt		9,990	9,990	(9,990)		
821	Winters Library	25,000			25,000		
831	Swim Team	67,715	4,622	17,892	49,823	26%	
833	Festival de la Comunidad	7,000			7,000		
846	Quilt Festival	750		11	739	1%	
	Total Expenditures	\$ 9,814,858	\$ 1,827,070	\$ 2,291,888	\$ 7,522,970	23%	

City of Winters
Cash and LAIF Balances Report
Cash and LAIF Balances as of August 31, 2013

Fund	Fund Description	Balance	Balance
		6/30/2013	8/31/2013
101	General Fund	\$ 861,149	\$ 835,392
104	Fireworks Fund	3,387	1,044
105	Senior Fund	421	421
107	Park Maintenance	2,200	2,202
110	Housing Successor Agency	(217,333)	(218,064)
113	Housing 2007 Tabs	1,140,560	1,140,617
201	Fire Prevention Grant	854	855
208	First Time Homebuyer	84,357	84,412
211	City Wide Assessment	70,913	35,960
212	Flood Assessment District	3,824	3,827
221	Gas Tax	212,224	197,642
223	PERS Trust Fund		1
231	State COPS 1913	(59,908)	(70,373)
233	Realignment	16,874	16,874
234	Distracted Driver Grant	(4,402)	-
251	Traffic Saftety	174,640	174,399
252	Asset Forfeiture	13,202	13,210
254	Vehicle Theft Deterrent	66,779	66,823
276	North Bank Putah Creek Project	322	
278	Prop 84 Park Grant	(116,322)	(118,054)
287	After School Contributions	429	630
289	Dry Slough Bridge	(28,202)	(11,915)
291	Beverage Recycling Fund	22,022	25,036
294	Transportation(Including Bus Svc	243,939	285,219
299	After School Program	122,236	121,041
318	10-STBG 6745 Grant	(36,662)	(89,503)
319	CDBG Park Grant	(261)	(261)
351	RLF Housing Rehab	293,618	298,797
352	RLF First Time Homebuyer	27	27
355	RLF Small Business	89,920	94,326
356	RLF-HOME Program	74,978	110,071
381	Cal Fire Grant	(7,831)	(13,711)
411	Street Impact Fee	632,982	633,196
412	Storm Impact Fee	159,425	159,528
413	Parks and Recreation Impact Fee	(233,566)	(245,810)
414	Police Impact Fee	271,411	241,870
415	Fire Impact Fee	271,597	271,772
416	General Facilities Impact Fee	346,325	346,549
417	Water Impact Fee	433,289	434,459
418	Sewer Impact Fee	216,726	216,853
419	Flood Fee	228,935	229,083
421	General Fund Capital	551,276	551,632
422	Landfill Capital	205,659	202,792
427	Capital Equipment Fund	292,245	294,956
429	Service Reserve	731,350	731,684
481	General Plan 1992 Study	(488,932)	(488,932)
482	Flood Control Study	1,295	1,296
492	RAJA Storm Drain	38,478	38,503
494	Captial Asset Recovery Fee	62,802	64,600
496	Storm Drain Non-Flood	234	234
501	General Debt Service	56,104	56,140
611	Water O & M	671,333	577,757
612	Water Reserve	106,686	111,266
615	07 Water Bonds	100	100
616	Water Conservation	20,729	20,734
617	Water Meter	254,297	262,650
621	Sewer O & M	1,512,814	1,420,859
626	07 Sewer Bonds	(352,640)	(422,266)
629	Sewer Debt Service	60,961	61,001
651	Central Services	15,182	11,752
652	Central Service w PD & FD	13,363	11,427
771	RORF	745,651	(21,464)
773	2007 TABS	11,313	11,320
781	Successor RDA LTD	11,320	11,320
821	Winters Library	53,988	54,023
831	Swim Team	83,472	88,262
833	Festival de la Comunidad	2,777	6,127
846	Quilt Festival	321	(286)
	Total Cash	<u>\$ 10,017,256</u>	<u>\$ 8,931,932</u>

City of Winters
Fund Balances Report
Fund Balances as of August 31, 2013

Fund	Fund Description	Unaudited			Transfers In/(Out)	Ending Fund Balance	Change From 6/30/2013
		Fund Balance June 30 2013	Current Year Revenues	Current Year Expenditures			
101	General Fund	\$ 1,011,245	\$ 167,859	\$ 599,172	\$ -	\$ 579,932	\$ (431,313)
104	Fireworks Fund	3,387	2,657	5,000	-	1,044	(2,343)
105	Senior Fund	421	-	-	-	421	-
107	City Park Maintenance	2,202	-	-	-	2,202	-
110	Housing Successor	(217,418)	-	647	-	(218,065)	(647)
113	2007 Housing TABS	1,268,555	-	-	-	1,268,555	-
201	Fire Prevention Grant	855	-	-	-	855	-
208	First Time Homebuyer	84,412	-	-	-	84,412	-
211	City Wide Assessment	70,253	-	35,695	-	34,558	(35,695)
212	Flood Assessment District	3,827	-	-	-	3,827	-
221	Gas Tax	226,490	21,208	54,061	-	193,637	(32,853)
223	PERS Trust Fund	1	-	-	-	1	-
231	State COPS 1913	(59,908)	-	9,796	-	(69,704)	(9,796)
233	Realignment Funds	16,874	-	-	-	16,874	-
251	Traffic Saftety	174,234	165	3,991	-	170,408	(3,826)
252	Asset Forfeiture	13,210	-	-	-	13,210	-
254	Vehicle Theft Deterrent	66,823	-	-	-	66,823	-
276	Putah Creek North Bank Imp	149,231	24	-	-	149,255	24
278	Prop 84 Park	(116,322)	-	13,568	-	(129,890)	(13,568)
287	After School Program Contr	430	200	-	-	630	200
289	Dry Slough Bridge	(16,043)	6,762	9,345	-	(18,626)	(2,583)
291	Beverage Recycling Grant	25,036	-	-	-	25,036	-
294	Transportation	286,832	-	2,307	-	284,525	(2,307)
299	After School Program	121,167	-	3,091	-	118,076	(3,091)
313	STBG-96-1043 Housing and P	(29,070)	-	-	-	(29,070)	-
318	10-STBG-6745 Grant	(60,295)	-	408,729	-	(469,024)	(408,729)
319	CDBG Park Grant	(261)	-	-	-	(261)	-
321	EDBG 99-688 Buckhorn	12	2,889	-	(2,901)	-	(12)
322	EDBG 96-405 Cradwick	30	3,070	-	(3,100)	-	(30)
351	RLF Housing Rehabilitation	306,644	796	-	3,000	310,440	3,796
352	RLF Affordable Housing	17,454	-	-	-	17,454	-
355	RLF Small Business	89,973	1,352	-	3,000	94,325	4,352
356	RLF HOME Program	75,026	35,045	-	-	110,071	35,045
381	Cal Fire Grant	(11,702)	-	2,009	-	(13,711)	(2,009)
411	Street Impact Fee	728,196	-	-	-	728,196	-
412	Storm Drain Impact Fee	189,528	-	-	-	189,528	-
413	Parks & Recreation Impact	(233,566)	-	12,244	-	(245,810)	(12,244)
414	Public Saftety Impact Fee	271,586	-	29,716	-	241,870	(29,716)
415	Fire Impact Fee	271,772	-	-	-	271,772	-
416	General Facilities Impact	346,549	-	-	-	346,549	-
417	Water Impact Fee	433,563	896	-	-	434,459	896
418	Sewer Impact Fee	(199,704)	-	-	-	(199,704)	-
419	Flood Control Fee	229,083	-	-	-	229,083	-
421	General Fund Capital	551,632	-	-	-	551,632	-
422	Landfill Capital	205,792	-	3,435	-	202,357	(3,435)
427	Equipment Replacement Fund	479,882	3,074	15,167	-	467,789	(12,093)
429	Service Reserve Fund	1,001,505	-	-	-	1,001,505	-
481	General Plan 1992	605,970	-	-	-	605,970	-
482	Flood Control Study	(123,704)	-	-	-	(123,704)	-
492	RAJA Storm Drain	28,914	-	-	-	28,914	-
494	CARF	62,840	1,760	-	-	64,600	1,760
496	Storm Drain Non-Flood	234	-	-	-	234	-
501	General Debt Service	56,140	-	-	-	56,140	-
611	Water O & M	4,401,535	453,861	196,745	(143,044)	4,515,607	114,072
612	Water Reserve	1,611,953	3,174	-	-	1,615,127	3,174
615	2007 Water Bonds	189,497	-	-	-	189,497	-
616	Water Conservation	20,734	-	-	-	20,734	-
617	Water Meter Fund	260,875	7,947	1,734	-	267,088	6,213
619	Water Debt Service Fund	(3,297,062)	-	-	143,044	(3,154,018)	143,044
621	Sewer O & M	4,944,488	266,326	317,525	(168,001)	4,725,288	(219,200)
626	2007 Sewer Bonds	2,136,326	-	65,111	-	2,071,215	(65,111)
629	Sewer Debt Service	(3,841,172)	-	-	168,001	(3,673,171)	168,001
771	RORF	(15,876,718)	4,025	157,861	9,990	(16,020,564)	(143,846)
772	RDA Trust	12,087,165	-	-	-	12,087,165	-
773	2007 TABS	11,320	-	-	-	11,320	-
781	RDA Long Term Debt	521,310	9,990	-	(9,990)	521,310	-
821	Winters Library	54,023	-	-	-	54,023	-
831	Winters Library	75,526	30,628	17,892	-	88,262	12,736
833	Festival de La Comunidad	2,777	3,350	-	-	6,127	3,350
846	Quilt Festival	(275)	-	11	-	(286)	(11)
911	General Fixed Assets	22,380,872	-	-	-	22,380,872	-
Totals		\$ 34,092,991	\$ 1,027,058	\$ 1,964,852	\$ (1)	\$ 33,155,196	\$ (937,795)



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers
DATE: February 18, 2014
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Shelly A. Gunby, Director of Financial Management *Shelly*
SUBJECT: August 2013 Investment Report

RECOMMENDATION:

Staff recommends that the City Council receive and file the City of Winters investment for the period July 1, 2013 through August 31, 2013.

BACKGROUND:

The City of Winters financial policy requires, at a minimum, quarterly investment earnings reports. The attached report shows the earnings for July 1, 2013 through August 31, 2013. The City of Winters is invested in the Local Agency Investment Funds (LAIF), a savings account at our local First Northern Bank, a Guaranteed Investment Contract (GIC) for the 2004 Tax Allocation Bond Reserve, and receives interest payments on the various CDBG and EDBG funded loans made to residents and businesses within the City of Winters, as well as from the Money Market Account set up for the North Bank Putah Creek Improvement Elderberry Beetle Mitigation.

The investment report for the month of August 2013 reflects interest from the various CDBG and EDBG funded loans, the Money Market Account set up for the North Bank Putah Creek Improvement Elderberry Beetle Mitigation Fund, and interest on the GIC for the 2004 Tax Allocation Bonds.

FISCAL IMPACT:

None

City of Winters
Investment Earnings Report
Investment Earning as of August 31, 2013

Fund	Fund Description	August Investment Earnings	Year to Date Investment Earnings
278	NORTH BANK IMPROVEMENTS	\$ 12	\$ 24
321	EDBG 99-688	584	1,172
322	EDBG 96-405 CRADWICK	855	1,713
351	RLF HOUSING REHAB	796	796
355	RLF SMALL BUSINESS	164	329
781	RDA LTD	9,990	9,990
Total Investment Earnings		<u>\$ 12,401</u>	<u>\$ 14,024</u>



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers
DATE: February 18, 2014
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Shelly A. Gunby, Director of Financial Management *Shelly*
SUBJECT: September 2013 Treasurer Report

RECOMMENDATION:

Staff recommends that the City Council receive and file the City of Winters Treasurer Report for September 2013.

BACKGROUND:

The City of Winters financial policy requires monthly reports regarding receipts, disbursement and fund balances be submitted to the City Council for review, due to the workload created by the dissolution of the redevelopment agency, staff has prepared a report for the period July 1, 2013 through September 30, 2013 and it is attached for Council review.

Items of note in the attached report are as follows:

General Fund

General Fund revenues are 9% of budgeted; the following items affect the cash flows into the General Fund.

- The first installment of Property Tax will be received in January 2014.
- The first installment of Property Tax in lieu of Sales Tax will be received in January 2014.
- The first installment of Property Tax in lieu of VLF will be received in January 2014
- Sale and use taxes are remitted to the City two (2) months after they are received by the State Board of Equalization. Sales Tax received is 11% of Budget
- Utility User Tax is 17% of budget. We receive the UUT approximately 1-3 months after the utilities are used.
- Building permit fees received are 17% of budget.
- General Fund expenditures are 23% of budget.

Other funds:

Fund 221 Gas Tax Fund: Gas Tax revenues are 11% of Budget

Fund 211 City Wide Assessment District: The first installment will be received in January 2014.

Fund 611 Water: Water fund revenues are 27% of budget and expenditures are 40% of budget.

Fund 621 Sewer: Sewer fund revenues are 23% of budget and expenditures are 33% of budget.

FISCAL IMPACT:

None

City of Winters
Summary of Expenditures
July 1, 2013 through September 30, 2013

		% of Year Complete				25%
Fund	Fund Description	Budget 2013-2014	September Actual	Year to Date Actual	Balance of Budget Unspent	% of Budget Spent
101	General Fund Expenditures by Department					
110	City Council	\$ 12,324	\$ 701	\$ 1,106	\$ 11,218	9%
120	City Clerk	16,935	2,220	3,422	13,513	20%
130	City Treasurer	338	27	107	231	32%
160	City Manager	31,718	6,177	14,111	17,607	44%
161	Economic Development & Housing	17,925	1,734	3,732	14,193	21%
170	Administrative Services	187,294	21,482	47,082	140,212	25%
180	Finance	4,000	411	934	3,066	23%
210	Police Department	2,205,483	151,665	529,659	1,675,824	24%
310	Fire Department	798,903	66,150	168,308	630,595	21%
410	Community Development	125,299	14,910	18,803	106,496	15%
420	Building Inspections	168,763	20,040	41,388	127,375	25%
610	Public Works-Administration	258,845	30,104	57,633	201,212	22%
710	Recreation	6,200	2,558	3,433	2,767	55%
720	Community Center	88,838	14,720	25,954	62,884	29%
730	Swimming Pool	71,005	852	17,251	53,754	24%
	Total General Fund Expenditure	\$ 3,993,870	\$ 333,751	\$ 932,923	\$ 3,060,947	23%
104	Fireworks Fund	14,000		5,000	9,000	36%
110	Housing Successor Agency		1,734	2,381	(2,381)	
201	Fire Prevention Grant	456			456	
211	City Wide Assessment	262,836	46,079	81,774	181,062	31%
221	Gas Tax Fund	248,420	15,582	69,643	178,777	28%
231	State COPS 1913	77,332	7,091	16,887	60,445	22%
233	Realignment		1,061	1,061	(1,061)	
251	Traffic Safety			3,991	(3,991)	
252	Asset Forfeiture	4,500			4,500	
262	Street Grants	876,447			876,447	
276	Putah Creek North Bank Improvem		1,541	1,541	(1,541)	
278	Prop 84 Park Grant		(15,961)	(2,393)	2,393	
287	Afterschool Donations	1,687	89	89	1,598	5%
289	Dry Slough Bridge			9,345	(9,345)	
291	Beverage Recycling Grant	5,000			5,000	
294	Transportation	245,812	91,843	94,150	151,662	38%
299	After School Program	143,624	12,653	15,744	127,880	11%
304	2012 SACOG GRANT		7,919	7,919	(7,919)	
313	STBG 96-1043 Housing & Public W	7,522			7,522	
318	10-STBG-6745 OV Park Grant		22,748	431,478	(431,478)	
321	EDBG 99-688 Buckhorn	19,580	888	3,789	15,791	19%
322	EDBG 405-Cradwick	5,548	1,550	4,650	898	84%
381	CAL Fire Grant			2,009	(2,009)	
413	Park & Recreation Impact Fee			12,244	(12,244)	
414	Public Safety Impact Fee			29,716	(29,716)	
417	Water Impact Fee	96,772			96,772	
418	Sewer Impact Fee	93,672			93,672	
422	Landfill Capital	9,500		3,435	6,065	36%
427	Equipment Replacement Fund			15,167	(15,167)	
429	Service Reserve	34,187			34,187	
611	Water O & M	1,187,438	132,564	472,353	715,085	40%
615	07 Water Bonds		5,464	5,464	(5,464)	
616	Water Conservation Fund	6,600			6,600	
617	Water Meter Fund	5,000	86	1,820	3,180	36%
621	Sewer O & M	1,797,406	105,734	591,260	1,206,146	33%
626	2007 Sewer Bond			65,111	(65,111)	
651	Central Service Overhead	155,274			155,274	
652	Equipment Fund	421,910			421,910	
771	RORF		35,951	193,812	(193,812)	
781	RDA Long Term Debt			9,990	(9,990)	
821	Winters Library	25,000	25,000	25,000		100%
831	Swim Team	67,715	(375)	17,517	50,198	26%
833	Festival de la Comunidad	7,000	8,739	8,739	(1,739)	125%
846	Quilt Festival	750		11	739	1%
	Total Expenditures	\$ 9,814,858	\$ 841,731	\$ 3,133,620	\$ 6,681,238	32%

City of Winters
 Summary of Revenues
 July 1, 2013 through September 30, 2013

Fund	Fund Description	% of Year Complete				25%
		Budget 2013-2014	Septebmer Actual	Year to Date Actual	Unreceived Budget	% of Budget Received
101	General Fund	\$ 3,591,240	\$ 161,006	\$ 339,842	\$ 3,251,398	9%
104	Fireworks Fund	14,000		2,657	11,343	19%
107	Park Maintenance					
110	Housing Successor Agency		58,518	58,518		
211	City Wide Assessment	258,986			258,986	
212	Flood Assessment District	28			28	
221	Gas Tax	190,338		21,208	169,130	11%
231	State COPS AB1913	100,000			100,000	
251	Traffic Sافتey	6,800	55	220	6,580	3%
252	Asset Forfeiture	52			52	
254	Vehicle Theft Deterrent	185			185	
262	Street Grants	876,447			876,447	
267	Grant Ave Improvement					
276	Putah Creek North Bank Improvem		13	38	(38)	
287	After School Contributions			200	(200)	
289	Dry Slough Bridge Grant			6,762	(6,762)	
291	Beverage Recycling	5,100			5,100	
294	Transportation	304,925			304,925	
299	AFter School Program	141,670	81,985	81,985	59,685	58%
313	STBG 96-1043 Housing & Public W	7,522			7,522	
321	EDBG 99-688 Buckhorn	19,580	888	3,777	15,803	19%
322	EDBG 96-405 Cradwick	5,548	1,550	4,620	928	83%
351	RLF Housing Rehab			3,796	(3,796)	
355	RLF Small Business	34,114	3,676	8,028	26,086	24%
356	RLF HOME Program	282		35,045	(34,763)	999%
411	Street Impact Fee	179,586			179,586	
412	Storm Drain Impact Fee	4,766			4,766	
413	Parks & Recreation Impact Fee	1,918			1,918	
414	Public Sافتey Impact Fee	33,819			33,819	
415	Fire Impact Fee	67,388			67,388	
416	General Facilities Impact Fee	118,301			118,301	
417	Water Impact Fee	35,266		896	34,370	3%
418	Sewer Impact Fee	64,695			64,695	
421	General Fund Capital	2,085			2,085	
422	Landfill Capital	820			820	
424	Parks & Recreation Capital	29			29	
427	Capital Equipment	151,874		3,074	148,800	2%
429	Service Reserve Fund	2,163			2,163	
481	General Plan 1992	41,600			41,600	
482	Flood Control Study	5			5	
492	RAJA Storm Drain	246			246	
494	CARF	1,090	1,060	2,820	(1,730)	259%
495	Monitoring Fee	41,600			41,600	
496	Storm Drain Non-Flood	2			2	
501	General Debt Service	212			212	
611	Water O & M	1,394,348	(84,376)	369,485	1,024,863	27%
612	Water Reserve	9,292	461	3,635	5,657	39%
616	Water Conservation	12,000			12,000	
617	Water Meter Fund	82,716	6,046	13,992	68,724	17%
619	Water Debt Service			143,044	(143,044)	
621	Sewer O & M	1,712,829	131,615	397,941	1,314,888	23%
629	Sewer Debt Service			168,001	(168,001)	
771	RORF	1,723,789		14,015	1,709,774	1%
781	RDA Long Term Debt			9,990	(9,990)	
821	Winters Library	75			75	
831	Swim Team	62,300		30,628	31,672	49%
833	Festival de la Comunidad	6,402	2,743	6,093	309	95%
846	Quilt Festival	1,000	479	479	521	48%
Total Revenues		\$ 11,309,033	\$ 307,201	\$ 1,730,789	\$ 9,647,739	15%

City of Winters
Cash and LAIF Balances
Cash and LAIF Balance as of September 30, 2013

Fund	Fund Description	Balance	
		6/30/2013	9/30/2013
101	General Fund	\$ 861,149	\$ 629,824
104	Fireworks Fund	3,387	1,044
105	Senior Fund	421	421
107	Park Maintenance	2,200	2,202
110	Housing Successor Agency	(217,333)	(161,280)
113	Housing 2007 Tabs	1,140,560	1,267,916
201	Fire Prevention Grant	854	855
208	First Time Homebuyer	84,357	84,412
211	City Wide Assessment	70,913	284
212	Flood Assessment District	3,824	3,827
221	Gas Tax	212,224	181,061
223	PERS Trust Fund		1
231	State COPS 1913	(59,908)	(76,716)
233	Realignment	16,874	15,812
234	Distracted Driver Grant	(4,402)	
249	Homeland Grant		(1)
251	Traffic Safety	174,640	171,855
252	Asset Forfeiture	13,202	13,210
254	Vehicle Theft Deterrent	66,779	66,823
276	North Bank Putah Creek Project	322	(429)
278	Prop 84 Park Grant	(116,322)	(113,929)
287	After School Contributions	429	541
289	Dry Slough Bridge	(28,202)	(12,341)
291	Beverage Recycling Fund	22,022	29,823
294	Transportation(Including Bus S	243,939	229,481
299	After School Program	122,236	193,043
318	10-STBG 6745 Grant	(36,662)	(488,166)
319	CDBG Park Grant	(261)	(261)
351	RLF Housing Rehab	293,618	298,797
352	RLF First Time Homebuyer	27	27
355	RLF Small Business	89,920	98,002
356	RLF-HOME Program	74,978	110,071
381	Cal Fire Grant	(7,831)	(13,711)
411	Street Impact Fee	632,982	633,196
412	Storm Impact Fee	159,425	159,528
413	Parks and Recreation Impact Fe	(233,566)	(245,810)
414	Police Impact Fee	271,411	241,870
415	Fire Impact Fee	271,597	271,772
416	General Facilities Impact Fee	346,325	346,549
417	Water Impact Fee	433,289	434,459
418	Sewer Impact Fee	216,726	216,853
419	Flood Fee	228,935	229,083
421	General Fund Capital	551,276	551,632
422	Landfill Capital	205,659	202,792
427	Capital Equipment Fund	292,245	279,790
429	Service Reserve	731,350	731,684
481	General Plan 1992 Study	(488,932)	(488,932)
482	Flood Control Study	1,295	1,296
492	RAJA Storm Drain	38,478	38,503
494	Capital Asset Recovery Fee	62,802	65,660
496	Storm Drain Non-Flood	234	234
501	General Debt Service	56,104	56,140
611	Water O & M	671,333	573,884
612	Water Reserve	106,686	112,277
615	07 Water Bonds	100	(3,467)
616	Water Conservation	20,729	20,734
617	Water Meter	254,297	267,638
621	Sewer O & M	1,512,814	1,376,122
626	07 Sewer Bonds	(352,640)	(422,266)
629	Sewer Debt Service	60,961	61,001
651	Central Services	15,182	120,576
652	Central Service w PD & FD	13,363	24,740
771	RORF	745,651	(54,014)
773	2007 TABS	11,313	11,320
781	Successor RDA LTD	11,320	11,320
821	Winters Library	53,988	54,023
831	Swim Team	83,472	88,637
833	Festival de la Comunidad	2,777	3,952
846	Quilt Festival	321	193
Total Cash		\$ 10,017,256	\$ 8,505,467

City of Winters
General Fund Revenue Summary
July 1, 2013 through September 30, 2013

G/L Code	Account Description	% Of Year Complete			25%
		Budget 2013-2014	September Actual	Year to Date Actual	% of Budget Receivd
101-41101	Property Tax	\$ 658,317			0%
101-41102	Property Tax in Lieu of Sales Tax	118,849			0%
101-41103	Property Tax in Lieu of VLF	454,132			0%
101-41401	Sales & Use Tax	377,380	41,464	41,464	11%
101-41402	Prop 172	62,295			0%
101-41403	Franchise Fee	203,431			0%
101-41404	Property Transfer Tax	10,000			0%
101-41405	Utility Tax	738,000	61,921	122,562	17%
101-41406	Municiple Services Tax	320,000	24,720	74,130	23%
101-41407	Business Licenses	24,000	810	2,778	12%
101-41408	TOT Tax	5,000			0%
101-41507	Motor Vehicle in Lieu	6,500			0%
101-41508	Motor Vehicle Licensing Fee-ERAF		3,011	3,011	
101-41509	Homeowners Property Tax Relief	16,300			0%
101-41511	Off-Highway Motor Vehicle				
101-42102	Copy Fees	50	29	45	90%
101-42103	Plan Check Fees	15,000	987	2,019	13%
101-42104	Planning Application Fees	10,000			
101-42107	Project Monitoring Fees	500	368	1,233	247%
101-42108	Police Reports	500	91	127	25%
101-42109	Fingerprint Fees	3,500	563	1,023	29%
101-42111	Towing/DUI Reimbursement	1,500	50	140	9%
101-42112	Ticket Sign Off Fees	250	10	65	26%
101-42201	Recreation Fees	3,000	1,320	1,320	44%
101-42205	Basketball Revenues	5,800			0%
101-42211	Pool Ticket Sales	6,100		2,857	47%
101-42212	Pool Concession Stand Revenues	4,500	810	3,969	88%
101-42213	Pool Proceeds	600		515	86%
101-42215	Swim Passes	6,000			0%
101-42216	Swim Lessons	11,000		5,455	50%
101-42217	Water Aerobics Fees	150			0%
101-42218	Swim Team Reimbursement	8,000			0%
101-42301	Park Rental	1,400	220	1,045	75%
101-42303	Community Center Rental	12,750	1,073	4,983	39%
101-42304	Community Center Insurance Collected			353	
101-42308	Ambulance Service Charge	7,500	233	1,103	15%
101-43151	Fire District Payments	222,533			0%
101-44101	Rents/Leases Revenues	38,500	4,521	13,517	35%
101-44102	Interest Earnings	3,000		1	0%
101-46102	Building Permits	85,581	5,584	14,938	17%
101-46103	Encroachment Permit	1,200	949	2,550	213%
101-46104	Other Licenses & Permits	30,000	6,116	11,688	39%
101-46106	Reinspect Fee	250		106	42%
101-48103	State Government Grants	3,000			
101-48106	Post Reimbursement	5,000		1,341	27%
101-49101	Contributions	10,500	5,204	12,142	116%
101-49102	Reimbursements/Refunds			1,151	
101-49104	Miscellaneous Revenues	26,000	936	1,230	5%
101-49106	Cash Over/Short		15	4	
101-49999	Interfund Operating Transfer	73,372			0%
Total General Fund Revenues		\$ 3,591,240	\$ 161,005	\$ 328,865	9%

City of Winters
Fund Balances Report
Estimated Fund Balances as of September 30, 2013

Fund	Fund Description	Unaudited		Current Year Expenditures	Transfers In/(Out)	Estimated	
		Fund Balance 6/30/2013	Current Year Revenues			Fund Balance 9/30/2013	Change From 6/30/2013
101	General Fund	\$ 1,011,245	\$ 328,865	\$ 932,923	\$ 10,977	\$ 407,151	\$ (604,094)
104	Fireworks Fund	3,387	2,657	5,000	-	1,044	(2,343)
105	Senior Fund	421			-	421	
107	City Park Maintenance	2,202			-	2,202	
110	Housing Successor	(217,418)	58,518	2,381	-	(161,281)	56,137
113	2007 Housing TABS	1,268,555			-	1,268,555	
201	Fire Prevention Grant	855			-	855	
208	First Time Homebuyer	84,412			-	84,412	
211	City Wide Assessment	70,253		81,774	-	(11,521)	(81,774)
212	Flood Assessment District	3,827			-	3,827	
221	Gas Tax	226,490	21,208	69,643	-	178,055	(48,435)
223	PERS Trust Fund	1			-	1	
231	State COPS 1913	(59,908)		16,887	-	(76,795)	(16,887)
233	Realignment Funds	16,874		1,061	-	15,813	(1,061)
251	Traffic Saftey	174,234	220	3,991	-	170,463	(3,771)
252	Asset Forfeiture	13,210			-	13,210	
254	Vehicle Theft Deterrent	66,823			-	66,823	
276	Putah Creek North Bank Imp	149,231	38	1,541	-	147,728	(1,503)
278	Prop 84 Park	(116,322)		(2,393)	-	(113,929)	2,393
287	After School Program Contr	430	200	89	-	541	111
289	Dry Slough Bridge	(16,043)	6,762	9,345	-	(18,626)	(2,583)
291	Beverage Recycling Grant	25,036			-	25,036	
294	Transportation	286,832		94,150	-	192,682	(94,150)
299	After School Program	121,167	81,985	15,744	-	187,408	66,241
304	2012 SACOG Grant			7,919	-	(7,919)	(7,919)
313	STBG-96-1043 Housing and P	(29,070)			-	(29,070)	
318	10-STBG-6745 Grant	(60,295)		420,501	(10,977)	(491,773)	(431,478)
319	CDBG Park Grant	(261)			-	(261)	
321	EDBG 99-688 Buckhorn	12	3,777		(3,789)		(12)
322	EDBG 96-405 Cradwick	30	4,620		(4,650)		(30)
351	RLF Housing Rehabilitation	306,644	796		3,000	310,440	3,796
352	RLF Affordable Housing	17,454			-	17,454	
355	RLF Small Business	89,973	2,590		5,439	98,002	8,029
356	RLF HOME Program	75,026	35,045		-	110,071	35,045
381	Cal Fire Grant	(11,702)		2,009	-	(13,711)	(2,009)
411	Street Impact Fee	728,196			-	728,196	
412	Storm Drain Impact Fee	189,528			-	189,528	
413	Parks & Recreation Impact	(233,566)		12,244	-	(245,810)	(12,244)
414	Public Saftey Impact Fee	271,586		29,716	-	241,870	(29,716)
415	Fire Impact Fee	271,772			-	271,772	
416	General Facilities Impact	346,549			-	346,549	
417	Water Impact Fee	433,563	896		-	434,459	896
418	Sewer Impact Fee	(199,704)			-	(199,704)	
419	Flood Control Fee	229,083			-	229,083	
421	General Fund Capital	551,632			-	551,632	
422	Landfill Capital	205,792		3,435	-	202,357	(3,435)
427	Equipment Replacement Fund	479,882	3,074	15,167	-	467,789	(12,093)
429	Service Reserve Fund	1,001,505			-	1,001,505	
481	General Plan 1992	605,970			-	605,970	
482	Flood Control Study	(123,704)			-	(123,704)	
492	RAJA Storm Drain	28,914			-	28,914	
494	CARF	62,840	2,820		-	65,660	2,820
496	Storm Drain Non-Flood	234			-	234	
501	General Debt Service	56,140			-	56,140	
611	Water O & M	4,401,535	369,485	329,309	(143,044)	4,298,667	(102,868)
612	Water Reserve	1,611,953	3,635		-	1,615,588	3,635
615	2007 Water Bonds	189,497		5,464	-	184,033	(5,464)
616	Water Conservation	20,734			-	20,734	
617	Water Meter Fund	260,875	13,992	1,820	-	273,047	12,172
619	Water Debt Service Fund	(3,297,062)			143,044	(3,154,018)	143,044
621	Sewer O & M	4,944,488	397,941	423,259	(168,001)	4,751,169	(193,319)
626	2007 Sewer Bonds	2,136,326		65,111	-	2,071,215	(65,111)
629	Sewer Debt Service	(3,841,172)			168,001	(3,673,171)	168,001
771	RORF	(15,876,718)	4,025	193,812	9,990	(16,056,515)	(179,797)
772	RDA Trust	12,087,165			-	12,087,165	
773	2007 TABS	11,320			-	11,320	
781	RDA Long Term Debt	521,310	9,990		(9,990)	521,310	
821	Winters Library	54,023		25,000	-	29,023	(25,000)
831	Winters Library	75,526	30,628	17,517	-	88,637	13,111
833	Festival de La Comunidad	2,777	6,093	8,739	-	131	(2,646)
846	Quilt Festival	(275)	479	11	-	193	468
911	General Fixed Assets	22,380,872			-	22,380,872	
Totals		\$ 34,092,991	\$ 1,390,339	\$ 2,793,169	\$ -	\$ 32,679,148	\$ (1,413,843)



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers
DATE: February 18, 2014
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Shelly A. Gunby, Director of Financial Management *Shelly*
SUBJECT: September 2013 Investment Report

RECOMMENDATION:

Staff recommends that the City Council receive and file the City of Winters investment for the period July 1, 2013 through September 30, 2013.

BACKGROUND:

The City of Winters financial policy requires, at a minimum, quarterly investment earnings reports. The attached report shows the earnings for July 1 2013 through September 30, 2013. The City of Winters is invested in the Local Agency Investment Funds (LAIF), a savings account at our local First Northern Bank, a Guaranteed Investment Contract (GIC) for the 2004 Tax Allocation Bond Reserve, and receives interest payments on the various CDBG and EDBG funded loans made to residents and businesses within the City of Winters, as well as from the Money Market Account set up for the North Bank Putah Creek Improvement Elderberry Beetle Mitigation.

The investment report for the month of September 30, 2013 reflects interest from the various CDBG and EDBG funded loans and the Money Market Account set up for the North Bank Putah Creek Improvement Elderberry Beetle Mitigation Fund.

FISCAL IMPACT:

None

City of Winters
Investment Earnings Report
Investment Earnings as of September 30, 2013

Fund	Fund Description	September Investment Earnings	Year to Date Investment Earnings
101	GENERAL FUND		\$ 1
278	NORTH BANK IMPROVEMENTS	13	38
321	EDBG 99-688		1,172
322	EDBG 96-405 CRADWICK	853	2,566
351	RLF HOUSING REHAB		796
355	RLF SMALL BUSINESS	724	1,053
781	RDA LTD		9,990
	Total Investment Earnings	<u>\$ 1,590</u>	<u>\$ 15,616</u>



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers
DATE: February 18, 2014
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Shelly A. Gunby, Director of Financial Management *Shelly*
SUBJECT: October 2013 Treasurer Report

RECOMMENDATION:

Staff recommends that the City Council receive and file the City of Winters Treasurer Report for October 2013.

BACKGROUND:

The City of Winters financial policy requires monthly reports regarding receipts, disbursement and fund balances be submitted to the City Council for review, due to the workload created by the dissolution of the redevelopment agency, staff has prepared a report for the period July 1, 2013 through October 31, 2013 and it is attached for Council review.

Items of note in the attached report are as follows:

General Fund

General Fund revenues are 14% of budgeted; the following items affect the cash flows into the General Fund.

- The first installment of Property Tax will be received in January 2014.
- The first installment of Property Tax in lieu of Sales Tax will be received in January 2014.
- The first installment of Property Tax in lieu of VLF will be received in January 2014
- Sale and use taxes are remitted to the City two (2) months after they are received by the State Board of Equalization. Sales Tax received is 11% of Budget
- Utility User Tax is 25% of budget. We receive the UUT approximately 1-3 months after the utilities are used.
- Building permit fees received are 22% of budget.
- General Fund expenditures are 29% of budget.

Other funds:

Fund 221 Gas Tax Fund: Gas Tax revenues are 30% of Budget

Fund 211 City Wide Assessment District: The first installment will be received in January 2014.

Fund 611 Water: Water fund revenues are 34% of budget and expenditures are 45% of budget.

Fund 621 Sewer: Sewer fund revenues are 31% of budget and expenditures are 37% of budget.

FISCAL IMPACT:

None

City of Winters
Cash and LAIF Balances Report
Cash and LAIF Balances as of October 31, 2013

Fund	Fund Description	Balance 6/30/2013	Balance 10/31/2013
101	General Fund	\$ 861,149	\$ 378,963
104	Fireworks Fund	3,387	1,044
105	Senior Fund	421	422
107	Park Maintenance	2,200	2,203
110	Housing Successor Agency	(217,333)	(161,368)
113	Housing 2007 Tabs	1,140,560	1,269,294
201	Fire Prevention Grant	854	855
208	First Time Homebuyer	84,357	84,466
211	City Wide Assessment	70,913	(25,356)
212	Flood Assessment District	3,824	3,829
221	Gas Tax	212,224	162,161
223	PERS Trust Fund		3
231	State COPS 1913	(59,908)	(85,561)
233	Realignment	16,874	15,812
234	Distracted Driver Grant	(4,402)	
251	Traffic Safety	174,640	170,617
252	Asset Forfeiture	13,202	13,219
254	Vehicle Theft Deterrent	66,779	66,866
276	North Bank Putah Creek Project	322	(1,541)
278	Prop 84 Park Grant	(116,322)	(113,929)
287	After School Contributions	429	541
289	Dry Slough Bridge	(28,202)	(18,627)
291	Beverage Recycling Fund	22,022	25,050
294	Transportation(Including Bus Se	243,939	192,717
299	After School Program	122,236	188,618
304	2012 SACOG Grant		(7,919)
318	10-STBG 6745 Grant	(36,662)	(491,773)
319	CDBG Park Grant	(261)	(261)
351	RLF Housing Rehab	293,618	298,987
352	RLF First Time Homebuyer	27	27
355	RLF Small Business	89,920	101,731
356	RLF-HOME Program	74,978	110,120
381	Cal Fire Grant	(7,831)	(13,711)
411	Street Impact Fee	632,982	633,410
412	Storm Impact Fee	159,425	159,631
413	Parks and Recreation Impact Fee	(233,566)	(245,810)
414	Police Impact Fee	271,411	242,027
415	Fire Impact Fee	271,597	271,948
416	General Facilities Impact Fee	346,325	346,773
417	Water Impact Fee	433,289	434,734
418	Sewer Impact Fee	216,726	216,979
419	Flood Fee	228,935	229,231
421	General Fund Capital	551,276	551,988
422	Landfill Capital	205,659	202,488
427	Capital Equipment Fund	292,245	279,878
429	Service Reserve	731,350	732,019
481	General Plan 1992 Study	(488,932)	(488,932)
482	Flood Control Study	1,295	1,296
492	RAJA Storm Drain	38,478	38,528
494	Capital Asset Recovery Fee	62,802	66,498
496	Storm Drain Non-Flood	234	234
501	General Debt Service	56,104	56,176
611	Water O & M	671,333	606,899
612	Water Reserve	106,686	113,190
615	07 Water Bonds	100	(5,364)
616	Water Conservation	20,729	20,740
617	Water Meter	254,297	271,762
621	Sewer O & M	1,512,814	1,329,740
626	07 Sewer Bonds	(352,640)	(422,266)
629	Sewer Debt Service	60,961	61,040
651	Central Services	15,182	7,401
652	Central Service w PD & FD	13,363	8,677
771	RORF	745,651	(85,177)
773	2007 TABS	11,313	11,328
781	Successor RDA LTD	11,320	17,980
821	Winters Library	53,988	29,057
831	Swim Team	83,472	88,692
833	Festival de la Comunidad	2,777	4,924
846	Quilt Festival	321	193
Total Cash		<u>\$ 10,017,256</u>	<u>\$ 7,955,411</u>

City of Winters
Summary of Expenditures
July 1, 2013 through October 31, 2013

		% of Year Complete				33%
Fund	Fund Description	Budget 2013-2014	October Actual	Year to Date Actual	Balance of Budget Unspent	% of Budget Spent
101	General Fund Expenditures by Department					
110	City Council	\$ 12,324	\$ 146	\$ 1,251	\$ 11,073	10%
120	City Clerk	16,935	370	3,792	13,143	22%
130	City Treasurer	338	27	134	204	40%
160	City Manager	31,718	5,006	19,117	12,601	60%
161	Economic Development & Housing	17,925	1,335	5,067	12,858	28%
170	Administrative Services	187,294	15,648	62,731	124,563	33%
180	Finance	4,000	310	1,244	2,756	31%
210	Police Department	2,205,483	121,628	651,287	1,554,196	30%
310	Fire Department	798,903	69,282	237,590	561,313	30%
410	Community Development	125,299	33	18,835	106,464	15%
420	Building Inspections	168,763	15,370	56,758	112,005	34%
610	Public Works-Administration	258,845	11,101	68,734	190,111	27%
660	Public Works-Streets		193	193	(193)	
710	Recreation	6,200		3,433	2,767	55%
720	Community Center	88,838	3,800	29,754	59,084	33%
730	Swimming Pool	71,005	452	17,703	53,302	25%
999	Transfers Out		15	15	(15)	
	Total General Fund Expenditure	\$ 3,993,870	\$ 244,701	\$ 1,177,623	\$ 2,816,247	29%
104	Fireworks Fund	14,000		5,000	9,000	36%
110	Housing Successor Agency		88	2,468	(2,468)	
201	Fire Prevention Grant	456			456	
211	City Wide Assessment	262,836	13,224	94,997	167,839	36%
221	Gas Tax Fund	248,420	53,169	122,811	125,609	49%
231	State COPS 1913	77,332	8,097	24,983	52,349	32%
233	Realignment			1,061	(1,061)	
251	Traffic Safety			3,991	(3,991)	
252	Asset Forfeiture	4,500			4,500	
262	Street Grants	876,447			876,447	
276	Putah Creek North Bank Improvem			1,541	(1,541)	
278	Prop 84 Park Grant			(2,393)	2,393	
287	Afterschool Donations	1,687		89	1,598	5%
289	Dry Slough Bridge			9,345	(9,345)	
291	Beverage Recycling Grant	5,000			5,000	
294	Transportation	245,812		94,150	151,662	38%
299	After School Program	143,624	12,980	28,724	114,900	20%
304	2012 SACOG GRANT			7,919	(7,919)	
313	STBG 96-1043 Housing & Public W	7,522			7,522	
318	10-STBG-6745 OV Park Grant			431,478	(431,478)	
321	EDBG 99-688 Buckhorn	19,580	1,450	5,239	14,341	27%
322	EDBG 405-Cradwick	5,548	1,550	6,200	(652)	112%
381	CAL Fire Grant			2,009	(2,009)	
413	Park & Recreation Impact Fee			12,244	(12,244)	
414	Public Safety Impact Fee			29,716	(29,716)	
417	Water Impact Fee	96,772			96,772	
418	Sewer Impact Fee	93,672			93,672	
422	Landfill Capital	9,500		3,435	6,065	36%
427	Equipment Replacement Fund			15,167	(15,167)	
429	Service Reserve	34,187			34,187	
611	Water O & M	1,187,438	60,988	533,340	654,098	45%
615	07 Water Bonds			5,464	(5,464)	
616	Water Conservation Fund	6,600			6,600	
617	Water Meter Fund	5,000	82	1,902	3,098	38%
621	Sewer O & M	1,797,406	79,181	670,440	1,126,966	37%
626	2007 Sewer Bond			65,111	(65,111)	
651	Central Service Overhead	155,274			155,274	
652	Equipment Fund	421,910			421,910	
771	RORF		21,134	214,946	(214,946)	
781	RDA Long Term Debt			9,990	(9,990)	
821	Winters Library	25,000		25,000		100%
831	Swim Team	67,715		17,517	50,198	26%
833	Festival de la Comunidad	7,000		8,739	(1,739)	125%
846	Quilt Festival	750		11	739	1%
	Total Expenditures	\$ 9,814,858	\$ 496,659	\$ 3,630,272	\$ 6,184,586	37%

City of Winters
Fund Balances Report
Estimated Fund Balances as of October 31, 2013

Fund	Fund Description	Unaudited		Current Year Expenditures	Transfers In/(Out)	Estimated	
		Fund Balance 30-Jun-13	Current Year Revenues			Fund Balance 10/31/2013	Change From 6/30/2013
101	General Fund	\$ 1,011,245	\$ 519,038	\$ 1,177,621	\$ 10,977	\$ 363,639	\$ (647,606)
104	Fireworks Fund	3,387	2,657	5,000	-	1,044	(2,343)
105	Senior Fund	421			-	421	
107	City Park Maintenance	2,202	1		-	2,203	1
110	Housing Successor	(217,418)	58,518	2,468	-	(161,368)	56,050
113	2007 Housing TABS	1,268,555	738		-	1,269,293	738
201	Fire Prevention Grant	855	1		-	856	1
208	First Time Homebuyer	84,412	55		-	84,467	55
211	City Wide Assessment	70,253	129	94,997	-	(24,615)	(94,868)
212	Flood Assessment District	3,827	2		-	3,829	2
221	Gas Tax	226,490	56,284	122,811	-	159,963	(66,527)
223	PERS Trust Fund	1	1		-	2	1
231	State COPS 1913	(59,908)		24,983	-	(84,891)	(24,983)
233	Realignment Funds	16,874		1,061	-	15,813	(1,061)
251	Traffic Saftety	174,234	374	3,991	-	170,617	(3,617)
252	Asset Forfeiture	13,210	9		-	13,219	9
254	Vehicle Theft Deterrent	66,823	43		-	66,866	43
276	Putah Creek North Bank Imp	149,231	50	1,541	-	147,740	(1,491)
278	Prop 84 Park	(116,322)		(2,393)	-	(113,929)	2,393
287	After School Program Contr	430	200	89	-	541	111
289	Dry Slough Bridge	(16,043)	6,762	9,345	-	(18,626)	(2,583)
291	Beverage Recycling Grant	25,036	14		-	25,050	14
294	Transportation	286,832	35	94,150	-	192,717	(94,115)
299	After School Program	121,167	97,589	28,724	-	190,032	68,865
304	2012 SACOG Grant			7,919	-	(7,919)	(7,919)
313	STBG-96-1043 Housing and P	(29,070)			-	(29,070)	
318	10-STBG-6745 Grant	(60,295)		420,501	(10,977)	(491,773)	(431,478)
319	CDBG Park Grant	(261)			-	(261)	
321	EDBG 99-688 Buckhorn	12	5,227		(5,239)		(12)
322	EDBG 96-405 Cradwick	30	6,170		(6,200)		(30)
351	RLF Housing Rehabilitation	306,644	986		3,000	310,630	3,986
352	RLF Affordable Housing	17,454			-	17,454	
355	RLF Small Business	89,973	3,319		8,439	101,731	11,758
356	RLF HOME Program	75,026	35,094		-	110,120	35,094
381	Cal Fire Grant	(11,702)		2,009	-	(13,711)	(2,009)
411	Street Impact Fee	728,196	214		-	728,410	214
412	Storm Drain Impact Fee	189,528	103		-	189,631	103
413	Parks & Recreation Impact	(233,566)		12,244	-	(245,810)	(12,244)
414	Public Saftety Impact Fee	271,586	156	29,716	-	242,026	(29,560)
415	Fire Impact Fee	271,772	176		-	271,948	176
416	General Facilities Impact	346,549	224		-	346,773	224
417	Water Impact Fee	433,563	1,171		-	434,734	1,171
418	Sewer Impact Fee	(199,704)	126		-	(199,578)	126
419	Flood Control Fee	229,083	148		-	229,231	148
421	General Fund Capital	551,632	357		-	551,989	357
422	Landfill Capital	205,792	131	3,435	-	202,488	(3,304)
427	Equipment Replacement Fund	479,882	3,162	15,167	-	467,877	(12,005)
429	Service Reserve Fund	1,001,505	335		-	1,001,840	335
481	General Plan 1992	605,970			-	605,970	
482	Flood Control Study	(123,704)	1		-	(123,703)	1
492	RAJA Storm Drain	28,914	25		-	28,939	25
494	CARF	62,840	3,658		-	66,498	3,658
496	Storm Drain Non-Flood	234			-	234	
501	General Debt Service	56,140	36		-	56,176	36
611	Water O & M	4,401,535	475,514	390,297	(143,044)	4,343,708	(57,827)
612	Water Reserve	1,611,953	3,639		-	1,615,592	3,639
615	2007 Water Bonds	189,497		5,464	-	184,033	(5,464)
616	Water Conservation	20,734	6		-	20,740	6
617	Water Meter Fund	260,875	18,285	1,902	-	277,258	16,383
619	Water Debt Service Fund	(3,297,062)			143,044	(3,154,018)	143,044
621	Sewer O & M	4,944,488	530,026	502,440	(168,001)	4,804,073	(140,415)
626	2007 Sewer Bonds	2,136,326		65,111	-	2,071,215	(65,111)
629	Sewer Debt Service	(3,841,172)	39		168,001	(3,673,132)	168,040
771	RORF	(15,876,718)	4,057	214,946	9,990	(16,077,617)	(200,899)
772	RDA Trust	12,087,165			-	12,087,165	
773	2007 TABS	11,320	7		-	11,327	7
781	RDA Long Term Debt	521,310	16,649		(9,990)	527,969	6,659
821	Winters Library	54,023	35	25,000	-	29,058	(24,965)
831	Winters Library	75,526	30,682	17,517	-	88,691	13,165
833	Festival de La Comunidad	2,777	10,886	8,739	-	4,924	2,147
846	Quilt Festival	(275)	479	11	-	193	468
911	General Fixed Assets	22,380,872			-	22,380,872	
	Totals	\$ 34,092,991	\$ 1,893,623	\$ 3,286,806	\$ -	\$ 32,699,808	\$ (1,393,183)

City of Winters
 General Fund Revenue Summary
 July 1, 2013 through October 31, 2013

		% Of Year Complete			33%
G/L Code	Account Description	Budget 2013-2014	October Actual	Year to Date Actual	% of Budget Received
101-41101	Property Tax	\$ 658,317			0%
101-41102	Property Tax in Lieu of Sales Tax	118,849			0%
101-41103	Property Tax in Lieu of VLF	454,132			0%
101-41401	Sales & Use Tax	377,380	29,100	70,564	19%
101-41402	Prop 172	62,295			0%
101-41403	Franchise Fee	203,431	41,790	41,790	21%
101-41404	Property Transfer Tax	10,000			0%
101-41405	Utility Tax	738,000	58,994	181,556	25%
101-41406	Municiple Services Tax	320,000	24,780	98,910	31%
101-41407	Business Licenses	24,000	1,020	3,798	16%
101-41408	TOT Tax	5,000			0%
101-41507	Motor Vehicle in Lieu	6,500			0%
101-41508	Motor Vehicle Licensing Fee-ERAF			3,011	
101-41509	Homeowners Property Tax Relief	16,300			0%
101-41511	Off-Highway Motor Vehicle				
101-42102	Copy Fees	50		45	90%
101-42103	Plan Check Fees	15,000	5,268	7,287	49%
101-42104	Planning Application Fees	10,000	500	500	5%
101-42107	Project Monitoring Fees	500		1,233	247%
101-42108	Police Reports	500	11	138	28%
101-42109	Fingerprint Fees	3,500	425	1,448	41%
101-42111	Towing/DUI Reimbursement	1,500		140	9%
101-42112	Ticket Sign Off Fees	250	5	70	28%
101-42201	Recreation Fees	3,000		1,320	44%
101-42205	Basketball Revenues	5,800	190	190	3%
101-42211	Pool Ticket Sales	6,100	2	2,859	47%
101-42212	Pool Concession Stand Revenues	4,500	5	3,974	88%
101-42213	Pool Proceeds	600	50	565	94%
101-42215	Swim Passes	6,000			0%
101-42216	Swim Lessons	11,000		5,455	50%
101-42217	Water Aerobics Fees	150			0%
101-42218	Swim Team Reimbursement	8,000			0%
101-42301	Park Rental	1,400	240	1,285	92%
101-42303	Community Center Rental	12,750	650	5,633	44%
101-42304	Community Center Insurance Collected			353	
101-42308	Ambulance Service Charge	7,500	779	1,881	25%
101-43151	Fire District Payments	222,533			0%
101-44101	Rents/Leases Revenues	38,500	7,689	21,206	55%
101-44102	Interest Earnings	3,000	115	115	4%
101-46102	Building Permits	85,581	3,600	18,537	22%
101-46103	Encroachment Permit	1,200	598	3,148	262%
101-46104	Other Licenses & Permits	30,000	10,517	22,205	74%
101-46106	Reinspect Fee	250		106	42%
101-48103	State Government Grants	3,000			0%
101-48106	Post Reimbursement	5,000		1,341	27%
101-49101	Contributions	10,500	3,469	15,611	149%
101-49102	Reimbursements/Refunds			1,151	
101-49104	Miscellaneous Revenues	26,000	377	1,607	6%
101-49106	Cash Over/Short			4	
101-49999	Interfund Operating Transfer	73,372			0%
Total General Fund Revenues		<u>\$ 3,591,240</u>	<u>\$ 190,174</u>	<u>\$ 519,036</u>	<u>14%</u>

City of Winters
 Summary of Revenues
 July 1, 2013 through October 31, 2013

		% of Year Complete				33%
Fund	Fund Description	Budget 2013-2014	October Actual	Year to Date Actual	Unreceived Budget	% of Budget Received
101	General Fund	\$ 3,591,240	\$ 190,173	\$ 519,038	\$ 3,072,202	14%
104	Fireworks Fund	14,000		2,657	11,343	19%
107	Park Maintenance					
110	Housing Successor		58,518	58,518	(1)	
113	2007 Housing TABS		738	738	(738)	
201	Fire Prevention Grant		1	1	(1)	
208	First Time Homebuyer In Lieu		55	55	(55)	
211	City Wide Assessment	258,986	128	129	258,857	
212	Flood Assessment District	28	2	2	26	7%
221	Gas Tax	190,338	35,076	56,284	134,054	30%
223	PERS Trust Fund		1	1	(1)	
231	State COPS AB1913	100,000			100,000	
251	Traffic Safety	6,800	154	374	6,426	6%
252	Asset Forfeiture	52	9	9	43	17%
254	Vehicle Theft Deterrent	185	43	43	142	23%
262	Street Grants	876,447			876,447	
267	Grant Ave Improvement					
276	Putah Creek North Bank Improvem		12	50	(50)	
287	After School Contributions			200	(200)	
289	Dry Slough Bridge Grant			6,762	(6,762)	
291	Beverage Recycling	5,100	14	14	5,086	
294	Transportation	304,925	35	35	304,890	
299	After School Program	141,670	15,604	97,589	44,081	69%
313	STBG 96-1043 Housing & Public W	7,522			7,522	
318	10-STBG-6745 Grant			10,977		
321	EDBG 99-688 Buckhorn	19,580	1,450	5,227	14,353	27%
322	EDBG 96-405 Cradwick	5,548	1,550	6,170	(622)	111%
351	RLF Housing Rehab		190	3,986	(3,986)	
355	RLF Small Business	34,114	3,730	11,758	22,356	34%
356	RLF HOME Program	282	49	35,094	(34,812)	999%
411	Street Impact Fee	179,586	214	214	179,372	
412	Storm Drain Impact Fee	4,766	103	103	4,663	2%
413	Parks & Recreation Impact Fee	1,918			1,918	
414	Public Safety Impact Fee	33,819	156	156	33,663	
415	Fire Impact Fee	67,388	176	176	67,212	
416	General Facilities Impact Fee	118,301	224	224	118,077	
417	Water Impact Fee	35,266	275	1,171	34,095	3%
418	Sewer Impact Fee	64,695	126	126	64,569	
419	Flood Fees		148	148	(148)	
421	General Fund Capital	2,085	357	357	1,728	17%
422	Landfill Capital	820	131	131	689	16%
424	Parks & Recreation Capital	29			29	
427	Capital Equipment	151,874	88	3,162	148,712	2%
429	Service Reserve Fund	2,163	335	335	1,828	15%
481	General Plan 1992	41,600			41,600	
482	Flood Control Study	5	1	1	4	20%
492	RAJA Storm Drain	246	25	25	221	10%
494	CARF	1,090	838	3,658	(2,568)	336%
495	Monitoring Fee	41,600			41,600	
496	Storm Drain Non-Flood	2			2	
501	General Debt Service	212	36	36	176	17%
611	Water O & M	1,394,348	106,029	475,514	918,834	34%
612	Water Reserve	9,292	4	3,639	5,653	39%
616	Water Conservation	12,000	6	6	11,994	
617	Water Meter Fund	82,716	4,293	18,285	64,431	22%
619	Water Debt Service			143,044	(143,044)	
621	Sewer O & M	1,712,829	132,085	530,026	1,182,803	31%
629	Sewer Debt Service		39	168,040	(168,040)	
771	RORF	1,723,789	32	14,047	1,709,742	1%
773	2007 TABS		7	7	(7)	
781	RDA Long Term Debt		6,660	16,649	(16,649)	
821	Winters Library	75	35	35	40	47%
831	Swim Team	62,300	55	30,682	31,618	49%
833	Festival de la Comunidad	6,402	4,793	10,886	(4,484)	170%
846	Quilt Festival	1,000		479	521	48%
Total Revenues		\$ 11,309,033	\$ 564,803	\$ 2,237,073	\$ 9,141,454	19%



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers
DATE: February 18, 2014
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Shelly A. Gunby, Director of Financial Management
SUBJECT: October 2013 Investment Report

RECOMMENDATION:

Staff recommends that the City Council receive and file the City of Winters investment for the period July 1, 2013 through October 31, 2013.

BACKGROUND:

The City of Winters financial policy requires, at a minimum, quarterly investment earnings reports. The attached report shows the earnings for July 1 2013 through October 31, 2013. The City of Winters is invested in the Local Agency Investment Funds (LAIF), a savings account at our local First Northern Bank, a Guaranteed Investment Contract (GIC) for the 2004 Tax Allocation Bond Reserve, and receives interest payments on the various CDBG and EDBG funded loans made to residents and businesses within the City of Winters, as well as from the Money Market Account set up for the North Bank Putah Creek Improvement Elderberry Beetle Mitigation.

The investment report for the month of October 31, 2013 reflects interest from all of the above sources.

FISCAL IMPACT:

None

City of Winters
Investment Earnings Report
Investment Earnings as of October 31, 2013

Fund	Fund Description	October Investment Earnings	Year to Date Investment Earnings
101	GENERAL FUND	\$ 115	\$ 115
107	PARK MAINTENANCE FUND	1	1
113	2007 HOUSING TABS	738	738
201	FIRE PREVENTION FUND	1	1
208	FIRST TIME HOMEBUYER	55	55
212	FLOOD ASSESSMENT DISTRICT	2	2
221	GAS TAX FUND	117	117
223	PERS TRUST FUND	1	1
251	TRAFFIC SAFTEY	109	109
252	ASSET FORFEITURE	9	9
254	VEHICLE THEFT DETERRENT	43	43
278	NORTH BANK IMPROVEMENTS	12	50
291	BEVERAGE RECYCLE GRANT	14	14
294	TRANSPORTATION/BUS	35	35
299	AFTER SHCOOL PROGRAM	78	78
321	EDBG 99-688	577	1,749
322	EDBG 96-405 CRADWICK	851	3,416
351	RLF HOUSING REHAB	190	986
355	RLF SMALL BUSINESS	214	1,267
356	RLF HOME PROGRAM	49	49
411	STREET IMPACT FEE	214	214
412	STORM IMPACT FEE	103	103
414	POLICE IMPACT FEE	156	156
415	FIRE IMPACT FEE	176	176
416	GENERAL FACILITY IMPACT FEE	224	224
417	WATER IMPACT FEE	275	275
418	SEWER IMPACT FEE	126	126
419	FLOOD OVERLAY	148	148
421	GENERAL FUND CAPITAL	357	357
422	LANDFILL CAPITAL	131	131
427	EQUIPMENT REPLACEMENT FUND	88	88
429	SERVICE RESERVE	335	335
482	FLOOD CONTROL STUDY	1	1
492	RAJA STORM DRAIN	25	25
494	CARF	38	38
501	GENERAL DEBT SERVICE	36	36
612	WATER RESERVE	4	4
616	WATER CONSERVATION	6	6
617	WATER METER FUND	121	121
621	SEWER O & M	657	657
629	SEWER DEBT SERVICE FUND	39	39
773	2007 TABS	7	7
781	RDA LTD	6,660	16,649
821	WINTERS LIBRARY	35	35
831	SWIM TEAM	55	55
Total Investment Earnings		<u>\$ 13,228</u>	<u>\$ 28,841</u>



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers
DATE: February 18, 2014
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Shelly A. Gunby, Director of Financial Management *Shelly*
SUBJECT: November 2013 Treasurer Report

RECOMMENDATION:

Staff recommends that the City Council receive and file the City of Winters Treasurer Report for October 2013.

BACKGROUND:

The City of Winters financial policy requires monthly reports regarding receipts, disbursement and fund balances be submitted to the City Council for review, due to the workload created by the dissolution of the redevelopment agency, staff has prepared a report for the period July 1, 2013 through November 30, 2013 and it is attached for Council review.

Items of note in the attached report are as follows:

General Fund

General Fund revenues are 19% of budgeted; the following items affect the cash flows into the General Fund.

- The first installment of Property Tax will be received in January 2014.
- The first installment of Property Tax in lieu of Sales Tax will be received in January 2014.
- The first installment of Property Tax in lieu of VLF will be received in January 2014
- Sale and use taxes are remitted to the City two (2) months after they are received by the State Board of Equalization. Sales Tax received is 29% of Budget
- Utility User Tax is 33% of budget. We receive the UUT approximately 1-3 months after the utilities are used.
- Building permit fees received are 26% of budget.
- General Fund expenditures are 44% of budget.

Other funds:

Fund 221 Gas Tax Fund: Gas Tax revenues are 30% of Budget

Fund 211 City Wide Assessment District: The first installment will be received in January 2014.

Fund 611 Water: Water fund revenues are 41% of budget and expenditures are 55% of budget.

Fund 621 Sewer: Sewer fund revenues are 39% of budget and expenditures are 46% of budget.

FISCAL IMPACT:

None

City of Winters
Cash and LAIF Balances Report
Cash and LAIF Balances as of November 30, 2013

Fund	Fund Description	Balance	
		6/30/2013	11/30/2013
101	General Fund	\$ 861,149	\$ 264,476
104	Fireworks Fund	3,387	1,294
105	Senior Fund	421	422
107	Park Maintenance	2,200	2,203
110	Housing Successor Agency	(217,333)	(161,368)
113	Housing 2007 Tabs	1,140,560	1,269,294
201	Fire Prevention Grant	854	855
208	First Time Homebuyer	84,357	84,466
211	City Wide Assessment	70,913	(48,772)
212	Flood Assessment District	3,824	3,829
221	Gas Tax	212,224	142,498
231	State COPS 1913	(59,908)	(90,625)
233	Realignment	16,874	15,812
234	Distracted Driver Grant	(4,402)	-
251	Traffic Safety	174,640	170,682
252	Asset Forfeiture	13,202	13,219
254	Vehicle Theft Deterrent	66,779	63,501
276	North Bank Putah Creek Project	322	(1,541)
278	Prop 84 Park Grant	(116,322)	(113,929)
287	After School Contributions	429	541
289	Dry Slough Bridge	(28,202)	(23,195)
291	Beverage Recycling Fund	22,022	29,729
294	Transportation(Including Bus Se	243,939	196,767
299	After School Program	122,236	181,675
304	2012 SACOG Grant		(7,919)
318	10-STBG 6745 Grant	(36,662)	(491,773)
319	CDBG Park Grant	(261)	(261)
351	RLF Housing Rehab	293,618	298,987
352	RLF First Time Homebuyer	27	27
355	RLF Small Business	89,920	104,732
356	RLF-HOME Program	74,978	110,120
381	Cal Fire Grant	(7,831)	(13,711)
411	Street Impact Fee	632,982	633,410
412	Storm Impact Fee	159,425	159,631
413	Parks and Recreation Impact Fee	(233,566)	(245,810)
414	Police Impact Fee	271,411	242,027
415	Fire Impact Fee	271,597	271,948
416	General Facilities Impact Fee	346,325	346,773
417	Water Impact Fee	433,289	434,734
418	Sewer Impact Fee	216,726	216,979
419	Flood Fee	228,935	229,231
421	General Fund Capital	551,276	551,988
422	Landfill Capital	205,659	202,488
427	Capital Equipment Fund	292,245	279,878
429	Service Reserve	731,350	732,019
481	General Plan 1992 Study	(488,932)	(488,932)
482	Flood Control Study	1,295	1,296
492	RAJA Storm Drain	38,478	38,528
494	Capital Asset Recovery Fee	62,802	67,058
496	Storm Drain Non-Flood	234	234
501	General Debt Service	56,104	56,176
611	Water O & M	671,333	613,486
612	Water Reserve	106,686	113,765
615	07 Water Bonds	100	(5,364)
616	Water Conservation	20,729	20,187
617	Water Meter	254,297	275,651
621	Sewer O & M	1,512,814	1,351,427
626	07 Sewer Bonds	(352,640)	(485,031)
629	Sewer Debt Service	60,961	61,040
651	Central Services	15,182	33,562
652	Central Service w PD & FD	13,363	24,400
771	RORF	745,651	(90,547)
773	2007 TABS	11,313	11,328
781	Successor RDA LTD	11,320	35,960
821	Winters Library	53,988	29,057
831	Swim Team	83,472	88,692
833	Festival de la Comunidad	2,777	5,892
846	Quilt Festival	321	193
Total Cash		\$ 10,017,256	\$ 7,815,389

City of Winters
Summary of Revenues
July 1, 2013 through November 30, 2013

		% of Year Complete				42%
Fund	Fund Description	Budget 2013-2014	November Actual	Year to Date Actual	Unreceived Budget	% of Budget Received
101	General Fund	\$ 3,591,240	\$ 155,938	\$ 674,975	\$ 2,916,265	19%
104	Fireworks Fund	14,000	250	2,907	11,093	21%
107	Park Maintenance			1	(1)	
110	Housing Successor Agency			58,518	(58,518)	
113	2007 Housing TABS			738	(738)	
201	Fire Prevention Grant			1	(1)	
208	First Time Homebuyer In Lieu			55	(55)	
211	City Wide Assessment	258,986		129	258,857	
212	Flood Assessment District	28		2	26	7%
221	Gas Tax	190,338		56,284	134,054	30%
223	PERS Trust Fund		(3)	(1)	1	
231	State COPS AB1913	100,000			100,000	
251	Traffic Safety	6,800	65	439	6,361	6%
252	Asset Forfeiture	52		9	43	17%
254	Vehicle Theft Deterrent	185		43	142	23%
262	Street Grants	876,447			876,447	
267	Grant Ave Improvement					
276	Putah Creek North Bank Improvem		13	63	(63)	
287	After School Contributions			200	(200)	
289	Dry Slough Bridge Grant		10,135	16,897	(16,897)	
291	Beverage Recycling	5,100		14	5,086	
294	Transportation	304,925	8,761	8,796	296,129	3%
299	After School Program	141,670	3,278	100,867	40,803	71%
313	STBG 96-1043 Housing & Public W	7,522			7,522	
318	10-STBG-6745			10,977	(10,977)	
321	EDBG 99-688 Buckhorn	19,580	1,450	6,678	12,902	34%
322	EDBG 96-405 Cradwick	5,548	1,550	7,720	(2,172)	139%
351	RLF Housing Rehab			3,986	(3,986)	
355	RLF Small Business	34,114	3,000	14,758	19,356	43%
356	RLF HOME Program	282		35,094	(34,812)	999%
411	Street Impact Fee	179,586		214	179,372	
412	Storm Drain Impact Fee	4,766		103	4,663	2%
413	Parks & Recreation Impact Fee	1,918			1,918	
414	Public Safety Impact Fee	33,819		156	33,663	
415	Fire Impact Fee	67,388		176	67,212	
416	General Facilities Impact Fee	118,301		224	118,077	
417	Water Impact Fee	35,266		1,171	34,095	3%
418	Sewer Impact Fee	64,695		126	64,569	
419	Flood Fees			148	(148)	
421	General Fund Capital	2,085		357	1,728	17%
422	Landfill Capital	820		131	689	16%
424	Parks & Recreation Capital	29			29	
427	Capital Equipment	151,874		3,162	148,712	2%
429	Service Reserve Fund	2,163		335	1,828	15%
481	General Plan 1992	41,600			41,600	
482	Flood Control Study	5		1	4	20%
492	RAJA Storm Drain	246		25	221	10%
494	CARF	1,090	560	4,218	(3,128)	387%
495	Monitoring Fee	41,600			41,600	
496	Storm Drain Non-Flood	2			2	
501	General Debt Service	212		36	176	17%
611	Water O & M	1,394,348	94,391	569,905	824,443	41%
612	Water Reserve	9,292	3,144	6,783	2,509	73%
616	Water Conservation	12,000		6	11,994	
617	Water Meter Fund	82,716	4,822	23,107	59,609	28%
619	Water Debt Service			143,044	(143,044)	
621	Sewer O & M	1,712,829	130,239	660,265	1,052,564	39%
629	Sewer Debt Service			168,040	(168,040)	
771	RORF	1,723,789	(17,960)	4,077	1,727,702	%
773	2007 TABS			7	(7)	
781	RDA Long Term Debt			24,640	(16,649)	
821	Winters Library	75		35	40	47%
831	Swim Team	62,300		30,682	31,618	49%
833	Festival de la Comunidad	6,402	1,142	12,028	(5,626)	188%
846	Quilt Festival	1,000		479	521	48%
Total Revenues		\$ 11,309,033	\$ 400,775	\$ 2,653,831	\$ 8,671,183	23%

City of Winters
Summary of Expenditures
July 1, 2013 through November 30, 2013

					% of Year Complete	42%
Fund	Fund Description	Budget 2013-2014	November Actual	Year to Date Actual	Balance of Budget Unspent	% of Budget Spent
101	General Fund Expenditures by Department					
110	City Council	\$ 12,324	\$ 303	\$ 1,554	\$ 10,770	13%
120	City Clerk	16,935	4,006	7,799	9,136	46%
130	City Treasurer	338	27	161	177	48%
160	City Manager	31,718	10,783	40,878	1,817	94%
161	Economic Development & Housing	17,925	79,101	84,168	(66,243)	470%
170	Administrative Services	187,294	23,681	86,412	100,882	46%
180	Finance	4,000	28,762	30,006	(26,006)	750%
210	Police Department	2,205,483	243,800	895,087	1,310,396	41%
310	Fire Department	798,903	101,709	339,299	459,604	42%
410	Community Development	125,299	4,562	23,398	101,901	19%
420	Building Inspections	168,763	17,416	74,174	94,589	44%
610	Public Works-Administration	258,845	25,111	93,845	165,000	36%
660	Public Works-Streets		(193)			
710	Recreation	6,200	2,573	6,006	194	97%
720	Community Center	88,838	7,756	37,510	51,328	42%
730	Swimming Pool	71,005	16,079	33,783	37,222	48%
999	Transfers Out			15	(15)	
	Total General Fund Expenditure	\$ 3,993,870	\$ 565,476	\$ 1,754,095	\$ 2,250,767	44%
104	Fireworks Fund	14,000		5,000	9,000	36%
105	Senior Fund		37	37	(37)	
110	Housing Successor Agency			2,468	(2,468)	
201	Fire Prevention Grant	456			456	
211	City Wide Assessment	262,836	35,211	130,208	132,628	50%
221	Gas Tax Fund	248,420	22,128	144,940	103,480	58%
231	State COPS 1913	77,332	6,480	31,463	45,869	41%
233	Realignment			1,061	(1,061)	
251	Traffic Safety			3,991	(3,991)	
252	Asset Forfeiture	4,500	2,075	2,075	2,425	46%
254	Vehicle Theft Deterrent		26,595	26,595	(26,595)	
262	Street Grants	876,447			876,447	
276	Putah Creek North Bank Improvem		2,115	3,655	(3,655)	
278	Prop 84 Park Grant			(2,393)	2,393	
287	Afterschool Donations	1,687		89	1,598	5%
289	Dry Slough Bridge		15,703	25,049	(25,049)	
291	Beverage Recycling Grant	5,000			5,000	
294	Transportation	245,812	11,979	106,129	139,683	43%
299	After School Program	143,624	12,874	41,597	102,027	29%
304	2012 SACOG GRANT			7,919	(7,919)	
313	STBG 96-1043 Housing & Public W	7,522			7,522	
318	10-STBG-6745 OV Park Grant		4,889	436,367	(436,367)	
321	EDBG 99-688 Buckhorn	19,580	1,450	6,690	12,890	34%
322	EDBG 405-Cradwick	5,548	1,550	7,750	(2,202)	140%
351	RLF Housing Rehabilitation			-		
355	RLF Small Business			-		
381	CAL Fire Grant			2,009	(2,009)	
413	Park & Recreation Impact Fee			12,244	(12,244)	
414	Public Safety Impact Fee			29,716	(29,716)	
417	Water Impact Fee	96,772			96,772	
418	Sewer Impact Fee	93,672			93,672	
422	Landfill Capital	9,500		3,435	6,065	36%
427	Equipment Replacement Fund		6,492	21,659	(21,659)	
429	Service Reserve	34,187			34,187	
611	Water O & M	1,187,438	119,320	652,660	534,778	55%
615	07 Water Bonds			5,464	(5,464)	
616	Water Conservation Fund	6,600	553	553	6,047	8%
617	Water Meter Fund	5,000	472	2,374	2,626	47%
621	Sewer O & M	1,797,406	164,123	834,563	962,843	46%
626	2007 Sewer Bond		64,800	129,911	(129,911)	
651	Central Service Overhead	155,274			155,274	
652	Equipment Fund	421,910			421,910	
771	RORF		(74,584)	148,353	(140,362)	
781	RDA Long Term Debt		(17,980)	-	7,991	
821	Winters Library	25,000	25,000	50,000	(25,000)	200%
831	Swim Team	67,715		17,517	50,198	26%
833	Festival de la Comunidad	7,000	174	8,913	(1,913)	127%
846	Quilt Festival	750		11	739	1%
	Total Expenditures	\$ 9,814,858	\$ 996,932	\$ 4,654,167	\$ 5,187,650	47%

City of Winters
 General Fund Revenue Summary
 July 1, 2013 through November 30, 2013

		% of Year Complete			42%
G/L Code	Account Description	Budget 2013-2014	November Actual	Year to Date Actual	% of Budget Received
101-41101	Property Tax	\$ 658,317			0%
101-41102	Property Tax in Lieu of Sales Tax	118,849			0%
101-41103	Property Tax in Lieu of VLF	454,132			0%
101-41401	Sales & Use Tax	377,380	38,800	109,364	29%
101-41402	Prop 172	62,295			0%
101-41403	Franchise Fee	203,431	6,976	48,767	24%
101-41404	Property Transfer Tax	10,000			0%
101-41405	Utility Tax	738,000	59,262	240,818	33%
101-41406	Municiple Services Tax	320,000	24,720	123,630	39%
101-41407	Business Licenses	24,000	840	4,638	19%
101-41408	TOT Tax	5,000			0%
101-41507	Motor Vehicle in Lieu	6,500			0%
101-41508	Motor Vehicle Licensing Fee-ERAF			3,011	
101-41509	Homeowners Property Tax Relief	16,300			0%
101-41511	Off-Highway Motor Vehicle				
101-42102	Copy Fees	50		45	90%
101-42103	Plan Check Fees	15,000		7,287	49%
101-42104	Planning Application Fees	10,000	500	1,000	10%
101-42107	Project Monitoring Fees	500	85	1,318	264%
101-42108	Police Reports	500	60	198	40%
101-42109	Fingerprint Fees	3,500	280	1,728	49%
101-42111	Towing/DUI Reimbursement	1,500		140	9%
101-42112	Ticket Sign Off Fees	250	90	160	64%
101-42201	Recreation Fees	3,000		1,320	44%
101-42205	Basketball Revenues	5,800	6,850	7,040	121%
101-42211	Pool Ticket Sales	6,100		2,859	47%
101-42212	Pool Concession Stand Revenues	4,500		3,974	88%
101-42213	Pool Proceeds	600		565	94%
101-42215	Swim Passes	6,000			0%
101-42216	Swim Lessons	11,000		5,455	50%
101-42217	Water Aerobics Fees	150			0%
101-42218	Swim Team Reimbursement	8,000			0%
101-42301	Park Rental	1,400	60	1,345	96%
101-42303	Community Center Rental	12,750	1,515	7,148	56%
101-42304	Community Center Insurance Collected			353	
101-42308	Ambulance Service Charge	7,500	507	2,388	32%
101-43151	Fire District Payments	222,533			0%
101-44101	Rents/Leases Revenues	38,500	4,305	25,511	66%
101-44102	Interest Earnings	3,000	3	118	4%
101-46102	Building Permits	85,581	3,422	21,960	26%
101-46103	Encroachment Permit	1,200	1,278	4,426	369%
101-46104	Other Licenses & Permits	30,000	1,913	24,118	80%
101-46106	Reinspect Fee	250		106	42%
101-48103	State Government Grants	3,000			0%
101-48106	Post Reimbursement	5,000		1,341	27%
101-49101	Contributions	10,500	3,469	19,081	182%
101-49102	Reimbursements/Refunds		629	1,780	
101-49104	Miscellaneous Revenues	26,000	373	1,980	8%
101-49106	Cash Over/Short			4	
101-49999	Interfund Operating Transfer	73,372			0%
Total General Fund Revenues		\$ 3,591,240	\$ 155,937	\$ 674,976	19%

City of Winters
Fund Balances Report
Estimated Fund Balance as of November 30, 2013

Fund	Fund Description	Unaudited		Current Year Expenditures	Transfers In/(Out)	Estimated	
		Fund Balance 6/30/2013	Current Year Revenues			Fund Balance 11/30/2013	Change From 6/30/2013
101	General Fund	\$ 1,011,245	\$ 674,975	\$ 1,754,130	\$ 10,977	(56,933)	\$ (1,068,178)
104	Fireworks Fund	3,387	2,907	5,000	-	1,294	(2,093)
105	Senior Fund	421		37	-	384	(37)
107	City Park Maintenance	2,202	1		-	2,203	1
110	Housing Successor	(217,418)	58,518	2,468	-	(161,368)	56,050
113	2007 Housing TABS	1,268,555	738		-	1,269,293	738
201	Fire Prevention Grant	855	1		-	856	1
208	First Time Homebuyer	84,412	55		-	84,467	55
211	City Wide Assessment	70,253	129	130,208	-	(59,826)	(130,079)
212	Flood Assessment District	3,827	2		-	3,829	2
221	Gas Tax	226,490	56,284	144,940	-	137,834	(88,656)
223	PERS Trust Fund	1	(1)		-	-	(1)
231	State COPS 1913	(59,908)		31,463	-	(91,371)	(31,463)
233	Realignment Funds	16,874		1,061	-	15,813	(1,061)
251	Traffic Safety	174,234	439	3,991	-	170,682	(3,552)
252	Asset Forfeiture	13,210	9	2,075	-	11,144	(2,066)
254	Vehicle Theft Deterrent	66,823	43	26,595	-	40,271	(26,552)
276	Putah Creek North Bank Imp	149,231	63	3,655	-	145,639	(3,592)
278	Prop 84 Park	(116,322)		(2,393)	-	(113,929)	2,393
287	After School Program Contr	430	200	89	-	541	111
289	Dry Slough Bridge	(16,043)	16,897	25,049	-	(24,195)	(8,152)
291	Beverage Recycling Grant	25,036	14		-	25,050	14
294	Transportation	286,832	8,796	106,129	-	189,499	(97,333)
299	After School Program	121,167	100,867	41,597	-	180,437	59,270
304	2012 SACOG Grant			7,919	-	(7,919)	(7,919)
313	STBG-96-1043 Housing and P	(29,070)			-	(29,070)	-
318	10-STBG-6745 Grant	(60,295)		425,390	(10,977)	(496,662)	(436,367)
319	CDBG Park Grant	(261)			-	(261)	-
321	EDBG 99-688 Buckhorn	12	6,678		(6,690)	-	(12)
322	EDBG 96-405 Cradwick	30	7,720		(7,750)	-	(30)
351	RLF Housing Rehabilitation	306,644	986		3,000	310,630	3,986
352	RLF Affordable Housing	17,454			-	17,454	-
355	RLF Small Business	89,973	3,319		11,439	104,731	14,758
356	RLF HOME Program	75,026	35,094		-	110,120	35,094
381	Cal Fire Grant	(11,702)		2,009	-	(13,711)	(2,009)
411	Street Impact Fee	728,196	214		-	728,410	214
412	Storm Drain Impact Fee	189,528	103		-	189,631	103
413	Parks & Recreation Impact	(233,566)		12,244	-	(245,810)	(12,244)
414	Public Safety Impact Fee	271,586	156	29,716	-	242,026	(29,560)
415	Fire Impact Fee	271,772	176		-	271,948	176
416	General Facilities Impact	346,549	224		-	346,773	224
417	Water Impact Fee	433,563	1,171		-	434,734	1,171
418	Sewer Impact Fee	(199,704)	126		-	(199,578)	126
419	Flood Control Fee	229,083	148		-	229,231	148
421	General Fund Capital	551,632	357		-	551,989	357
422	Landfill Capital	205,792	131	3,435	-	202,488	(3,304)
427	Equipment Replacement Fund	479,882	3,162	21,659	-	461,385	(18,497)
429	Service Reserve Fund	1,001,505	335		-	1,001,840	335
481	General Plan 1992	605,970			-	605,970	-
482	Flood Control Study	(123,704)	1		-	(123,703)	1
492	RAJA Storm Drain	28,914	25		-	28,939	25
494	CARF	62,840	4,218		-	67,058	4,218
496	Storm Drain Non-Flood	234			-	234	-
501	General Debt Service	56,140	36		-	56,176	36
611	Water O & M	4,401,535	569,905	509,616	(143,044)	4,318,780	(82,755)
612	Water Reserve	1,611,953	6,783		-	1,618,736	6,783
615	2007 Water Bonds	189,497		5,464	-	184,033	(5,464)
616	Water Conservation	20,734	6	553	-	20,187	(547)
617	Water Meter Fund	260,875	23,107	2,374	-	281,608	20,733
619	Water Debt Service Fund	(3,297,062)			143,044	(3,154,018)	143,044
621	Sewer O & M	4,944,488	660,265	666,562	(168,001)	4,770,190	(174,298)
626	2007 Sewer Bonds	2,136,326		129,911	-	2,006,415	(129,911)
629	Sewer Debt Service	(3,841,172)	39		168,001	(3,673,132)	168,040
771	RORF	(15,876,718)	4,077	140,362	(7,991)	(16,020,994)	(144,276)
772	RDA Trust	12,087,165			-	12,087,165	-
773	2007 TABS	11,320	7		-	11,327	7
781	RDA Long Term Debt	521,310	16,649		7,991	545,950	24,640
821	Winters Library	54,023	35	50,000	-	4,058	(49,965)
831	Winters Library	75,526	30,682	17,517	-	88,691	13,165
833	Festival de La Comunidad	2,777	12,028	8,913	-	5,892	3,115
846	Quilt Festival	(275)	479	11	-	193	468
911	General Fixed Assets	22,380,872			-	22,380,872	-
Totals		\$ 34,092,991	\$ 2,309,379	\$ 4,309,749	\$ (1)	\$ 32,092,620	\$ (2,000,371)



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers
DATE: February 18, 2014
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Shelly A. Gunby, Director of Financial Management *Shelly*
SUBJECT: November 2013 Investment Report

RECOMMENDATION:

Staff recommends that the City Council receive and file the City of Winters investment for the period July 1, 2013 through November 30, 2013.

BACKGROUND:

The City of Winters financial policy requires, at a minimum, quarterly investment earnings reports. The attached report shows the earnings for July 1 2013 through November 30, 2013. The City of Winters is invested in the Local Agency Investment Funds (LAIF), a savings account at our local First Northern Bank, a Guaranteed Investment Contract (GIC) for the 2004 Tax Allocation Bond Reserve, and receives interest payments on the various CDBG and EDBG funded loans made to residents and businesses within the City of Winters, as well as from the Money Market Account set up for the North Bank Putah Creek Improvement Elderberry Beetle Mitigation.

The investment report for the month of November 30, 2013 reflects interest from the North Bank Improvement Mitigation fund and from the various CDBG and EDBG funded loans.

FISCAL IMPACT:

None

City of Winters
Investment Earnings Report
Investment Earnings as of November 30, 3013

Fund	Fund Description	November Investment Earnings	Year to Date Investment Earnings
101	GENERAL FUND	\$ 3	\$ 118
107	PARK MAINTENANCE FUND		1
113	2007 HOUSING TABS		738
201	FIRE PREVENTION FUND		1
208	FIRST TIME HOMEBUYER		55
212	FLOOD ASSESSMENT DISTRICT		2
221	GAS TAX FUND		117
223	PERS TRUST FUND	(3)	(1)
251	TRAFFIC SAFTEY		109
252	ASSET FORFEITURE		9
254	VEHICLE THEFT DETERRENT		43
278	NORTH BANK IMPROVEMENTS	13	63
291	BEVERAGE RECYCLE GRANT		14
294	TRANSPORTATION/BUS		35
299	AFTER SHCOOL PROGRAM		78
321	EDBG 99-688	555	2,304
322	EDBG 96-405 CRADWICK	848	4,264
351	RLF HOUSING REHAB		986
355	RLF SMALL BUSINESS		1,267
356	RLF HOME PROGRAM		49
411	STREET IMPACT FEE		214
412	STORM IMPACT FEE		103
414	POLICE IMPACT FEE		156
415	FIRE IMPACT FEE		176
416	GENERAL FACILITY IMPACT FEE		224
417	WATER IMPACT FEE		275
418	SEWER IMPACT FEE		126
419	FLOOD OVERLAY		148
421	GENERAL FUND CAPITAL		357
422	LANDFILL CAPITAL		131
427	EQUIPMENT REPLACEMENT FUND		88
429	SERVICE RESERVE		335
482	FLOOD CONTROL STUDY		1
492	RAJA STORM DRAIN		25
494	CARF		38
501	GENERAL DEBT SERVICE		36
612	WATER RESERVE		4
616	WATER CONSERVATION		6
617	WATER METER FUND		121
621	SEWER O & M		657
629	SEWER DEBT SERVICE FUND		39
773	2007 TABS		7
781	RDA LTD		16,649
821	WINTERS LIBRARY		35
831	SWIM TEAM		55
Total Investment Earnings		\$ 1,416	\$ 30,258