



Winters City Council Meeting
City Council Chambers
318 First Street
Tuesday, August 19, 2014
6:30 p.m.
AGENDA

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
Ethan Walsh, City Attorney
Nanci Mills, City Clerk*

6:00 p.m. – Executive Session

AGENDA

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

Pursuant to Government Code Section 54956.8 of the Government Code – Real Estate Negotiations – Property Located on Abbey Street (APN #'s 003-204-018, 003-204-002, 003, 004, 005, 006), Winters – Real Property Negotiator City Manager John W. Donlevy, Jr.

6:30 p.m. – Regular Session

AGENDA (pp 1-4)

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, August 5, 2014 (pp 5-10)

PRESENTATIONS

None

DISCUSSION ITEMS

1. Wastewater Disinfection, Irrigation Improvements, and Updates on Water and Waste Water Projects (pp 11-16)
2. Planning Commission Appointment (pp 17)
3. Putah Creek Off-Leash Dog Area / Vicious Animal Ordinance (pp 18-24)
4. Purchase of Public Works Vehicles and Equipment (pp 25-26)

5. Voting Delegate for the League of California Cities Annual Conference Relative to the Resolution Being Considered (pp 27-51)

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

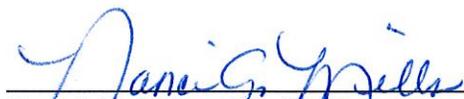
1. Resolution SA-2014-06, A Resolution of the City of Winters as Successor Agency to the Winters Community Development Agency Adopting the 14-15B ROPS (pp 52-59)

CITY MANAGER REPORT

INFORMATION ONLY

ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the August 19, 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 August 14, 2014, and made available to the public during normal business hours.



Nanci G. Mills, City Clerk

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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.

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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 August 5, 2014

Executive Session

Pursuant to Government Code Section 54956.8 of the Government Code – Real Estate Negotiations – Property Located on Abbey Street (APN #'s 003-204-018, 003-204-002, 003, 004, 005, 006), Winters – Real Property Negotiator City Manager John W. Donlevy, Jr.

No information was reported out of Executive Session.

Regular Session

Mayor Aguiar-Curry called the meeting to order at 6:35 p.m.

Present: Council Members Harold Anderson, Wade Cowan, Woody Fridae, Pierre Neu and Mayor Cecilia Aguiar-Curry
Absent: None
Staff: City Manager John Donlevy, City Clerk Nanci Mills, City Attorney Ethan Walsh, Director of Financial Management Shelly Gunby, Police Chief Sergio Gutierrez, Fire Chief Aaron McAlister, Police Sergeant Jose Ramirez, Police Officers Alan Pinette and Gordon Brown, Housing Programs Manager Dan Maguire, Environmental Services Manager Carol Scianna, Public Works Superintendent Eric Lucero, City Interns Sam Donlevy, Omar Herrera, Jacob Lucero, Nicole Martinez and Charles Tschudin, and Management Analysts Jenna Moser and Tracy Jensen.

City Intern Sam Donlevy led the Pledge of Allegiance.

Approval of Agenda: Motion by Council Member Fridae to approve the agenda with no changes, 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
ABSTAN: None

COUNCIL/STAFF COMMENTS

PUBLIC COMMENTS: Kathy Cowan announced a work party at Waggoner Elementary and Shirley Rominger Intermediate on Saturday, August 9 from 8:00 to 11:00 a.m. to prepare for the start of school. Dan Maguire said last year the Council outworked the Trustees, so the challenge is on!

CONSENT CALENDAR

- A. Minutes of the Regular Meeting of the Winters City Council Held on Tuesday, July 1, 2014
- B. Award for Construction of Railroad Avenue Improvements, Project No. 13.02
- C. Resolution 2014-23, a Resolution of the City Council of the City of Winters Approving an Agreement for Provision of Professional Consulting Services to the City of Winters by AK Company for SB90 State Mandated Costs Claiming Services
- D. Resolution 2014-24, a Resolution of the City Council of the City of Winters Confirming Delinquent Utility Bills

City Manager Donlevy gave an overview and confirmed the correction on Resolution 2014-23 from \$3,000 to \$950. He also confirmed the number of liens to be filed for delinquent utility bills was reduced from 400 to approximately 122. Motion by Council Member Fridae, second by Council Member Cowan to approve the consent calendar with said changes. Motion carried with the following vote:

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

PRESENTATIONS

Police Chief Gutierrez introduced Alan Pinette, who grew up in Dixon and served in the Navy, stationed aboard the USS John C. Stennis, where he was honorably discharged as a Petty Officer 3rd Class after four years of service. Pedro Jimenez of the Dixon

Police Department pinned on Alan's badge and he was then sworn in by City Clerk Nanci Mills. Council adjourned briefly for a short reception.

Howard Hupe, member of the Board of Directors of the Winters Chamber of Commerce, introduced Alan Humason, Executive Director of the Yolo County Visitors Bureau, and added that the YCVB has done so much to boost the image of Winters. Council Member Fridae asked whether the YCVB promoted kayaking and cycling opportunities in Winters. Alan said biking maps are available on their website. The YCVB continues to distribute maps, attend media events, promote events held in Winters and send out press releases about new events in Winters and Yolo County. Mayor Aguiar-Curry asked if Council and staff could be notified when the media plans to come to Winters and thanked Alan for doing a great job of promoting Winters.

DISCUSSION ITEMS

1. Resolution 2014-25, a Resolution of the City Council of the City of Winters Accepting FEMA Assistance to Firefighter Grant Program for Regional Communications

Fire Chief McAlister reported the Winters Fire Department's success in landing a competitive, regional grant that will benefit the Cities of Winters, Davis, West Sacramento, Dixon, and the Yolo Fire District, with the City of Winters as host agency. The grant will provide new hand-held 800 megahertz radios in each riding vehicle, enabling all of the departments to communicate with each other during mutual aid incidents. Kudos to Fire Captain Brad Lopez for the many hours spent and the time vested in writing the grant.

Council Member Anderson said it was a great strategic step in securing radios for the entire region, and not just Winters, and Council Member Fridae commended the Fire Department and Captain Lopez for their leadership position in the region. City Manager Donlevy reported that this grant puts the Fire Department just under \$1.2 million dollars in grants over the last 2-1/2 years. Mayor Aguiar-Curry congratulated Captain Lopez and the entire department.

Motion by Council Member Fridae, second by Council Member Neu to approve Resolution 2014-25, accepting FEMA assistance to the Firefighter Grant Program for regional communications. Motion carried with the following vote:

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

2. Pool Maintenance and Operations

City Manager Donlevy gave an overview and reported that the public works staff began maintenance of the pool on June 30th by replacing all lines and hoses and will continue the daily pool maintenance, including daily readings of the ph and chlorine balances, and will also be responsible for any necessary repairs.

Mayor Aguiar-Curry encouraged daily use of the pool cover and asked if it was possible to get solar panels, enabling the City to keep the pool open during the winter months. City Manager Donlevy said staff looked into solar panels but the cost did not pencil out. Council Member Fridae suggested looking for a grant to cover this expense.

Sally Brown, 24 E. Main Street, said that the closure of the pool during the winter months has caused Winters to lose many of their regular swimmers to the Vacaville masters program.

3. Intern Presentations

City Manager Donlevy gave an overview of the intern program, which is in its' fourth year and limits an internship to two years per intern, focusing on college students that have graduated from Winters High School.

a. Financial Management and Administrative Services Procedures Manual Project

Omar Herrera's job consisted of working with the Finance Department in preparing a procedures manual including accounts payable, cash receipting, utility billing (meter reading), and payroll. Omar reviewed several screen shots that have been included in the manual and thanked City Manager Donlevy and the entire staff for a great experience.

b. City of Winters "Intranet" Project

Sam Donlevy created a City of Winters intranet, an easy, efficient and accessible library for the smart phone, tablet or computer with five main sub-categories: wells/water, sewer/lift stations, SCADA system, facilities (Community Center, Public Safety Facility & City Hall blue prints), and operations. The intranet can also easily access video cameras at the Community Center, City Hall, and various City well locations. Sam added that the City of Winters is one of the only cities in the area to have intranet capabilities. Council Member Fridae commended Sam on a great job in explaining the various components and asked if access was limited. Sam reported that the intranet is a highly-secure, fully encrypted system with limited accessibility to areas of need.

c. Community Development Handout Information

Jacob Lucero conducted research to develop new ways to make the public aware of current Community Development information, ie: permitting and access to development information to accommodate the needs of the public. Jacob reviewed website upgrades and showed examples of public accommodations.

d. Juvenile Diversion Program

Nicole Martinez gave an overview of the Juvenile Diversion Program, committed to developing and adapting to the needs of the community for troubled youth and families and built to keep our public safe and help juveniles choose a better path. City Clerk Nanci Mills said the project is ready to go, and may be in full effect by October under the direction of Chief Gutierrez and School Resources Officer Gordon Brown. Nicole added that Davis High School and Will C. Wood High School in Vacaville were good resources in creating a waiver and providing information to update the contract.

e. City of Winters Noise Ordinance

Charles Tschudin said the noise ordinance is meant to manage, not control noise and compared the City of Winters noise ordinance to that of cities of similar size in the surrounding area. Charles reported the "existing ambient noise level" in various intersections of Winters and noted many other cities have less stringent guidelines to follow. As it is currently written, the City ordinance prohibits cars and conversations. If decibel levels exceed 90, signs must be posted about hearing damage. Charles provided methods to lessen noise, ie: building standards, asphalt, multi-pane windows, high noise traffic corridor.

Sally Brown, 24 E. Main, said she was fully impressed with the interns' level of expertise and commended the City for providing an intern program. She added that Yolo County Probation Department has a diversion program, the juvenile review board, which is staffed by community members with college student as mentors.

Council Member Fridae commended all of the interns for working hard and appreciated the work that was put into each project and thanked them for their participation. Mayor Aguiar-Curry thanked staff for spending time with the interns.

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

1. None
-

CITY MANAGER REPORT: This is the last week for most of the interns, each of whom had a meaningful project and carried it forward through their 10-week tenure. Letters of Recommendation will be given once their last assignment is completed. The permit for Dollar General was issued today, with kudos going out to Building Official Gene Ashdown.

ADJOURNMENT: Mayor Aguiar-Curry adjourned the meeting at 8:35 p.m. in memory of friend and co-worker Scott Dozier.

Cecilia Aguiar-Curry, Mayor

ATTEST:

Nanci G. Mills, City Clerk



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers
DATE: August 19, 2014
THROUGH: John W. Donlevy, Jr., City Manager *JWD*
FROM: Carol Scianna, Environmental Services Manager *CS*
SUBJECT: Wastewater Disinfection -Irrigation Improvements and Updates on Water and Wastewater projects

RECOMMENDATION: Staff recommends approval of funding for Wastewater Disinfection-Irrigation system improvements, work to be done by Telstar Instruments in the amount not to exceed \$72,500.

BACKGROUND: Several months ago the wastewater plant manager experienced problems with the disinfection chamber. It is difficult to maintain consistent results with the treated effluent because of issues with the size and configuration of the disinfection chamber. Jim Keating obtained quotes from two companies to make the necessary changes to the system which will provide better effluent results.

The proposed improvements will also include connecting the disinfection system to our SCADA system, which will also improve the efficiency of staff's time.

The City has recently received approval from the state agencies for the use of recycled Wastewater. Improving the effluent that we will be selling to the adjacent farmer will also help to ensure the success of the recycled wastewater program.

Funds for this project have been approved as part to the new budget and will be paid for from the Sewer Capital Improvement funding.

FISCAL IMPACT: Not to Exceed \$72,500

Update on Wastewater Reuse Program

Several years ago we were approached by a local farmer from Martinez Orchards who was very interested in using our treated wastewater (WW) effluent. We began the discussion with the Regional Water Quality Control Board (RWQCB) and found that this would not be an easy, speedy or inexpensive task. The City would need to amend its current Waste Discharge Permit (WDR) which would require an engineering report, possible CEQA documents, monitoring wells and this was just to complete the application process. The time frame to get on the RWQCB calendar to review our application was 18 months and our consultant at that time advised us that the cost was expected to be \$180,000.

With new drinking water regulations on the horizons and other possible issues that could arise during the amendment process of our waste discharge permit the the City decided to abandon our efforts towards a recycle WW.

However, when the State declared a drought emergency the RWQCB developed a new urgency for getting WW reuse programs underway. The City was approached by the consultants Tully and Young regarding their successful discussions with the RWQCB regarding the processing and implementation of WW reuse permits. The City initiated similar discussions with RWQCB and CDPH and received an initial go ahead on pursuing a reuse program.

The City and consultants submitted the required reports and within 3 months were granted an emergency reuse permit for this year's irrigation season. Subsequently, the RWQCB also adopted a new General Waste Discharge Requirements for Recycled Water Use Guidelines and we are optimistic that with minimal follow up we will be able to extend our current temporary permit to a permanent one. The annual permit with RWQCB for our reuse program is \$1941.

We began pumping water to the adjacent prune orchard on July 22nd, averaging 436,000 gallons per day 5 days a week, pumping about 7-10 hours daily. On a monthly basis we will be reusing nearly 2 million gallons, which would have been pumped out of our aquifer, had we not implemented this program.

The City and Martinez Orchards entered into an agreement, prior to the delivery of water. Martinez has paid for the installation of the necessary equipment to get the WW from our turn-out to his orchards. The City did not need to add any additional equipment to accommodate the reuse program. Martinez will be billed on a monthly basis at a rate of \$70 per acre ft., which averages out to \$100 a day. According to Jim Keating, WW plant manager the program has been running smoothly. It is definitely a win-win situation on many levels:

- Conservation of our much needed groundwater
- Reduced water cost for a local farmer
- Increased capacity for our WWTF -less storage ponds will be required with additional orchard areas to discharge to
- Successful program will encourage other Cities and the RWQCB to consider reuse as an option

WW Bio-Solids Plan Update

Jim Keating has submitted the WW Bio-solids removal plan and received approval from the RWQCB. The monitoring results have been submitted to Yolo County Landfill for disposal and we just received their approval as well. Jim has already set up a local trucking firm to assist him the removal and trucking of the Bio-solids. He hopes to complete pond 4 removal by the Oct 1st deadline, if not we will continue the project next spring.

Chromium 6 Update

On July 1, the CDPH adopted of the new Chrom 6 maximum contaminant level (MCL) of 10 parts per billion (ppb). The City has done some preliminary monitoring and found that 4 out of our 5 wells will be over this new limit.

The new regulations require that the City must initiate monitoring by January 1, 2015. If initial monitoring exceeds the new MCL, then quarterly monitoring will be required. Once it is determined that we are not in compliance we will need to notify CDPH and residents as such. According to our CDPH engineer, this would be a Tier 1 violation and residents will need to be notified of this ongoing issue with a "Do Not Drink " order.

There are no monetary fines specified at this time and it is unclear how long the City could continue to be in violation before more serious consequence would be implemented. To complicate the situation further, the CDPH has recently moved to the State Water Resources Control Board, division of Drinking Water (Waterboard).

Currently there are only one or two approved methods for removal of Chromium 6, those systems could cost from \$2-4million per well to construct and implement. Staff has had several discussions with different companies on treatment options, that are seeking approval from the Waterboard. These new methods of treatment would cost much less to construct at \$600,000 to \$1.5million per well site. Besides costs other issue to be considered is treatment facilities footprint, several of the wells are within neighborhoods and there is no space at the site to construct such a facility, without purchasing adjacent property.

We have a proposal from a consultant that would help us analyze the different treatment options examining process methods, capital and O & M costs, footprints requirements, life cycle, waste disposal alternatives and assistance in finding possible funding, the cost for this work is \$20,000.

At this time the City has a pilot treatment system set up at one of our well for a few weeks. Staff is pulling daily samples from the unit and at the end of the test period we will know if this new technology will work to remove the Chromium 6 from our water. We have had offers from 2 other companies to run similar pilot tests for their methods.

Staff has been discussing the new regulations and compliance issues with agency staff and has not received definitive information on consequences of violations. There are also at least two lawsuits that have been filed against CDPH , sighting the unreasonable cost to rate payers and the short compliance mandates. We continue to evaluate treatment options and plan on moving forward with the one that is the best fit for the City, however we do anticipate being out of compliance by the middle of 2015 and will need to work with the Waterboard on our plans to come into

compliance, which will mean a substantial increase to rate payers.

Water Conservation and Groundwater Status

We are continuing to monitor our groundwater levels and they are trending at about a 30% drop. This is about the same drop we saw in levels during the drought in 1977. We have heard from several residents out in the country in all directions surrounding the City about domestic and irrigation wells going dry. There are even a couple of local wells that have also dried up.

Regarding water conservation, generally speaking we have not reduced consumption. We continue to monitor for leaks and notify residents on the larger ones. We have an informal policy where we make adjustment to bills if they repair a leak within 45 days; staff recommends we formalize this policy. We are noticing a few more yellow lawns and a dozen or so lawn conversion projects. Staff has not implemented any type of fines or rationing program. The State's new mandates for do not apply to Cities with less than 3000 connections, so any programs or policies we impose would be voluntary.



C10 Contractor License #422364

**CONTROL SYSTEM INTEGRATION • INSTRUMENTATION SALES & SERVICE
SCADA • PLC/HMI • Telemetry • Calibration • Maintenance**

May 20, 2014

Severn Trent Services

Sent via email: jkeating@stes.com

Attn: James Keating

Subj: Irrigation Disinfection Building

Ref: SR# 25885 Rev. 1

Dear James,

Telstar is pleased to provide a budget estimate for the above referenced project. We propose the following:

1. Supply and install chlorine induction chemical mixing feed pump with mounting rails.
2. Run conduit and wire from nearby electrical panel to supply power to chemical mixing pump and wire into controls.
3. Supply and install chlorine residual analyzer to monitor total chlorine residual.
4. Supply and install two each peristaltic type chemical feed pumps with 4-20 mA signal input.
5. Supply and install necessary piping and fittings for sample to chlorine residual analyzer.
6. Supply and install PLC and program per operator input to control chlorine residual and irrigation valves as desired.
7. Supply and install local HMI touchscreen for local operator interface of the control system.
8. Supply and install MDS radio and antenna hardware to communicate with local electrical room located at the treatment plant.
9. Supply and install motorized valve operator to operate the 12" three-way valve for the irrigation system.
10. Run conduit and wire from the local electrical panel to the motorized valve operator.

Electrical Control Building:

11. Supply and install PLC and program per operator input to control chlorine residual and irrigation valves and VFD'S as desired.
12. Supply and install 10 inch touchscreen for local operator interface and program as required.
13. Supply and install MDS radio and antenna hardware to communicate with irrigation disinfection building located at the treatment plant and the fire station SCADA system.

Fire Station SCADA System:

16. Labor to program the existing Fire Station SCADA system to accept and display all the new process variables noted herein.

1717 Solano Way, Unit 34, **Concord**, CA 94520 Phone 925-671-2888, Fax 925-671-9507
4017 Vista Park Court, **Sacramento**, CA 95834 Phone 916-646-1999, Fax 916-646-1096
202 South Douty Street, **Hanford**, CA 93230 Phone 559-584-7116, Fax 559-584-8028



The budget estimate for this as outlined is\$72,500.00
This price does not include applicable tax and freight.

Terms and Conditions: For your convenience, we now accept all major credit cards. We can commence with this at your direction. This quote is valid for thirty days. This quote is based on information provided to Telstar and may or may not be correct or complete. Please review this proposal for compliance with the complete and final specifications and drawings before acceptance. Our terms are due and payable 30 days from date of invoice. Payments must be made on a minimum of a monthly basis. If payment is not received by the 30th day, a .05% daily service charge (18-3/4% per annum) will be charged on all accounts past due. Rates quoted herein will automatically be increased for overhead, and cost of living at a minimum of every year, or at contract renewal, whichever is less. Attorney's fees, court costs and costs of collection will be paid to prevailing party. Permits and bonding are excluded unless otherwise noted herein. Our standard insurance applies unless otherwise, agreed to in writing by Telstar. We accept no responsibility for consequential damages and our standard warranty applies. Telstar does not warranty OEM equipment; the standard manufacturer's warranty applies. Any labor performed by Telstar due to equipment warranty claims, is due and payable as an extra and/or additional charge to the quote noted herein. Please reference the above stated quote number in all correspondence and purchase orders. Unless otherwise noted, this quote is based on standard straight time hours and does not include any prevailing wage rates unless agreed in writing by Telstar. Vehicle expense will be in addition to the price quote, unless specifically included within the body of this quote. The price quoted herein is for the labor and materials specifically listed within the body of this quote. Service calls and time and materials rates carry a 4-hour minimum per person, any time over 4 hours is charged as 8 hours. Cancellation charges apply including engineering, labor, materials, quote and estimating time, markup, % of profit, return goods fees, etc. at the time of written cancellation notice to Telstar.

We can proceed with this at your notice and look forward to working on this project. If you have any questions please do not hesitate to contact me at 925-671-2888.

Sincerely,

Robert Marston, President

K:\SHARE\QUOTES\Customer Name S-Z 09-current\Severn Trent 25885 Rev. 1 Irrigation Disinfection Bldg 052014mh.docm



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Councilmembers

DATE : August 19, 2014

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

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

SUBJECT: Planning Commission Appointment

RECOMMENDATION:

Staff respectfully recommends that the City Council receive the Planning Commission Interview and Selection Committee's recommendation of Paul Myer to fill the vacancy due to Pierre Neu being elected to the City Council.

BACKGROUND:

Effective June 3, 2014, Planning Commissioner Pierre Neu was elected to the City Council.

The City Clerk's office placed notices in the Winters Express and the City of Winters website to advise the public of this opening/vacancy.

Following the advertising for the Planning Commission vacancy, the Interview and Selection Committee consisting of Council Member Cowan and Council Member Neu reviewed the Applications of Interest submitted, held interviews, and are coming before Council tonight with their recommendation. The top two candidates are Paul Myer and Sally Brown. However, we only have the one vacancy.

Applications of Interest were submitted by to the Planning Commission are Richard Kleeberg, Bill Lamb, Sally Brown, Dennis Donovan, Charisse Johnson, and Paul Myer. All applicants have been notified of this recommendation.

FISCAL IMPACT:

None



**CITY COUNCIL
STAFF REPORT**

TO: Mayor and City Council
DATE: August 18, 2014
FROM: John W. Donlevy, Jr., City Manager 
SUBJECT: Putah Creek Off-Leash Dog Area/Vicious Animal Ordinance

RECOMMENDATION:

That the City Council:

1. Refer the establishment of an Off Leash Dog Walking Area to the Winters Putah Creek Committee for review and recommendation; and
2. Authorize the City Attorney to prepare and amendment to the City Municipal Code in reference to the regulation of Vicious Animals.

BACKGROUND:

The City Council has previously establish a "Animal Committee" to review and make recommendations regarding amendments to the City's Municipal Code regarding both leash requirements for dogs as well as the provision of "off leash dog areas" also referred to as dog parks.

DISCUSSION:

The Committee has met multiple times over the spring and summer to review options for the amendment of the Municipal Code for both enhancing the overall regulation of dogs on leashes within the City as well as the functionality of developing the allowance for Off Leash rules for the Putah Creek Nature Park.

Vicious Dog Regulations:

In researching local ordinances, the Committee found that the City of Woodland's Ordinance provides the most reasonable and practical applications for use in the City of Winters. The interface with the County-wide Ordinance shared by each of the cities is the most feasible in how an enhancement of local control can be achieved in our community.

Attachment A of this report details the specific provisions. This includes:

- Definition of a Vicious Dog;
- Regulation of the legal care, keeping leashing of a defined vicious dog;
- Definition for leashed dogs and off leash opportunities; and
- Violations for vicious dogs.

It is recommended that these regulations be incorporated into an ordinance and returned to the City Council for consideration.

Putah Creek Nature Park- Off Leash Areas:

The Putah Creek Nature Park by its very nature is functionally a place for recreation by both people and dogs. The ability for visitors and well behaved dogs to coexist in the area is possible within designated and well signed areas.

The Committee is proposing that the Putah Creek Park be considered for corridors of off leash dog walking under certain circumstances. This would include:

- Well defined, mapped and signed areas for off leash dog walking areas;
- Established rules for the enforcement of off leash use.
- Established fines and penalties for violation of the rules.

Attachment B of this report are areal maps of the proposed area along with samples of signage attributable to the park.

Staff is recommending that this concept be referred to the Winters Putah Creek Committee for their review and recommendation.

FISCAL IMPACT:

None by this action.

Adoption of county animal control ordinance.

Chapter 1 of Title 6 of the Yolo County Code, more particularly identified as Ordinance No. 703, effective May 22, 1974, and commonly known as the "Animal Control Law of the County of Yolo," as it may be amended from time to time, is adopted by this reference with one exception. This exception shall be, and shall be limited to, Section entitled "Dogs on Leashes."

Definitions.

Vicious dog as used in the article shall mean:

- (a) Any dog which because of its size, training, behavior, physical nature, or vicious propensity is capable of inflicting serious physical harm or death to human beings and which would constitute a danger to human life or property if it were not kept in the manner required by this article;
- (b) Any dog which has previously attacked or bitten a human being, to the extent that medical treatment was required; unless such attack has been deemed to be excusable by the Chief of the County Animal Control Division, pursuant to Section 6-1.1003.1 Yolo County Code;
- (c) Any dog which has behaved in such a manner that the owner or keeper thereof knows or should reasonably know that the dog is possessed of tendencies to attack or to bite human beings;
- (d) Any dog which has been trained as an attack dog, or for protection, except such dogs which are employed by any law enforcement agency.

Vicious Dogs

The keeping of such dogs shall be subject to the following conditions:

- A. **Leash and Muzzle.** No person shall permit a vicious dog to go outside its kennel or rear yard pen unless such dog is securely leashed with a leash no longer than four feet in length. No person shall permit a vicious dog to be kept on a chain, rope, or other type of leash outside its kennel, pen or rear yard unless a person is in physical control of the leash. Such dogs may not be leashed to an inanimate object such as trees, posts, buildings, etc. In addition, such dog on a leash outside the animal's kennel must be muzzled by a muzzling device sufficient to prevent such dog from biting persons or other animals.
- B. **Confinement.** All vicious dogs shall be securely confined indoors or in a securely enclosed and locked pen, kennel, or rear yard, except when leashed and muzzled as above provided. Such pen, kennel or structure must have secure sides and a secure top attached to the sides. All such structures must have a secure bottom or floor attached to the sides of the structure or the sides must be embedded in the ground no less than two feet. In the case of a rear yard, the yard must be entirely enclosed and the fencing must be of sufficient height, and sufficiently anchored at the bottom, that the dog will not be capable of going over or under the fence or enclosure. All such structures or yards must be locked with a key or combination lock when such animals are within the structure. All such structures must comply with all zoning and building regulations of the city

and must be adequately ventilated and kept in a clean and sanitary condition.

- C. Confinement Indoors. No vicious dog may be kept on a porch, patio or in any part of a house or structure that would allow the dog to exit such building on its own volition.
- D. Signs. All owners, keepers or harborers of vicious dogs within the city shall within ten days of the effective date of this article display in a prominent place on their premises a sign easily readable by the public using the words "Beware of Dog." In addition, a similar sign is required to be posted on the pen or kennel of such dog.
- E. Insurance. All owners, keepers or harborers of vicious dogs must provide proof to the city clerk of public liability insurance in a single incident amount of fifty thousand dollars to bodily injury to or death of any person or persons or property owned by any persons which may result from the ownership, keeping or maintenance of such animal. Such insurance policy shall provide that no cancellation of the policy will be made unless ten days written notice is first given to the city.

The "Animal Control Law of the County of Yolo" shall be subject to the following amendments. These amendments shall not be superseded or modified by further amendment of the "Animal Control Law of the County of Yolo" unless the amendment is approved by the city:

Dogs on Leashes: Dog Parks.

Dogs on Leashes. No owner of a dog shall permit such dog to be within the limits of the city other than on private property with the consent of the property owner, unless the dog is restrained by a leash not exceeding eight feet in length; provided, however, that this section shall not apply (1) if the dog is assisting a peace officer in law enforcement duties, (2) if the dog is participating in a dog training class, obedience class, exhibition, or competition that is being conducted at that location with the permission of the city, or (3) the dog is in a park designated as an "Off-Leash Dog Park" by city council.

Violations.

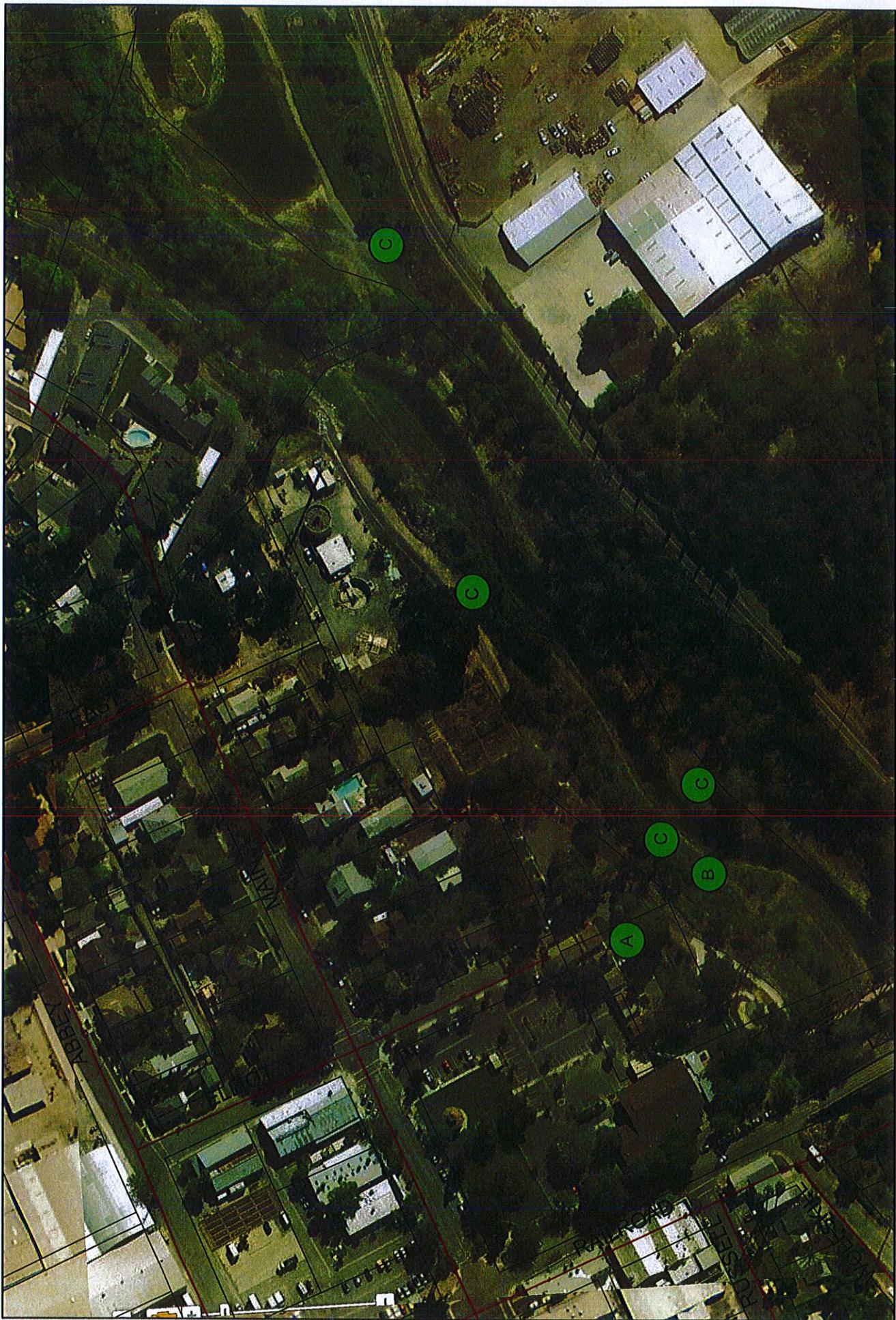
It shall be unlawful for the owner, keeper or harborer of a vicious dog to fail to comply with the requirements and conditions set forth in this article. Violations will result in the following:

- (a) Immediate seizure and impoundment of the dog;
- (b) Revocation of the license of said animal;
- (c) Prosecution for a misdemeanor carrying a fine in the sum not less than two hundred dollars and not more than one thousand dollars. In addition, upon conviction, there may be imposed a sentence to imprisonment in the County Jail, not to exceed thirty days.

Dog Off Leash Signage - Putah Creek Nature Park

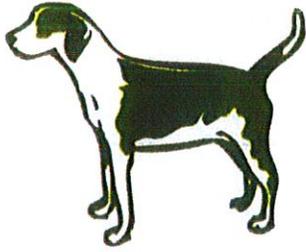


Dog Off Leash Signage - Putah Creek Nature Park



A.

PUTAH CREEK PARK



DOG OFF-LEASH AREA



- **OFF-LEASH HOURS**
Dawn to Dusk
 - Pick up after your dog
 - Leash your dog outside of this area
 - License your dog
 - No Barking
- For all dog rules, go to www.cityofwinters.org/dogrules

B
C,

**OFF LEASH
BEGINS
HERE**

**OFF LEASH
ENDS
HERE**

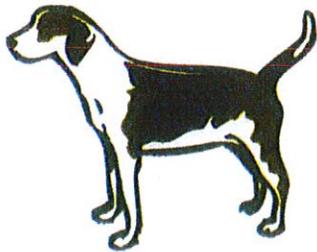
D
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OFF - LEASH AREA

WELCOME!

Please be advised dogs must have a license and be under voice command.

You must clean up after your dog!

USE AT OWN RISK!



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Council Members
DATE: August 19, 2014
THROUGH: John W. Donlevy, Jr., City Manager *JWD*
FROM: Eric Lucero, Public Works Superintendent
SUBJECT: Purchase of Public Works Vehicles and Equipment

RECOMMENDATION: Council approval for the purchase of new vehicles and equipment for the Public Works Department.

BACKGROUND: In June of 2014, Council approved the purchase of new vehicles and new equipment for the purpose of replacing older existing fleet and to outfit new full-time employees in the Public Works Department with new equipment. Staff will be replacing two older vehicles in the water and sewer departments and one in parks. The purchase of two new vehicles will be for the two new full-time positions in the Public Works Department. The vehicles being replaced are 1989, 2003 and 2004 models that are showing symptoms of problems that will eventually cost the City more than they are worth.

On December 1, we will be hiring three additional full-time employees in the Public Works Department to run the wastewater treatment plant and will need to purchase three vehicles for those employees as well. I have received three out of six requests for pricing of new vehicles from different dealerships and the lowest price quotes came from Ron Dupratt Ford of Dixon. I am asking council to approve this request and allow the City Manager to execute a contract with Ron Dupratt Ford for the purchase of new vehicles and equipment.

F150 XL Super Cab Short Bed: \$22,567.35ea. (Dupratt Ford) Dixon
F250 XL Super Cab Utility Bed: \$30,673.60ea. (Dupratt Ford) Dixon
F150 XL Super Cab Short Bed: \$23,316.93 (Downtown Ford) Sacramento
F250 XL Super Cab Utility bed \$30,867.73 (Downtown Ford) Sacramento
F150 XL Super Cab Short Bed: \$24,791.78 (Hoblit Motors) Colusa
F250 XL Super Cab Utility bed: \$32,617.60 (Hoblit Motors) Colusa

FISCAL IMPACT: Total amount not to exceed the 2014-16 fiscal budget of \$239,205 which has previously been budgeted and approved by Council.

Public Works Fleet Vehicle Status 2014

Vehicle Type	Model	Year	Condition	Reason for replacing	Reason for keeping
Maint Truck	Ranger	1989	Poor	Was only kept for seasonal use. Should be retired.	
Maint Truck	F350	2002	Fair		Still in fair condition. Will use in parks dept for at least 2-3 years.
Maint Truck	F350	2003	Poor	Starting to have more breakdowns and showing signs of expensive repairs in the near future.	
Maint Truck	F150	2004	Poor	Under sized for day to day operations. Was purchased for \$6000 in 2009 because of budget restraints.	
Maint Truck	F150	2004	Fair	Under sized for day to day operations. Was purchased for \$6000 in 2009 because of budget restraints.	Would like to use for seasonal workers to carry weed eaters, blowers, etc...
Dump Truck	F550	2005	Good		Truck is in good condition
Maint Truck	F150	2006	Good		Truck is in good condition
Crane Truck	F550	2006	Good		Truck is in good condition
Maint Truck	F250	2008	Good		Truck is in good condition



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Councilmembers

DATE: August 19, 2014

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

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

SUBJECT: Voting Delegate for the League of California Cities Annual Conference Relative to the Resolution Being Considered

RECOMMENDATION: Discuss and provide direction to the voting delegate.

DISCUSSION: The League of California Cities has identified one resolution that will be considered at the upcoming annual conference. Mayor Aguiar-Curry is attending the conference and has been assigned the voting delegate responsibility by the Council. Council Member Cowan will also be attending the conference as an alternate delegate. A brief description of the resolution follows:

Resolution 1- Resolution calling upon the Governor and the Legislature to convene a summit to address the devastating environmental impacts of illegal marijuana grown on both private and public lands throughout California and the increasing problems to public safety related to these activities by working in partnership with the League of California cities to develop responsive solutions and to secure adequate funding for cost-effective implementation strategies.

FISCAL IMPACT: None.

ATTACHMENT: Resolution package from the League of California Cities.

July 14, 2014

TO: Mayors, City Managers and City Clerks
League Board of Directors

RE: Annual Conference Resolutions Packet
Notice of League Annual Meeting

Enclosed please find the 2014 Annual Conference Resolutions Packet.

Annual Conference in Los Angeles. This year's League Annual Conference will be held September 3-5 in Los Angeles. The conference announcement has previously been sent to all cities and we hope that you and your colleagues will be able to join us. More information about the conference is available on the League's Web site at www.cacities.org/ac. We look forward to welcoming city officials to the conference.

Annual Luncheon/Business Meeting - Friday, September 5, 12:00 p.m. The League's Annual Business Meeting will be held at the Los Angeles Convention Center.

Resolutions Packet. At the Annual Conference, the League will consider the one resolution introduced by the deadline, Saturday, July 5, 2014, midnight. The resolution is included in this packet. Resolutions submitted to the General Assembly must be concurred in by five cities or by city officials from at least five or more cities. These letters of concurrence are included with this packet. We request that you distribute this packet to your city council.

We encourage each city council to consider the resolution and to determine a city position so that your voting delegate can represent your city's position on each resolution. A copy of the resolution packet is posted on the League's website for your convenience: www.cacities.org/resolutions.

The resolutions packet contains additional information related to consideration of the resolution at the Annual Conference. This includes the date, time and location of the meetings at which the resolution will be considered.

Voting Delegates. Each city council is encouraged to designate a voting delegate and two alternates to represent their city at the Annual Business Meeting. A letter asking city councils to designate their voting delegate and two alternates has already been sent to each city. Copies of the letter, voting delegate form, and additional information are also available at: www.cacities.org/resolutions. The deadline for submitting a voting delegate form prior to the Annual Conference is August 15, 2014.

**Please Bring This Packet to the Annual Conference
September 3 – 5, Los Angeles**



*Annual Conference
Resolutions Packet*

2014 Annual Conference Resolutions



116th Annual Conference

Los Angeles

September 3 - 5, 2014

INFORMATION AND PROCEDURES

RESOLUTIONS CONTAINED IN THIS PACKET: The League bylaws provide that resolutions shall be referred by the president to an appropriate policy committee for review and recommendation. Resolutions with committee recommendations shall then be considered by the General Resolutions Committee at the Annual Conference.

This year, one resolution has been introduced for consideration by the Annual Conference and referred to the League policy committees.

POLICY COMMITTEES: Two policy committees will meet at the Annual Conference to consider and take action on the resolution referred to them. The committees are Environmental Quality and Public Safety. These committees will meet on Wednesday, September 3, 2014, at the JW Marriott Hotel in Los Angeles. The sponsor of the resolution has been notified of the time and location of the meetings.

GENERAL RESOLUTIONS COMMITTEE: This committee will meet at 1:00 p.m. on Thursday, September 4, at the Los Angeles Convention Center, to consider the reports of the two policy committees regarding the resolution. This committee includes one representative from each of the League's regional divisions, functional departments and standing policy committees, as well as other individuals appointed by the League president. Please check in at the registration desk for room location.

ANNUAL LUNCHEON/BUSINESS MEETING/GENERAL ASSEMBLY: This meeting will be held at 12:00 p.m. on Friday, September 5, at the Los Angeles Convention Center.

PETITIONED RESOLUTIONS: For those issues that develop after the normal 60-day deadline, a resolution may be introduced at the Annual Conference with a petition signed by designated voting delegates of 10 percent of all member cities (47 valid signatures required) and presented to the Voting Delegates Desk at least 24 hours prior to the time set for convening the Annual Business Session of the General Assembly. This year, that deadline is 12:00 p.m., Thursday, September 4. If the petitioned resolution is substantially similar in substance to a resolution already under consideration, the petitioned resolution may be disqualified by the General Resolutions Committee.

Resolutions can be viewed on the League's Web site: www.cacities.org/resolutions.

Any questions concerning the resolutions procedures may be directed to Meg Desmond at the League office: mdesmond@cacities.org or (916) 658-8224

GUIDELINES FOR ANNUAL CONFERENCE RESOLUTIONS

Policy development is a vital and ongoing process within the League. The principal means for deciding policy on the important issues facing cities is through the League's eight standing policy committees and the board of directors. The process allows for timely consideration of issues in a changing environment and assures city officials the opportunity to both initiate and influence policy decisions.

Annual conference resolutions constitute an additional way to develop League policy. Resolutions should adhere to the following criteria.

Guidelines for Annual Conference Resolutions

1. Only issues that have a direct bearing on municipal affairs should be considered or adopted at the Annual Conference.
2. The issue is not of a purely local or regional concern.
3. The recommended policy should not simply restate existing League policy.
4. The resolution should be directed at achieving one of the following objectives:
 - (a) Focus public or media attention on an issue of major importance to cities.
 - (b) Establish a new direction for League policy by establishing general principals around which more detailed policies may be developed by policy committees and the board of directors.
 - (c) Consider important issues not adequately addressed by the policy committees and board of directors.
 - (d) Amend the League bylaws (requires 2/3 vote at General Assembly).

LOCATION OF MEETINGS

Policy Committee Meetings

Wednesday, September 3, 2014
JW Marriott Los Angeles Hotel
900 West Olympic Boulevard, Los Angeles

Environmental Quality: 9:00 a.m. – 10:30 a.m.
Public Safety: 10:30 a.m. – 12:00 p.m.

General Resolutions Committee

Thursday, September 4, 2014, 1:00 p.m.
Los Angeles Convention Center
1201 South Figueroa Street, Los Angeles

Annual Business Meeting and General Assembly Luncheon

Friday, September 5, 2013, 12:00 p.m.
Los Angeles Convention Center
1201 South Figueroa Street, Los Angeles

KEY TO ACTIONS TAKEN ON RESOLUTIONS

Resolutions have been grouped by policy committees to which they have been assigned.

Number	Key Word Index	Reviewing Body Action		
		1	2	3

- 1 - Policy Committee Recommendation to General Resolutions Committee
- 2 - General Resolutions Committee
- 3 - General Assembly

ENVIRONMENTAL QUALITY POLICY COMMITTEE

		1	2	3
1	Illegal Marijuana Grow Site			

PUBLIC SAFETY POLICY COMMITTEE

		1	2	3
1	Illegal Marijuana Grow Site			

Information pertaining to the Annual Conference Resolutions will also be posted on each committee's page on the League website: www.cacities.org. The entire Resolutions Packet will be posted at: www.cacities.org/resolutions.

KEY TO ACTIONS TAKEN ON RESOLUTIONS (Continued)

Resolutions have been grouped by policy committees to which they have been assigned.

KEY TO REVIEWING BODIES

1. Policy Committee
2. General Resolutions Committee
3. General Assembly

KEY TO ACTIONS TAKEN

- A Approve
- D Disapprove
- N No Action
- R Refer to appropriate policy committee for study

ACTION FOOTNOTES

* Subject matter covered in another resolution

a Amend+

Aa Approve as amended+

** Existing League policy

Aaa Approve with additional amendment(s)+

*** Local authority presently exists

Ra Refer as amended to appropriate policy committee for study+

Raa Additional amendments and refer+

Da Amend (for clarity or brevity) and Disapprove+

Na Amend (for clarity or brevity) and take No Action+

W Withdrawn by Sponsor

Procedural Note: Resolutions that are approved by the General Resolutions Committee, as well as all qualified petitioned resolutions, are reported to the floor of the General Assembly. In addition, League policy provides the following procedure for resolutions approved by League policy committees but *not* approved by the General Resolutions Committee:

Resolutions initially recommended for approval and adoption by all the League policy committees to which the resolution is assigned, but subsequently recommended for disapproval, referral or no action by the General Resolutions Committee, shall then be placed on a consent agenda for consideration by the General Assembly. The consent agenda shall include a brief description of the basis for the recommendations by both the policy committee(s) and General Resolutions Committee, as well as the recommended action by each. Any voting delegate may make a motion to pull a resolution from the consent agenda in order to request the opportunity to fully debate the resolution. If, upon a majority vote of the General Assembly, the request for debate is approved, the General Assembly shall have the opportunity to debate and subsequently vote on the resolution.

2014 ANNUAL CONFERENCE RESOLUTIONS

RESOLUTION REFERRED TO ENVIRONMENTAL QUALITY AND PUBLIC SAFETY POLICY COMMITTEES

1. **A RESOLUTION CALLING UPON THE GOVERNOR AND THE LEGISLATURE TO CONVENE A SUMMIT TO ADDRESS THE DEVASTATING ENVIRONMENTAL IMPACTS OF ILLEGAL MARIJUANA GROWS ON BOTH PRIVATE AND PUBLIC LANDS THROUGHOUT CALIFORNIA AND THE INCREASING PROBLEMS TO PUBLIC SAFETY RELATED TO THESE ACTIVITIES BY WORKING IN PARTNERSHIP WITH THE LEAGUE OF CALIFORNIA CITIES TO DEVELOP RESPONSIVE SOLUTIONS AND TO SECURE ADEQUATE FUNDING FOR COST-EFFECTIVE IMPLEMENTATION STRATEGIES.**

Source: Redwood Empire Division

Concurrence of five or more cities/city officials: Cities of Arcata; Blue Lake; Clearlake; Cloverdale; Crescent City; Eureka; Fort Bragg; Healdsburg; Lakeport; Trinidad; and Ukiah

Referred to: Environmental Quality and Public Safety Policy Committees

Recommendation to General Resolutions Committee:

WHEREAS, public concerns in response to widespread damage to fish and wildlife resources and degradation to California's environment, and threats to public safety resulting from illegal marijuana cultivation statewide requires urgent action by the Governor and the Legislature, and

WHEREAS, local governments and the public support the State's primary objectives in complying with environmental laws including the Clean Water Act, Porter-Cologne Water Quality Control Act, and Endangered Species Act and are supported by substantial public investments at all levels of government to maintain a healthy and sustainable environment for future citizens of California, and

WHEREAS, illegal marijuana cultivation activities include habitat destruction and fragmentation, poaching wildlife, illegal water diversions, unregulated use of fertilizers, pesticides, insecticides, rodenticides, soil amendments contaminating land and waters without regard for the cumulative impacts to the environment or public health, and

WHEREAS, changing global climate conditions are posing escalated threats in California to health, well-being, nature and property; as evidenced by critical water shortages across the state due to prolonged drought conditions, and

WHEREAS, illegal water diversion for the purpose of cultivating marijuana plantations poses a direct threat to California's endangered and threatened anadromous fish species, including coho salmon, Chinook salmon, steelhead trout and other aquatic species, especially at critical life phases during seasonally low flow conditions; and

WHEREAS, California is a leader in the global effort to fight climate change and is pursuing a broad, integrated strategy to reduce greenhouse gas emissions and conserve energy, yet in a recent Lawrence Livermore Lab study estimated that upwards of 10% of electricity usage statewide can be attributed to indoor marijuana cultivation; these sites are often the causation of fires and home invasion incidents due to criminal activity, and

WHEREAS, the presence of illegal marijuana growing sites on State and federal public lands is creating unsafe conditions for visitors; these lands are taxpayer supported and intended to be managed for recreation, resource conservation and the enjoyment by the public, and

WHEREAS, increasing violence and threats to public safety related to illegal marijuana grows is contributing to a sense of lawlessness and impacting nearby communities where criminal activities are expanding, and

WHEREAS, the issue of illegal marijuana grows has reached a crisis level across the state as evidenced by the murder of former League Board member, Fort Bragg Councilmember and veteran forester Jere Melo who was fatally shot down while investigating a report of a marijuana grow on private timberlands in northern California.

RESOLVED, at the League General Assembly, assembled at the League Annual Conference on September 5, 2014 in Los Angeles, that the League calls for the Governor and the Legislature to work with the League and other stakeholders to convene a summit to address the devastating environmental impacts of illegal marijuana grows on both private and public lands and the increasing problems to public safety related to these activities.

FURTHER RESOLVED, that the League will work with its member cities to educate State and federal officials regarding emerging concerns from their communities and citizenry and to the challenges facing local governments. Therefore, we request the Governor and the Legislature to work with the League to provide responsive solutions with adequate funding support and effective State and federal government leadership to address widespread environmental damage and associated threats to public safety impacting every region in the State of California.

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Background Information on Resolution No. 1

Source: Redwood Empire Division

Background:

When California voters approved Proposition 215 in 1996 there was little thought given to a wide range of problems which have emerged in association with the increased availability and demand for marijuana. Cities within the Redwood Empire Division have grappled with the impacts of illicit marijuana grow sites for decades. Yet in recent years the environmental degradation from marijuana growing operations and public safety threats has grown exponentially. In 2011, Fort Bragg City Council Member Jere Melo was fatally shot while investigating illegal marijuana cultivation on private timber lands in Mendocino County.

Illegal marijuana cultivation activities are causing extreme environmental degradation including habitat destruction and fragmentation, illegal water diversions, killing and poisoning wildlife, unregulated use of fertilizers, pesticides, rodenticides contaminating land and polluting waters without regard for the cumulative impacts to the environment and the public's health and safety. It is expensive to remediate this environmental destruction that often destroys significant, federal, state, local, tribal and private investments in restoring or protecting the surrounding landscape.

Public concern for widespread, landscape-level environmental damage resulting from unregulated growing operations and escalating violent crimes associated with the marijuana industry has reached a tipping point across the state. The Redwood Empire Division joins with other cities throughout the state in a call for action to reverse these trends.

Current Problem Facing California's Cities:

Cities throughout California state have struggled with regulating medical marijuana dispensaries and grow houses along with the associated community impacts of those facilities and land use activities. Many unforeseen environmental impacts and public safety concerns are now emerging as a consequence of increased production and demand for marijuana.

Critical water shortages across the state due to prolonged drought conditions have resulted in the Governor declaring a Drought State of Emergency. Illegal water diversions for the purposes of cultivating marijuana plantations are increasing throughout the state. These activities impact agricultural production and domestic water use. The cumulative impacts to watershed health are considerable and pose direct threats to California's salmon, trout and other sensitive aquatic species, especially at critical life stages during seasonally low flow conditions. In addition, under drought conditions, the risk of fire is elevated. The presence of marijuana grow sites in fire prone areas contributes to potential wildfire risks at the Wildland/Urban Interface.

The presence of illegal marijuana growing sites on state and federal public lands creates unsafe conditions for visitors. These lands are managed with taxpayer support and are intended to be for enjoyment by the public, recreation and conservation. However, the increasing level of violence and threats to public safety related to illegal marijuana grows on both private and public lands are contributing to a sense of lawlessness and impacting nearby communities where criminal activities are expanding.

The lack of oversight of marijuana cultivation operations to ensure compliance with existing state and federal environmental regulations is impacting water quality and quantity statewide. The current legal and regulatory framework is inadequate to address numerous environmental issues, as well as public health and safety.

Redwood Empire Division Resolution:

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the rising threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions, and secure adequate funding for implementation strategies.

The issues surrounding marijuana production and distribution are complex and require a comprehensive statewide approach. California cities need to have a strong voice in this process. The mission of the League of California Cities is to enhance the quality of life for all Californians and we believe that our strength lies in the unity of our diverse communities on issues of mutual concern.

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League of California Cities Staff Analysis on Resolution No. 1

Staff: Tim Cromartie (916) 658-8252
Committee: Public Safety Policy Committee

Summary:

This Resolution seeks to highlight the environmental and public safety issues triggered by illegal marijuana cultivation, and calls upon the League, the Governor and the Legislature to take action by convening a summit to address the environmental impacts of such cultivation sites. It also calls upon the State of California to provide solutions in response, including sufficient funding to decisively address the problem.

Background:

The sponsor of this resolution argues that when California voters approved Proposition 215 in 1996, little thought was given to a wide range of problems which have emerged in association with the increased availability and demand for marijuana. Cities within the Redwood Empire Division have grappled with the impacts of illicit marijuana cultivation sites for decades. Yet in recent years the environmental degradation from marijuana growing operations and public safety threats has grown exponentially. In 2011, Fort Bragg City Council Member Jere Melo was fatally shot while investigating illegal marijuana cultivation on private timber lands in Mendocino County.

Illegal marijuana cultivation activities are causing extreme environmental degradation including habitat destruction and fragmentation, illegal water diversions, killing and poisoning wildlife, unregulated use of fertilizers, pesticides, rodenticides contaminating land and polluting waters without regard for the cumulative impacts to the environment and the public's health and safety. It is expensive to remediate this environmental destruction which often destroys significant, federal, state, local, tribal and private investments in restoring or protecting the surrounding landscape.

Critical water shortages across the state due to prolonged drought conditions have resulted in the Governor declaring a Drought State of Emergency. Illegal water diversions for the purposes of cultivating marijuana plantations are increasing throughout the state. These activities impact agricultural production and domestic water use. The cumulative impacts to watershed health are considerable and pose direct threats to California's salmon, trout and other sensitive aquatic species, especially at critical life stages during seasonally low flow conditions. In addition, under drought conditions, the risk of fire is elevated. The presence of marijuana grow sites in fire prone areas contributes to potential wildfire risks at the Wildland/Urban Interface.

The lack of oversight of marijuana cultivation operations to ensure compliance with existing state and federal environmental regulations is impacting water quality and quantity statewide. The current legal and regulatory framework is inadequate to address numerous environmental issues, as well as public health and safety.

Public concern for widespread environmental damage resulting from unregulated growing operations and escalating violent crimes associated with the marijuana industry has reached a tipping point across the state. The Redwood Empire Division joins with other cities throughout the state in a call for action to reverse these trends.

Note: The League of Cities has joined with the California Police Chiefs Association to co-sponsor legislation, SB 1262 (Correa), to establish a regulatory scheme for medical marijuana that protects local control, addresses the public safety concerns triggered by marijuana regulation, and imposes health and safety standards on marijuana for the first time. However, the measure does not address environmental issues, due to the expense and complexity associated with adding that objective to a bill that already has far-reaching regulatory goals combined with a critical need to contain state costs.

Fiscal Impact:

If the policy advocated by the Resolution is implemented by the state, there will be ongoing and unspecified costs to the State General Fund for enforcement activities, primarily in the rural counties where many of the illicit marijuana cultivation sites are located. Conservatively, the annual costs could run in the hundreds of thousands to low millions to patrol likely grow sites, crack down on illegal water diversion activities, and provide consistent environmental clean-up made necessary by illegal rodenticides and pesticides.

Comment:

To assure success, counties will have to be actively involved in any policy change geared toward rigorous and consistent enforcement against illegal marijuana grows, given the fact that many of the cultivation sites are located in rural areas under the direct authority of county governments. This will require a dialogue with counties, during which the question of local political will to enforce the law, in addition to securing the necessary funding, will arise. If counties should opt not to play an active part in an aggressive enforcement strategy, the chances of success are questionable.

Existing League Policy:

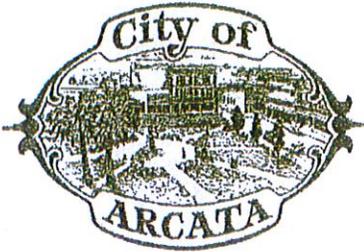
Related to this Resolution, existing policy provides:

- The League opposes the legalization of marijuana cultivation and use for non-medicinal purposes.
- Reaffirming that local control is paramount, the League holds that cities should have the authority to regulate medical marijuana dispensaries, cooperatives, collectives or other distribution points if the regulation relates to location, operation or establishment to best suit the needs of the community.
- The League affirms that revenue or other financial benefits from creating a statewide tax structure on medical marijuana should be considered only after the public safety and health ramifications are fully evaluated.

LETTERS OF CONCURRENCE

Resolution No. 1

Illegal Marijuana Grow Site



736 F Street
Arcata, CA 95521

July 2, 2014

City Manager (707) 822-5953	Environmental Services 822-8184	Police 822-2428	Recreation 822-7091
Community Development 822-5955	Finance 822-5951	Public Works 822-5957	Transportation 822-3775

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

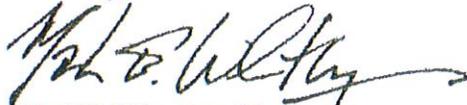
Dear President Cisneros:

The Arcata City Council supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California, and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies. ALL of the rural areas adjacent to the City of Arcata and throughout Humboldt County have been greatly affected by the devastating environmental impacts of illegal marijuana grows!

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact me at any time at mwheatley@cityofarcata.org if you have any questions.

Sincerely,



Mark E. Wheatley, Mayor

cc: Kathryn Murray, President, Redwood Empire Division, c/o Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division, via email srounds@cacities.org



CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road, Blue Lake, CA 95525
Phone 707.668.5655 Fax 707.668.5916

June 30, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Blue Lake supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Lana Manzanita, Mayor Pro-Tem at 707-497-8159 or joe2zither1@gmail.com, if you have any questions.

Sincerely,

Lana Manzanita
Mayor Pro-Tem
City of Blue Lake

cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division,
srounds@cacities.org



City of Clearlake

14050 Olympic Drive, Clearlake, California 95422
(707) 994-8201 Fax (707) 995-2653

July 2, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Clearlake supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies. The City of Clearlake is experiencing significant issues with illegal grows in the city limits. Individuals are squatting on lands not belonging to them and planting large grows. Grows are being planted near and along creeks going through the city with unknown substances potentially leeching into the waterways. Others are renting properties and clear cutting them of oak and other trees for plant sites often without the knowledge of the property owner. Homeowners tell of not being able to enjoy their own properties with grow sites next to them creating untenable odors, spewing of foul language and concern of threats to their personal safety if they complain. We hear often the concern of increased crime due to the grows in the city.

As a member of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Joan Phillippe at 707-994-8201 x120 or city.administrator@clearlake.ca.us, if you have any questions.

Sincerely,

Joan L. Phillippe
City Manager

cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division,
srounds@cacities.org



June 25, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Cloverdale supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies. Throughout the Redwood Empire region including the City of Cloverdale, illegal marijuana grows negatively impact our environmental health and public safety. Last year, the Cloverdale Police Department eradicated over 300 plants within our City Limits. Please note that Cloverdale is a total of 2.5 square miles. These plants use scarce water resources during a water shortage emergency caused by the current drought and contribute to lawlessness that threatens the public safety of our citizens.

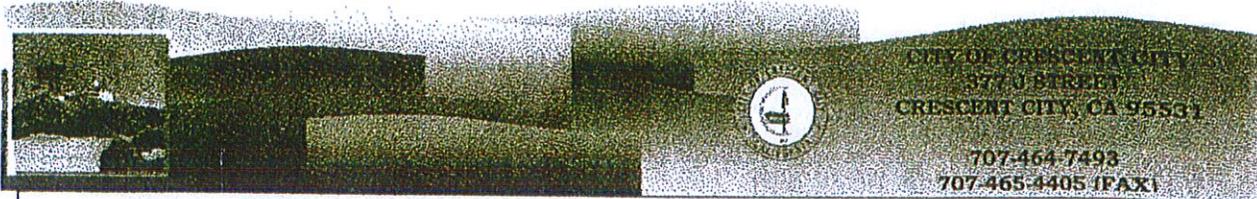
On a personal level, the City of Cloverdale continues to be heartsick for the loss of City of Fort Bragg Council Member JereMelo. Jere was murdered as a result of investigating an illegal marijuana grow. Jere was an exceptional leader in our region, the League of California Cities and the State of California. The City of Cloverdale misses him greatly.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Cloverdale City Manager Paul Cayler at 707-894-1710, if you have any questions.

Sincerely,

Carol Russell
Mayor
City of Cloverdale

cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division,
srounds@cacities.org



Mayor Rick Holley * *Mayor Pro Tem Ron Gastneau*
Council Member Richard Enea * Council Member Kelly Schellong * Council Member Kathryn Murray
City Clerk Robin Patch * City Attorney Robert N. Black * City Manager Eugene M. Palazzo

June 23, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

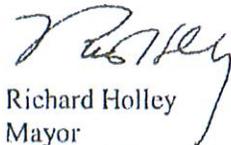
Dear President Cisneros:

The City of Crescent City supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies. Illegal marijuana grows have a devastating impact on the State and federal public lands surrounding our community. They create unsafe conditions for our visitors. The use of unregulated fertilizers, pesticides, insecticides and rodenticides contaminate the land and ground water.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Eugene Palazzo, City Manager at 707-464-7483 ex 232 or epalazzo@crescentcity.org, if you have any questions.

Sincerely,


Richard Holley
Mayor
Crescent City

cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division,
srounds@cacities.org



CITY OF EUREKA

531 K Street • Eureka, California 95501-1146 • (707) 441-4144
fax (707) 441-4138

CITY MANAGER

June 26, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Eureka supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies. Our city has seen an increase in gang activity and organized crime within the Greater Eureka Area as a result of illegal growing operations. Our law enforcement and community safety have been negatively impacted by these criminal activities.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact City Manager Greg Sparks at 707.441.4140 or gsparks@ci.eureka.ca.gov, if you have any questions.

Sincerely,

Greg L. Sparks
City Manager
City of Eureka

cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division,
srounds@cacities.org



CITY OF FORT BRAGG

Incorporated August 5, 1889
416 N. Franklin St.
Fort Bragg, CA 95437
Phone: (707) 961-2823
Fax: (707) 961-2802
<http://city.fortbragg.com>

June 23, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

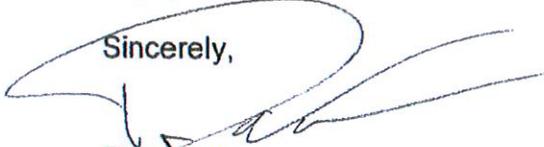
Dear President Cisneros:

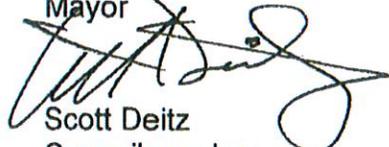
The City of Fort Bragg supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies. The City of Fort Bragg lost City Councilmember and former Mayor Jere Melo in August 2011 when he walked into an illegal grow site and was shot and killed by the person guarding said site.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact City Manager Linda Ruffing at 707-961-2823 or lruffing@fortbragg.com, if you have any questions.

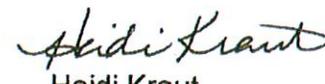
Sincerely,


Dave Turner
Mayor


Scott Deitz
Councilmember


Meg Courtney
Vice Mayor


Doug Hammerstrom
Councilmember


Heidi Kraut
Councilmember

cc: Kathryn Murray, President, Redwood Empire Division c/o Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division, srounds@cacities.org



CITY OF HEALDSBURG ADMINISTRATION

401 Grove Street
Healdsburg, CA 95448-4723

Phone: (707) 431-3317

Fax: (707) 431-3321

Visit us at www.ci.healdsburg.ca.us

June 30, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

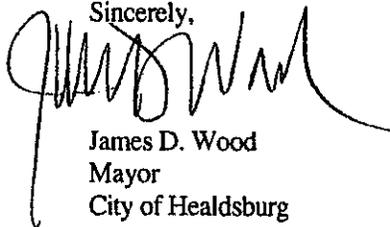
Dear President Cisneros:

The City of Healdsburg supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact me either by phone at (707) 431-3317 or by e-mail at jwood@ci.healdsburg.ca.us if you have any questions.

Sincerely,



James D. Wood
Mayor
City of Healdsburg

cc: Kathryn Murray, President, Redwood Empire Division
c/o Sara Rounds, Regional Public Affairs Manager,
LOCC Redwood Empire Division, srounds@cacities.org

CITY OF LAKEPORT

*Over 100 years of community
pride, progress and service*



July 1, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: ENVIRONMENTAL AND PUBLIC SAFETY IMPACTS OF ILLEGAL MARIJUANA GROWS RESOLUTION

Dear President Cisneros:

The City of Lakeport supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies.

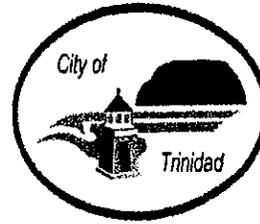
As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact me at (707) 263-5615, Ext. 12 or by email at kparlet@cityoflakeport.com if you have any questions.

Sincerely,

Kenneth Parlet, II
Mayor

cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division, srounds@cacities.org

CITY OF TRINIDAD
P.O. Box 390
409 Trinity Street
Trinidad, CA 95570
(707) 677-0223
Fax: (707) 677-3759



July 2, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Trinidad supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue.

Sincerely,

A handwritten signature in black ink that reads "Julie Fulkerson".

Julie Fulkerson
Mayor

Cc: Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division



June 30, 2014

José Cisneros, President
League of California Cities
1400 K Street, Suite 400
Sacramento, CA 95814

RE: Environmental and Public Safety Impacts of Illegal Marijuana Grows Resolution

Dear President Cisneros:

The City of Ukiah supports the Redwood Empire Division's effort to submit a resolution for consideration by the General Assembly at the League's 2014 Annual Conference in Los Angeles.

The Division's resolution seeks to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing threat to public safety relating to these illegal sites. The resolution will provide the League with the direction to call upon the Governor and State Legislature to convene a summit to develop responsive solutions and to secure adequate funding for implementation strategies.

As members of the League, our city values the policy development process provided to the General Assembly. We appreciate your time on this issue. Please feel free to contact Jane Chambers, City Manager, at 7407-463-6210 or jchambers@cityofukiah.com, if you have any questions.

Sincerely,

Philip E. Baldwin
Mayor

Mary Anne Landis
Vice Mayor

Benj Thomas
Councilmember

Douglas F. Crane
Councilmember

Steve Scalmanini
Councilmember

Cc: Kathryn Murray, President, Redwood Empire Division c/o
Sara Rounds, Regional Public Affairs Manager, LOCC Redwood Empire Division,
srounds@cacities.org



SUCCESSOR AGENCY TO THE DISSOLVED WINTERS COMMUNITY DEVELOPMENT
AGENCY
STAFF REPORT

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

DATE: August 19, 2014

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

FROM: Shelly A. Gunby, Director of Financial Management *Shelly*

SUBJECT: Consideration of Resolution SA-2014-06 of the City of Winters as
Successor Agency to the Winters Community Development Agency
adopting a Recognized Obligation Payment Schedule pursuant to AB1X 26.

RECOMMENDATION:

That the City of Winters as Successor Agency to the Winters Community Development Agency adopt the attached Resolution adopting a Recognized Obligation Payment Schedule in compliance with AB1X 26

SUMMARY:

In accordance with Health and Safety Code Section 34177, added by Assembly Bill 1X 26, the City of Winters as Successor Agency to the Winters Community Development Agency ("Agency") is required to adopt a Recognized Obligation Payment Schedule (ROPS) for each 6 month period beginning January 2012. AB1484 passed on June 27, 2012 requires that the January 1, 201 5 through June 30, 2015 ROPS (known as 14-15B) be submitted to the Yolo County Auditor, the Department of Finance and the State Controller's office by October 3, 2014.

DISCUSSION

AB 1X 26 suspended all new redevelopment activities and incurrence of indebtedness by terminating virtually all otherwise legal functions of the Agency and mandating a liquidation of any assets for the benefit of local taxing agencies. Some debts are allowed to be repaid, but any such remittances are to be managed by a successor agency, that would function primarily as a debt repayment administrator. The successor agency cannot continue or initiate any new redevelopment projects or programs. The activities of the successor agency will be overseen by an oversight board, comprised primarily of representatives of other taxing agencies, until such time as 82573.00022\6861973.2

the remaining debts of the former redevelopment agency are paid off, all Agency assets liquidated and all property taxes are redirected to local taxing agencies.

Under Health and Safety Code Section 34177, the ROPS must list all of the “enforceable obligations” of the Agency, and must be certified by an independent external auditor and is subject to approval by the Department of Finance, The State Controller and must be posted on the successor agency’s website. “Recognized obligations” include: bonds; loans legally required to be repaid pursuant to a payment schedule with mandatory repayment terms; payments required by the federal government, preexisting obligations to the state or obligations imposed by state law; judgments, settlements or binding arbitration decisions that bind the agency; legally binding and enforceable agreements or contracts; and contracts or agreements necessary for the continued administration or operation of the agency, including agreements to purchase or rent office space, equipment and supplies.

The form submitted is a draft utilizing the 13-14A forms due to the fact that Department of Finance will not be circulating the 13-14B form until after the due date of this staff report. The information is the same, however, the dates had to be manually changed because the cells are locked by the Department of Finance. Once DOF circulates the correct forms, the information will be entered on the correct form and submitted to the Oversight Board and then upon approval to the Department of Finance.

FISCAL IMPACT:

Without the approved ROPS, the City, as successor agency would not be able to pay the obligations of the former redevelopment agency, including making debt service payments on the 2004 and 2007 tax allocation bonds.

ATTACHMENTS:

Recognized Obligations Payment Schedule 14-15B
Resolution SA-2014-06

RESOLUTION No. SA-2014-06

**A RESOLUTION OF THE SUCCESSOR AGENCY TO THE
DISSOLVED COMMUNITY DEVELOPMENT AGENCY OF THE
CITY OF WINTERS, APPROVING A RECOGNIZED OBLIGATION
PAYMENT SCHEDULE FOR THE PERIOD JANUARY 1, 2015
THROUGH JUNE 30, 2015.**

WHEREAS, pursuant to Health and Safety Code section 34173(d), the City of Winters (“RDA Successor Agency”) is the successor agency to the dissolved Community Development Agency of the City of Winters (“Agency”), confirmed by Resolution 2012-02 adopted on January 17, 2012; and

WHEREAS, Health and Safety Code section 34179(a) provides that each successor agency shall have an oversight board composed of seven members; and

WHEREAS, The Department of Finance requires the Recognized Obligation Payment Schedule (ROPS) for the period January 1, 2015 through June 30, 2015 be adopted and submitted by October 3, 2014;

NOW, THEREFORE BE IT RESOLVED that the Successor Agency Board of the Dissolved Community Development Agency of the City of Winters hereby approves and adopts the ROPS as attached to this Resolution as Exhibit A.

PASSED AND ADOPTED at a regular meeting of the Successor Agency to the Dissolved Winters Community Development Agency this 19th Day of August 2014 by the following vote:

AYES: Agency Members Aguiar-Curry, Anderson, Cowan, Guelden, Chairperson Fridae

NOES: None

ABSTAIN: None

ABSENT: None

W. Keith Fridae, Chairperson

ATTEST:

Secretary

Recognized Obligation Payment Schedule (ROPS 14-15B) - Summary
 Filed for the January 1, 2015 through June 30, 2015 Period

Name of Successor Agency: Winters
 Name of County: Yolo

Current Period Requested Funding for Outstanding Debt or Obligation		Six-Month Total
Enforceable Obligations Funded with Non-Redevelopment Property Tax Trust Fund (RPTTF) Funding Sources (B+C+D):		
A		\$ -
B	Bond Proceeds Funding (ROPS Detail)	-
C	Reserve Balance Funding (ROPS Detail)	-
D	Other Funding (ROPS Detail)	-
E	Enforceable Obligations Funded with RPTTF Funding (F+G):	\$ 630,015
F	Non-Administrative Costs (ROPS Detail)	505,015
G	Administrative Costs (ROPS Detail)	125,000
H	Current Period Enforceable Obligations (A+E):	\$ 630,015

Successor Agency Self-Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
I	Enforceable Obligations funded with RPTTF (E):	630,015
J	Less Prior Period Adjustment (Report of Prior Period Adjustments Column S)	-
K	Adjusted Current Period RPTTF Requested Funding (I-J)	\$ 630,015

County Auditor Controller Reported Prior Period Adjustment to Current Period RPTTF Requested Funding		
L	Enforceable Obligations funded with RPTTF (E):	630,015
M	Less Prior Period Adjustment (Report of Prior Period Adjustments Column AA)	-
N	Adjusted Current Period RPTTF Requested Funding (L-M)	630,015

Certification of Oversight Board Chairman:
 Pursuant to Section 34177 (m) of the Health and Safety code, I hereby certify that the above is a true and accurate Recognized Obligation Payment Schedule for the above named agency.

 Name Title
 /s/ _____
 Signature Date

Recognized Obligation Payment Schedule (ROPS 14-15B) - Report of Cash Balances
(Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 (l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation. For tips on how to complete the Report of Cash Balances Form, see https://rad.dof.ca.gov/rad-sa/pdf/Cash_Balance_Agency_Tips_Sheet.pdf.

A	B	C	D	E	F	G	H	I	
Cash Balance Information by ROPS Period		Fund Sources						Comments	
		Bond Proceeds		Reserve Balance		Other	RPTTF		
		Bonds Issued on or before 12/31/10	Bonds Issued on or after 01/01/11	Prior ROPS period balances and DDR RPTTF balances retained	Prior ROPS RPTTF distributed as reserve for future period(s)	Rent, Grants, Interest, Etc.	Non-Admin and Admin		
ROPS 13-14B Actuals (01/01/14 - 06/30/14)									
1	Beginning Available Cash Balance (Actual 01/01/14)	1,155,323					-		
2	Revenue/Income (Actual 06/30/14) RPTTF amounts should tie to the ROPS 13-14B distribution from the County Auditor-Controller during January 2014					100	658,757		
3	Expenditures for ROPS 13-14B Enforceable Obligations (Actual 06/30/14) RPTTF amounts, H3 plus H4 should equal total reported actual expenditures in the Report of PPA, Columns L and Q	1,155,323				100	658,757	Bond funds transferred to City per approval by Oversight Board and Department of Finance	
4	Retention of Available Cash Balance (Actual 06/30/14) RPTTF amount retained should only include the amounts distributed for debt service reserve(s) approved in ROPS 13-14B						-		
5	ROPS 13-14B RPTTF Prior Period Adjustment RPTTF amount should tie to the self-reported ROPS 13-14B PPA in the Report of PPA, Column S	No entry required						-	
6	Ending Actual Available Cash Balance C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	-	-	-	-	-	-		
ROPS 14-15A Estimate (07/01/14 - 12/31/14)									
7	Beginning Available Cash Balance (Actual 07/01/14) (C, D, E, G = 4 + 6, F = H4 + F4 + F6, and H = 5 + 6)	-	-	-	-	-	-		
8	Revenue/Income (Estimate 12/31/14) RPTTF amounts should tie to the ROPS 14-15A distribution from the County Auditor-Controller during June 2014					410,422	522,728		
9	Expenditures for ROPS 14-15A Enforceable Obligations (Estimate 12/31/14)					127,430	522,728		
10	Retention of Available Cash Balance (Estimate 12/31/14) RPTTF amount retained should only include the amount distributed for debt service reserve(s) approved in ROPS 14-15A								
11	Ending Estimated Available Cash Balance (7 + 8 - 9 - 10)	-	-	-	-	282,992	-		

Recognized Obligation Payment Schedule (ROPS 14-15B) - ROPS Detail
January 1, 2015 through June 30, 2015
 (Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	J	K					P
										Funding Source					
										Non-Redevelopment Property Tax Trust Fund (Non-RPTTF)			RPTTF		
										Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin	
Item #	Project Name / Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired	Bond Proceeds	Reserve Balance	Other Funds	Non-Admin	Admin	Six-Month Total
								\$ 26,193,304		\$ -	\$ -	\$ -	\$ 505,015	\$ 125,000	\$ 630,015
1	2004 Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	2/27/2004	2/4/2034	Bank of New York	Bond issue to fund non-housing	CDA Project Area	3,649,438	N				92,569		92,569
2	2004 Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	2/27/2004	2/27/2034	Bank of New York	Bond issue to fund housing projects	CDA Project Area	4,046,715	N				100,766		100,766
3	2007 Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	5/31/2007	5/31/2037	Bank of New York	Bond issue to fund non-housing projects	CDA Project Area	15,444,136	N				248,595		248,595
4	2007 Tax Allocation Bonds	Bonds Issued On or Before 12/31/10	5/31/2007	5/31/2037	Bank of New York	Bond issue to fund housing projects	CDA Project Area	2,757,365	N				40,935		40,935
5	Loan Due City of Winters	SERAF/ERAF	5/10/2010	6/30/2015	City of Winters	Loan Due for 2010 SERAF	CDA Project Area		N						
6	Winters Opera House Lease	Business Incentive Agreements	9/2/2005	8/31/2015	Winters Opera House	Palm Playhouse Rent Subsidy	CDA Project Area	38,500	N				15,000		15,000
8	Visitor Centor Funding	Business Incentive Agreements	2/1/2011	12/31/2012	Winters Chamber of Commerce	Winters Visitor Center Operations Funding	CDA Project Area		N						
9	Trustee Services	Fees	3/9/2004	8/31/2034	Bank of New York	Trustee Services 2004 Tax Allocation Bonds	CDA Project Area	1,875	N				1,875		1,875
10	Trustee Services	Fees	6/1/2007	8/31/2037	Bank of New York	Trustee Services 2007 Tax Allocation Bonds	CDA Project Area	1,875	N				1,875		1,875
11	Continuing Disclosure Services	Professional Services	8/15/2005	8/31/2034	Urban Futures, Inc.	Continuing Disclosure Reporting 2004 TABS	CDA Project Area	1,700	N				1,700		1,700
12	Continuing Disclosure Services	Professional Services	8/15/2005	8/31/2037	Urban Futures, Inc.	Continuing Disclosure Reporting 2007 TABS	CDA Project Area	1,700	N				1,700		1,700
15	Winters Cemetary District	Miscellaneous	6/4/1993	6/4/2023	Winters Cemetery District	Miscalcuated pass through amoutns (Civil Code Section 343)	CDA Project Area		N						
16	Administration Allowance	Admin Costs	1/1/2012	6/4/2023	City of Winters	Successor Agency Allocated Expenditures	CDA Project Area	250,000	N					125,000	125,000
17	Low Mod Income Housing Fund	Miscellaneous	6/4/1993	6/4/2023	Winters Housing Sucessor Agency	Funding for Low and Mod Income Housing	CDA Project Area		N						
18	Housing	Improvement/Infrastr ucture	5/31/2007	6/4/2023	Winters Housing Sucessor Agency	Funding for Low and Mod Income Housing	CDA Project Area		N						
19	Park Renovaton	Improvement/Infrastr ucture	5/31/2007	6/4/2023	Subcontractors	Gap Funding to complete Grant Funded Renovation of City Park			N						
20									N						
21									N						
22									N						
23									N						
24									N						
25									N						
26									N						
27									N						
28									N						
29									N						
30									N						
31									N						
32									N						
33									N						
34									N						
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38									N						
39									N						
40									N						
41									N						
42									N						
43									N						
44									N						
45									N						
46									N						
47									N						
48									N						

Recognized Obligation Payment Schedule (ROPS 14-15B) - Report of Prior Period Adjustments
 Reported for the ROPS 13-14B (January 1, 2014 through June 30, 2014) Period Pursuant to Health and Safety Code (HSC) section 34186 (a)
 (Report Amounts in Whole Dollars)

ROPS 13-14B Successor Agency (SA) Self-reported Prior Period Adjustments (PPA): Pursuant to HSC Section 34186 (a), SAs are required to report the differences between their actual available funding and their actual expenditures for the ROPS 13-14B (January through June 2014) period. The amount of Redevelopment Property Tax Trust Fund (RPTTF) approved for the ROPS 14-15B (January through June 2015) period will be offset by the SA's self-reported ROPS 13-14B prior period adjustment. HSC Section 34186 (a) also specifies that the prior period adjustments self-reported by SAs are subject to audit by the county auditor-controller (CAC) and the State Controller.																				
A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	
Item #	Project Name / Debt Obligation	Non-RPTTF Expenditures						RPTTF Expenditures											Net SA Non-Admin and Admin PPA (Amount Used to Offset ROPS 14-15B Requested RPTTF)	SA Comments
		Bond Proceeds		Reserve Balance		Other Funds		Non-Admin					Admin							
		Authorized	Actual	Authorized	Actual	Authorized	Actual	Authorized	Available RPTTF (ROPS 13-14B distributed + all other available as of 01/1/14)	Net Lesser of Authorized / Available	Actual	Difference (If K is less than L, the difference is zero)	Authorized	Available RPTTF (ROPS 13-14B distributed + all other available as of 01/1/14)	Net Lesser of Authorized / Available	Actual	Difference (If total actual exceeds total authorized, the total difference is zero)	Net Difference (M+R)		
		\$ 1,144,010	\$ -	\$ -	\$ -	\$ 9,990	\$ 100	\$ 505,161	\$ 501,885	\$ 501,660	\$ 511,720	\$ -	\$ 250,000	\$ 147,037	\$ 147,037	\$ 147,037	\$ -	\$ -		
1	2004 Tax Allocation Bonds	-	-	-	-	9,990	100	91,326	91,325	91,325	101,215	-	-	-	-	-	-	-		
2	2004 Tax Allocation Bonds	-	-	-	-	-	-	99,605	99,605	99,605	99,605	-	-	-	-	-	-	-		
3	2007 Tax Allocation Bonds	-	-	-	-	-	-	250,695	250,695	250,695	250,695	-	-	-	-	-	-	-		
4	2007 Tax Allocation Bonds	-	-	-	-	-	-	41,235	41,235	41,235	41,235	-	-	-	-	-	-	-		
5	Loan Due City of Winters	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
6	Winters Opera House Lease	-	-	-	-	-	-	15,400	15,435	15,400	15,400	-	-	-	-	-	-	-		
7	Winters Opera House Lease	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
8	Visitor Center Funding	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
9	Trustee Services	-	-	-	-	-	-	1,700	1,700	1,700	1,700	-	-	-	-	-	-	-		
10	Trustee Services	-	-	-	-	-	-	1,700	1,870	1,700	1,870	-	-	-	-	-	-	-		
11	Continuing Disclosure Services	-	-	-	-	-	-	1,750	-	-	-	-	-	-	-	-	-	-		
12	Continuing Disclosure Services	-	-	-	-	-	-	1,750	-	-	-	-	-	-	-	-	-	-		
13	305 First Street	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
14	305 First Street	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
15	Winters Cemetary District	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
16	Administration Allowance	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
17	Low Mod Income Housing Fund	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
18	Housing	1,144,010	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-		

