



Winters City Council Meeting  
City Council Chambers  
318 First Street  
Tuesday, December 16, 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*

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

Roll Call

Pledge of Allegiance

Approval of Agenda

COUNCIL/STAFF COMMENTS

PUBLIC COMMENTS

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

### CONSENT CALENDAR

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

- A. Minutes of the Regular Meeting of the Winters City Council Held on Tuesday, December 2, 2014 (pp 4-8)
- B. Project Acceptance – Railroad Avenue Improvements, Project No. 13-02 (pp 9)

### PRESENTATIONS

### DISCUSSION ITEMS

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

1.

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### CITY MANAGER REPORT

### INFORMATION ONLY

### EXECUTIVE SESSION

### ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the December 16, 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 December 12, 2014, and made available to the public during normal business hours.

*Nanci G. Mills by Tracy Jensen*  
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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City Council agenda packets are available for review or copying at the following locations:

Winters Library – 708 Railroad Avenue

City Hall – Finance Office - 318 First Street

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

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Wednesday at 10:00 a.m.

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



Minutes of the Regular Meeting of the  
Winters City Council Held on December 2, 2014

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**6:00 p.m. – Executive Session**

Pursuant to Government Code Section 54957.6 – Memorandums of Understanding - Labor Negotiator John W. Donlevy, Jr., City Manager and Nanci G. Mills, Director of Administrative Services

- Miscellaneous Employees Association
- Mid-Management Employees Association
- Confidential Employees Association
- Managers Series Employees
- Management (Department Head) Employees
- Police Officers Association
- City Manager Employment Agreement
- City Manager Compensation and Cost of Living Adjustment (COLA)

Mayor Aguiar-Curry said there was nothing to report from Execution Session.

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**6:30 p.m. – Regular Session**

Mayor Aguiar-Curry called the regular meeting to order at 6:38 p.m.

Present: Council Members Harold Anderson, Wade Cowan, Woody Fridae, Pierre Neu, Mayor Cecilia Aguiar-Curry

Absent: None

Staff: City Manager John Donlevy, City Attorney Ethan Walsh, City Clerk Nanci Mills, Director of Financial Management Shelly Gunby, Housing Programs Manager Dan Maguire, Public Works Superintendent Eric Lucero, Environmental Services Manager Carol Scianna, Police Chief Sergio Gutierrez, Police Sergeant Jose Ramirez, Police Corporal Albert Ramos, School Resource Officer Gordon Brown, Community Services Officer Gail Jimenez, Police Officers Steve Moore and Alan Pinette, and Management Analyst Tracy Jensen.

Bernadette Austin led the Pledge of Allegiance.

Approval of Agenda: City Manager Donlevy requested that Discussion Item #3, Historical Preservation Committee, be moved to a January agenda, Consent Item D (2), Budget Amendment, be moved to the 12/16 agenda, and Consent Item F, Tully & Young Contract Extension be moved to new Discussion Item #3. Motion by Council Member Fridae, second by Council Member Cowan to approve said changes. Motion carried with the following vote:

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

#### COUNCIL/STAFF COMMENTS

PUBLIC COMMENTS: George Duncan, 734 Hemenway St., addressed Council regarding his latest water bill, a copy of which was given to Council to review. Service was shut off from November 1<sup>st</sup> to November 21<sup>st</sup> and because 1 unit was used during the month, he has been billed for the entire month. Staff will review the matter and respond to Mr. Duncan next week.

#### CONSENT CALENDAR

- A. Minutes of the Regular Meeting of the Winters City Council Held on Tuesday, November 18, 2014
- B. Memorandums of Understanding (MOU) and Salary Resolutions (Under Separate Cover) and Staff Report
  - Resolution 2014-42, Miscellaneous Employees Association MOU
  - Resolution 2014-43, Mid-Management Employees Association MOU
  - Resolution 2014-44, Confidential Employees Association MOU
  - Resolution 2014-45, Manager's Series Employees MOU
  - Resolution 2014-46, Management (Dept. Head) Employees MOU
  - Resolution 2014-47, Police Officers Association MOU
  - Resolution 2014-48, Salary Ranges
- C. City Manager Employment Agreement – Amendment No. 1 (Under Separate Cover)
- D. City Manager Compensation and Cost of Living Increase
- D(2). Resolution 2014-38, A Resolution of the City Council of the City of Winters Amending the Adopted 2014-2015 Budget **(Moved to 12/16/14 City Council Agenda)**

- E. Approval of the Purchase of a New Tractor for the Public Works Department Valued at \$34,000
- F. Extend Contract with Tully & Young, Inc. Regarding Recycled Water Permit for Agriculture Irrigation to Adjacent Lands, Not to Exceed \$20,000 **(Moved to Discussion Item #3)**

City Manager Donlevy gave a brief overview. Motion by Council Member Fridae to approve the Consent Calendar, including the approval of Option C on the City Manager Compensation and Cost of Living Increase as per the approved 2014-2015 budget. Motion was seconded by Council Member Neu. Motion carried with the following vote:

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

### PRESENTATIONS

Winters Police Chief Sergio Gutierrez spoke glowingly about the “behind the scenes” work performed by members of the Winters Police Department during the Leslie Pinkston murder case and added that the patrol division is the backbone of the organization. In this case, Corporal Ramos was first to respond to the crime scene and to identify witnesses, and later involving the entire investigation team consisting of day, swing and graveyard officers, which shows their level of commitment. The Winters Public Works department helped close off streets and the Winters Fire Department arrived to take care of the needs of the victim and kept people out of the crime scene. Thirty to forty people from neighboring agencies within Yolo and Solano counties arrived and initiated a manhunt, followed by U.S. Marshalls the next day. Officer Moore prepared and executed numerous search warrants and Sergeant Ramirez coordinated the efforts and support to make sure we had the resources we needed. CSO Jimenez was phenomenal in organizing and categorizing evidence for the DA's office and Officer Brown provided key testimony of a prior incident that occurred in January 2013 describing the prior history of the accused and the victim's fear and concern for her safety. Ms. Jimenez also testified, as did Corporal Ramos, who narrated the scene of the crime. Chief Gutierrez is extremely proud of the men and women in the department who serve our community and is also appreciative of the great partnership the Winters Police Department has with other agencies within Yolo County. This case was built by staff and it took one week of testimony and three hours of jury deliberation to find the defendant guilty. Council Member Fridae said he appreciated everything the Police Department did and added that the officers train with the hopes that they won't have to use it.

DISCUSSION ITEMS

1. Public Hearing and Consideration of Resolution 2014-39, a Resolution of the City Council of the City of Winters Approving the CDBG Program Income Reuse Agreement

Housing Programs Manager Dan Maguire gave an overview. Mayor Aguiar-Curry opened the public hearing at 7:33 p.m. and closed the public hearing at 7:33 p.m. with no public comment. Motion by Council Member Neu, second by Council Member Fridae to approve Resolution 2014-49, approving the CDBG Program Income Reuse Agreement. Motion carried with the following vote:

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

2. Resolution 2014-40, a Resolution of the City Council of the City of Winters Approving an Infill Infrastructure Grant Application Authorization in Conjunction with the Blue Mountain Senior Housing Project

Housing Programs Manager Dan Maguire gave an overview. Council Member Anderson asked whether the recording of the reports was going to be done in-house, and was concerned about the volume of papers that will need to be mandated. Dan said consultant agreements may be used, but he will primarily look to in-house staff. Regarding the December 10<sup>th</sup> deadline, Mayor Aguiar-Curry asked when the City would hear back regarding our application. Bernadette Austin of Domas Development said 6 months or less, hopefully as early as March. She also assured Council that the City would be provided the necessary documents by Domas and the reporting would also be done by Domas. The rating and ranking will be in place and the benchmarks will be met for a competitive application.

Motion by Council Member Cowan, second by Council Member Fridae to approve Resolution 2014-40 approving an infill infrastructure grant application authorization in conjunction with the Blue Mountain Senior Housing Project. Motion carried with the following vote:

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

3. Historical Preservation Committee **(Moved to January City Council Agenda)**

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

1. None

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CITY MANAGER REPORT: The Planning Commission was well-prepared and did a great job last week in approving the Conditional Use Permit and Design Review for the Blue Mountain Terrace Senior Housing Apartment Project and Senior Community Center. The City's PG&E team is really clicking – look on the City's website for click-on buttons to view information and the project timeline. The bridge project is moving along, with the pour of one of the piers. Take a look from the south side to see the arches taking shape. The Public Works and Wastewater Departments are now fully staffed with the addition of Jim Keating and Bob Anderson from Severn Trent and the hiring of Ricky Castro. Dollar General hopes to open in mid-January, with kudos going to Building Official Gene Ashdown. Financial health assessments were included in the last issue of Western City magazine, with the City of Winters being the 374<sup>th</sup> most-likely City to file bankruptcy, ahead of other cities within Yolo County except West Sacramento. In January, John and Shelly will use it as a tool with the goal being fiscal sustainability. Grading is underway on the Hudson Ogando project, with streets being formed and named. There was no Friday update over the Thanksgiving holiday in order to avoid the deluge of out-of-office replies.

ADJOURNMENT: Mayor Aguiar-Curry asked that the economic analysis received from the Chamber of Commerce be linked onto the City's website. Mayor Aguiar-Curry then adjourned the meeting at 8:03 p.m.

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Cecilia Aguiar-Curry, MAYOR

ATTEST:

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Nanci G. Mills, City Clerk



## STAFF REPORT

**TO:** Honorable Mayor and Council Members  
**DATE:** December 16, 2014  
**THROUGH:** John W. Donlevy, Jr., City Manager  
**FROM:** Alan Mitchell, City Engineer  
**SUBJECT:** Project Acceptance  
Railroad Avenue Improvements, Project No. 13-02

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**RECOMMENDATION:** Staff recommends that City Council accept the Railroad Avenue Improvements project as complete and direct the City Clerk to file a Notice of Completion.

**BACKGROUND:** On August 5, 2014, City Council awarded a contract to Vintage Paving for the rehabilitation of Railroad Avenue from the Public Library to Niemann Street. The project was fully completed by the Contractor in late November and determined to be acceptable by Staff.

Council authorized \$251,000 for construction. The final construction cost was \$234,562.

**ALTERNATIVES:** None

**FISCAL IMPACT:** The cost of this project is funded with a SACOG Community Design Grant (\$200,000), local TDA (\$40,000) and Gas Tax (\$44,000) funds.