



Winters City Council Meeting
City Council Chambers
318 First Street
Tuesday, March 4, 2014
AMENDED

Members of the City Council

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

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

5:30 p.m. – Executive Session

AGENDA

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

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

6:30 p.m. – Regular Session

AGENDA

PLEASE NOTE – The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon request of the Mayor or Councilmembers. Public comments time may be limited and speakers will be asked to state their name.

Roll Call

Pledge of Allegiance

Approval of Agenda

COUNCIL/STAFF COMMENTS

PUBLIC COMMENTS

At this time, any member of the public may address the City Council on matters, which are not listed on this agenda. Citizens should reserve their comments for matter listed on this agenda at the time the item is considered by the Council. An exception is made for members of the public for whom it would create a hardship to stay until their item is heard. Those individuals may address the item after the public has spoken on issues that are not listed on the agenda. Presentations may be limited to accommodate all speakers within the time available. Public comments may also be continued to later in the meeting should the time allotted for public comment expire.

CONSENT CALENDAR

All matters listed under the consent calendar are considered routine and non-controversial, require no discussion and are expected to have unanimous Council support and may be enacted by the City Council in one motion in the form listed below. There will be no separate discussion of these items. However, before the City Council votes on the motion to adopt, members of the City Council, staff, or the public may request that specific items be removed from the Consent Calendar for separate discussion and action. Items(s) removed will be discussed later in the meeting as time permits.

- A. Minutes of the Regular Meeting of the Winters City Council Held on Tuesday, February 18, 2014 (pp 5-10)
- B. Proclamation of the City Council of the City of Winters Recognizing the Month of March, 2014 as American Red Cross Month (pp 11)
- C. Proclamation of the City Council of the City of Winters Declaring March 2014 as Women's History Month (pp 12)
- D. Approve the Project Budget Sheet to Add \$10,000 in Gas Tax Funding for Completion of Environmental (NEPA), and Coordination with Caltrans on the Federal Process to Obtain Funding Authorization for Construction of the Grant Avenue/Walnut Lane Roundabout, Project No. 12-04 (pp 13-17)
- E. Street Closure and Amplified Sound Permit for the Buckhorn Monthly Car Shows (pp 18-21)

PRESENTATIONS

Proclamation Recognizing the Month of March as American Red Cross Month 2014 to be Presented to Yolo County Red Cross Regional Manager Lorraine Alvarez Opper (pp 22)

Proclamation Designating March, 2014 as Women's History Month,
Celebrating Women of Character, Courage and Commitment
(pp 23)

DISCUSSION ITEMS

1. Public Hearing, Second Reading and Adoption of Ordinance 2014-02, an Ordinance of the City Council of the City of Winters, Amending Title 3, Chapter 3.24 of the City of Winters Municipal Code Increasing the Current Transient Occupancy Tax (TOT) from 10% to 12% (pp 24-30)
2. Shared Services Agreement with Winters Joint Unified School District (pp 31-37)

ADDED ITEM

3. Discussion and Request for Direction on How to Proceed with Consideration of Developer Selection for Affordable Senior Housing Project on the Grant Avenue Commercial Parcel (pp 38-39)

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

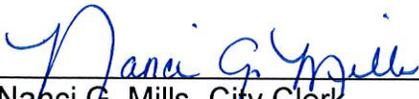
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CITY MANAGER REPORT

INFORMATION ONLY

ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the March 4, 2014 regular meeting of the Winters City Council was personally delivered to each Councilmember's mail boxes in City Hall and posted on the outside public bulletin board at City Hall, 318 First Street on February 26, 2014, and made available to the public during normal business hours.



Nanci G. Mills, City Clerk

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

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

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

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

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*View on the internet: www.cityofwinters.org/administrative/admin_council.htm
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.*

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

Winters Library – 708 Railroad Avenue

City Hall – Finance Office - 318 First Street

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

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

Wednesday at 10:00 a.m.

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



Minutes of the Winters City Council Meeting
Held on February 18, 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, and Mayor Cecilia Aguiar-Curry
Absent: None
Staff: City Manager John Donlevy, City Attorney John Wallace, City Clerk Nanci Mills, Fire Chief Aaron McAlister, Housing Programs Manager Dan Maguire and Environmental Services Manager Carol Scianna.

Fire Chief Aaron McAlister led the Pledge of Allegiance.

APPROVAL OF AGENDA: Motion by Council Member Fridae and second by Council Member Anderson to approve the agenda. Motion carried with the following vote:

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

COUNCIL/STAFF COMMENTS

PUBLIC COMMENTS: Bruce Smith of the Abbey House asked Council to hold off on the Transient Occupancy Tax (TOT.)

CONSENT CALENDAR

- A. Minutes of the Regular Meeting of the Winters City Council Held on Tuesday, February 4, 2014

- 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
- 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
- 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

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

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

DISCUSSION ITEMS

Council Member Anderson recused himself due to a possible conflict of interest.

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**

Housing Programs Manager Dan Maguire gave an overview. Motion by Council Member Cowan, second by Council Member Fridae to adopt Resolution 2014-03 approving a Purchase and Sale agreement for the property at 311 First Street between the Successor Agency to the Dissolved Winters Community Development Agency and the City of Winters. Motion carried with the following vote:

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

Council Member Anderson returned to the dais at this time.

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%

City Attorney John Wallace gave an overview, and at the Mayor's request, read aloud the ballot measure accompanying Ordinance 2014-02.

Bruce Smith of the Abbey House said the TOT already seems high to his guests and again asked Council to hold off until the hotels and the PG&E Training Facility are completed.

Council Member Fridae said he was misquoted in the Winters Express about Portland's TOT, which is 20%, not 2% and described some of the things we are without, ie: swimming pool heater, bike paths, and youth programs. Also, the Winters Chamber has requested a portion of the TOT to continue serving the community in their current capacity. Council Member Anderson said if a developer plans on coming to Winters, they would want to know what is in the works. The City must look ahead and protect the City's treasury. The City has many needs and already runs on a deficit. Council Member Guelden compared the current TOT with the projected TOT and said PG&E would be affected, which would not be fair, and is opposed to the proposed increase. Council Member Cowan said he is not a fan of raising taxes and understands the Council's concerns, but Council is only voting to put this on the ballot, where the citizens will make the final decision. Mayor Aguiar-Curry said there is a price for tourism and there is a cost in coming to Winters. This is the prime time to do it and we should let our citizens make the decision.

Motion by Council Member Fridae to introduce Ordinance 2014-02, read by title only, and schedule the Public Hearing for the next City Council meeting to be held on Tuesday, March 4th at 6:30 p.m. Second by Council Member Anderson, who requested the motion be amended to include the correction to Section 1 of the Ordinance as previously noted. Motion carried with the following vote:

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

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

City Attorney John Wallace gave an overview.

Motion by Council Member Cowan, second by Council Member Anderson to approve Resolution 2014-05 to include the ballot measure. Motion carried with the following vote:

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

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

- 1. 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**

Council Member Anderson recused himself due to a possible conflict of interest.

Housing Programs Manager Dan Maguire gave an overview.

Motion by Agency Member Cowan, second by Agency Member Aguiar-Curry to adopt Resolution SA-2014-01, approving a Purchase and Sale Agreement for the property at 311 First Street. Motion carried with the following vote:

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

Council Member Anderson returned to the dais at this time.

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 (5,867 feet) to the City of Winters to complete the Roundabout on Grant Avenue

City Attorney Wallace gave an overview. Agency Chairman Fridae opened the public hearing at 7:27 p.m. and closed the public hearing at 7:27 p.m. with no public comment.

Motion by Agency Member Aguiar-Curry, second by Agency Member Anderson to adopt Resolution SA-2014-02 approving the transfer of a portion of Grant Avenue Commercial property (5,867 feet) to the City of Winters to complete the roundabout on Grant Avenue. Motion carried with the following vote:

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

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

Mayor Aguiar-Curry opened the public hearing at 7:29 p.m. and closed the public hearing at 7:29 p.m. with no public comment.

Motion by Council Member Anderson, second by Council Member Fridae to accept the dedication of a portion of Grant Avenue Commercial Property (5,867 feet) following the approval by the Successor Agency to the Winters Community Development Agency. Motion carried with the following vote:

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

CITY MANAGER REPORT: City Manager Donlevy attended the Lake Berryessa Forum at Spanish Flat this week; Walnut Park can't afford a 5-1 budget; a bass tournament is being considered by the Chamber; attended a City Manager's conference in Long Beach last week, where retiring Rancho Cordova City Manager Ted Gaebler received an award and during his acceptance, mentioned Winters and all the great things going on in the City.

INFORMATION ONLY

1. July, 2013 Treasurer Report
2. July, 2013 Investment Report
3. August, 2013 Treasurer Report
4. August, 2013 Investment Report
5. September, 2013 Treasurer Report
6. September, 2013 Investment Report
7. October, 2013 Treasurer Report
8. October, 2013 Investment Report
9. November, 2013 Treasurer Report
10. November, 2013 Investment Report

ADJOURNMENT: Mayor Aguiar-Curry adjourned the meeting at 7:43 p.m.

Cecilia Aguiar-Curry, MAYOR

ATTEST:

Nanci G. Mills, City Clerk



**A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF WINTERS
RECOGNIZING THE MONTH OF MARCH AS
AMERICAN RED CROSS MONTH 2014**

March is American Red Cross Month - a special time to recognize and thank our Everyday Heroes – those who reach out to help their neighbors when they are in need.

American Red Cross heroes are on the front lines every day. They volunteer their time, give blood, take life-saving courses or provide financial donations to help those in need.

We would like to remember our heroes here in the City of Winters who give to help people in need. They work tirelessly to help in time of disaster, when someone needs life-saving blood, or the comfort of a helping hand. They provide round-the-clock support to members of the military, veterans and their families, and teach lifesaving classes in CPR, aquatics safety and first aid.

Across the country and around the world, the American Red Cross responded to hurricanes, tornadoes, floods and wildfires, the tragedy at the Boston Marathon, and typhoon Haiyan in the Philippines.

When an injured service member ended up in a hospital far from home, the American Red Cross offered comfort. When a hospital patient needed blood, American Red Cross blood donors helped them. When a lifeguard jumped in to save a drowning child or someone stepped up to help a heart attack victim, the American Red Cross was there.

We dedicate the month of March to all those who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies. Our community depends on the American Red Cross, which relies on donations of time, money and blood to fulfill its humanitarian mission.

NOW, THEREFORE, I, Cecilia Aguiar-Curry, Mayor of the City of Winters, by virtue of the authority vested in me by the Constitution and laws of the City of Winters and the State of California, do hereby proclaim March 2014 as American Red Cross Month. I encourage all Americans to support this organization and its noble humanitarian mission.

IN WITNESS WHEREOF, I have hereunto set my hand this 4th day of March, in the year of our Lord two thousand fourteen, and of the City of Winters, California.

Cecilia Aguiar-Curry, MAYOR

ATTEST: Nanci G. Mills, City Clerk



**A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF WINTERS
DECLARING MARCH 2014 AS "WOMEN'S HISTORY MONTH – CELEBRATING
WOMEN OF CHARACTER, COURAGE AND COMMITMENT"**

WHEREAS, American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and

WHEREAS, American women have played and continue to play a critical economic, cultural, and social role in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside of the home; and

WHEREAS, American women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force of the Nation; and

WHEREAS, the American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation; and

WHEREAS, American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

WHEREAS, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all; and

WHEREAS, despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history; and

NOW, THEREFORE, BE IT PROCLAIMED by the City Council of the City of Winters, that March is designated as "Women's History Month", where women of character, courage and commitment are to be celebrated.

PASSED AND ADOPTED this 4th day of March 2014.

ATTEST:

Cecilia Aguiar-Curry, MAYOR

Nanci G. Mills, City Clerk



TO: Honorable Mayor and Council Members
DATE: March 4, 2014
THROUGH: John W. Donlevy, Jr., City Manager 
FROM: Alan Mitchell, City Engineer
SUBJECT: Updated Project Budget Sheet for Grant Avenue/Walnut Lane Roundabout, Project No. 12-04.

RECOMMENDATION: Staff recommends Council approve the Project Budget Sheet to add \$10,000 in local funds (Gas Tax) for completion of environmental (NEPA), and coordination with Caltrans on the federal process to obtain funding authorization for construction of the Grant Avenue/Walnut Lane Roundabout, Project No. 12-04.

BACKGROUND: The project includes construction of road widening to accommodate a new roundabout at the intersection of Walnut Lane and Grant Avenue (State Highway 128).

The City applied to SACOG under their Community Design Funding Program, in Category 3. The City was awarded a \$100,000 Community Design Grant, to complete environmental (CEQA) and design for the Walnut Lane Roundabout. A Project Budget Sheet (PBS) was approved by Council in June 2012, which included \$12,957 from Gas Tax as the City's local match.

After several meetings and much correspondence with Caltrans, the geometric layout was approved (see attached). The design has been nearly completed, including approval by the Planning Commission on landscaping and decorative lighting concepts. CEQA was approved in August 2013.

In August 2013, the City applied to SACOG under their Regional Local Funding Program, for construction funds. The City was awarded \$637,416 in federal funds, which are being programmed by SACOG. A local match is required and staff is working with Finance to identify the source(s) of funding, which will come back to Council for approval of an updated PBS.

With the federal funds comes the requirement to process the project through Caltrans Local Assistance in accordance with the Local Assistance Procedures Manual for (NEPA) environmental clearance, right of way certification, utility relocation, and completion of a request for construction authorization packet. This is a time-consuming process that the City Engineer will perform, as we have done on numerous other federal-aid projects.

Staff recommends the City Council approve the revised PBS (March 2014).

ALTERNATIVES: None recommended by staff.

FISCAL IMPACT: Unfortunately, the SACOG Community Design Grant funds won't cover these pre-construction tasks, and the SACOG Regional Local funds cannot be used until after construction funding is authorized by FHWA through Caltrans.

The attached revised PBS includes additional funds to reflect the cost estimated for the tasks, and the funding source.

Attachments: Approved Geometric
Original Project Budget Sheet (June 2012)
Revised Project Budget Sheet (March 2014)

Grant Ave/Walnut Ln Roundabout

Project Budget Sheet - Design and Environmental Only

CIP#: 12-04

MPFP#(s):

Last Updated: June 2012

Original Approval: June 2012

Project Owner: Public Works

Project Manager: Alan Mitchell

Project Resource: City Engineer

Description:

Construct a Roundabout at the intersection of Grant Avenue (State Route 128) and Walnut Lane. The project further includes construction of curb, gutter, sidewalk, landscaping, and ADA ramps.

Authority:

General authority to maintain the existing city circulation infra-structure. The proposed project is an element of the adopted City of Winters Grant Avenue/SR128/Russell Blvd. Complete Streets Concept Plan, adopted in February, 2010 by the Winters City Council.

Budget:					
	Item	Amount	Item	Amount	
	CEQA/Permitting	\$ 14,400	Land	\$ -	
	Design	\$ 85,600	Construction		
	CM/Inspection/Testing		Contingency	\$ 12,957	
Project Total:				\$ 112,957	

Financing Schedule:		Project Start: 2008	Project Completion: 2013
Phases: Project Studies, CEQA, Design, Permitting, Bidding/Award, Construction			
Fund Code:			
Name:	SACOG Grant	Gas Tax	FY Totals
12/13	\$ 100,000	\$ 12,957	
Fund Totals:	\$ 100,000	\$ 12,957	\$ 112,957
Ratios:	88.53%	11.47%	100.0%

Recommended for Submittal

Alan Mitchell, City Engineer

Jun-12

Recommended for Approval (Dept. Head)

_____ (date)

Finance Department Approval

Shelly Gunby, Director of Finance (date)

City Manager Approval

John Donlevy, City Manager (date)

**Grant Ave/Walnut Ln Roundabout
Project Budget Sheet - Pre Construction**

CIP#: 12-04
Last Updated: March 2014
Project Owner: Public Works
Project Manager: Alan Mitchell

MPP#(s):
Original Approval: June 2012
Project Resource: City Engineer

Description:

Construct a Roundabout at the intersection of Grant Avenue (State Route 128) and Walnut Lane. The project further includes construction of curb, gutter, sidewalk, landscaping, and ADA ramps.

Authority:

General authority to maintain the existing city circulation infra-structure. The proposed project is an element of the adopted City of Winters Grant Avenue/SR128/Russell Blvd. Complete Streets Concept Plan, adopted in February, 2010 by the Winters City Council.

Budget:					
Item		Amount	Item		Amount
CEQA/NEPA/Permitting		\$ 18,400	Caltrans Coordination		\$ 6,000
	Design	\$ 85,600	Construction		
CM/Inspection/Testing			Contingency		\$ 12,957
			Project Total:		\$ 122,957

Financing Schedule:		Project Start:	2012	Project Completion:	2015
Phases: Pre-Design, CEQA, Design, NEPA, Utility Coord., Permitting, Bidding/Award, Construction					
Fund Code:					
Name:	SACOG Grant ¹	Gas Tax			FY Totals
12/13	\$ 40,000	\$ 5,183			\$ 45,183
13/14	\$ 60,000	\$ 17,774			\$ 77,774
14/15					
Fund Totals:	\$ 100,000	\$ 22,957	\$ -		\$ 122,957

1. Community Design Grant

Recommended for Submittal
Recommended for Approval (Dept. Head)
Finance Department Approval
City Manager Approval

 Alan Mitchell, City Engineer Mar-14

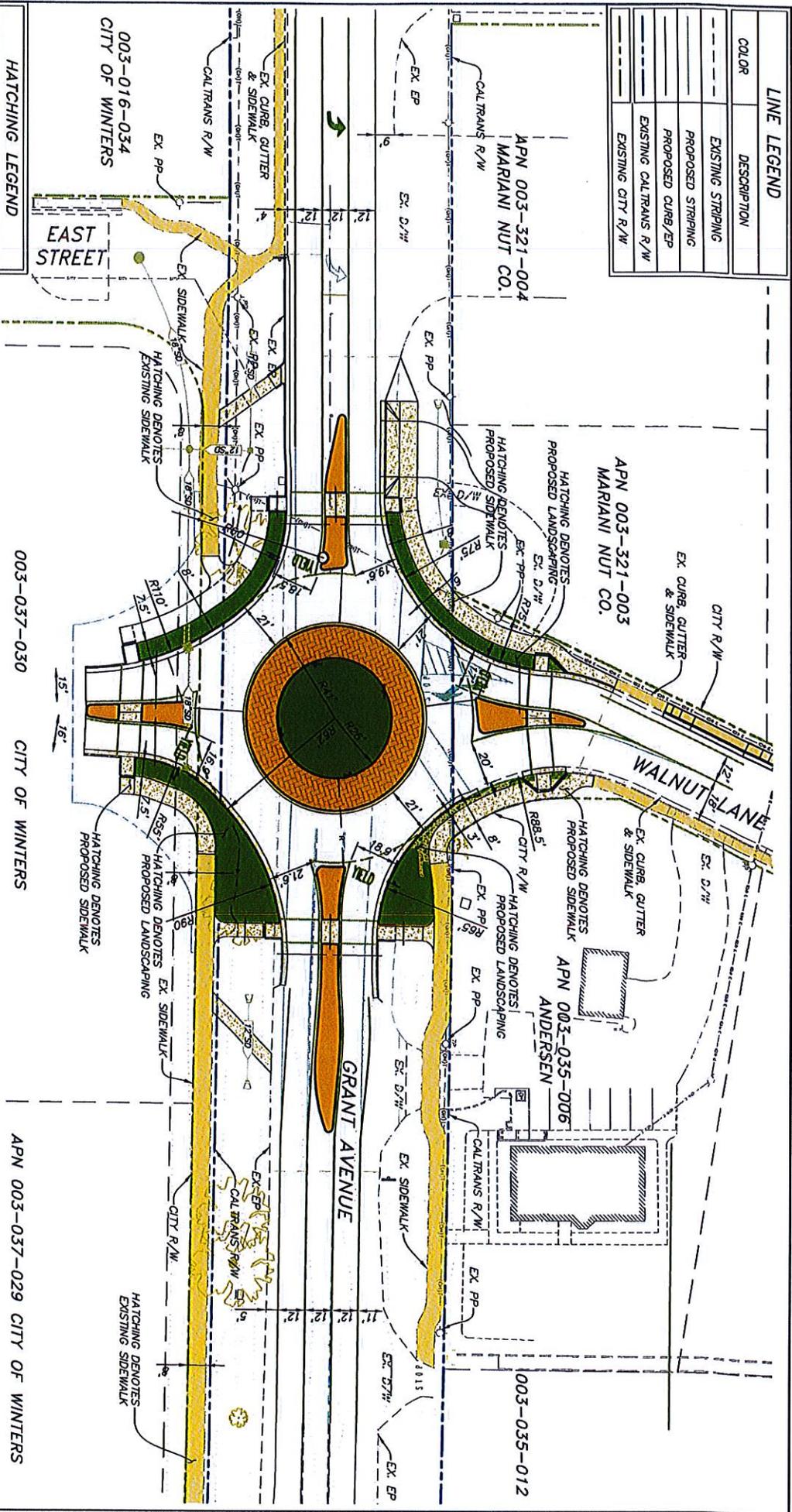
 (date)

 Shelly Gunby, Director of Finance (date)

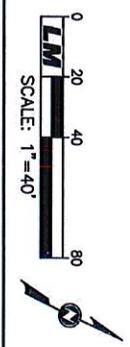
 John Donlevy, City Manager (date)

LINE LEGEND	
COLOR	DESCRIPTION
[Green Hatching]	EXISTING STRIPING
[Orange Hatching]	PROPOSED STRIPING
[Yellow Hatching]	PROPOSED CURB/EP
[Blue Hatching]	EXISTING CALTRANS R/W
[Red Hatching]	EXISTING CITY R/W

HATCHING LEGEND	
COLOR	DESCRIPTION
[Green Hatching]	PROPOSED LANDSCAPE
[Orange Hatching]	MOUNTABLE MEDIAN
[Yellow Hatching]	PROPOSED SIDEWALK
[Blue Hatching]	PROPOSED MEDIAN
[Red Hatching]	EXISTING SIDEWALK



LM LAUGENOUR AND MEIKLE
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003-037-030 CITY OF WINTERS
 APN 003-037-029 CITY OF WINTERS

SINGLE EASTBOUND LANE
 FOR
 WALNUT LANE ROUNDABOUT
 WINTERS, CALIFORNIA
 AUGUST 1, 2013

EXHIBIT 2



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Councilmembers
DATE : March 4, 2014
THROUGH: John W. Donlevy, Jr., City Manager 
FROM: Nanci G. Mills, Director of Administrative Services
SUBJECT: Street Closure and Amplified Sound Permit for
The Buckhorn Monthly Car Show

RECOMMENDATION:

Approve the closure of Main Street between Railroad Avenue and First Street to allow for The Buckhorn to sponsor a Car Show on the second Tuesday of each month from March through October from 4:00 p.m. to 9:00 p.m. The specific dates include: March 11, April 8, May 13, June 10, July 8, August 12, September 9, and October 14, 2014. Also approve the accompanying Amplified Sound Permit Application.

BACKGROUND:

Linda Rodriguez of The Buckhorn has requested the closure of Main Street between Railroad Avenue and First Street and the approval of the Amplified Sound Permit Application for the dates specified above.

Ms. Rodriguez has also notified the Main Street business owners located between Railroad Avenue and First Street of the requested closure dates and pending amplified sound permit between March and October. She has provided the names and signatures of those business owners who have acknowledged and agreed to these requests. She has requested that closure notification be posted on all affected streets a minimum of 24 hours prior to the scheduled closures and barricades be placed at the Main/Railroad and Main/First intersections.

This event allows the community to come out, enjoy the spring, summer and fall evenings while strolling up and down Main Street, viewing the classic automobiles on display. As per the City's Street Closure Ordinance, this request requires Council approval of identified streets on the attached form.

FISCAL IMPACT: TBD (Police staff overtime, signage, barricade placement)



City of Winters Request for Street Closure

This application is for citizens or groups that have occasion to request that streets be temporarily closed for such things as bicycle races, running contests, block parties and other such events requiring the re-routing of traffic. For a parade or amplified sound an additional permit is required.

A request to close streets shall be filed with the Police and Public Works Departments at least ten (10) business days prior to the date the street would be closed.

There shall be no closure of the following streets without Council approval:

1. Main Street
2. Railroad Street
3. Grant Avenue
4. Valley Oak Drive
5. Abbey Street

Request to close these streets shall be processed in much the same manner except that the request shall be submitted to the City Council by the Police Department. Requests to close the streets herein listed shall be submitted at least thirty (30) business days prior to the street closure.

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

Name: <u>Buckhorn Steakhouse</u>	Organization: _____
Address: <u>2 Main Street</u>	Mailing Address: <u>2 Main Street</u>
Telephone: <u>530-795-4503</u>	Today's Date: <u>2/25/14</u>
Streets Requested: <u>Main Street - Railroad to 1st.</u>	
Date of Street Closure: <u>2nd Tuesday</u>	Time of Street Closure: <u>4:00-9:00</u>
Description of Activity: <u>March - October</u>	
<u>Cat Show</u>	
Services Requested of City: <u>Block off Street</u>	
APPROVED: _____ Police Department _____ Public Works Department	

Date of Application: 2-25-14

To City Council: 3-4-14

Name of Person(s)/ Organization: Buckhorn Steakhouse Contact: Linda Rodriguez
 Business Address: 2 Main Street Telephone: 530-795-4503
Winters, CA 95694
 Telephone: 530-795-4503

Type of Event: Car Show

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

Date/Time of Event: 2nd Tuesday - March through October From: 4:00 p.m. To: 9:00 p.m.

Location/Address of Event: Main Street between Railroad Avenue & First Street

Rated Output of Amplifier in Watts: _____ Number of Speakers: 2-3

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 of Winters Request for Street Closure

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

P. Jimenez	Buckhorn Office	10 Main St
Joseph Weimer	Pu... ..	10 Main St
Carol Klipstein	Cloth Cannon	9 Main St.
Zoila Perez	Zoily	18 Main St.
R. W...	HRB	19 main St.
R. W...	Camiles	19 main St.
Angie Solorio	WHF	23 main St
Sydney	Rodstock	22 main St
M. B...	Ireland Agency	26 main St
Maria J. G...	Adry's Boutique	30 main
Jane Austin	Jane's Corsets	38 main
Julietta Ambrose	WHF	31 main St
No Sign	Ace	35 Main St.
Madeleine	Tandee	44 main St
E. Herndon	First Northern Bank	48 Main St.
M. M...	M. M.'s Velo City	41 Main St.
Teresa		43 main
Victor Arechiga	Metropcs	47 main st



**A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF WINTERS
RECOGNIZING THE MONTH OF MARCH AS
AMERICAN RED CROSS MONTH 2014**

March is American Red Cross Month - a special time to recognize and thank our Everyday Heroes – those who reach out to help their neighbors when they are in need.

American Red Cross heroes are on the front lines every day. They volunteer their time, give blood, take life-saving courses or provide financial donations to help those in need.

We would like to remember our heroes here in the City of Winters who give to help people in need. They work tirelessly to help in time of disaster, when someone needs life-saving blood, or the comfort of a helping hand. They provide round-the-clock support to members of the military, veterans and their families, and teach lifesaving classes in CPR, aquatics safety and first aid.

Across the country and around the world, the American Red Cross responded to hurricanes, tornadoes, floods and wildfires, the tragedy at the Boston Marathon, and typhoon Haiyan in the Philippines.

When an injured service member ended up in a hospital far from home, the American Red Cross offered comfort. When a hospital patient needed blood, American Red Cross blood donors helped them. When a lifeguard jumped in to save a drowning child or someone stepped up to help a heart attack victim, the American Red Cross was there.

We dedicate the month of March to all those who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies. Our community depends on the American Red Cross, which relies on donations of time, money and blood to fulfill its humanitarian mission.

NOW, THEREFORE, I, Cecilia Aguiar-Curry, Mayor of the City of Winters, by virtue of the authority vested in me by the Constitution and laws of the City of Winters and the State of California, do hereby proclaim March 2014 as American Red Cross Month. I encourage all Americans to support this organization and its noble humanitarian mission.

IN WITNESS WHEREOF, I have hereunto set my hand this 4th day of March, in the year of our Lord two thousand fourteen, and of the City of Winters, California.

Cecilia Aguiar-Curry, MAYOR

ATTEST: Nanci G. Mills, City Clerk



**A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF WINTERS
DECLARING MARCH 2014 AS "WOMEN'S HISTORY MONTH – CELEBRATING WOMEN OF
CHARACTER, COURAGE AND COMMITMENT"**

WHEREAS, American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and

WHEREAS, American women have played and continue to play a critical economic, cultural, and social role in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside of the home; and

WHEREAS, American women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force of the Nation; and

WHEREAS, the American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation; and

WHEREAS, American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

WHEREAS, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all; and

WHEREAS, despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history; and

NOW, THEREFORE, BE IT PROCLAIMED by the City Council of the City of Winters, that March is designated as "Women's History Month", where women of character, courage and commitment are to be celebrated.

PASSED AND ADOPTED this 4th day of March 2014.

Cecilia Aguiar-Curry, MAYOR

ATTEST:

Nanci G. Mills, City Clerk



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Council members
DATE: March 4, 2014
THROUGH: John W. Donlevy, Jr., City Manager 
FROM: John C. Wallace, City Attorney
SUBJECT: Public Hearing, Second Reading and Adoption of Ordinance 2014-02,
Increasing City Hotel Tax or Transient Occupancy Tax (TOT)
from 10% to 12%

RECOMMENDATION: Conduct the public hearing, vote on adoption. Ordinance shall be effective only upon majority voter approval in June.

BACKGROUND: The City Council at its last meeting introduced Ordinance 2014-02, an ordinance increasing the current hotel tax (Transient Occupancy Tax ("TOT")) from 10 percent to 12 percent. March 4th is the date of the public hearing on the second reading, and adoption of the ordinance. 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. Any increase in general tax by a California city requires approval by a majority voting at a general election. If not on the ballot this June, the next general election would be in 2016. Assistant City Attorney Ethan Walsh of Best, Best & Krieger will attend the March 4th City Council meeting to address any questions from the City Council or members of the audience.

FISCAL IMPACT: Possible increase in a general fund tax. Based on the study of an 80 unit hotel in Winters, generating approximately \$200,000 per year based on the current 10 percent tax, the increase would be in the \$40,000 range.

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 INCREASE THE CITY'S TRANSIENT OCCUPANCY TAX RATE FROM 10 PERCENT TO 12 PERCENT AND 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 certain provisions of the Code in a manner that is consistent with state law:

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 increase the rate of the transient occupancy tax charged in the City from 10 percent to 12 percent, and to clarify certain provisions of the Code in a manner that is consistent with state law.

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, mobile home or house trailer at a fixed location outside a mobile home park, or other similar structure or portion thereof.

"Operator" means 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 proprietor of the hotel, whether in the capacity of owner, lessee, sub lessee, mortgagee in possession, licensee, or any

other capacity. Where the operator performs his or her functions through a managing agent of any type or character other than an employee, the managing agent shall also be deemed an operator for the purposes of this chapter and shall have the same duties and liabilities as his or her principal. Compliances with the provisions of this chapter by either the principal or the managing agent shall, however, be considered to be compliance by both.

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



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Council Members
DATE: March 4, 2014
THROUGH: John W. Donlevy, Jr., City Manager 
FROM: Eric Lucero, Public Works Superintendent
SUBJECT: Enter into a Shared Services Agreement with WJUSD

RECOMMENDATION: Approval of shared services agreement with WJUSD to maintain all play fields at Shirley Rominger Intermediate School, Waggoner Elementary School, Winters Middle School and Winters High School.

BACKGROUND: The City of Winters Public Works Department has worked closely with the Winters Joint Unified School District Maintenance Department over the last five years and has developed a very good relationship with them. Both departments have relied on the other for equipment use and other resources in the past when needed. Because of budget restrictions, both departments are doing the best they can to maintain their respective properties with the resources we have.

Our proposal is to combine our resources and create a full time position that will be under the direction of the City of Winters Public Works Superintendent. This position will have a very direct job description that will only include: Mowing the specific fields identified above and the City-owned parks, maintaining the irrigation and maintenance in those specific areas and maintaining the equipment to be used for those specific areas.

As shown in the attachments with this staff report, the City will be reimbursed for all material used on the WJUSD properties which could include but are not limited to fertilizer, sprinklers, piping, fittings, pump repairs etc. WJUSD will supply the City with their current mowers used in these areas and the City will maintain them.

FISCAL IMPACT: Estimate is \$19,804.50 for the City.



To Brent Cushenbery,

This is a proposal for shared work services between the City of Winters and the Winters Joint Unified School District. As we discussed in our meeting with City Manager John Donlevy last month I have put a proposal together that I think is both practical and equitable for the City and the school district.

The City's proposal is to maintain only the large play fields at four different schools which include Shirley Rominger, Winters Middle School, Winters High School and Waggoner School (Map of areas to maintain are on a separate sheet). As discussed in the meeting, the City will take care of the mowing and fertilizing of the grass in these areas and maintain the irrigation system that supplies these areas which covers about 24.5 acres. The city will be in charge of all controllers for irrigation in these locations.

1. The City will maintain all sprinkler heads, valves, controllers and pipe for these areas.
- 1B. The school district will reimburse the City for any replacement cost for materials.
2. The City will fertilize the grass area that is to be maintained.
- 2B. The school district will reimburse the City for cost of fertilizer.
3. The City will maintain all equipment used for maintaining these areas.
- 3B. The school district will supply the City with the proper equipment to use.

The City's offer to operate and maintain these locations with one employee designated to this job is \$49,291.80 per year. As a public works employee, this position will be managed and supervised by the City's Public Works Department. If we find that the time spent on each site is less than proposed, the City will adjust the cost accordingly so that the school district is only paying for time spent on their site.

This will be a year by year agreement. If at the end of each year either party is not satisfied with the results from this partnership, the two parties can either re-negotiate, make changes or dissolve the agreement all together. At that time, all equipment will be returned to the school district in good working condition.

Thank you for your consideration,

Eric Lucero

City of Winters Public Works Superintendent

Shared Services Budget

	QTY	WEEKS	COST PER UNIT	BUDGET	ACTUAL SPENT	SUBTOTAL
Shriley Rominger						
277,200 sqft = 6.36 acre						
Fuel						
QTY = Gallons	2	46	\$ 3.50 per gal	\$ 322.00	\$ 180.00	
				subtotal	<u>\$ 180.00</u>	\$ 322.00
Fertilizer						
QTY = Bags	18.5	1	\$ 35.00 Per 45lbs bag bag=15000sqft	\$ 647.50		
				subtotal	<u>\$ -</u>	\$ 647.50
Irrigation Supplies						
QTY = Material Costs				\$ 225.00		
				subtotal	<u>\$ -</u>	\$ 225.00
Preventative Maintenance						
QTY = Hours	4.1	52	\$ 27.38 Per hour	\$ 5,837.42		
				subtotal	<u>\$ -</u>	\$ 5,837.42
Mowing						
QTY = Hours	4.1	46	\$ 27.38 Per hour	\$ 5,163.87		
				subtotal	<u>\$ -</u>	\$ 5,163.87
SUBTOTAL				\$ 12,195.78		\$ 12,195.78

	QTY	WEEKS	COST PER SITE	BUDGET	ACTUAL SPENT	SUBTOTAL
Middle School						
268,000 sqft = 6.1 acre						
Fuel						
QTY = Gallons	2	46	\$ 3.50 per gal	\$ 322.00	\$ 180.00	
				subtotal	<u>\$ 180.00</u>	\$ 322.00
Fertilizer						
QTY = Bags	17.86	1	\$ 35.00 Per 45lbs bag bag=15000sqft	\$ 625.10		
				subtotal	<u>\$ -</u>	\$ 625.10
Irrigation Supplies						
QTY = Material Costs				\$ 225.00		
				subtotal	<u>\$ -</u>	\$ 225.00
Preventative Maintenance						
QTY = Hours	4	52	\$ 27.38 Per hour	\$ 5,695.04		
				subtotal	<u>\$ -</u>	\$ 5,695.04
Mowing						
QTY = Hours	4	46	\$ 27.38 Per hour	\$ 5,037.92		
				subtotal	<u>\$ -</u>	\$ 5,037.92
SUBTOTAL				\$ 11,905.06		\$ 11,905.06

Shared Services Budget

	QTY	COST PER SITE			ACTUAL SPENT	SUBTOTAL
High School						
251,000 sqft = 5.76 acre						
Fuel						
QTY = Gallons	2	46	\$ 3.50 per gal	\$ 322.00	\$ 180.00	
				subtotal	<u>\$ 180.00</u>	\$ 322.00
Fertilizer						
QTY = Bags	16.73	1	\$ 35.00 Per 45lbs bag bag=15000sqft	\$ 585.55		
				subtotal	<u>\$ -</u>	\$ 585.55
Irrigation Supplies						
QTY = Material Costs				\$ 225.00		
				subtotal	<u>\$ -</u>	\$ 225.00
Preventative Maintenance						
QTY = Hours	3.76	52	\$ 27.38 Per hour	\$ 5,353.34		
				subtotal	<u>\$ -</u>	\$ 5,353.34
Mowing						
QTY = Hours	3.76	46	\$ 27.38 Per hour	\$ 4,735.64		
				subtotal	<u>\$ -</u>	\$ 4,735.64
SUBTOTAL					\$ 11,221.53	\$ 11,221.53

	QTY	COST PER SITE			ACTUAL SPENT	SUBTOTAL
Football Field						
90,000 sqft = 1.35 acre						
Fuel						
QTY = Gallons	1	46	\$ 3.50 per gal	\$ 161.00		
				subtotal	<u>\$ -</u>	\$ 161.00
Fertilizer						
QTY = Bags	6	1	\$ 35.00 Per 45lbs bag bag=15000sqft	\$ 210.00		
				subtotal	<u>\$ -</u>	\$ 210.00
Irrigation Supplies						
QTY = Material Costs				\$ 225.00		
				subtotal	<u>\$ -</u>	\$ 225.00
Preventative Maintenance						
QTY = Hours	1.35	52	\$ 27.38 Per hour	\$ 1,922.08		
				subtotal	<u>\$ -</u>	\$ 1,922.08
Mowing						
Mow twice a week	1.35	46	\$ 27.38 Per hour	\$ 1,700.30		
QTY = Hours	1.35	46	\$ 27.38 Per hour	\$ 1,700.30		
				subtotal	<u>\$ -</u>	\$ 3,400.60
SUBTOTAL					\$ 5,918.67	\$ 5,918.67

Fall Sports Season

Sunday		Tuesday	Wednesday	Thursday	Friday	Saturday
	High School Waggoner School	Middle Football Field Maintenance	City Parks Maintenance	Football Field Shirley Rominger	Maintenance	

Winter Sports Season

	High School Waggoner School	Middle Football Field Maintenance	City Parks Maintenance	Soccer Fields Football Field Maintenance	Maintenance	
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Spring Sports Season

	High School Waggoner School	Middle Football Field Maintenance	City Parks Maintenance	Football Field Softball Fields Baseball Fields	Maintenance	
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Summer Season

	High School Waggoner School	Middle Football Field Maintenance	Shirley Rominger City Parks Maintenance	Football Field Softball Fields Baseball Fields	Maintenance	
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**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Councilmembers
DATE : March 4, 2014
THROUGH: John W. Donlevy, Jr., City Manager *JWD*
FROM: Dan Maguire, Economic Development and Housing Manager *DM*
SUBJECT: Discussion and Request for Direction on How to Proceed with Consideration of Developer Selection for Affordable Senior Housing Project on the Grant Avenue Commercial Parcel

RECOMMENDATION:

Receive the staff report and provide direction to staff on how to proceed on the selection of a developer of affordable senior housing for the Grant Avenue Commercial property.

BACKGROUND:

In October of 2012, at the request of City Council members Curry and Anderson, staff met with Domus Development, an award winning affordable housing developer, to discuss the potential development of an affordable Senior Multi-Family housing project in Winters. As part of that initial meeting, staff conducted a tour of potential sites in Winters with appropriate zoning, ones that would allow for the required density required for this type of project. Domus immediately expressed preference for the Baker Street frontage of the Grant Avenue Commercial property, due to the property's proximity to essential services (grocery, health care, mass transit, etc). Based on those initial discussions, staff contacted the representatives from Cross/Dollar General and Yolo Federal Credit Union to discuss amending their proposed Purchase and Sale Agreement site plans to allow for the inclusion of a senior housing project on the property. They were both receptive and amended their plans accordingly, with that modification discussed with City Council in conjunction with City Council approval of those Purchase and Sale agreements.

Staff and City Council representatives subsequently also met with other developers of affordable housing to discuss their interest in pursuing an affordable senior housing project. Meetings were held with DSHC, Inc, working with Neighborhood Partners LLC.; and PEP Housing (Petaluma Ecumenical Properties). Both developers expressed and preference for the Grant Avenue property, with DSHC communicating their interest in a

letter to Council dated May 23, 2013. Numerous Council members did make arrangements and toured properties developed by both Domus and by DSHC.

Domus Development's project was presented to the Affordable Housing Steering Committee ("AHSC"), the Winters Planning Commission ("PC"), and the City Council ("CC"). Part of the discussion of the proposed Domus project was tied to an affordable housing project that could fulfill the Inclusionary Housing Ordinance obligation of the Hudson-Ogando and Callahan Estates residential projects under their proposed Affordable Housing Plan. The plan, which was approved by Council, accepts payment of in-lieu fees in place of construction of affordable housing. With the acceptance of that plan, the City takes on the responsibility of ensuring the affordable housing is constructed.

Until recently, the City has not been able to enter into an agreement with a developer for a project on the Grant Avenue property as the property has been tied up for over a year in the Redevelopment wind-down process. With the Department of Finance's approval of the Successor Agency Long Range Property Management Plan, received on December 20, 2013, staff was able to restart discussions with Domus Development on their proposed senior housing project. Those discussions included discussing the 2014 Community Development Block Grant ("CDBG") Notice of Funding Availability ("NOFA") as a potential source of funding to assist the project. Additionally, staff approached the Senior Management of the Winters Healthcare Foundation to explore their interest in consolidating their operations to another piece of the Grant Avenue Commercial property as staff was aware they were looking to relocate and consolidate their operations. Staff also recognized the potential scoring enhancement within the aforementioned CDBG NOFA and other potential funding sources for the synergistic pairing of affordable housing with health services providers.

Staff was contacted by David Thompson of Neighborhood Partners, (and subsequently by Dick Holdstock of the AHSC) asking for an update on the Grant Avenue Senior Housing project and requesting that the Senior Housing project be put out to affordable housing developers through an Request For Proposal process.

Given the 2014 CDBG NOFA has an April 11, 2014 application deadline; staff asks City Council to consider the following options:

- 1) Continue developing the project with Domus Development, with the goal of submitting a funding application for the 2014 CDBG NOFA. Under this plan, Council approval would be needed by the April 1 Council meeting for a: 1) agreement with Domus (Exclusive Negotiation Agreement, Disposition and Development Agreement), and, 2) a Resolution authorizing submittal of the CDBG application.
- 2) Halt discussions with Domus and the preparation of the CDBG Grant application, and instead issue a Request for Qualifications or a Request for Proposals

FISCAL IMPACT:

None by this action