



Winters City Council Meeting  
City Council Chambers  
318 First Street  
Tuesday, July 1, 2014  
6:30 p.m.  
**AGENDA** (pp 1-3)

*Members of the City Council*

*Cecilia Aguiar-Curry, Mayor  
Woody Fridae, Mayor Pro-Tempore  
Harold Anderson  
Wade Cowan  
Pierre Neu*

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

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

Roll Call

Pledge of Allegiance

Approval of Agenda

**COUNCIL/STAFF COMMENTS**

**PUBLIC COMMENTS**

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

CONSENT CALENDAR

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

- A. Minutes of the Regular Meeting of the Winters City Council Held on Tuesday, June 17, 2014 (pp 4-11)

DISCUSSION ITEMS

1. Winters Swim Project (pp 12-18)

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

1. None

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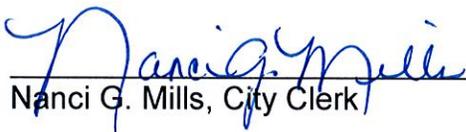
CITY MANAGER REPORT

INFORMATION ONLY

EXECUTIVE SESSION

ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the July 1, 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 June 25, 2014, and made available to the public during normal business hours.

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

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*Winters Library – 708 Railroad Avenue*

*City Hall – Finance Office - 318 First Street*

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

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Wednesday at 10:00 a.m.

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Minutes of the Winters City Council Meeting  
Held on Tuesday, June 17, 2014  
6:30 p.m.

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**6:00 p.m. – Executive Session**

Pursuant to Government Code Section 54956.8 of the Government Code – Real Estate Negotiations – Property Located on Grant Avenue (APN #'s 038 070 37, 038 070 38, 038 070 39), Winters – Real Property Negotiator City Manager John W. Donlevy, Jr.

Mayor Aguiar-Curry reported that there was nothing to report out from Executive Session.

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**6:30 p.m. – Regular Session**

Present: Council Members Harold Anderson, Wade Cowan, Woody Fridae, Bruce Guelden and Mayor Cecilia Aguiar-Curry.  
Absent: None  
Staff: City Manager John Donlevy, City Clerk Nanci Mills, City Attorney Ethan Walsh, Director of Financial Management, Public Works Superintendent Eric Lucero, Environmental Services Manager Carol Scianna, Building Official Gene Ashdown, Housing Programs Manager Dan Maguire and Management Analyst Tracy Jensen.

Joseph and Emily Aguiar led the Pledge of Allegiance.

Approval of Agenda: City Manager Donlevy said there were no changes to the agenda. Motion by Council member Fridae, second by Council Member Guelden to approve the agenda. Motion carried with the following vote:

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

## COUNCIL/STAFF COMMENTS

PUBLIC COMMENTS: On behalf of the Winters Youth Day Committee, Youth Day General Chairman Mike Sebastian and Co-General Chairman and Duck Derby Chairman Kathy Cowan donated \$750 to the Fireworks Fund as a result of the 1<sup>st</sup> and 2<sup>nd</sup> place winners of the Duck Derby returning their winnings to the committee. Kathy Cowan also spoke about an upcoming fireworks fundraiser sponsored by Mike Petersen at Main Street Cellars, "Biggest Bang for Your Buck" Bocce Ball Tournament to be held on Saturday, June 28<sup>th</sup> with 100% of the proceeds going to the Fireworks Fund.

## CONSENT CALENDAR

- A. Minutes of the Regular Meeting of the Winters City Council Held on Tuesday, June 3, 2014
- B. Amplified Sound Permit for Winters Friends of the Library Concerts at Rotary Park & Gazebo
- C. Amplified Sound Permit for Winters Outdoor Quilt & Textile Art Festival to be Held on Saturday, June 21, 2014
- D. Review Annual Waste Management Rate Increase
- E. Resolution 2014-21, A Resolution of the City Council of the City of Winters, Declaring Results of California Statewide Primary General Municipal Election Held on June 3, 2014
- F. Consultant Services Agreement with BSK & Associates for Phase 1 and 2 Site Investigation
- G. Transfer of Lake Berryessa Management Authority--Letter of Support: HR 4166 – Bureau of Land Management

City Manager Donlevy gave an overview. Council Member Anderson said he had a possible conflict of interest regarding Item F and recused himself for this single item. Motion by Council Member Fridae to approve Consent Items A-E and G. Motion seconded by Council Member Anderson. Motion approved with the following vote:

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

Motion by Council Member Fridae, second by Council Member Guelden to approve Consent Item F. Motion carried with the following vote:

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

## PRESENTATIONS

As a result of the June 3<sup>rd</sup> election, City Clerk Nanci Mills administered the Oath of Office to returning Council Members Cecilia Aguiar-Curry, Harold Anderson, and new Council Member Pierre Neu. City Attorney Ethan Walsh then administered the Oath of Office to City Clerk Nanci Mills and Treasurer Mike Sebastian.

## DISCUSSION ITEMS

1. Designation of Mayor and Mayor Pro Tempore (Ordinance 2004-04, relating to Selection of the Mayor and Mayor Pro Tempore, is included as information only)

Council Member Cowan made a motion to designate Mayor Pro Tempore Fridae as Mayor and was seconded by Council Member Neu.

Mayor Pro Tempore Fridae said he was honored but has been nominated to serve on a state panel for teacher evaluations, a model for the northern part of California, an obligation that will last over the next couple of years. Mayor Aguiar-Curry has worked extremely hard with several agencies and committees and has done a stellar job keeping us at the table. Mayor Pro Tem Fridae declined the designation and made a motion to nominate Cecilia Aguiar-Curry as Mayor and was seconded by Council Member Anderson.

Mayor Aguiar-Curry said she was honored to have the confidence of the Council and couldn't do it without the support of the Council, staff and the City Manager and will continue to do the job to the best of her ability. Motion carried with the following vote:

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

Mayor Aguiar-Curry made a motion to nominate Woody Fridae as Mayor Pro Tempore and was seconded by Council Member Cowan. Motion carried with the following vote:

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

City Manager Donlevy then presented a Captain's chair to outgoing/incoming Mayor Aguiar-Curry and spoke about her accomplishments and achievements, recognizing the numerous boards and committees she sits on, including being named one of Sacramento Business Journal's 2014 Woman Who Mean Business.

City Manager Donlevy then thanked Council Member Guelden for over 20 years of service to the City, with two terms on the Council and five terms on the Planning Commission. Bruce always came prepared, ready to participate in the process and with the courage to say no.

Mayor Aguiar-Curry adjourned the meeting for short break and re-convened the meeting at 7:15 p.m.

2. Public Hearing and Adoption of Resolution 2014-22, a Resolution of the City Council of the City of Winters Amending and/or Approving the Annual Levy Report, and Ordering the Levy and Collection of Assessments within the City of Winters City-Wide Maintenance Assessment District, Fiscal Year 2014/2015

City Manager Donlevy gave an overview. Mayor Aguiar-Curry opened the public hearing at 7:16 p.m. and with no public comment closed the public hearing at 7:16 p.m. Motion by Council Member Cowan, second by Council Member Fridae to adopt Resolution 2014-22 approving the Annual Levy Report and ordering the levy and collection of assessments within the City of Winters City-Wide Maintenance Assessment District, Fiscal Year 2014/2015. Motion carried with the following vote:

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

3. Public Hearing and Adoption of Resolution 2014-19, a Resolution of the City Council of the City of Winters for the Consideration of HOME Investment Partnerships Program (HOME) Grant Application for Rental New Construction Project Funding Assistance for Multifamily Project in Support of Affordable Housing

Housing Programs Manager Dan Maguire gave an overview. Mayor Aguiar-Curry opened the public hearing at 7:20 p.m. and with no public comment closed the public hearing at 7:20 p.m. Motion by Council Member Cowan, second by Council Member Fridae to adopt Resolution 2014-19 approving a HOME Investment Partnerships Program(HOME) Grant Application for Rental New

Construction Program Funding Assistance for Multifamily Project in the amount of \$5,500,000 for the Fiscal Year 2014-2015. Motion carried with the following vote:

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

4. Resolution 2014-20, a Resolution of the City Council of the City of Winters Approving and Adopting a Budget of Estimated Expenditures for Fiscal Years 2014-2015 and 2015-2016

Director of Financial Management Shelly Gunby gave an overview and said the budget document will be finished by the end of June, 2014. Motion by Council Member Fridae, second by Council Member Cowan to adopt Resolution 2014-20, approving and adopting a budget of estimated expenditures for Fiscal Years 2014-2015 and 2015-2016. Motion carried with the following vote:

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

5. Designation of a Voting Delegate and Alternates for the League of California Cities Annual Conference

City Manager Donlevy gave an overview. Council Member Fridae nominated Mayor Aguiar-Curry to attend as the Voting Delegate at the annual League of California Cities Annual Conference to be held in Los Angeles. Mayor Aguiar-Curry said she would be attending and will also be representing the Environmental Quality Committee. Council Member Cowan was nominated as the Alternate. Motion carried with the following vote:

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

6. Councilmember Liaison Assignments

Mayor Aguiar-Curry asked Council to review current assignments and cross off or add to the list provided and said new Council Member Pierre Neu shouldn't

have to take all of the designations that Council Member Guelden had. Council Member Fridae did ask Council Member Neu to fill the vacancy on the Natural Heritage Program and Mayor Aguiar-Curry asked him to consider being on the Planning Commission Interview Committee for the upcoming interviews at the end of June. Council Member Anderson said the Community Choice Aggregation is no longer in existence. Council will provide changes to City Clerk Nanci Mills, who will then provide an updated Liaison List.

#### 7. Planning Commission Vacancy

City Manager Donlevy gave an overview of the five options available to fill the Planning Commission vacancy. Council Member Cowan said that since half of the term remains, he suggested the City should go through the interview and selection process. Council Member Fridae agreed and the Council directed City Clerk Mills to make contact with prior applicants from the last selection to see if they are still interested, prepare a notice and advertise the Planning Commission vacancy, and select two Council Members to serve on the Interview and Selection Committee and come back to Council on July 15<sup>th</sup> with their recommendation.

#### 8. Waste Water Contract Letter of Intent/Renewal of Contract Services

City Manager Donlevy gave an overview. Fred Kriess, Regional General Manager of Severn Trent Services, said they have tried to perform to the best of their ability to meet their contract obligations. He met with City staff last week and provided a letter of intent to renew the contract and would like to present a short proposal to Council that would include a fixed contract fee. Fred said they have solutions on how to reduce energy costs, potentially help with a Chromium 6 solution and focus on training and development.

Council Member Cowan said he would like to move forward with staff recommendation and provide Severn Trent Services with a notice of non-renewal, giving the City the opportunity to do it on their own but would also like to see a proposal from Severn Trent. City Manager Donlevy said staff is ready to move forward on structuring and this would hamper the ability for staff to move forward.

Council Member Anderson said staff has done their homework and have done a good job balancing sewer and water and would like to move forward. Council Member Neu asked if other small cities are operating their own wastewater operations and whether this is a common practice. City Manager Donlevy said in California, more small cities do it than large cities. The City of Winters has basically been running our own water system the last eight years after the

catastrophic failure under Southwest Water. This is a natural progression and staff has a solid strategy and is confident about the improved service. This has nothing to do with the provider, but has everything to do with what is best for the department and for the City, providing more eyes to observe problems. It's what staff thinks is best and they are prepared to do it.

Motion by Council Member Fridae, second by Council Member Anderson to move forward with staff recommendation authorizing the City Manager to provide Southwest Water Company with a notice of non-renewal of the Wastewater Services Agreement executed on December 1, 2012 and approve the recommended budget and staffing plan for the provisions of wastewater services through the City Public Works Department and a new Water and Wastewater Services Division. Motion carried with the following vote:

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

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

1. Public Hearing and Adoption of Resolution SA-2014-05, a Resolution of the Successor Agency for the Dissolved Winters Community Development Agency for the Consideration of a Successor Agency/Domus Development Purchase and Sale Agreement

Agency Chairman Fridae opened the Successor Agency at 8:13 p.m.

Housing Programs Manager Dan Maguire gave an overview. Agency Chairman Fridae opened the public hearing at 8:17 p.m. and with no public comment closed the public hearing at 8:17 p.m. Motion by Agency Member Aguiar-Curry, second by Agency Member Anderson to adopt Resolution SA-2014-05 approving the sale of portions of real property as follows: Grant Avenue Commercial Property (APN #'s 003-370-028, 003-370-029, and 003-370-030); Approve the sale of portions of the Grant Avenue Commercial Property (APN #'s 003-370-028, 003-370-029, & 003-370-030) to Domus Development; and adopt Resolution SA-2014-05; and authorize the Executive Director to execute a Purchase and Sale Agreement with Domus Development. Motion carried with the following vote:

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

ABSTAIN: None

Agency Chairman Fridae closed the Successor Agency at 8:18 p.m.

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CITY MANAGER REPORT: Domas is top scale and has been a joy to work with. This \$20 million dollar project is not an easy project, but we've been able to hammer through some complex issues. As we move forward on the bridge project, OSHA has completed their investigation, but they have six months to issue their report. Spoke with Matt Tuggle of Solano County today and there are a lot of things that need to be done, including meeting the safety contractual obligations. Matt confirmed that there will be a delay and asked for everyone's patience and added that Solano County is very committed to this project. Council Member Fridae confirmed that Solano County Supervisor Vasquez will participate in a tribute at the bridge for the fallen workers.

ADJOURNMENT: Mayor Aguiar-Curry welcomed Pierre to the Council and then adjourned the meeting at 8:24 p.m.

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Cecilia Aguiar-Curry, MAYOR

ATTEST:

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Nanci G. Mills, City Clerk



**TO:** Honorable Mayor and Council Members

**DATE:** July 1, 2014

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

**FROM:** Nanci G. Mills, Director of Administrative Services/City Clerk *Nanci*

**SUBJECT:** The Winters Swim Project

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**RECOMMENDATION:**

Staff recommends that the City Council hear the presentation of the program from Theresa Dunlop and support "The Winters Swim Project" proposal.

**BACKGROUND:**

Theresa Dunlop created the "Winters Swim Project" and has presented her proposal to the City and Swim Team.

The goal is to teach residents of Winters how to swim and once taught to enable them to enjoy the pool. The program will provide these lessons and the use of the pool to those who otherwise would not be able to participate because of it being cost prohibitive.

**FISCAL IMPACT:**

There would be no financial burden on the City aside from the initial cost of supporting the lessons until monies are raised to reimburse the City during start up.



The Winters Swim Project  
"Saving lives, one swimmer at a time"  
June 23, 2014

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# Proposal for

## The Winters Swim Project

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# I. Summary

The **Winters Swim Project** is a not for profit program geared at providing low or no cost swim lessons for residents of Winters, CA. The Project will fall under the umbrella of the City of Winters recreation department and be managed by **The Winters Swim Project** panel in partnership with the City of Winters, and the Winters Swim Team.

The goal is to teach residents of Winters how to swim and once taught to enable them to enjoy the City pool, the Winters Swim Team organization and/or other various swimming options available in a safe manner. The program will provide these lessons to those who otherwise would not be able to participate because of it being cost prohibitive.

The **Winters Swim Project** requests the support of the City by:

- Approval of City Council for use of Winters recreation fund to umbrella **The Winters Swim Project** funds and provide letters for donation to a not for profit project.
- Approval of City Council for the summer fee for pool use of \$20.00 for those that successfully complete swim lessons during the year in which they complete the lessons.
- Approval of City Council to lower the cost of City swims lessons to \$55.00 for **The Winters Swim Project** instead of the current \$65.00. Therefore requiring the Project to cover \$45.00 instead of \$55.00 with the remaining \$10.00 coming from the individual signing up for free or low cost lessons.
- Approval of the Winters Swim Team to accept swimmers once they have successfully completed the swim lessons and can safely swim the length of the city pool for a reduced fee of \$25.00 through **The Winters Swim Project** with \$10.00 being covered by the swimmer and the remainder being covered by a combined effort of the Winters Swim Team and **The Winters Swim Project**.

Total yearly cost of **The Winters Swim Project** would be to offset the cost of advertising for donation requests and fundraising efforts. These costs would be covered by donation monies. There would be no financial burden on the City of Winters aside from the initial cost of supporting the lessons until monies are raised to reimburse the City during start up.

## II. Introduction

The **Winters Swim Project** is a not for profit project to provide low or no cost swim lessons to the City of Winters, CA residents that otherwise could not afford to learn this life saving lesson.

This project began as a response to the number of children that did not know how to swim that were leaving the 3<sup>rd</sup> grade, the amount of non swimmers in general in the City and in response to the high cost of swim lessons in this largely migrant City.

In May of 2014, the CDC released a report that noted that about 21,000 children and young adults drowned from 1999 through 2010, and that drowning is responsible for more deaths among children aged 1-4 years than any other cause except birth defects. For people age 20 and younger, drowning is one of the top three causes of unintentional injury death.

A 2010 study commissioned by the USA Swimming Foundation and conducted by the University of Memphis found that nearly 70% of black children and nearly 60% of Hispanic children have low or no swimming ability, compared with 40% of white children.

In Winters, we provide free breakfast and lunches to children during the summer to ensure they eat but living within minutes of several major water sources, we charge \$65.00 for 2 weeks of swim lessons. If families can't afford to feed their children, they certainly can't afford to pay for swim lessons to prevent drowning.

## III. Goals/Objectives

To provide low or no cost swim lessons in Winters to those residents that otherwise can not afford to participate and allow those that complete the lessons successfully to enjoy swimming in a safe and fun environment.

- Provide low or no cost swim lessons
- Allow those that successfully complete lessons to use the City pool at a discounted fee during the year in which they complete the swim lesson successfully.
- Allow those that successfully complete lessons and can safely swim the length of the City pool to take part in the Winters Swim Team if so desired for a reduced fee.

## IV. Procedures/Scope of Work

This project will require the support of the City as the holder of the not for profit status, as the retainer of funds in a City account designated for **The Winters Swim Project**, as the provider of the swim lessons and to provide a discounted pool rate for those that successfully complete the swim lessons for the year in which they complete them. Additionally, the project will work with the Winters Swim Team to allow the opportunity for those that successfully complete the swim lessons and can safely swim the length of the City pool the opportunity to join the Winters Swim Team at a reduced fee for the remainder of the summer in the year they successfully complete the lessons.

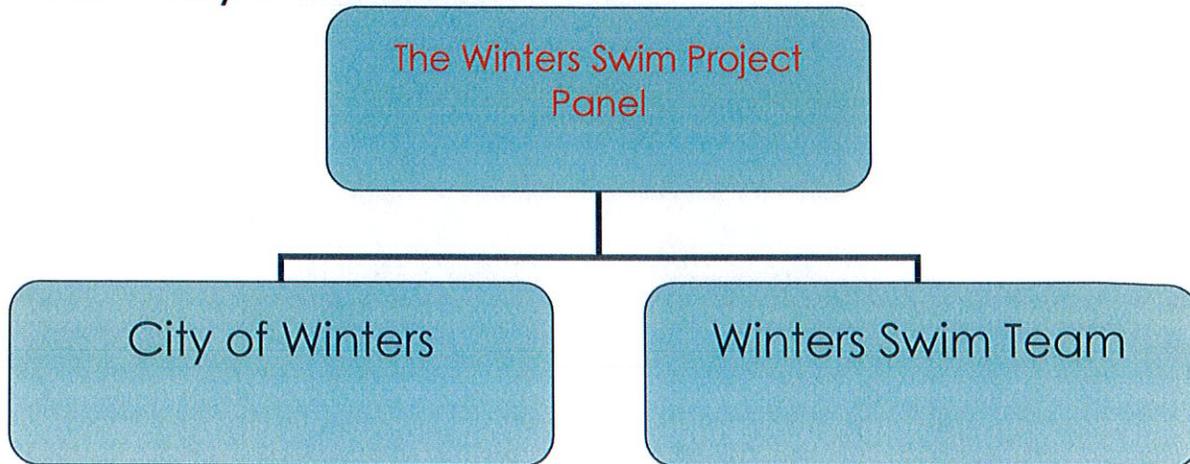
## V. Timetable

	Description of Work	Start and End Dates
Phase One	Approval of project scope by City of Winters & the Winters Swim Team	July 5, 2014
Phase Two	Public knowledge of project via Winters Express, postings and flyers around town.	July 9 - Ongoing
Phase Three	First lessons	July 14, 2014

## VI. Budget

	Description of Work	Anticipated Costs
Phase One	Approval of project scope by City of Winters & the Winters Swim Team	No cost
Phase Two	Public knowledge of project via Winters Express, postings and flyers around town.	\$100 for flyers & postings
Phase Three	First lessons	Initial costs back covered with fundraising monies
	<b>Total</b>	\$100.00

## VI. Key Personnel



## VII. Evaluation

The project will be evaluated by the number of swimmers taught and the monies raised to cover all expenses incurred by **The Winters Swim Project**.

## VIII. Next Steps

- Approval of City Council for use of Winters recreation fund to umbrella **The Winters Swim Project** funds and provide letters for donation to a not for profit project.
- Approval of City Council for the summer fee for pool use of \$20.00 for those that successfully complete swim lessons during the year in which they complete the lessons.
- Approval of City Council to lower the cost of City swim lessons to \$55.00 for **The Winters Swim Project**. Therefore requiring the Project to cover \$45.00 instead of \$55.00 with the remaining \$10.00 coming from the individual signing up for free or low cost lessons.
- Approval of the Winters Swim Team to accept swimmers once they have successfully completed the swim lessons and can safely swim the length of the city pool for a reduced fee of \$25.00 through **The Winters Swim Project** with \$10.00 being covered by the swimmer and the remainder being covered by a combined effort of the Winters Swim Team and **The Winters Swim Project**.