



Winters City Council Meeting
City Council Chambers
318 First Street
Tuesday, July 21, 2015

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*

5:30 p.m. – Executive Session

AGENDA

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

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Section 54956.9)

Name of case: Barbour et al. v. City of Winters (Yolo County Superior Court Case No. ED14-527)

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Section 54956.9)

Name of case: Treat v. City of Winters (Yolo County Superior Court Case No. PO14-593)

6:30 p.m. – Regular Session

AGENDA

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

Roll Call

Pledge of Allegiance

Approval of Agenda

COUNCIL/STAFF COMMENTS

PUBLIC COMMENTS

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

CONSENT CALENDAR

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

- A. Minutes of the Regular Meeting of the Winters City Council Held on Tuesday, July 7, 2015 (pp. 5-11)
- B. Resolution 2015-34, a Resolution of the City Council of the City of Winters for the Approval and Adoption of the Quality Assurance Program (QAP) for Federal-Aid Transportation Projects (pp. 12-35)
- C. Authorize the City Manager to file a Notice of Completion for the Construction Services Contract with Solano Construction for the Demolition Services of the City-owned buildings at 314 & 318 Railroad Avenue (pp. 36-38)
- D. Approval of Consulting Services Agreement with Boost Preschool Intervention Program (pp. 39-42)

PRESENTATIONS

Gary Goodman, District Manager of the Sacramento-Yolo Mosquito & Vector Control District Update (PP Presentation)

Introduction of New Police Department Volunteer Austin Hill by Winters Police Volunteer Chaplain Robert Duvall

Special Needs Alert Program [SNAP] by Winters Police Officer Morgan Hatcher

Introduction of Fire Volunteers

DISCUSSION ITEMS

1. Final Actions to Approve Pacific Gas & Electric Gas Operations Technical Training Center project (continued from June 11, 2015 Agenda) -- Waive Second Reading and Adoption of Ordinance No. 2015-02 (Zone Code Amendments) and 2015-03 (Development Agreement); Adoption of Resolution No. 2015-27 (Certifying EIR) and 2015-28 (Approving Project including General Plan Amendment, General Plan Consistency Findings, Storm Drainage Master Plan Amendment, Conditional Use Permit and Conditions, Site Plan/Design Review, and Parcel Map); Authorization to enter into Public Improvements and Maintenance Agreement; and Direction Regarding Street Name (pp. 43-75)
2. Memorandum of Understanding with Yolo County and the Cities of Davis, Woodland, and West Sacramento Regarding Services Provided by Turning Point and Resource Development Associates (pp. 76-85)
3. Downtown Hotel Project Contaminated Soil Disposal Alternative (pp. 86-87)

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

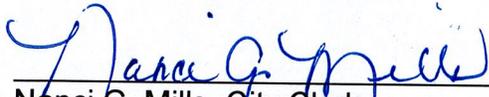
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CITY MANAGER REPORT

INFORMATION ONLY

ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the July 21, 2015 regular meeting of the Winters City Council was posted on the City of Winters website at www.cityofwinters.org and Councilmembers were notified via e-mail of its' availability. A copy of the foregoing agenda was also posted on the outside public bulletin board at City Hall, 318 First Street on July 16, 2015, and made available to the public during normal business hours.



Nanci G. Mills, City Clerk

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

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

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

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

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Any attachments to the agenda that are not available online may be viewed at the City Clerk's Office or locations where the hard copy packet is available.*

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

Winters Library – 708 Railroad Avenue

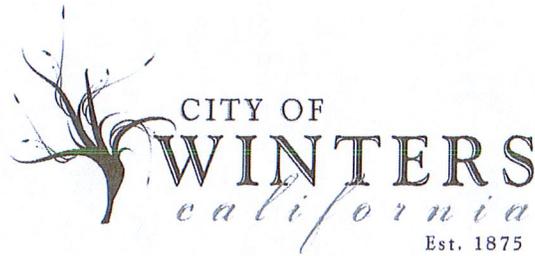
City Hall – Finance Office - 318 First Street

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

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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 Winters City Council Meeting
Held on July 7, 2015

Mayor Aguiar-Curry called the meeting to order at 6:33 p.m. and said there was nothing to report out of Executive Session pertaining to Public Employee Performance Evaluation, City Manager.

Present: Council Members Harold Anderson, Wade Cowan, Woody Fridae and 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, Economic Development/Housing Programs Manager Dan Maguire, Public Works Superintendent Eric Lucero, Environmental Services Manager Carol Scianna, Contract Planner Dave Dowsell, Project Manager Heidi Tschudin, Fire Chief Aaron McAlister, Building Official Gene Ashdown, and Management Analyst Tracy Jensen.

Kathy Cowan led the Pledge of Allegiance.

Approval of Agenda: City Manager Donlevy requested that Consent Item C be removed and brought back at the next meeting. Motion by Council Member Fridae, second by Council Member Neu to approve the agenda with this change. 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: Bill Biasi, 400 Edwards, said if work is stopped on the creek project, there will be no ADA access at water level and it becomes an issue for those in wheelchairs, those pushing strollers, or for seniors. As a passionate member of the community, he wholeheartedly supports the project.

Jon Tice, 1041 Kennedy Dr., said in 2009 he got a job with the Central Valley Flood Protection Board and said Putah Creek was regulated by this agency. He claims to have met with a City staff member to make sure the project met with the regulations. He said in 2013, a Letter of Authorization was requested for the permit but a permit was not issued. In his opinion, the Solano County Water Agency (SCWA) and the City of Winters have not followed the rules.

CONSENT CALENDAR

- A. Minutes of the Regular Meeting of the Winters City Council Held on Tuesday, June 16, 2015
- B. Chamber of Commerce Request for Street Closure for Annual Earthquake Street Festival
- C. Resolution 2015-34, a Resolution of the City Council of the City of Winters for the Approval and Adoption of the Quality Assurance Program (QAP) for Federal-Aid Transportation Projects **(Removed From The Agenda)**
- D. Amplified Sound Permit Application Submitted by the Winters High School Class of 2005

City Manager Donlevy gave a brief overview. Council Member Anderson requested he be recused for Consent Items B and D. Motion by Council Member Fridae, second by Council Member Cowan to approve Consent Item A. Motion carried by the following vote:

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

Council Member Anderson then recused himself for Consent Items B and D and Discussion Item #1. Motion by Council Member Fridae, second by Council Member Neu to approve Consent Items B and D. Motion carried with the following vote:

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

DISCUSSION ITEMS

1. Public Hearing and Consideration of the Project Application for the Winters Pacific Gas & Electric (PG&E) Gas Operations Technical Training Center

Council Member Anderson remained recused for this agenda item.

City Manager Donlevy gave an overview of the project, followed by Project Manager Heidi Tschudin, who gave an overview of the staff report and attachments and said these items will come back for final action at the July 21st City Council meeting.

Mayor Aguiar-Curry opened the public hearing at 6:59 p.m.

Alisa Okelo-Odongo, PG&E Government Relations, has been involved since the very first meeting and looks forward to the continued support of the project.

Peter Kenny, PG&E Senior Operator of Gas Operations, expects the training center to accommodate 1,300 employees for their gas system and is very excited by the support of the community for the new training center.

Linda Floyd, PG&E Director of Gas Operations Training said she was excited about the design of the facility, which will provide a safe environment for technical training in a classroom setting.

Mayor Aguiar-Curry closed the public hearing at 7:06 p.m.

Council Member Fridae was concerned with the design of the buildings and offered photos of five different building designs, asking for these designs to be considered. He added that the project does not need to be acceptable, it needs to be exceptional and added he is in full support of the project.

Council Member Neu, who is also in full support of the project, asked how the three-year timeline had been determined in which to receive a noise monitoring report regarding the potential noise from the project if the noise was bad before the end of three-year period. Project Manager Heidi Tschudin said it will take time for the operations to stabilize and the noise level will be monitored and re-visited. City Attorney Walsh added that PG&E would still be subject to the City's noise ordinance

Council Member Cowan said the building design is acceptable and he supports the project.

Mayor Aguiar-Curry asked for changes to be incorporated into the Final Conditions of Approval as follows: #33, fire hydrants to reflect future growth; #67, add fiber to the proposed utilities; #90, bus stop design and construction will meet the specifications of the Yolo County Transportation District; #111, perennial native grasses that remain

green to avoid fire danger; #12, trees to be selected from updated City Master Tree List to include drought-tolerant trees; #57, correct spelling to "proposed" improvements. Mayor Aguiar-Curry said PG&E has been a good listener throughout the process and is glad that the \$200,000 designated toward Putah Creek improvements is part of the deal.

Motion by Council Member Cowan, second by Council Member Neu to introduce and waive the first reading of Ordinance 2015-02 and 2015-03, and direct City staff to return to the July 21 regular City Council meeting with the intent to adopt staff recommendation as set forth in the staff report, with the removal of the 15 foot trail easement across the McClish remainder parcel as currently set forth on the parcel map.

PG&E Legal Counsel Bill Abbott asked for clarification of the motion and Project Manager Heidi Tschudin reiterated the changes to be made to the Conditions of Approval. Council Member Fridae asked whether building design was included in the motion and Council Member Cowan said it was not included. PG&E Program Manager Tom Crowley said articulation and depth had been added due to prior input and was not in support of Council Member Fridae's photos of retail property as this will be a training facility.

Motion carried with the following vote:

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

Council Member Anderson returned to the dais at this time.

2. Public Hearing and Adoption of Resolution 2015-32, a Resolution of the City Council of the City of Winters for the Consideration of a HOME Investment Partnerships Program (HOME) Grant Application for Rental New Construction Project Funding Assistance for Multifamily Project in Support of Affordable Housing

Housing Program Manager Dan Maguire gave an overview.

Mayor Aguiar-Curry opened the public hearing at 7:45 p.m. and closed the public hearing at 7:45 p.m. with no public comment.

Motion by Council Member Fridae, second by Council Member Neu to approve Resolution 2015-32, approving the HOME Investment Partnerships Program (HOME) Grant Application for Rental New Construction Project Funding Assistance for Multifamily Project in Support of Affordable Housing. Motion carried with the following vote:

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

3. Authorize the City Manager to appoint a Staff Representative to a Joint Powers Authority (JPA) Working Group to Negotiate the Details of a JPA Agreement for Yolo County Housing

Housing Programs Manager Dan Maguire gave an overview and said Yolo County Housing Executive Lisa Baker has served Yolo County and all four Cities within the County, as well as Dixon, and is being appointed as the Staff Representative to a JPA working group to negotiate the details of a JPA agreement for Yolo County Housing.

Motion by Council Member Neu, second by Council Member Cowan to approve the appointment of Lisa Baker as staff representative to a JPA working group to negotiate the details of a JPA Agreement for Yolo County Housing. Motion carried with the following vote:

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

4. Putah Creek Legal and Consulting Contingency Fund

City Manager Donlevy gave an overview and said the Winters Friends of Putah Creek have submitted a letter from their attorney opposing the final phase of the creek project and the City, as the lead agency, is obligated to respond.

Carol Brydolf, 425 Abbey Street, thanked Council Member Fridae for the conciliatory article in the newspaper. She said she hopes we don't lose sight of our objectives and added that we all care about the creek.

Nolan Curran, Winters resident and member of the Winters Friends of Putah Creek said they are being blamed for stopping the project when it was the City who did not obtain the proper permit.

Council Member Neu said he preferred that the issues be mediated or negotiated instead of going directly to legal services. City Attorney Walsh clarified that this would be a contingency fund and the City of Winters, as lead agency, wants to be prepared.

City Manager Donlevy said the letter submitted with the Winters Friends of Putah Creek raises a litany of issues. They have contacted various agencies and have raised CEQA issues. This is not a permitting issue, it's a project issue.

Council Member Cowan said this was a good project and he didn't want to see it derailed this way. Ultimately, the City may be required to pay back the half-million dollar grant. Mayor Aguiar-Curry said the allegations have already involved the City Attorney, who will respond on behalf of the Council. The City is working on mediation, but this is a disturbing issue and it's frustrating because the City has been fiscally responsible.

Council Member Fridae said in order to protect the City, we must answer the allegations. He agrees with Council Member Neu that the issues should be mediated or negotiated first. Council Member Anderson said he also prefers mediation.

Motion by Council Member Fridae, second by Council Member Neu to create a Putah Creek Legal and Consulting Contingency Fund in the amount of \$50,000 (from the General Fund.) Motion carried with the following vote:

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

5. Water Rate Review and Approval of Prop. 218 Notice

Director of Financial Management Shelly Gunby gave an overview and said if approved, the new rates will go into effect September 1, 2015.

Council Member Anderson asked what would happen if a majority of the residents opposed this process. City Attorney Walsh said the new rates could not be adopted and staff would have to work toward an alternate solution. Council Member Anderson also asked about the court ruling in the City of San Juan Capistrano, which held that tiered rates do not reasonably reflect the cost of providing water service within each tier and are not allowable under Proposition 218.

Council Member Cowan said this was the fairest way to deal with the issue and made a motion to approve the Proposition 218 Notice and authorize staff to issue the notices informing residents of the intention to increase water rates on September 1, 2105. Motion was seconded by Council Member Neu and motion carried with the following vote:

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

ABSENT: None
ABSTAIN: None

6. Downtown Hotel Project Site Contaminated Soil Disposal

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

Economic Development Manager Dan Maguire gave an overview and said the disposal of 432 cubic yards of contaminated dirt at the downtown hotel project site would cost approximately \$98,500. Staff is requesting Council authorization for the City Manager to execute contracts on a not-to-exceed basis of \$110,000.

Motion by Council Member Neu, second by Council Member Cowan to authorize the City Manager to execute the contract not to exceed a cost of \$110,000 and continue to search for alternative companies who can provide this service at a lower price. Motion carried with the following vote:

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

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

1. None

CITY MANAGER REPORT: None

INFORMATION ONLY

ADJOURNMENT: Mayor Pro-Tem Fridae adjourned the meeting at 8:50 p.m. in memory of Holden Philbrook, the son of a colleague who was killed in a motorcycle accident in North Carolina.

Cecilia Aguiar-Curry, MAYOR

ATTEST:

Nanci G. Mills, City Clerk



TO: Honorable Mayor and Council Members
DATE: July 21, 2015
THROUGH: John W. Donlevy, Jr., City Manager 
FROM: Alan L. Mitchell, City Engineer
SUBJECT: **APPROVAL AND ADOPTION OF QUALITY ASSURANCE PROGRAM (QAP)
FOR FEDERAL-AID TRANSPORTATION PROJECTS**

RECOMMENDATION: It is recommended that the City Council approve and adopt Resolution No. 2015-34, a Resolution of the City Council of the City of Winters, which approves the City of Winters Quality Assurance Program (QAP) – 2015 and authorizes the City Engineer to sign the document.

BACKGROUND: A Quality Assurance Program (QAP) describes sampling and testing procedures to ensure that the materials and workmanship incorporated into a transportation construction project are in conformance with the contract specifications. A QAP should be updated as needed, and at least once every five years. The City's current QAP was adopted on May 18, 2010.

Staff has taken a sample QAP provided by Caltrans and modified it slightly. Caltrans District 3 Local Assistance Engineers have reviewed the document and deemed it adequate. Council authorization for the City Engineer to sign the document is requested, as the QAP must be approved by a CA Registered Engineer.

ALTERNATIVES: None recommended by staff.

FISCAL IMPACT: No immediate financial or policy implications. The costs associated with implementing the QAP are funded with project-specific funds.

ATTACHMENTS: Resolution
QAP

RESOLUTION NO. 2015-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS FOR THE APPROVAL AND ADOPTION OF CITY OF WINTERS QUALITY ASSURANCE PROGRAM (QAP) – 2015, FOR FEDERAL-AID TRANSPORTATION PROJECTS

WHEREAS, the City of Winters is responsible for the maintenance and upgrade of the City's transportation system; and

WHEREAS, the City establishes various projects to maintain and upgrade the City's transportation system; and

WHEREAS, Federal and State Share funds may be used for improvements associated with the various projects; and

WHEREAS, Caltrans requires that every local agency receiving funds for a Federal-aid transportation project must have a Quality Assurance Program (QAP) that describes sampling and testing procedures to ensure that the materials and workmanship incorporated into a construction project are in conformance with the contract specifications; and

WHEREAS, the City prepared the City of Winters Quality Assurance Program (QAP) – 2015 in accordance with State requirements, which must be signed by a CA Registered Engineer.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Winters that Council approved the adoption of the City of Winters Quality Assurance Program (QAP) – 2015.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Winters at a regular meeting held on the 21st day of July, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CECILIA AGUIAR-CURRY, MAYOR

ATTEST:

NANCI G. MILLS, CITY CLERK

CITY OF WINTERS
QUALITY ASSURANCE PROGRAM (QAP) 2015

PURPOSE

The purpose of this Program is to provide assurance that materials incorporated into construction projects are in conformance with contract specifications. This Program should be updated every five years or more frequently if there are changes to testing frequencies or to the tests themselves. To accomplish this purpose, the following terms and definitions will be used:

DEFINITIONS OF TERMS

- Acceptance Testing (AT) – Sampling and testing, or inspection, to determine the degree of compliance with contract requirements.
- Independent Assurance Program (IAP) – Verification that AT is being performed correctly by qualified testers and laboratories.
- Quality Assurance Program (QAP) – A sampling and testing program that will provide assurance that the materials and workmanship incorporated into the construction project are in conformance with the contract specifications. The main elements of a QAP are the AT and IAP.
- Source Inspection – AT of manufactured and prefabricated materials at locations other than the job site, generally at the manufactured location.

APPLICABILITY

This Program shall be used by the City of Winters for all federal-aid transportation projects on the State Highway System (SHS). Its use is mandatory for federal-aid projects and recommended for other City projects.

California Test methods will be used to meet the QAP requirements for projects on the State Highway System (SHS). The following QAP documents are to be used: The California Department of Transportation (Caltrans) Construction Manual and The Caltrans Independent Assurance (IA) Manual.

MATERIALS LABORATORY

The City of Winters will use their own materials laboratory or a private consultant materials laboratory to perform AT on Federal-aid and other designated projects. The materials laboratory shall be under the responsible management of a California Registered Engineer with experience in sampling, inspection, and testing of construction materials. The Engineer shall certify the results of all tests performed by laboratory personnel under the Engineer's supervision. The material laboratory shall contain certified test equipment capable of performing the tests conforming to the provisions of this QAP.

The materials laboratory used shall provide documentation that the laboratory complies with the following procedures:

1. Correlation Testing Program – The materials laboratory shall be a participant in one or more of the following testing programs:
 - a. AASHTO Materials Reference Laboratory (AMRL)
 - b. Cement and Concrete Reference Laboratory (CCRL)
 - c. Caltrans' Reference Samples Program (RSP)

2. Certification of Personnel – The materials laboratory shall employ personnel who are certified by one or more of the following:
 - a. Caltrans District Materials Engineer
 - b. Nationally recognized non-Caltrans organizations such as the American Concrete Institute, Asphalt Institute, National Institute of Certification of Engineering Technologies, etc.
 - c. Other recognized organizations approved by the State of California and/or recognized by local governments or private associations.

3. Laboratory and Testing Equipment – The materials laboratory shall only use laboratory and testing equipment that is in good working order. All such equipment shall be calibrated at least once each year. All testing equipment must be calibrated by impartial means using devices of accuracy traceable to the National Institute of Standards and Technology. A decal shall be firmly affixed to each piece of equipment showing the date of the last calibration. All testing equipment calibration decals shall be checked as part of the IAP.

ACCEPTANCE TESTING (AT)

AT will be performed by a materials laboratory certified to perform the required tests. The tests results will be used to ensure that all materials incorporated into the project are in compliance with the contract specifications.

Testing methods will be in accordance with the CT Methods or a nationally recognized standard (i.e., AASHTO, ASTM, etc.) as specified in the contract specifications. If not so specified in the contract specifications, samples shall be taken at the locations and frequencies as shown in Attachment 1, "Acceptance Sampling and Testing Frequencies".

INDEPENDENT ASSURANCE PROGRAM (IAP)

IAP shall be provided by personnel from Caltrans, the City's certified materials laboratory, or consultant's certified materials laboratory. IAP will be used to verify that sampling and testing procedures are being performed properly and that all testing equipment is in good condition and properly calibrated.

IAP personnel shall be certified in all required testing procedures, as part of IAP, and shall not be involved in any aspect of AT.

IAP shall be performed on every type of materials test required for the project. Proficiency tests shall be performed on Sieve Analysis, Sand Equivalent, and Cleanness Value Tests. All other types of IAP shall be witness tests.

Poor correlations between acceptance tester's results and other test results may indicate probable deficiencies with the acceptance sampling and testing procedures. In cases of unresolved discrepancies, a complete review of AT shall be performed by IAP personnel, or an independent materials laboratory chosen by the City. IAP samples and tests are not to be used for determining compliance with contract requirements. Compliance with contract requirements is determined only by AT.

REPORTING ACCEPTANCE TESTING RESULTS

The following are time periods for reporting material test results to the Resident Engineer:

- When the aggregate is sampled at material plants, test results for Sieve Analysis, Sand Equivalent and Cleanness Value should be submitted to the Resident Engineer within 24 hours after sampling.
- When materials are sampled at the job site, test results for compaction and maximum density should be submitted to the Resident Engineer within 24 hours after sampling.
- When soils and aggregates are sampled at the job site:
 - 1) Test results for Sieve Analysis, Sand Equivalent and Cleanness Value should be submitted to the Resident Engineer within 72 hours after sampling.
 - 2) Test results for "R" Value and asphalt concrete extraction should be submitted to the Resident Engineer within 96 hours after sampling.

When sampling products such as Portland Cement Concrete (PCC), cement-treated base (CTB), hot mix asphalt (HMA), and other such materials, the time of such sampling shall be varied with respect to the time of the day insofar as possible, in order to avoid a predictable sampling routine. The reporting of AT results, if not performed by the Resident Engineer's staff, shall be done on an expedited basis such as by electronic mail, fax, or telephone.

TESTING OF MANUFACTURED MATERIALS

During the Design phase of the project, the Project Engineer may submit a "Source Inspection Request" (See Attachment 2) to the City, consultant, or Caltrans for inspection and testing of manufactured and prefabricated materials by their materials laboratory. A list of materials that can be typically accepted on the basis of certificated of compliance during construction is found in Attachment 3, "Construction Materials Accepted by a Certificate of Compliance". All certificates of compliance shall conform to the requirements of the contract specifications (See Attachment 4, "Examples of Vendor's Certificate of Compliance").

Should the City request Caltrans to conduct the source inspection, and the request is accepted, all sampling, testing, and acceptance of manufactured and prefabricated materials will be performed by Caltrans' Office of Materials Engineering and Testing Services.

For Federal-aid projects on the National Highway System (NHS), Caltrans will assist in certifying the materials laboratory and the acceptance samplers and testers. For Federal-aid projects off the NHS, Caltrans may be able to assist in certifying the materials laboratory and the acceptance samplers and testers.

PROJECT CERTIFICATION

Upon completion of a Federal-aid project, a "Materials Certificate" shall be completed by the Resident Engineer. The City shall include a "Materials Certificate" in the Report of Expenditures submitted to the Caltrans District Director, Attention: District Local Assistance Engineer. A copy of the "Materials Certificate" shall also be included in the City's construction records. The Resident Engineer in charge of the construction function for the City shall sign the certificate. All materials incorporated into the work which did not conform to specifications must be explained and justified on the "Materials Certification", including changes by virtue of contract change orders. See Attachment 5 "Example of Materials Certificates Exceptions".

PROCEDURES FOR DISPUTE RESOLUTION

Dispute resolution refers to the process of denial, suspension, revocation, appeals, and reinstatement of an IA person, an acceptance sampler and tester, or a laboratory. If the contractor or member of a private laboratory has a dispute with the City involving a quality assurance item, a manager from the City shall be selected to review the dispute. The Resident Engineer and/or IA person and the party in dispute will submit his/her substantiating paperwork to the City management person, within 10 days after requested to do so. In some cases, one or more meetings may be needed to resolve disputes. Within a 30-day period, the City management person should try to resolve the dispute, based on the evidence presented. Appeals by the contractor, Resident Engineer, the IA person, or acceptance sampler and tester may be made after the final decision by the City management person. The person making the appeal should be directed to contact the District Local Assistance Engineer no more than 14 days after receiving written notice of the final decision by the local agency management person. The District Local Assistance Engineer will head up the appeal process. Again, evidence will be presented and a final decision should be made within 30 days after receipt of the appeal.

RECORDS

All material records of samples and tests, material releases and certificates of compliance for the construction project shall be incorporated into the Resident Engineer's project file. If a Federal-aid project:

- The files shall be organized as described in Section 16.8 "Project Files" of the Local Assistance Procedures Manual.
- It is recommended that the complete project file be available at a single location for inspection by Caltrans and Federal Highway Administration (FHWA) personnel.

- The project files shall be available for at least three years following the date of the final project voucher.
- The use of a "Log Summary," (Attachment 6), facilitates reviews of material sampling and testing by Caltrans and FHWA, and assists the Resident Engineer in tracking the frequency of testing.

When two or more projects are being furnished identical materials simultaneously from the same plant, it is not necessary to take separate samples or perform separate tests for each project; however, copies of the test reports are to be provided for each of the projects to complete the records.

APPROVED BY: Alan L. Mitchell
(Signature)

52598 12/31/16
(CE# and Expiration Date)

NAME: Alan L. Mitchell

DATE: July 7, 2015

TITLE: City Engineer



Attachment 1 - Acceptance Sampling and Testing Frequencies

Note: It may be desirable to sample and store some materials. If warranted, testing can be performed at a later date.

Portland Cement (Hydraulic Cement)

Materials to be Sampled or Tested	Sample Size	Sampling/Testing Frequency	Typical Test Methods	Description or Comments
Cement/fly ash (Sampling only)	8-lb. sample	If possible, take a least one sample per job, even if the material is accepted based on a Certificate of Compliance.	ASTM D75, C494, CT 125, AASHTO T127, M85, M295	Standard for sampling hydraulic cement or fly ash.
Cement (Testing Only)	8-lb. sample	If the product is accepted based on a Certificate of Compliance, testing is not required. If the product is not accepted using a Certificate of Compliance, test at least once per job.	ASTM C109, CT 515, AASHTO T106	If testing appears warranted, fabricate six 2-in. mortar cubes using the Portland (or hydraulic cement). Test for compressive strength.

Portl and Cement Concrete (Hydraulic Cement Concrete)

Materials to be Sampled or Tested	Sample Size	Sampling/Testing Frequency	Typical Test Methods	Description or Comments
Aggregate for Hydraulic Cement Concrete (Sampling & Testing)	50-lb. sample	Take one aggregate sample for each 1000 cu. yd. of PCC/HCC concrete. Test at least one sample per job.	ASTM D75, CT 125, AASHTO M6, T2, M80	Sample aggregate from belt or hopper (random basis).
Water (Sampling & Testing)	Take a two-quart sample using a clean plastic jug (with lining) and sealed lid. Sample at the point of use.	If the water is clean with no record of chlorides or sulfates greater than 1%, no testing is required. If the water is dirty do not use it. Test only when the chloride or sulfates are suspected to be greater than 1%.	CT 405, CT 422, CT 417, AASHTO R23	If testing appears warranted, test for chlorides and sulfates.



Attachment 1 (continued)

Portland Cement Concrete (Hydraulic Cement Concrete) – Continued

Materials to be Sampled or Tested	Sample Size	Sampling/Testing Frequency	Typical Test Methods	Description of Comments
Air Entraining Admixtures (Sampling & Testing)	Take a one-quart sample using a clean, lined can or plastic bottle, if liquid. If powder, take a 2.5 lb. sample.	If the product is accepted based on a Certificate of Compliance, testing is not required. Take one sample per job. Prior to sampling, check with Caltrans (METS) for acceptable brands and dosage rates.	ASTM C233 AASHTO M154, T157, C260	If testing appears warranted, test for sulfates and chlorides. Admixtures with sulfates and chlorides greater than 1% should not be used.
Water Reducers or Set Retarders (Sampling & Testing)	If liquid, take a 1-qt. sample using a clean plastic can. If powder, take a 2.5 lb. sample.	If the product is accepted based on a Certificate of Compliance, no testing is required. If not, test once per job. Prior to using this product, please check with Caltrans (METS) for acceptable brands and dosage rates.	ASTM C494 AASHTO M194	If testing appears warranted, test for sulfates and chlorides. Admixtures with sulfates and chlorides greater than 1% should not be used.
Freshly-Mixed Concrete (Sampling)	Approx. 150lb. (or 1 cu. ft.) near mixer discharge.	When tests are required, take at least one sample for each 500 to 1000 cu. yd. of PCC/HCC.	ASTM C172, C685 CT 539 AASHTO T141, M157	This describes a method to sample freshly-mixed concrete.
Freshly-Mixed Concrete (Testing)	Approx. 150 lb/ (or 1 cu. ft.) near mixer discharge.	On projects with 500 cu. yd., or more, test at least one sample per job.	ASTM C143 AASHTO T119	This test determines the slump of the freshly-mixed concrete.
Freshly-Mixed Concrete (Testing)	Approx. 150 lb/ (or 1 cu. ft.) near mixer discharge	On projects with 500 cu. yd., or more, test at least one sample per job.	ASTM C360 CT 533	This test determines the ball penetration of the freshly-mixed concrete.
Freshly-Mixed Concrete (Testing)	Approx. 150 lb/ (or 1 cu. ft.) near mixer discharge	On projects with 500 cu. yd., or more, test at least one sample per job.	ASTM C231 CT 504 AASHTO T152	This test determines the air content of freshly-mixed concrete (pressure method).
Freshly-Mixed Concrete (Testing)	Approx. 150 lb/ (or 1 cu. ft.) near mixer discharge	On projects with 500 cu. yd., or more, test at least one sample per job.	ASTM C138 CT 518 AASHTO T121	This test determines the unit weight of freshly mixed concrete.



Attachment 1 (continued)

Portland Cement Concrete (Hydraulic Cement Concrete) – Continued

Materials to be Sampled or Tested	Sample Size	Sampling/Testing Frequency	Typical Test Methods	Description or Comments
Freshly-Mixed Concrete (Testing)	Approx. 150 lb/ (or 1 cu. ft.) near mixer discharge	Fabricate at least two concrete cylinders per project. Test for compressive strength at least once for each 500 to 1,000 cu. yd. of structural concrete.	ASTM C39 CT 521 AASHTO T22	This test is used to fabricate 6" x 12" concrete cylinders. Compressive strengths are determined, when needed.
Freshly-Mixed Concrete (Testing)	Approximately 210 lb. of concrete are needed to fabricate three concrete beams.	One sample set for every 500 to 1,000 cu. yd. of concrete.	ASTM C78 CT 31 AASHTO T97 & T23	This test is used to determine the flexural strength of simple concrete beams in third-point loading

Soils and Aggregates

Materials to be Sampled or Tested	Sample Size	Sampling/Testing Frequency	Typical Test Methods	Description or Comments
Aggregate (Sampling)	One 50-lb. sample	Take one sample for every 500 to 1,000 tons of materials. Test at least one sample per project.	ASTM D75 CT 125 AASHTO T2	This test describes the procedures to sample aggregate from the belt or hopper (random basis).
Fine Aggregates (Testing)	One 50-lb. sample	Take one sample for every 500 to 1,000 tons of materials. Test at least one sample per project.	ASTM C128 CT 208 AASHTO T84	This test determines the apparent specific gravity of fine aggregates for bituminous mixes, cement treated bases and aggregate bases.
Fine Aggregate (Testing)	One 50-lb. sample	Take one sample for every 500 to 1,000 tons of materials. Test at least one sample per project.	ASTM C128 CT 207 AASHTO T84	This test determines the bulk specific gravity (SSD) and the absorption of material passing the No. 4 sieve.
Coarse Aggregate (Testing)	One 50-lb. sample	Take one sample for every 500 to 1,000 tons of materials. Test at least one sample per project.	CT 206	This test determines the cleanness of coarse aggregate.



Attachment 1 (continued)

Soils and Aggregates - Continued

Materials to be Sampled or Tested	Sample Size	Sampling/Testing Frequency	Typical Test Methods	Description or Comments
Coarse Aggregate (Testing)	One 50-lb. sample	Take one sample for every 500 to 1,000 tons of materials. Test at least one sample per project.	ASTM C127 CT 227 AASHTO T85	This test determines the specific gravity and absorption of coarse aggregate (material retained on the No. 4 sieve).
Soils and Aggregates (Testing)	One 50-lb. sample	Take one sample for every 500 to 1,000 tons of materials. Test at least one sample per project.	ASTM C136 CT 202 AASHTO T27	This test determines the gradation of soils and aggregates by sieve analysis.
Soils and Aggregates (Testing)	One 50-lb. sample	Take one sample for every 500 to 1,000 tons of materials. Test at least one sample per project.	ASTM D2419 CT 217 AASHTO T176	This test determines the Sand Equivalent of soils and aggregates.
Soils and Aggregates (Testing)	One 50-lb. sample	Take one sample for every 500 to 1,000 tons of materials. Test at least one sample per project.	ASTM C117 AASHTO T11	This test determines the gradation for materials finer than the No. 200 sieve (by washing method).
Soils and Aggregates (Testing)	One 50-lb. sample	Take one sample for every 500 to 1,000 tons of materials. Test at least one sample per project.	ASTM D3744 CT 229 AASHTO T210	This test determines the Durability Index of soils and aggregates.
Soils and Aggregates (Testing)	One 50-lb. sample	Take one sample for every 500 to 1,000 tons of materials. Test at least one sample per project.	ASTM D2844 CT 301 AASHTO T190	This test determines the Resistance Value (R-) and expansion pressure of compacted materials.
Soils and Aggregates (Testing)	One random location for every 2,500 sq. ft.	Take one sample for every 500 to 1,000 tons of materials. Test at least one sample per project.	ASTM D2922 CT 231 AASHTO T238	This test determines field densities using the nuclear gage.
Soils and Aggregates (Testing)	One random location for every 2,500 sq. ft.	Take one sample for every 500 to 1,000 tons of materials. Test at least one sample per project.	ASTM D3017 CT 231 AASHTO T239	This test determines the water content using the nuclear gage.



Attachment 1 (continued)

Materials to be Sampled or Tested	Sample Size	Sampling/Testing Frequency	Typical Test Methods	Description or Comments
Asphalt Binder (Sampling)	One 0.5-gal. sample placed in a clean, sealed can.	Sample once per job at the asphalt concrete plant.	CT 125 ASTM D 979 AASHTO T 168. T48	This procedure describes the proper method to sample the asphalt binder.
Asphalt Binder (Testing)	One 0.5-gal. sample placed in a clean, sealed can.	Sample once per job at the asphalt concrete plant.	ASTM D92, D117 AASHTO T 48	This test determines the flash point of the asphalt binder (by Cleveland open cup).
Asphalt Binder (Testing)	One 0.5-gal. sample placed in a clean, sealed can.	Obtain one sample at the asphalt concrete plant for each 1,000 tons of asphalt concrete placed.	ASTM D2872 & D92 CT 346 AASHTO T240 & T48	This test determines the rolling thin-film oven test (RTFO).
Asphalt Binder (Testing)	One 0.5-gal. sample placed in a clean, sealed can.	Obtain one sample at the asphalt concrete plant for each 1,000 tons of asphalt concrete placed.	ASTM D2042 AASHTO T44	This test determines the solubility of asphalt material in trichloroethylene.
Asphalt Binder (Testing)	One 0.5-gal. sample placed in a clean, sealed can.	Obtain one sample at the asphalt concrete plant for each 1,000 tons of asphalt concrete placed.	ASTM D2171 AASHTO T202	This test determines the dynamic viscosity, (absolute viscosity of asphalt @ 140 degrees F by the Vacuum Capillary Viscometer Poises).
Asphalt Binder (Testing)	One 0.5-gal. sample placed in a clean, sealed can.	Obtain one sample at the asphalt concrete plant for each 1,000 tons of asphalt concrete placed.	ASTM D5 AASHTO T49	This test determines the penetration of bituminous material @ 77 degrees F and percentage of original penetration from the residue.
Asphalt Binder (Testing)	One 0.5-gal. sample placed in a clean, sealed can.	Obtain one sample at the asphalt concrete plant for each 1,000 tons of asphalt concrete placed.	ASTM D113 AASHTO T51	This test determines the ductility of asphalt @ 77 degrees F.
Asphalt Binder (Testing)	One 0.5-gal. sample placed in a clean, sealed can.	Obtain one sample at the asphalt concrete plant for each 1,000 tons of asphalt concrete placed.	ASTM D2170 AASHTO T201	This test determines the kinematic viscosity of asphalt @275 degrees F (Centistoke).



Attachment 1 (continued)

Asphalt Binder - Continued

Materials to be Sampled or Tested	Sample Size	Sampling/Testing Frequency	Typical Test Methods	Description or Comments
Asphalt Binder (Testing)	One 0.5-gal. sample placed in a clean, sealed can.	Obtain one sample at the asphalt concrete plant for each 1,000 tons of asphalt concrete placed.	ASTM D2171 AASHTO T202	This test determines the dynamic viscosity. (absolute viscosity of asphalt @ 140 degrees F by the Vacuum Capillary Viscometer Poises).
Asphalt Binder (Testing)	One 0.5-gal. sample placed in a clean, sealed can.	Obtain one sample at the asphalt concrete plant for each 1,000 tons of asphalt concrete placed.	ASTM D336 AASHTO T53	This test determines the softening point of asphalt.

Asphalt Emulsified

Materials to be Sampled or Tested	Sample Size	Sampling/Testing Frequency	Typical Test Methods	Description or Comments
Emulsified Asphalt (Sampling)	One 0.5-gal. sample placed in a clean, sealed can.	Obtain one sample at the asphalt concrete plant for each 1,000 tons of asphalt concrete placed.	ASTM D140, D979 CT 12.5 AASHTO T 40, T168	This test describes the procedure to sample the emulsified asphalt.
Emulsified Asphalt (Testing)	One 0.5-gal. sample placed in a clean, sealed can.	Obtain one sample at the asphalt concrete plant for each 1,000 tons of asphalt concrete placed.	ASTM D244 AASHTO T59	This test determines the sieve retention of emulsified asphalt.
Emulsified Asphalt (Testing)	One 0.5-gal. sample placed in a clean, sealed can.	Obtain one sample at the asphalt concrete plant for each 1,000 tons of asphalt concrete placed.	ASTM D244 AASHTO T59	This test determines the weight per gallon of emulsified asphalt.
Emulsified Asphalt (Testing)	One 0.5-gal. sample placed in a clean, sealed can.	Obtain one sample at the asphalt concrete plant for each 1,000 tons of asphalt concrete placed.	ASTM D244 AASHTO T59	This test determines the penetration of the emulsified asphalt.
Emulsified Asphalt (Testing)	One 0.5-gal. sample placed in a clean, sealed can.	Obtain one sample at the asphalt concrete plant for each 1,000 tons of asphalt concrete placed.	ASTM D244 CT 330 AASHTO T59	This test determines the residue @ 325 degrees F evaporation of emulsified asphalt.



Attachment 1 (continued)

Asphalt Emulsified - Continued

Materials to be Sampled or Tested	Sample Size	Sampling/Testing Frequency	Typical Test Methods	Description or Comments
Emulsified Asphalt (Testing)	One 0.5-gal. sample placed in a clean, sealed can.	Obtain one sample at the asphalt concrete plant for each 1,000 tons of asphalt concrete placed.	ASTM D4402 AASHTO T201	This test determines the Brookfield viscosity.
Emulsified Asphalt (Testing)	One 0.5-gal. sample placed in a clean, sealed can.	Obtain one sample at the asphalt concrete plant for each 1,000 tons of asphalt concrete placed.	ASTM D88 AASHTO T72	This test determines the Saybolt-Furoi viscosity of emulsified asphalt @ 77 degrees F (seconds).

Hot Mix Asphalt (Asphalt Concrete) – Concrete

Materials to be Sampled or Tested	Sample Size	Sampling/Testing Frequency	Typical Test Methods	Description or Comments
Asphalt Concrete (Sampling)	Obtain one 30-lb. sample each day of production	Obtain one sample at the asphalt concrete plant for each 5,000 tons of asphalt concrete placed.	ASTM D75, D140, D979 CT 125 AASHTO T 40, T168	This test describes the procedure to sample the asphalt concrete.
Asphalt Concrete (Testing)	4" x 8" cores	Take one 4" x 8" core for every 500 ft of paved roadway.	ASTM D1188, D1560, D1561, D5361 CT 304 AASHTO T246, T247	This test determines the field density of street samples.
Asphalt Concrete (Testing)	Obtain one 30-lb. sample for each day of production	Obtain one sample for every five cores taken.	ASTM D1188, D1560, D1561, D5361 CT 304 AASHTO T246, T247	This test determines the laboratory density and relative compaction of asphalt concrete.
Asphalt Concrete (Testing)	4" x 8" cores	Obtain one sample for every five cores taken.	ASTM D2726, D1188, D5361	This test determines the specific gravity of compacted bituminous mixture dense-graded or non-absorptive.



Attachment 1 (continued)

Hot Mix Asphalt (Asphalt Concrete) –Continued

Materials to be Sampled or Tested	Sample Size	Sampling/Testing Frequency	Typical Test Methods	Description or Comments
Asphalt Concrete (Testing)	One 30-lb sample	Obtain one sample for every 1,000 tons of asphalt concrete.	ASTM D1559 AASHTO T245	This test determines the resistance to plastic flow of prepared mixes as determined by the Marshall Method.
Asphalt Concrete (Testing)	One 30-lb sample	Obtain one sample for every 1,000 tons of asphalt concrete.	ASTM C117, D2172 (use Method B) AASHTO T164	This test determines the screen analysis of aggregates recovered from asphalt materials.
Geotextile Fabric (Placed Under the Asphalt Concrete) (Testing)	One 12 ft. x 3 ft. sample	Obtain one sample per job.	ASTM D4632 AASHTO M288	This test determines the weight per sq. yd. and grabs strength of geotextile fabrics.
Asphalt Concrete (Testing)	Sample any test location (random basis)	Obtain one sample for every 1,000 tons of asphalt concrete.	ASTM D2950 CT 375	This test determines the nuclear field density of in-place asphalt concrete.
Asphalt Concrete (Testing)	One 10-lb sample	Obtain one sample during every day of production.	ASTM D1560, D1561 CT 366 AASHTO T246, T247	This test determines the stability value of asphalt concrete.
Slurry Seals (Sample)	One 0.5 gal. sample in a clean, dry plastic container.	Obtain one sample per truck	ASTM D979 CT 125 AASHTO T 40, T168	This test describes the procedure for sampling the slurry seal.
Aggregate for Slurry Seals (Testing)	One 30-lb. sample.	Obtain at least one sample per project from the belt or hopper or stockpile and test for Sand Equivalent	ASTM D2419 CT 217 AASHTO T176	This test determines the Sand Equivalent of aggregates.



Attachment 1 (continued)

Slurry Seals

Materials to be Sampled or Tested	Sample Size	Sampling/Testing Frequency	Typical Test Methods	Description or Comments
Aggregate for Slurry Seals (Testing)	One 30-lb. sample.	Obtain at least one sample per project from the belt, hopper, or stockpile and test for sieve analysis of fine sand.	ASTM C117 AASHTO T11	This test determines the sieve analysis of fine sand (gradation of materials finer than No. 200 sieve by wash grading).
Slurry Seals (Testing)	One 0.5 gal. sample in a clean, dry plastic container.	Test one sample per project and test for Abrasion.	ASTM D3910	This test determines the Wet Track Abrasion Test (2) (WTAT).

Steel

Materials to be Sampled or Tested	Sample Size	Sampling/Testing Frequency	Typical Test Methods	Description or Comments
Steel Strand (Testing)	Sample strand at various sizes.	This item may be accepted using a Certificate of Compliance. Sample and test at least two steel strands per job when a Certificate of Compliance is not used.	ASTM A370, A416, E328 AASHTO T244	This test determines the tensile strength of uncoated seven-wire stress-relieved strand for pre-stressed concrete.
Steel Rebar (Testing)	Sample rebar at various sizes.	This item may be accepted using a Certificate of Compliance. Sample and test at least two steel rebar per job when a Certificate of Compliance is not used.	ASTM A615, A370 AASHTO T244	This test determines the steel reinforcement bar tensile strength and bend capability.

ATTACHMENT 2 – Source Inspection Request

**Source Inspection Request
From the City of Winters to
CALTRANS' District Local Assistant Engineer**

June 1, 2015

**To: Caltrans' District Local Assistant Engineer
Caltrans Local Assistance Office
703 B Street, PO Box 911
Marysville, CA 95901**

Federal Project Number: _____

Project Description: _____

Project Location: _____

Subject: We are requesting that Caltrans provide Source Inspection (reimbursed) services for the above mentioned project. We understand that we are responsible for paying for this service provided by the State. Listed below are the materials for which we are requesting Caltrans' Source Inspection (reimbursed) services.

Materials that will require source inspection: _____

Justification for request: (Based on the requirements in Section 16.14 under "Source Inspection")

Any questions you might have about materials should be directed to:

_____, at _____

Approved:

District Local Assistance Engineer

Alan L. Mitchell

(Date)

City Engineer



Attachment 3 - Construction Materials Accepted by a Certificate of Compliance *

Soil Amendment
Fiber
Mulch
Stabilizing Emulsion
Plastic Pipe
Lime
Reinforcing Steel
Structural Timber and Lumber
Treated Timber and Lumber
Timber and Lumber
Culvert and Drainage Pipe Joints
Reinforced Concrete Pipe
Corrugated Steel Pipe and Corrugated Steel Pipe Arches
Structural Metal Plate Pipe Arches and Pipe Arches
Perforated Steel Pipe
Polyvinyl Chloride Pipe and Polyethylene Tubing
Steel Entrance Tapers, Pipe Down drains, Reducers, Coupling Bands and Slip Joints
Aluminum Pipe (Entrance Tapers, Arches, Pipe Down drains, Reducers, Coupling Bands and Slip Joints)
Metal Target Plates
Electrical Conductors
Portland Cement
Minor Concrete
Waterstop

* If Caltrans Standard Specifications May 2006 is part of contract specifications.

Note: Usually these items are inspected at the site of manufacture or fabrication and reinspected after delivery to the job site.



Attachment 4 - Example of a Vendor's Certificate of Compliance

No. 583408

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
VENDOR'S CERTIFICATE OF COMPLIANCE
 MR-0543 (REV. 5/83) PCT-7541-6020-2

PRECAST CONCRETE PRODUCTS OR **SOUNDWALL**

TO: **BILL SYNDER**
 STATE HIGHWAY ENGINEER
RESIDENT ENGINEER - CITY OF FLATLAND

We certify that the portland cement, chemical and mineral admixtures contained in the material described below are brands stated and comply with specifications for:

CONTRACT NUMBER:	
CEMENT BRAND XYZ CEMENT CO.	MILL LOCATION MIDLAND, CALIFORNIA
CHEMICAL ADMIXTURE	
1. BRAND ABC ADMIXTURE	MANUFACTURER XYZ SUPPLIER
TYPE WATER REDUCER	
2. BRAND	MANUFACTURER
TYPE	
<input type="checkbox"/> CHECK BOX IF A CHEMICAL ADMIXTURE WAS NOT USED	
MINERAL ADMIXTURE	
MANUFACTURER POZZ. INC.	CLASS F
<input type="checkbox"/> CHECK BOX IF A MINERAL ADMIXTURE WAS NOT USED	
DELIVERY DATE 7/7/07	DATES OF FABRICATION (Precast)

LIST PRODUCTS TO WHICH CERTIFICATE APPLIES. (Show size and in. n. of pipe, etc. delivery slip numbers for ready mix.)

Portland Cement
Flyash
Water Reducer

MANUFACTURER OF CONCRETE PRODUCTS
A. & B. READY MIX

By: AUTHORIZED REPRESENTATIVE SIGNATURE
Joe Anderson

FM 03 (8/97) Original to Rec. Engr. Retains Duplicates. OSP 01 55624



**Attachment 4 - Example of a Certificate of Compliance for
Portland Cement (continued)**

This is to certify that the

Portland Cement

Supplied by ABC Cement Company complies with all
requirements for Type II Portland Cement when tested in
accordance with ASTM C - 494.

Local Agency Project No.

HP21L - 5055 - 111

Albert Howakowa

Quality Assurance Engineer
ABC Cement Company

Date: 07/07/07



**Attachment 5 - Materials Certificates/Exceptions
 (Signed by the Resident Engineer at the Completion
 of the Project)**

Federal-aid Project No.: _____

Subject: Materials Certification

This is to certify that the results of the tests on acceptance samples indicate that the materials incorporated in the construction work and the construction operations controlled by sampling

and testing were in conformity with the approved plans and specifications.

All materials exceptions to the plans and specifications on this project are noted below.

No exceptions were found to the plans and specifications on this project.

 Resident Engineer (Print Name)

 Resident Engineer (Signature)

 (Date)

Note: The signed original of this certificate is placed in the Resident Engineer's project files and one copy is mailed to the DLAE and filed under "Report of Expenditures."

See the attachment (next page)



Attachment 5 (continued)

Attachments: Materials Exceptions (Acceptance Testing)

Type of Test	Description of Work	Total Tests Performed On the Project	Number of Failed Tests	Action Taken
Slump Test	Concrete Sidewalk	8	1	When the measured slump exceeded the maximum limit, the entire concrete load was rejected.
Sand Equivalent	Aggregate for Structural Concrete	10	1	The tested S.E. was 70 and the contract compliance specification was 71 minimum. However, the concrete 28-day compressive strength was 4800 psi. The concrete was considered adequate and no materials deductions were taken.
Compaction	Sub grade Material	12	1	One failed test was noted. The failed area was watered and reworked. When this was completed, a retest was performed. The retest was acceptable.
Compaction	Hot Mix Asphalt	12	1	One failed area was noted. It was reworked and retested. The second test met specifications.

 Resident Engineer (Print Name)

 Resident Engineer (Signature)

 Date



Attachment 6 - Example of a Log Summary Sheet

Subgrade Materials

Date	CT	Station	Elevation	Test Results	Minimum Spec.	Passed or Failed	Action Taken
5/15/07	231	1+ 00 (30' L)	99.00	93	90 or greater	Passed	N/A
5/16/07	231	1+ 50 (20' R)	100.50	94	90 or greater	Passed	N/A
5/17/07	231	2+ 25 (25' R)	101.00	96	90 or greater	Passed	N/A
5/18/07	231	1+ 50 (30' L)	101.50	95	95 or greater	Passed	N/A
5/19/07	231	2+ 50 (20' L)	102.00	92 *	95 or greater	Failed	See Note 1
5/19/07	231	2+ 50 (20' L)	102.00	95	95 or greater	Passed	N/A

CT 231 = Compaction (Nuclear Gage)

* Note 1: The Contractor used a water tank to dampen the soil surface at the failed subgrade location. Using a sheep's foot compactor, he reworked the subgrade (making at least 10 passes) from Station 2+ 00 to Station 3+ 00. After approximately 30 minutes, another compaction test was taken. This time the relative compaction was 95.

Aggregates and Base Materials

Date	CT	Station	Elevation	Test Results	Minimum Spec.	Passed or Failed	Action Taken
6/20/07	202	1+ 00 (10' R)	102.50	See data sheet	See data sheet	Passed	N/A
6/20/07	202	2+ 00 (20' L)	102.50	See data sheet	See data sheet	Passed	N/A
6/22/07	217	1+ 00 (10' R)	102.50	75	25 or greater	Passed	N/A
6/22/07	217	2+ 00 (20' L)	102.50	83	25 or greater	Passed	N/A
6/20/07	227	1+ 00 (20' R)	102.50	86	71 or greater	Passed	N/A
6/20/07	227	1+ 50 (20' L)	102.50	85	71 or greater	Passed	N/A
6/24/07	231	2+ 00 (20' R)	102.50	98	95 or greater	Passed	N/A
6/24/07	231	2+ 50 (20' L)	102.50	97	95 or greater	Passed	N/A

CT 202 = Sieve Analysis, CT 217 = Sand Equivalent, CT 227 = Cleanness Value,
 CT 231 = Compaction (Nuclear Gage)



Attachment 6 (continued)

Hot Mix Asphalt

Date	CT	Station	Elevation	Test Results	Minimum Spec.	Passed or Failed	Action Taken
7/10/07	339	1+ 00 (10' R)	103.00 0.	08 gal/ sq yd	0.05 -0.10 gal/sq yd	Passed	N/A
7/10/07	366	2+ 00 (20' L)	103.00	32	>23	Passed	N/A
7/10/07	366	1+ 00 (10' R)	103.00	41	>23	Passed	N/A
7/10/07	375	2+ 00 (20' L)	103.00	94	RC = 93 to 97	Passed	N/A
7/15/07	375	1+ 00 (20' R)	103.00	96	RC = 93 to 97	Passed	N/A
7/15/07	375	1+ 50 (20' L)	103.00	95	RC = 93 to 97	Passed	N/A

CT 339 = Distributor Spread Rate, CT 366 = Stabilometer Value
 CT 375 = In-Place Density & Relative Compaction

Portland Cement Concrete

Date	CT	Station	Elevation	Test Results	Minimum Spec.	Passed or Failed	Action Taken
9/25/07	504	10 + 50 (50' R)	102.50 6.	5%	>6.0%	Passed	N/A
9/25/07	533	12 + 50 (50' R)	102.50 1.	5"	<2"	Passed	N/A
9/25/07	518	11 + 50 (50' R)	102.50	151 lb/cu ft	> 145 lb/cu ft	Passed	N/A
9/25/07	521	10 + 50 (50' R)	102.50	28 day = 4200 psi	>3800 psi	Passed	N/A
9/28/07	521	11 + 50 (50' R)	102.50	28 day = 4290 psi	>3800 psi	Passed	N/A
9/30/07	521	12 + 50 (50' R)	102.50	28 day = 4160 psi	>3800 psi	Passed	N/A

CT 504 = Air Content, CT 518 = Unit Weight, CT 521 = Compressive Strength,
 CT 533 = Ball Penetration



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Council Members
DATE: July 21, 2015
THROUGH: John W. Donlevy, Jr., City Manager *JWD*
FROM: Dan Maguire, Economic Development and Housing Manager *DM*
SUBJECT: Authorize City Manager to file a Notice of Completion for the Construction Services Agreement with Solano Construction for Demolition of the building and property at 314 Railroad Avenue and 318 Railroad Avenue for the Downtown Hotel Project (APN #s 003 204 005 & 003 204 006)

RECOMMENDATIONS:

1) Receive the report from staff recommending the filing of a Notice of Completion for the Construction Services Contract with Solano Construction for Demolition Services of City-owned buildings at 314 & 318 Railroad Avenue (formerly known as JJ's and Cody's) for the Downtown Hotel project, and 2) Authorize the City Manager to execute a Notice of Completion for the contract with Solano Construction for the Construction Services Agreement, and have said Notice of Completion recorded with the Yolo County Recorder's Office.

BACKGROUND:

As part of the City's Development Agreement with AKM Railroad LLC for the Downtown Hotel project, the City is required to provide a "clean site" as a condition of the sale of the property. The buildings at 314 & 318 Railroad needed to be demolished as part of the City's obligation under the Development Agreement. At the April 7, 2015 Council meeting, the City Council authorized the City Manager to execute a contract with Solano Construction as the low responsive bidder for the building demolition and concrete removal. The work outlined in the agreement has been completed.

FISCAL IMPACTS:

Total contract cost is not to exceed \$25,695.00.

ATTACHMENTS:

Notice of Completion

Recording Requested by:

CITY OF WINTERS

And when recorded mail to:

Nanci G. Mills, City Clerk
318 First Street
Winters, CA 95694

Space above this line for Recorder's Use

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

- I. The undersigned is an owner of the following interest or estate in the hereinafter described real property, the nature of which estate or interest is X fee simple, _____ purchaser under contract, _____ lessee, or _____ the following other interest: _____
- II. The full name and address of the owner and of any and all co-owners is/are: _____
 The City of Winters, 318 First Street, Winters, CA 95694
- III. The nature of the title of the undersigned is: City Manager
- IV. The full names and complete addresses of all persons, if any, who hold title with the undersigned as joint Co-owner's Name(s) and Complete Address

- V. The names of the predecessors in interest of the undersigned, if the property was transferred subsequent to the commencement of the work of improvement herein referred to, include, but are not limited to the following individuals:

Co-owner's Name(s)	Co-owner's Complete Address
_____	_____
_____	_____
- VI. On June 18, 2015 , there was completed upon the real property the following work of improvement: Demolition of two buildings on City-owned parcels at 314 & 318 Railroad Avenue in Winters California and clearing the sites of all debris
- VII. The name of the original contractor, if any, for the work of improvement was: _____
 Solano Construction.

VIII. The kind of work done or finished and accepted by the City of Winters as complete was:
The buildings demolished and removal of all debris within the site

IX. The property on which the work of improvement was completed is in the City of Winters, County of Yolo, State of California, and is described as follows: The buildings at 314 and 318 Railroad Avenue in Winters, California (APN #s 003 204 005 & 003 204 006).

X. The street address of the said property is: 314 & 318 Railroad Avenue, Winters, CA 95694.

Dated this 9th day of July, 2015.

(Owner's Signature)

John W. Donlevy, Jr.
(Owner's Typed or Printed Name)

VERIFICATION

I the undersigned, say:

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct:

(Date and Place)

Nanci G. Mills, City Clerk

This form is the notice of completion that a property owner may record to limit the time in which mechanics' liens may be recorded against a construction project (refer to Civil Code Section 3093.) For this purpose, an owner is the person who causes a building, improvement, or structure to be completed, modified, or fixed, whether the interest or estate is in fee, as a vendee under contract or purchase, as lessee, or other interest or estate less than fee. If the interest is held by two or more persons as joint tenants or tenants in common, any one or more of the cotenants may be deemed to be the owner. (Civil Code Section 3092(g), 3093.) **This form is for use with a private work of improvement only, and is not intended for public sector application.**

If the owner records the notice within the applicable time period, the original contractor has sixty (60) days from the day the notice is recorded to record a claim of lien against the project (Civil Code Section 3115(b)); and all other persons who furnished labor, services, equipment, or materials must record their liens within thirty (30) days after the notice of completion is recorded (Civil Code Section 31.) Otherwise, all persons who furnished labor, services, equipment, or materials have ninety (90) days after completion of the work of improvement in which to record their liens (Civil Code Sections 3115, 3116.)

The owner must record the notice in the office of the County Recorder of the county where the site is located within ten (10) days after the work of improvement is completed (Civil Code Section 3093.) This applies equally to the project which is completed in phases. A notice of completion must be filed within ten (10) days after the completion of each phase of the project to shield the owner properly (Civil Code Section 3117.)



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers
DATE: July 21, 2015
THROUGH: John W. Donlevy, Jr., City Manager *[Signature]*
FROM: Nanci Mills, Director of Administrative Services/City Clerk *[Signature]*
SUBJECT: Approval of Consulting Services Agreement with Boost Preschool Intervention Program

RECOMMENDATION: Staff recommends that the Council authorize the City Manager to enter into a Consulting Services Agreement with Boost Preschool Intervention Program in a form as prepared and approved by the City Attorney, to provide intervention services in the four preschools in the City of Winters as described in the attached scope of work, in an amount not to exceed \$16,400, and subject to receipt of donations in an amount sufficient to cover the contract amount.

BACKGROUND: The owners of the Tree House preschool in Winters established a new intervention program for local preschools called Boost. Last year, members of the Boost team came to the City Council to discuss the possibility of partnering with the City to provide intervention services at the local preschools to provide children attending the preschools assistance in developing social, language, motor, behavior and learning skills. The City Council expressed support for this concept, and encouraged the members of Boost to further develop this program. The members of Boost have secured commitments for donations to the City of at least \$20,000 to fund the Boost program. Now that this funding has been secured, City staff is recommending that the Council authorize the City Manager enter into an agreement with the Tree House, d/b/a Boost, a Preschool Intervention Program (“Boost”), to provide the intervention services program to local preschools.

DISCUSSION: Once the City receives the donations to fund the proposed Boost Program, the City would enter into a consulting services agreement with Boost to provide services within the four Winters area preschools as described in the attached scope of services. The City would fund this program out of the received donations, and to the extent that future grants or donations were received, the program could be expanded or extended, if determined to be appropriate by the City

Council.

FISCAL IMPACT: There is no fiscal impact from this action, as the funding for this program will come solely from private donations.

Exhibit A: Proposed Scope of Work for Boost Program

Boost

A Preschool Intervention Program

Business Model

The Boost team is made up of Cheryl Moore MA ECE (preschool education specialist), Janet Andersen, PT (a physical therapist) and Ravi Tumber (our public relations director). Our Boost teacher is Destiny Collado.

Boost will provide services for the four preschools in Winters (The Tree House, Winters Parent Nursery School, The State Preschool and the Yolo Housing YCMA preschool), Winters Elementary School and Esparto Elementary School.

Boost is collaborating with the City of Winters as the accounting entity. In addition, Boost is collaborating with: Beta Alpha Beta, Winters Joint Unified School District, Esparto Elementary School, Yolo Children's Alliance, Yolo Child Care services, RISE, the Yolo County Library, the YES team, Winters Education Foundation, Winters PTA, the four preschools in Winters and other community members interested in early childhood development. We have in place an initial funding source and we are continuing to seek funding from a combination of collaborators and private funding sources.

Scope of Work

Boost will provide services for all preschool children in Winters. The Boost team will provide a dynamic assessment for each preschool program collaborating with the preschool directors and teachers. The Boost teacher will then provide three hours of assistance biweekly in each program during the WJUSD calendar to work with all of the children in each program and provide support to the preschool directors. The teacher will integrate themselves into the play in order to most effectively teach the children social, language, motor, behavior and learning skills to give all preschool children in the Winters community a boost. Cheryl and Janet will also provide three hours of support weekly into the various programs to support the directors as well as train and support the teacher. In addition to this direct intervention, parents will receive direction in avenues to access additional care as needed, and education and support for parenting their unique child.

Budget

revised 7-14-15

Monthly Costs (August - May) \$1640/mo

staff: Janet PT 3 hours/week \$360/mo

Cheryl MS ECE 3 hours/week \$360/mo

Boost teacher 12 hours/ week \$720/mo

classroom supplies/office supplies/insurance: \$200/mo

Total Cost

\$16,400/year



TO: Honorable Mayor and Council Members
DATE: July 21, 2015
THROUGH: John W. Donlevy, Jr., City Manager 
FROM: Heidi Tschudin, Project Manager
SUBJECT: Winters PG&E Gas Operations Technical Training Center (GOTTC or Training Center) Project

SUMMARY OF JULY 7, 2015 COUNCIL MEETING

On July 7, 2015 the City Council held a public hearing on this project. After receiving a presentation from staff on the project and the staff report packet, the Council opened the public hearing. There were three speakers, all representatives of the applicant, expressing support for the project. The Council closed the hearing and deliberated the merits of the project.

The Council discussed the following items:

- 1) Building design, in particular the treatment of the roof edge for the Learning Center.
- 2) Condition 26 related to noise monitoring and reporting.
- 3) Condition 67 related to utilities.
- 4) Condition 90 related to bus stop design standards.
- 5) Condition 111 related to native grass seed.

The Council voted unanimously (Anderson recused) to take the following actions:

- 1) Introduce and waive first reading of Ordinance No. 2015-02 and 2015-03

- 2) Direct that City staff return at the July 21 regular council meeting with the intent to adopt staff recommendation as set forth in the staff report, with the following changes:
 - a. Removal of the 15 foot trail easement across the McClish remainder parcel as set forth on the parcel map attached to the July 7, 2015 packet.
 - b. Add reference to "fiber" in Condition 67.
 - c. Add reference to "compliance with the bus stop design standards of the Yolo County Transportation District" in Condition 90.
 - d. Add reference to "perennial" native grasses in Condition 111.

Attachment A provides the final conditions of approval in compliance with this direction. Staff notes that the same change made to Condition 111 is also applicable to Conditions 18 and 105 and has been included in Attachment A.

RECOMMENDED CITY COUNCIL ACTION

Please note the attachment references below are from the July 7, 2015 staff report packet:

1. Adopt Resolution No. 2015-27 certifying the Final Environmental Impact Report (SCG #2014032005) based on Findings of Fact (see Planning Commission [PC] Staff Report Attachment 4, Final EIR including Draft EIR; and PC Staff Report Attachment 6 Resolution Certifying the Final EIR)
2. Adopt Resolution No. 2015-28 amending the Land Use Diagram of the Winters General Plan as follows (see Attachment C, Approval Resolution, and PC Staff Report Attachment 8, General Plan Amendment):
 - a) Parcel-specific Land Use Diagram amendment to change 11.5 +/- acres (Jordan: 038-070-028 Lot 3 portion, -029, -030, -031; -032, and City ROW) from Highway Service Commercial (HSC) to PQP
 - b) Parcel-specific Land Use Diagram amendment to change 18.0 +/- acres (McClish: 038-070-038, -039 Lot 3 portion, and 0.8 +/- acres of City ROW) from BIP to PQP
 - c) Parcel-specific Land Use Diagram amendment to change approximately 0.2 acre (Jordan: 038-070-28 Lot B portion) from HSC to Open Space (OS) and 7.7 +/- acres (McClish: 038-070-37 Lot A portion and 038-070-39 Lot B portion) from BIP to OS
 - d) Parcel-specific Land Use Diagram amendment to change approximately 0.1 acre (McClish) from BIP to City right-of-way

3. Adopt Resolution No. 2015-28 finding the proposed construction of the storm water channel consistent with General Plan Policy VI.D.1 related to the City's requirement for a 100-foot open space buffer along Putah Creek (see Attachment C, Approval Resolution).
4. Adopt Resolution No. 2015-28 amending the 2008 Storm Drainage Master Plan as follows (see Attachment C, Approval Resolution):
 - a) Delete Water Quality Detention Ponds #3 and #4 and replace with one private storm water detention pond on approximately 1.6 acres in the southeastern corner of the project site.
 - b) Move the conceptual alignment of the Putah Creek Diversion Channel south of SR 128, approximately 325 feet to 485 feet east of the currently approved alignment (as shown on revised Figure 5 adopted 2012) through McClish APN 038-070-037 and 038-070-039) (see PC Staff Report Attachment 9, Revised Storm Drain Master Plan Figure 5, Channel Location).
5. Waive the second reading and adopt Ordinance No. 2015-02 changing the official Zoning Map by changing the zoning classification for the project site Business/Industrial Park (B-P) and Highway Service Commercial (C-H) to Public Quasi Public as follows (see PC Staff Report Attachment 10, Zoning Amendment Ordinance and PC Staff Report Attachment 11, Zoning Amendment):
 - a) Parcel-specific rezoning to change approximately 11.5 acres (Jordan: 038-070-028 Lot 3 portion, -029, -030, -031; -032) from Highway Service Commercial (C-H) to PQP
 - b) Parcel-specific rezoning to change approximately 18.0 acres (McClish: 038-070-038, -039 Lot 3 portion) from BIP to PQP
 - c) Parcel-specific rezoning to change approximately 0.2 acre (Jordan: 038-070-28 Lot B portion) from C-H to OS and approximately 7.7 acres (McClish: 038-070-37 Lot A portion and 038-070-39 Lot B portion) from BIP to OS
 - d) Parcel-specific rezoning to change approximately 0.1 acre (McClish) from BIP to City right-of-way
6. Waive the second reading and adopt Ordinance No. 2015-02 amending Sections 17.08.060, 17.52, and 17.72 of the Winters Municipal Code (Zoning) as follows (see PC Staff Report Attachment 10, Zoning Amendment Ordinance):

a) 17.08 – Use Classifications

Amend Section 17.08.060 to add the following text:

O. Vocational Training Facility. “Vocational Training Facility” means a public or private school offering specialized trade and commercial courses for the purpose of technical, vocational or occupational training. These schools typically involve workshops, laboratories, or similar facilities, as well as outdoor instruction and outdoor storage. This classification includes specialized non-degree-granting schools offering such subjects as: professional driving schools for commercial licenses, operation of construction equipment, crane certification, welding, woodworking or material fabrication, and engineering and/or automotive design and/or repair.

b) 17.52 – Land Use Regulations: Zoning Matrix

Amend Section 17.52.020 to add Vocational Training Facility as a conditional use in the PQP district to the land use matrix.

c) 17.72 – Off-Street Parking and Loading

Amend Section 17.72.020, Table 6 relating to Off-Street Parking Requirements (i.e., off-street spaces required) to add the Vocational Training Facility land use in alphabetical order under Public and Quasi Public Uses subject to use permit.

7. Adopt Resolution No. 2015-28 approving a Conditional Use Permit (CUP) for operation of a vocational training school in PQP zone district; subject to conditions of approval (see Attachment C, Approval Resolution and Attachment A, Final Conditions of Approval).
8. Adopt Resolution No. 2015-28 approving the Site Plan/Design Review pursuant to Sections 17.36.020 and 17.80.010 of the City Zoning Ordinance and consistent with the Grant Avenue Design Guidelines subject to conditions of approval (see Attachment C, Approval Resolution and Attachment A, Final Conditions of Approval).
9. Adopt Resolution No. 2015-28 tentatively approving a Parcel Map to subdivide the McClish parcel into three private lots (Lot 1, Lot 2, and Lot 3), vacating public right-of-way and a 60-foot public utility easement, offering to dedicate to the City, in fee, two public lots (Lot A and Lot B), offering to dedicate to the City a 35-foot public utility easement, offering to dedicate to the City a 35-foot emergency vehicle access easement, offering to dedicate to the City a 15-foot trail easement, and offering to dedicate to the City a 12-foot wide sidewalk easement along Grant Avenue (see Attachment C, Approval Resolution and PC Staff Report Attachment 13, Parcel Map).
10. Waive the second reading and adopt Ordinance No. 2015-03 approving the Development Agreement (see PC Staff Report Attachment 14)

11. Authorize the Mayor to enter into a Public Improvement and Maintenance Agreement to provide for construction and dedication to the City of required public improvements with authorization to the City Attorney to make minor modifications/clarification to the agreement as may be necessary for execution (see PC Staff Report Attachment 15).
12. Direct staff to name the public street extension One PG&E Way and name the north/south trail segment McClish Trail.

ATTACHMENTS

The documentation below was provided to the Council in the prior packet for the July 7, 2015 hearing. For this reason only the documents that were revised since that time are attached.

- A) Final Conditions of Approval (attached)
- B) Resolution 2015-27, Resolution Certifying the Final EIR (provided In July 7, 2015 packet)
- C) Resolution 2015-28, Approval Resolution (attached)
- D) Ordinance 2015-02, Zoning Amendment (provided in July 7, 2015 packet)
- E) Ordinance 2015-03, Development Agreement (provided in July 7, 2015 packet)

Winters PG&E Gas Operations Technical Training Center (GOTTC) Project
Final CONDITIONS OF APPROVAL
July 21, 2015

GENERAL

1. In the event any claim, action or proceeding is commenced naming the City or its agents, officers, and employees as defendant, respondent or cross defendant arising or alleged to arise from the City's approval of this project, the project Applicant shall defend, indemnify, and hold harmless the City or its agents, officers and employees, from liability, damages, penalties, costs or expense in any such claim, action, or proceeding to attach, set aside, void, or annul an approval of the City of Winters, the Winters Planning Commission, any advisory agency to the City, or the Winters City Council. Project Applicant shall defend such action at Applicant's sole cost and expense which includes court costs and attorney fees. The City shall promptly notify the Applicant of any such claim, action, or proceeding and shall cooperate fully in the defense. Nothing in this condition shall be construed to prohibit the City of Winters from participating in the defense of any claim, action, or proceeding, if City bears its own attorney fees and cost, and defends the action in good faith. Applicant shall not be required to pay or perform any settlement unless the Applicant in good faith approves the settlement, and the settlement imposes no direct or indirect cost on the City of Winters, or its agents, officers, and employees, the Winters Planning commission, any advisory agency to the City, local district and the City Council.
2. Applicant shall pay all applicable taxes, fees, and charges at the rate and amount in effect at the time of such taxes, fees, and charges become due and payable.
3. Applicant shall pay all development impact fees adopted by the City Council at the rate in effect at the time of building permit issuance and shall pay fees required by the Development Agreement.
4. All conditions identified herein (including all adopted mitigation measures) shall be fully satisfied prior to issuance of an occupancy permit, unless otherwise stated.

COMMUNITY DEVELOPMENT

5. The project is as described in the June 11, 2015 Planning Commission staff report. The project shall be constructed in substantial conformance with the plans and exhibits included in the June 11, 2015 Planning Commission staff report, except as modified by these conditions of approval. Substantive modifications to the approved plans will require a new public hearing and Planning Commission approval. This approval does not include approval of the design for the future building which must be reviewed and approved by the Planning Commission, or the design for the utility village structures which must be reviewed and approved by staff.
6. The future uses (future building and future Commercial Driver License training area) shall be subject to all applicable permits, approvals, design review, and fees prior to each respective use commencing. Proposed design for the future building will require Planning Commission

approval. Proposed design for the Commercial Driver License training area will require approval of the Community Development Director.

7. All of the mitigation measures and implementation requirements of the final approved Mitigation Monitoring and Reporting Program (attached) shall be undertaken
8. Prior to submitting for a building permit the Applicant shall address the following to the satisfaction of the City:
 - a. Roofing material for the trash enclosure shall match the other project roofing material.
 - b. Identify on the site plan parking for 21 bicycles as required by Section 17.72.080(B) of the Zoning Ordinance. Type of rack subject to approval by the City
 - c. Revise the sidewalk directly in front of the parking spaces closest to East Grant Avenue by widening it two (2) feet allowing the length of the parking spaces to be reduced to 17 feet. The length of the parking spaces closest to Timbercrest Road shall also be reduced to 17 feet and the landscaped area shall be widened to 26 feet. Wheel stops shall not be permitted in the parking lot. Spaces longer than 19 feet shall be located adjacent to Timbercrest Road.
 - d. Add a wainscot to the west elevation of the M&C Center, which faces the parking lot and Timbercrest Road, and the umber colored portion of the south elevation visible from I-505.
 - e. Add dimension to the north-facing Learning Center building façade by off-setting a portion of the building.
 - f. Design the column spacing for the sound wall to be approximately 80 feet apart. Columns to be faced with a different masonry material than the main wall.
 - g. Submit samples of the masonry wall block and column veneer for approval by the Community Development Department.
 - h. Note on the elevations that all solid (roll up and person) doors shall be painted to match the adjacent surface color.
 - i. Note on the plans that all rooftop venting shall be painted to match the roof color
9. Construction activities may only occur from 7:00 am to 7:00 pm Monday through Friday (holidays excluded) in compliance with the City's Noise Ordinance. Job site signage with 24-hour contact information for noise complaints shall be provided.
10. Landscaping plans shall be modified as necessary to utilize native and drought tolerant plant species (especially valley oaks) and drip irrigation (General Plan policies IV.B.12 and VI.C.7), subject to City review and approval.
11. Construction-related dust shall be minimized. Dust control measures shall be specified and included as requirements of the contractor(s) during all phases of construction of this project (General Plan Policy VI.E.6):

- a. Grading shall not occur when average wind speeds exceed 20 MPH over a one hour period.
 - b. Construction vehicle speed on unpaved roads shall not exceed 15 MPH.
 - c. Construction equipment and engines shall be properly maintained.
 - d. If air quality standards are exceeded in May through October, the construction schedule will be arranged to minimize the number of vehicles and equipment operating at the same time.
 - e. Construction practices will minimize vehicle idling.
 - f. Potentially windblown materials will be watered or covered.
 - g. Construction areas and streets will be wet swept.
12. Street trees shall be planted along East Grant Avenue and both sides of Timbercrest, in accordance with the City's Street Tree Plan and Standards (General Plan Policy VIII.D.2). All trees shall be of a type on the approved street tree list and shall be a minimum of fifteen (15) gallons in size with a mature tree canopy of at least a thirty (30)-foot diameter within five (5) years. The intent is that majestic street tree species that create large canopies at maturity will be required in all streetside landscape strips. The goal is create maximum shade canopy over streets and sidewalks.
13. A permanent mechanism for the ongoing maintenance of street trees is required, to the satisfaction of the City Manager and City Finance Director (General Plan Policy VIII.D.4).
14. All lighting including street lighting, shall be designed, installed, and maintained to minimize excess light spillage, unnecessary brightness and glare, and degradation of night sky clarity (General Plan Policy VIII.D.7).
15. Applicant shall be responsible for any additional costs associated with the processing of this project including but not limited to: plan check, inspections, materials testing, construction and mitigation monitoring, and other staff review and/or oversight including staff time necessary to ensure completion/satisfaction of all conditions of approval and mitigation measures. The Applicant shall, on a monthly basis, reimburse the City for all such costs.
16. Applicant has agreed to provide emergency responder training such that local emergency responder could more effectively respond to natural gas emergencies, including at the project site.
17. Prior to occupancy, applicant shall complete an evacuation plan that has been reviewed and commented on by local emergency responders.
18. The future building pad area shall be maintained with perennial native grasses and other necessary best practices to preclude run-off and soil erosion and ensure dust control, until such time as future development occurs.
19. Applicant shall coordinate with the Yolo Solano Air Quality Management District (YSAQMD) regarding any necessary permitting to control on-site emissions associated with proposed operations.
20. Prior to issuance of grading permit, provide evidence of payment for loss of Swainson's hawk foraging land (Mitigation Measure 4.4-1b).

21. Roof mounted equipment must be shielded on all sides behind the proposed roof parapet and shall not be visible from the ground level. All ground-level equipment shall be fully screened by enclosures and/or landscaping (excluding the compressed air receiver tanks as shown on the plans).
22. Required on-site planting areas must be permanently maintained. "Maintained" includes watering, weeding, pruning, insect control, and replacement of plant materials and irrigation equipment as needed to preserve the health and appearance of plant materials for a period at least five years from installation.
23. Landscaping of parking lots shall provide for 50 percent tree canopy coverage or shading of the entire lot within 15 years of tree installation.
24. Applicant shall coordinate with the City to advertise and promote hiring opportunities for local businesses and residents to fill jobs and provide services at the Training Center.
25. Within six (6) months of the approval of the project, PG&E and City shall enter into a Memorandum of Understanding (MOU) outlining procedures for notification regarding outside operations which are conducted on a Sunday or holiday. The MOU will be brought forward to the Council for final authorization to execute.
26. After three years of operation and within the subsequent six-month period, the Applicant shall submit to the City a noise monitoring report that provides monitoring of noise at the site during all of the various noise-generating activities to document compliance with the City's noise requirements and regulations. This report shall be prepared by a qualified professional and the scope of work shall be subject to City approval prior to commencement. The Applicant shall take any necessary steps to ensure compliance. The report shall also document and provide descriptive information regarding instances in which the following has occurred during the three-year period so that the City can correlate this information to any complaints that may have been received: exterior activities after 7:00pm, on Sundays, or on federal holidays. The results of the report shall be provided to the Planning Commission.
27. Deleted.
28. Applicant shall endeavor to work collaboratively with the local high school and Solano College to promote vocational curriculum.
29. The applicant shall submit for approval of the Community Development the location and height of the flagpole.
30. The new road shall be identified in all final plans and submittals as One PG&E Way. The north/south trail segment adjoining the drainage channel shall be identified as McClish Trail.
31. Applicant desires to relocate the City's SCADA antennae from the sewer lift station. Applicant shall coordinate the relocation with the City's Public Works Department and shall bear all costs. The City shall approve the new antennae location, equipment, and appurtenances. Applicant shall maintain continuous communication on the SCADA system

and get approval from the City on any disruption for transfer to the new antennae. No other modifications to the lift station are approved without further action by the City.

32. Deleted.

FIRE SUPPRESSION

33. FIRE HYDRANTS:

- a. Applicant shall install one or more fire hydrants pursuant to City of Winters Public Works Department Improvement Standards. The number and location of the fire hydrants shall be determined by the Fire Chief. The installation of the fire hydrants shall comply with the specifications of the City of Winters Engineering Design and Construction Standards. Prior to hydrant approval, the water system shall be flushed to remove foreign matter in the system. All unfinished installation water mains or their appendages or openings shall be covered in such a manner that foreign matter does not enter the water system.
- b. All water lines and fire hydrant systems must be approved by the Fire Chief and operating prior to any combustibles being placed on the site. Prior to issuance of building permits, water flow must be measured and certified for adequacy by the Fire Chief. The following minimum water flows, with 20-PSI residual pressure, shall be acceptable unless otherwise determined due to the type of construction material used.

<u>Development Category</u>	<u>Gallons Per Min (gpm)</u>
Single-Family Residential	1,500
Multi-Family Residential	1,500
Central Business District	2,000
Industrial and Other Business Districts	3,000

- d. Other habitable buildings can require up to 3,500 gpm maximum, and will be reviewed on a case-by-case basis by the Fire Chief.
- e. In other areas where there are existing water system deficiencies, new development will be required to install all on-site water system improvements necessary to achieve the above fire-flow rate, however, the Fire Chief may waive full compliance with these standards until existing water system deficiencies are corrected.

34. The Fire Chief shall be supplied with three sets of plans for any installation of any fire hydrant system in the City of Winters. Plans are to reflect all aspects of the installation, including but not limited to the size of the City of Winters water main and the type and elevation of the fire hydrant.

35. All final plans for fire hydrant systems and private water mains supplying a fire hydrant system shall be submitted to the Fire Chief for approval prior to construction of the system. All fire protection systems and appurtenances thereto shall be subject to such periodic tests as required by the Fire Chief.

36. Any fire hydrant installed will require, in addition to the blue reflector noted in Standard Drawings, an additional blue reflector and glue kit that is to be supplied to the Winters Fire Department for replacement purposes.
37. All construction shall conform to the most current Uniform Fire Codes, the Winters Fire Prevention Code, and section of the National Fire Codes that the Winters Fire Chief or his/her agent may find necessary to apply.
38. Any new roads capable of supporting a 75,000 pound fire apparatus must be installed and paved prior to any building construction taking place on those roads. Temporary roads may be allowed, but must be approved by the Winters Fire Chief and the City Engineer.
39. Forty-eight hour advance notice shall be given to the Winters Fire Department prior to requests for site inspections during the construction period.
40. Applicant shall contact the Fire Chief prior to beginning construction for a pre-construction meeting.
41. All required fire accesses that are to be locked should be locked with a system that is approved by the Fire Chief.
42. All food cooking operations that produce grease-laden vapors shall be protected with a UL300 fire suppression system.
43. Emergency fire apparatus shall be provided to within 150 feet of all sides of all buildings.
44. Vegetation within three feet of a fire hydrant shall be maintained at a maximum height of six inches.
45. Turning radiuses within the development shall be of a standard in effect at the time of improvement plans submittal, jointly agreed to by the City Engineer and Fire Chief.
46. All structures shall have fire suppression systems meeting or exceeding NFPA 13 and local Fire Department standards. All structures shall have fire alarm systems meeting or exceeding the National Fire Alarm Code and local Fire Department standards.
47. Applicant shall submit three sets of plans for each fire suppression sprinkler system to the Fire Department for review and approval prior to the issuance of each building permit.
48. Water laterals shall be appropriately sized to accommodate sufficient water flows for fire suppression sprinkler systems.
49. Applicant may be required to install individual fire department connections for each building; the Fire Chief shall make this determination. Each fire department connection shall be installed with a Knox-box approved by the Fire Chief and locking hardware for all control valves.
50. All address numbering shall be clearly visible from East Grant Avenue. All buildings shall be identified by either four (4) inch high illuminated numbers or six (6) inch non-illuminated numbers on contrasting colors. Each building will have its own distinct numbering. Address

numbering including that for individual apartment units shall be completed by a committee comprised of the Community Development Department, the Winters Fire Department, the Police Department, and the U.S. Postal Service.

51. Vehicle access gates shall provide a minimum 20-foot wide opening. All gates shall have a Knox box or other means to allow for emergency vehicle access.

POLICE

52. Security lighting with motion sensors or acceptable alternative shall be provided at entry points into the main buildings.
53. A plan for on-site motion activated surveillance cameras shall be submitted for approval by the police department and implemented by the applicant.
54. Parking lot shall have security gates to prevent use during non-operating hours and adequate lighting to discourage illegal activity.

ENGINEERING AND PUBLIC WORKS

General

55. Improvement plans shall be prepared for all improvements within the public right-of-way, for approval by the City Engineer. Improvements that will be owned and maintained by the City (streets, utilities, drainage channel, etc.) shall be on a separate set of civil plans from the on-site (private) improvements.
56. All work within the public right-of-way or easement shall comply with the City of Winters Public Works Improvement Standards and Construction Specifications, subject to the approval of the City Engineer
57. Proposed improvements, including but not limited to, grading, streets, utilities, and landscape have not been reviewed in detail and are not approved at this time. The City Engineer shall review the improvement plans for conformance with applicable codes, standards, and these Conditions of Approval. The Applicant shall revise and resubmit the improvement plans based upon comments provided by the City Engineer.
58. An encroachment permit from Caltrans is required for all work performed in the State right-of-way along East Grant Avenue (Hwy. 128) and I-505.
59. All perimeter parcels and open space shall be protected against surface runoff from project, in a manner acceptable to the City Engineer.
60. Landscaping and irrigation plans shall be prepared by a licensed landscape architect, and included as part of the improvement plans and/or site plans. These plans shall be subject to review and approval by the City. The improvement plans shall include landscaping and automatic irrigation for the project frontage along East Grant Avenue, along the sound wall, the project frontage along I-505, along the west and east sides of Timbercrest, and in the triangle landscaped area south of the Timbercrest cul-de-sac. The landscape architect shall

review and revise the landscaping plans, subject to City review and approval, to ensure full compliance with the State Landscape Model Water efficiency Ordinance, the Governor's executive orders, and recent emergency regulations related to water conservation.

61. Decorative LED lights shall be installed along the frontage of East Grant Avenue between the Class 1 path and the street, with the approval of the City and Caltrans. The City is currently working with Caltrans on approval of the standard base, pole and luminaire.
62. Applicant shall provide refuse enclosure detail showing bin locations and recycling facilities to the approval of the Public Works and Community Development Departments.
63. Grading shall be done in accordance with a grading plan prepared by the Applicant's civil engineer and approved by the City Engineer. The amount of earth moved shall not exceed that specified in the approved grading plan. All grading work shall be performed in one continuous operation. The grading plans shall be included in the improvement plans. If a separate Grading Permit is desired, the plans shall be submitted for review and approval to the Building Official with a permit application.
64. At the time of making the survey for the development, the engineer or surveyor shall set sufficient durable monuments to conform to the standards described in Section 8771 of the Business and Professions Code. All monuments necessary to establish the exterior boundaries of the project shall be set or referenced prior to final acceptance of project.
65. A soils and geotechnical report has been submitted. The improvement plans shall be approved and signed by the geotechnical engineer prior to approval by the City.
66. Joint trench/utility/composite plans shall be submitted to the City Engineer for review, prior to approval of improvement plans. Applicant shall provide design and construction for conduit and boxes suitable for broadband internet service within the joint trench. The conduit shall be coordinated with all other utilities and shown on the joint trench composite plans. The conduit and boxes are to be constructed with the joint trench and completed before certificate of occupancy is issued.
67. All existing and proposed utilities (eg. electric, phone/data, cable, fiber) within 100 feet of the project boundary shall be installed underground per the subdivision ordinance and shall meet the policies, ordinances, and programs of the City of Winters and the utility providers. If relocation of existing facilities is deemed necessary, the Applicant shall perform the relocation, at the Applicant's expense unless otherwise provided for through a reimbursement agreement. All public utility standards for public easements shall apply.
68. A SWPPP shall be included with the improvement plans, to be approved by the City Engineer. The project shall require a National Pollution Discharge Elimination System (NPDES) construction permit. Post construction Best Management Practices (BMPs) shall be identified on improvement plans.
69. Applicant/owner of the property shall annex into the City-Wide Maintenance Assessment District in order to maintain and provide for the future needs of parks, open spaces, street lighting, landscaping and other related aspects and impacts from new development. Applicant shall fulfill this condition prior to or concurrent with issuance of occupancy permit

70. Occupancy of the Training Center shall not occur until necessary off-site improvements (water, sewer, streets, signal, etc.) as determined by the City have been accepted by the City, the City has approved as-built drawings, and a Certificate of Occupancy has been issued by the Building Official.
71. Applicant shall obtain all required City permits (building, encroachment (City and State) for work within the public right-of-way, etc.) and pay all applicable fees (building, impact, encroachment, etc.).
72. Applicant shall enter into a Public Improvement and Maintenance Agreement with the City.
73. Applicant shall be responsible to comply with all permitting requirements from federal, state, or other local agencies.
74. Landscaped slopes along streets shall not exceed 5:1; exceptions shall require approval of the City Engineer. Level areas having a minimum width of two (2) feet shall be required at the toe and top of said slopes.
75. Conform to County Health regulations and requirements for the abandonment of septic tanks and water wells. Existing wells on the project shall be evaluated for use for operational dust control and/or abandoned as necessary.
76. Existing public and private facilities damaged during the course of construction shall be repaired by the Applicant at his/her sole expense, to the satisfaction of the City Engineer.
77. Applicant shall pay fair share costs for the benefiting use of the existing sewer collection system, pump station, and water system existing on the Jordan and McClish properties that were advance funded and constructed by City.
78. Applicant shall pay fair share costs for the benefiting use of the existing traffic signal and road improvements at Grant and Matsumoto that were advance funded and constructed by City.
79. Applicant shall provide \$200,000 to the City and/or local volunteer groups for native landscaping and other recreational improvements (which may include bench seating, trash receptacles, interpretive signage, trail directional signage, etc.) within the channel corridor and Putah Creek open space buffer proposed for dedication to the City adjacent to the existing riparian edge of the Putah Creek corridor. This condition satisfies the portion of Mitigation Measure 4.1-2 that requires "additional native landscaping throughout the entire east/west segment consistent with the City's open space goals and the creek master plan."
80. Applicant shall submit a detailed landscaping, irrigation, lighting, and fencing, plan to City for review and approval prior to approval of the improvement plans. Details for the landscaped berms along the project East Grant Avenue frontage and other on-site landscaping shall be subject to review and approval by the City. The Applicant shall install a split-face, capped sound wall along the west, south, and east boundaries of the project consistent with the approved design. The sound wall shall be finished with an anti-graffiti coating.

Traffic

81. Applicant shall incorporate the required traffic mitigation measures into the improvement plans for approval, which are: contribute traffic impact fees, install a traffic signal at Grant and Timbercrest, and modify the existing signal at Matsumoto Lane.
82. Applicant proposes to construct and dedicate (subject to reimbursement from benefitting property owners) to the City for operation and maintenance a signalized extension of Timbercrest Road (which would serve as the main access to the Training Center) south from SR 128 onto a portion of a 1.6-acre right-of-way for operation and maintenance by the City.
83. Applicant will construct an 8-foot wide concrete Class I ped/bike path along the south side of East Grant Avenue from the west side of the East Grant Avenue/Matsumoto Lane intersection to the east side of the McClish property.
84. As an interim improvement, the Applicant will install a minimum 6-foot wide asphalt path across the frontage of the McClish property. The City shall be responsible for acquiring additional right-of-way or easements for the ultimate Class I path from adjacent property owners.
85. Applicant will construct an 8-foot wide concrete Class I ped/bike path along the south side of East Grant Avenue from the west side of the McClish property to the East Grant Avenue/East Main Street intersection (Rabada property frontage) subject to 50 percent reimbursement from Rabada property at the time of future development. The City will require the future property owner to enter into the reimbursement agreement as a condition of that future development. The City will collect the funds and remit to PG&E coincident with the development of the Rabada property. The City will only remit these funds upon receipt from the benefitting property, and in no way will advance or remit from the City's own funds.
86. Timbercrest shall be extended to the south of East Grant Avenue, within the existing 66' right-of-way, with 50' curb to curb width, with 5' separated sidewalk along the east side of Timbercrest up to the entrance for the channel maintenance road on the proposed cul-de-sac. Applicant shall design and install landscaping (shrubs and trees comparable to the east side of Timbercrest labeled "screen buffer planter" on the June 1, 2015 site plan) and irrigation on all sides of Timbercrest between the channel and the back of curb on the west side, and between the sidewalk and the back of curb on the east side, and in triangle area south of the Timbercrest cul-de-sac.
87. Improvements to the East Grant Avenue frontage of the project shall be dimensionally consistent with the cross-section approved in the Complete Streets Concept Plan (Figure 5-2). Additional through lanes, curb and gutter, and raised medians are not a part of this project.
88. Prior to occupancy, the Applicant shall install a traffic signal at Timbercrest and East Grant Avenue, including road widening, turn lanes, curb-returns with ramps on south corners, and modifications to north leg within the existing right-of-way per City and Caltrans requirements.
89. All driveways extending from the property onto the Public right-of-way shall be constructed in accordance with the City's Public Works Improvement Standards and Construction Specifications.

90. Applicant shall construct a transit bus stop off of E Grant Avenue, prior to building occupancy. Bus stop design and construction shall meet the specifications of the Yolo County Transportation District.
91. Applicant shall construct an emergency vehicle access road and gate on the south leg of the existing signalized intersection of East Grant Avenue and Matsumoto Lane, and install traffic signal poles, mast arms, and signal indications for northbound traffic.
92. A signage and striping plan for the public roadways is required and shall be approved by the City Engineer. All striping shall be thermoplastic.

Water

93. A Water System Use analysis was submitted. Improvement plans shall be prepared and include final sizing and location of conveyance facilities, structures, and engineering calculations. The Applicant shall pay the cost associated with all improvements required by the plan. Reference the City of Winters Public Improvements Standards and Construction Standards for additional requirements.
94. Per City of Winters Cross Connection Control Program, all types of commercial buildings and landscape irrigation services are required to maintain an approved backflow prevention assembly, at the Applicant's expense. Service size and flow-rate for the backflow prevention assembly must be submitted. Location of the backflow prevention assembly shall be per the City of Winters Public Improvements Standards and Construction Standards. Prior to the installation of any backflow prevention assembly between the public water system and the owner's facility, the owner or contractor shall make application and receive approval from the City.
95. Applicant shall make all required water connections to the City's existing water system.
96. A hydrant use permit shall be obtained from the Public Works Department for water used in the course of construction.
97. The number and location of the water meters shall be approved by the Public Works Department. The water meters shall comply with the specifications of the City of Winter's Engineering Design and Construction Standards. The Applicant shall also install backflow devices on all domestic and fire service lines in compliance with the specifications of the City of Winters' Engineering Design and Construction Standards. The Applicant shall obtain approval from the Public Works Department on the type, number, and location of the devices.
98. Applicant shall extend an irrigation mainline with backflow preventer along the western edge of the drainage channel right-of-way, for City-use in extending irrigation to planted areas along the west and south of the drainage channel.

Drainage

99. Applicant shall incorporate improvements described in the hydrology report, into the improvement plans for approval.
100. Applicant is responsible for any regulatory permits and fees associated with tying into the existing I-505 drainage channel and outfall.
101. Applicant proposes to construct and dedicate to the City for operation and maintenance a storm drainage channel and parallel maintenance roads on approximately 7.9 acres. The maintenance road closest to the west and south would also serve as a public trail connection to the Putah Creek corridor and as a segment of Upper Putah Creek Trail system.
102. A portion of the project site is within a FEMA-designated special flood hazard area. The proposed drainage channel will convey 100-year flood flows around the project site. Applicant shall be required to coordinate with FEMA through the City's Floodplain Administrator to process a CLOMR and LOMR to remove the project site from the special hazard area.
103. Prior to issuance of a building permit, the Applicant must have an approved LOMR. An approved CLOMR is required prior to any clearing, grading, and filling, installation of streets and/or walkways, underground utilities, foundations or the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

North/South Segment of Storm Drainage Channel

104. Applicant shall design and install the cross section to comply with Exhibit 1 (Section F-F) and Exhibit 2 (Section G-G). This condition satisfies the portion of Mitigation Measure 4.1-2 that requires the Applicant to redesign the north/south segment of the channel.
105. Applicant shall install perennial native grass seed on all exposed surfaces of channel and adjacent landscape areas, as proposed with any initial irrigation necessary to ensure success; after initial 90-day landscape maintenance period City will accept and operate/maintain.
106. Applicant shall install additional landscaping in 2-foot shoulder area adjacent to Applicant's property line along sound wall pursuant to MM 4.1-2. After 90-day landscape maintenance period, if landscaped area is acceptable to the City, the City shall accept and operate/maintain.
107. Applicant shall extend a 10-foot wide asphalt path from the East Grant Avenue Class I ped/bike path to the asphalt path along the east/west storm drainage channel segment.
108. Applicant shall install an irrigation service with meter and backflow device at the existing City water main near the proposed Timbercrest cul-de-sac. Applicant shall extend an irrigation service line, along the west side of the drainage channel right-of-way from the existing City main to the south and north ends of the channel right-of-way.

109. All maintenance roads and/or asphalt paths shall be designed for a 75,000 lbs. vehicle load.

East/West Segment of Drainage Channel

110. Applicant shall design and install the cross section to comply with Exhibit 3 (Section H-H). This condition satisfies the portion of Mitigation Measure 4.1-2 that requires the Applicant to redesign the east/west segment of the channel.
111. Applicant shall install perennial native grass seed on all exposed surfaces of channel and adjacent landscape areas, as proposed with any initial irrigation necessary to ensure success; after initial 90-day landscape maintenance period City will accept and operate/maintain. Seed mix shall be approved by the City.
112. Applicant shall install additional landscaping in shoulder area adjacent to Applicant's property line along sound wall pursuant to MM 4.1-2. After 90-day landscape maintenance period, if landscaped area is acceptable to the City, the City shall accept and operate/maintain.
113. Applicant shall extend the 10-foot asphalt path from the east end of Applicant's property to McClish remainder property line, and connect to the north/south asphalt path.
114. All maintenance roads and/or asphalt paths shall be designed for a 75,000 lbs. vehicle load.

Sanitary Sewer

115. A Sewer Collection System Demand analysis was submitted. Improvement plans shall prepared and include final sizing and location of conveyance facilities, structures, and engineering calculations. The Applicant shall pay the cost associated with all improvements required by the plan. Reference the City of Winters Public Improvements Standards and Construction Standards for additional requirements.
116. The number and location of the sewer cleanouts shall be approved by the Public Works Department. All cleanouts for connection to the City lateral(s) shall be two-way cleanouts. The sewer cleanouts shall comply with the specifications of the City of Winter's Engineering Design and Construction Standards.
117. Applicant shall design and construct an eight-inch gravity sewer main and manholes in Timbercrest Road, per City standards.
118. The existing gravity sewer, force main sewer, and sewer lift station shall not be relocated or abandoned by the Applicant.

Mapping

119. Applicant, on behalf of the owner of the existing McClish property, shall submit a Parcel Map in accordance with the Subdivision Ordinance, Chapter 16.02. The parcel Map shall be in substantial conformance with the Applicant's Exhibit titled Parcel Map, dated June 3, 2015.

120. Closure calculations shall be provided at the time of initial map check submittal. All calculated points within the map shall be based upon one common set of coordinates. All information shown on the map shall be directly verifiable by information shown on the closure calculation print out. The point(s) of beginning shall be clearly defined and all lot acreage shall be shown and verifiable from information shown on the closure calculation print out. Additionally, the square footage of each lot shall be shown on the Parcel Map. Reference the City of Winters Public Improvements Standards and Construction Standards for additional requirements.
121. Applicant shall be responsible for acquisition of all rights of way and/or easements from adjacent property owners, which are required for the construction and maintenance of off-site improvements
122. Applicant shall facilitate, with City cooperation, vacation/abandonment of all City rights-of-way easements and dedications currently held but no longer necessary as determined by the Public Works Department. The vacations/abandonments shall be in substantial conformance with the Applicant's Exhibit titled Separate Mapping Instruments, dated June 3, 2015).
123. Applicant shall facilitate, with City cooperation, dedication of all public easements necessary for City-maintained facilities located outside of City-owned property or the public right-of-way, as determined by the Public Works Department. Dedications shall be in substantial conformance with the Applicant's Exhibit titled PG&E Mapping Items, dated October 29, 2014.
124. As a result of the proposed reconfiguration of parcels, two remainder lots totaling approximately 16.2 acres would be retained by the current owner (McClish with no proposed development or land use approvals at this time.
125. A 10-foot public utility easement along the frontage of East Grant Avenue shall be provided. This falls within the 12-foot sidewalk easement.

Construction

126. Applicant shall contact the City Engineer prior to beginning construction for a pre-construction meeting.
127. A construction notice shall be prepared by the Applicant, at least 2 weeks in advance of construction activities commencing. The notice shall list the proposed activities for the month-ahead, and schedule for the activities, and provide a contact name with address, phone number and email address. The notice shall be submitted to the City for public distribution. A new notice shall be prepared and submitted each month.
128. Deleted.
129. Applicant shall develop and implement a Construction Traffic Management Plan to the satisfaction of the City of Winters Department of Public Works. The plan shall be submitted to the City of Winters Public Works Department and Caltrans for review prior to initiation of site disturbance.

130. Approximately 28,000 cubic yards of soil material will be required for on-site grading. The Applicant proposes to acquire this soil from the onsite acreage proposed for dedication to the City for the drainage channel and open space buffer area (approximately 18,000 cubic yards), as well as the proposed GOTTC's detention basin described below (approximately 10,000 cubic yards). Thus, no soil would be either imported to or exported from the project site. A Grading Permit will be required from the City Building Official.
131. Applicant is required to secure and maintain compliance with the provisions of the General Construction Activity Storm Water Permit adopted by SWRCB in 2009 and amended in 2012 (2009-009-DWQ).

EIR MITIGATION MEASURES

132. Applicant shall implement the EIR mitigation measures pursuant to the Mitigation Monitoring and Reporting Program (see Exhibit 4).
133. **Mitigation Measure 4.1-2:** In coordination with the City, and subject to the approval of the City Engineer and City Planner, the applicant shall redesign the proposed 100-foot channel design to free up adequate space for additional landscaping and irrigation of the sound wall and along the east/west portion of the drainage channel along the Putah Creek corridor. The width of the maintenance roads and channel shall be modified to free up a minimum of two-feet against the proposed sound wall for landscaping and irrigation, and maximize additional area on the south side of the channel for native landscaping, the trail connection, and recreational amenities consistent with the Putah Creek Nature Park Master Plan. One intent of the redesign is to result in a design that would not require future modification of the channel for it to continue to be functional as public open space at such time as the interim channel is abandoned.

The applicant shall design and install the revised channel cross-section and provide a revised landscaping plan that includes additional native landscaping throughout the entire east/west segment consistent with the City's open space goals and the creek master plan. The revised design must include the segment of the Upper Putah Creek trail extending from I-505 west between the channel and Putah Creek (approximately 600 linear feet) and connect north along the channel to intersect with East Grant Avenue. The project applicant shall fund the installation of the described expanded native landscaping, including vines and other landscaping to soften and hide the sound wall. Vegetation near the sound wall shall be selected based on its ability to screen the proposed wall associated with the GOTTC. Vegetation in the area between the drainage channel and existing Putah Creek riparian corridor shall be selected based on ability to provide an appropriate transition from the drainage facility to the existing Putah Creek habitat. Landscaping shall include native vegetation within the redesigned channel and open space area south of the drainage channel. The City of Winters shall review/approve the proposed landscaping prior to implementation.

134. **Mitigation Measure 4.4-1a:** If construction is proposed during breeding season (March-August), the project proponent shall conduct a pre-construction raptor nest survey no less than 30 days prior to the beginning of construction activities by a qualified biologist in order to identify active nests in the project site vicinity. The results of the survey shall be submitted to CDFW and the City of Winters Planning Department.

If no active nests are found during the pre-construction survey, no further mitigation for nesting raptor impacts is required. If active nests are found, a quarter-mile (1,320 feet) initial temporary nest disturbance buffer shall be established by the project proponent. If project-related activities within the temporary nest disturbance buffer are determined to be necessary during the nesting season (approximately March 1 and September 1), then an on-site biologist/monitor experienced with raptor behavior shall be retained by the project proponent to monitor the nest, and shall along with the project proponent, consult with the CDFW to determine the best course of action necessary to avoid nest abandonment or take of individuals.

The buffer distance may be adjusted in consultation with CDFW depending on the behavior of the raptors and construction activity. The designated on-site biologist/monitor shall be on-site daily while construction related activities are taking place and shall have the authority to stop work if raptors are exhibiting agitated behavior. In consultation with CDFW and depending on the behavior of the raptors, over time it may be determined that the on-site biologist/monitor may no longer be necessary due to the raptors' acclimation to construction-related activities.

135. **Mitigation Measure 4.4-1b:** The project applicant shall permanently protect 38 acres of Swainson's hawk foraging habitat by either (1) purchasing a DFW-approved conservation easement of like acreage or (2) paying the requisite mitigation fee to the Yolo Habitat JPA pursuant to the Swainson's Hawk Interim Mitigation Fee Program or purchasing mitigation credits from an approved mitigation credit holder. Purchase of a conservation easement of like acreage or payment of the mitigation fee shall be made to the Yolo Habitat JPA and shall be confirmed by the City prior to the issuance of the first grading permit. This mitigation shall be implemented consistent with any local habitat mitigation program in effect at the time.
136. **Mitigation Measure 4.4-2a:** The project applicant shall implement the following measures to avoid or minimize loss of migratory bird nests:
- a. For construction activities occurring between February 15 and August 31, the project applicant shall retain a qualified biologist to conduct preconstruction surveys for nesting migratory birds (including raptors) and to identify active nests on and within 0.25 mile of the project site. The surveys shall be conducted no more than 14 days before the beginning of ground disturbing activities.
 - b. If active nests are found, the qualified biologist shall determine an adequate buffer for the species and nest by referring to PG&E's the Avian Conservation Strategy (ICF International and H. T. Harvey and Associates, 2013). No project activity shall commence within the buffer area until the qualified biologist confirms that any young have fledged and the nest is no longer active. If this is not feasible, consultation with CDFW or USFWS (depending on species) shall be required. Monitoring of the nest by a qualified biologist shall be required if the activity has potential to adversely affect the nest.

137. **Mitigation Measure 4.4-2b:** The project applicant shall implement the following measures to avoid or minimize impacts to burrowing owl nest sites and foraging habitat.
- a. The project applicant shall retain a qualified biologist to conduct preconstruction surveys on and within 500 feet of the project site no more than 30 days prior to ground-disturbing activities. If no occupied burrows are found in the survey area, a letter report documenting survey methods and findings shall be submitted to CDFW and no further mitigation shall be required.
 - b. If an active burrow is found during the nonbreeding season, (September 1 through January 31), the project applicant shall consult with CDFW regarding protection buffers to be established around the occupied burrow and maintained throughout construction activities.
 - c. If an active burrow is found during the breeding season (February 1 through August 31), occupied burrows shall not be disturbed and shall be provided with a 1,500-foot protective buffer unless a qualified biologist verifies through noninvasive means that either: 1) the birds have not begun egg laying, or 2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. The 1,500-foot buffer may be reduced if a broad-scale, long-term, monitoring program acceptable to CDFW is implemented to ensure burrowing owls are not detrimentally affected. Once the fledglings are capable of independent survival, the owls can be evicted and the burrow can be destroyed per the terms of a CDFW-approved burrowing owl exclusion plan developed by the project proponent.
 - d. If active burrowing owl nests are found on the project site and are destroyed by project implementation, the project applicant shall mitigate the loss of occupied habitat in accordance with guidance provided in the City's Habitat Mitigation Program and the CDFW 2012 Staff Report, which states that permanent impacts to nesting, occupied and satellite burrows, and burrowing owl habitat shall be mitigated such that habitat acreage, number of burrows, and burrowing owls impacted are replaced through permanent conservation of comparable or better habitat with similar vegetation communities and burrowing mammals (e.g., ground squirrels) present to provide for nesting, foraging, wintering, and dispersal. The project applicant shall retain a qualified biologist to develop a burrowing owl mitigation and management plan that incorporates the following goals and standards:
 - i. Mitigation lands shall be selected based on comparison of the habitat lost to the compensatory habitat, including type and structure of habitat, disturbance levels, potential for conflicts with humans, pets, and other wildlife, density of burrowing owls, and relative importance of the habitat to the species range wide.
 - ii. If feasible, mitigation lands shall be provided adjacent or proximate to the project site so that displaced owls can relocate with lowered risk of take. Feasibility of providing mitigation adjacent or proximate to the project site depends on availability of sufficient suitable habitat to support displaced owls that may be preserved in perpetuity.
 - iii. If suitable habitat is not available for conservation adjacent or proximate to the Project site, mitigation lands shall be focused on consolidating and enlarging conservation areas outside of urban and planned growth areas and within foraging distance of other conservation lands. Mitigation may be accomplished through purchase of mitigation credits at a CDFW-approved mitigation bank, if available. If mitigation credits are not available from an approved bank and mitigation lands are not available adjacent to other conservation lands, alternative mitigation sites and acreage shall be determined in consultation with CDFW.

- iv. If mitigation is not available through an approved mitigation bank and shall be completed through permittee-responsible conservation lands, the mitigation plan shall include mitigation objectives, site selection factors, site management roles and responsibilities, vegetation management goals, financial assurances and funding mechanisms, performance standards and success criteria, monitoring and reporting protocols, and adaptive management measures. Success shall be based on the number of adult burrowing owls and pairs using the site and if the numbers are maintained over time. Measures of success shall include site tenacity, number of adult owls present and reproducing, colonization by burrowing owls from elsewhere, changes in distribution, and trends in stressors.

138. Mitigation Measure 4.4-4: The project applicant shall implement the following measures to avoid, minimize, and mitigate impacts on valley elderberry longhorn beetle:

- a. Prior to construction, a minimum setback of at least 20 feet from the dripline of each elderberry plant with stems greater than one-inch diameter at ground level shall be maintained to avoid direct impacts. The buffer area shall be fenced with high visibility construction fencing prior to commencement of ground-disturbing activities and shall be maintained for the duration of construction activities. No seating or impermeable features shall be placed within the 20-foot buffer. Planting of native riparian vegetation may occur within the 20-foot buffer as long as it does not impact the elderberry shrubs.
- b. Prior to construction, erect signs every 50 feet along the edge of the avoidance area with the following information: "This area is habitat for the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines, and imprisonment." The signs should be clearly readable from a distance of 20 feet, and must be maintained for the duration of construction.
- c. Prior to construction, instruct work crews about the status of the beetle and the need to protect the elderberry plant.
- d. Project activities, such as truck traffic or other use of machinery, shall not create excessive dust on the project site, such that the growth or vigor of elderberry shrubs is adversely affected.
- e. Areas that are disturbed temporarily shall be restored to pre-disturbance conditions. Erosion control measures shall be implemented to restore areas disturbed within 100 feet of elderberry shrubs.
- f. Herbaceous vegetation trimming may occur from July through April to reduce fire hazard. No mowing shall occur within five feet of elderberry plant stems. Mowing must be done in a manner that avoids damaging plants (i.e., stripping away bark through careless use of mowing/trimming equipment).
- g. Upon final design of the extension of Upper Putah Creek Trail, a qualified biologist shall review final design plans and construction methods. Should the final design of recreational improvements (i.e. trails) be proposed within the 20-foot buffer, the City shall contact USFWS to determine appropriate conservation measures such that no net loss of elderberry shrubs would occur.

139. Mitigation Measure 4.5-1:

- 1. In the event that any prehistoric or historic-era subsurface archaeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, are discovered during construction or on-site training activities within the equipment training area, all ground-disturbing activity within 100 feet of the resources shall be halted and a qualified professional archaeologist shall be retained by the

project applicant to assess the significance of the find. If the find is determined to be significant by the qualified archaeologist (i.e., because it is determined to constitute either an historical resource or a unique archaeological resource), the archaeologist shall develop appropriate procedures to protect the integrity of the resource and ensure that no additional resources are affected. Procedures could include but would not necessarily be limited to preservation in place, archival research, subsurface testing, or contiguous block unit excavation and data recovery.

2. If the archaeologist determines that some or all of the affected property qualifies as a Native American Cultural Place, including a Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine (Public Resources Code Section 5097.9) or a Native American historic, cultural, or sacred site, that is listed or may be eligible for listing in the California Register of Historical Resources pursuant to Public Resources Code Section 5024.1, including any historic or prehistoric ruins, any burial ground, any archaeological or historic site (Public Resources Code Section 5097.993), the archaeologist shall recommend to the applicant potentially feasible procedures that would preserve the integrity of the site or minimize impacts on it.
3. In accordance with the California Health and Safety Code, if human remains are uncovered during ground-disturbing activities, the contractor shall immediately halt potentially damaging excavation in the area of the burial and notify the County Coroner and a professional archaeologist to determine the nature of the remains. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). Following the coroner's findings, the archaeologist, and the NAHC-designated Most Likely Descendent shall determine the ultimate treatment and disposition of the remains and take appropriate steps to ensure that additional human interments are not disturbed. The responsibilities for acting upon notification of a discovery of Native American human remains are identified in California Public Resources Code Section 5097.94.

140. Mitigation Measure 4.5-2:

1. The project applicant shall retain a qualified paleontologist to conduct an on-site training that will alert all construction personnel and operational staff involved in equipment training about the possibility of encountering fossils. The appearance and types of fossils likely to be seen during construction will be described. Construction personnel shall be trained about the proper notification procedures should fossils be encountered.
2. If paleontological resources are discovered during earthmoving activities, including on-site training activities, the project applicant shall immediately halt operations within 100 feet of the find and notify the applicant. The applicant shall retain a qualified paleontologist for identification and salvage of fossils so that construction delays can be minimized. If large specimens are discovered, the paleontologist shall have the authority to halt or divert grading and construction equipment while the finds are removed. The paleontologist shall be responsible for implementing all tasks summarized below.

- In the event of discovery, salvage of unearthened fossil remains, typically involving simple excavation of the exposed specimen but possibly also plaster-jacketing of large and/or fragile specimens, or more elaborate quarry excavations of richly fossiliferous deposits.
- Recovery of stratigraphic and geologic data to provide a context for the recovered fossil remains, typically including description of lithologies of fossil-bearing strata, measurement and description of the overall stratigraphic section, and photographic documentation of the geologic setting.
- Laboratory preparation (cleaning and repair) of collected fossil remains to a point of curation, generally involving removal of enclosing rock material, stabilization of fragile specimens (using glues and other hardeners), and repair of broken specimens.
- Cataloging and identification of prepared fossil remains, typically involving scientific identification of specimens, inventory of specimens, assignment of catalog numbers, and entry of data into an inventory database.
- Preparation of a final report summarizing the field and laboratory methods used, the stratigraphic units inspected, the types of fossils recovered, and the significance of the curated collection.

141. **Mitigation Measure 4.6-7:** In the event that a previously unknown or unidentified UST, soils and/or groundwater contamination that could present a threat to human health or the environment is encountered during construction of the proposed project, construction activities in the immediate vicinity of the contamination shall cease immediately. The project applicant shall coordinate with the Yolo County Environmental Health Division and conduct on-site sampling to determine the potential for contamination on-site. If contamination is determined to be present, a Risk Management Plan shall be prepared and implemented that (1) identifies the contaminants of concern and the potential risk each contaminant would pose to human health and the environment during construction and post-development and (2) describes measures to be taken to protect workers, and the public from exposure to potential site hazards. Such measures could include a range of options, including, but not limited to, physical site controls during construction, remediation, long-term monitoring, post-development maintenance or access limitations, or some combination thereof. Depending on the nature of contamination, if any, appropriate agencies shall be notified (e.g., City of Winters Fire Department or Yolo County Division of Environmental Health). If needed, a Site Health and Safety Plan that meets Occupational Safety and Health Administration requirements shall be prepared and in place prior to commencement of work in any contaminated area.
142. **Mitigation Measure 4.9-4a:** High-pressure air releases through the roof of the indoor flow lab to be located within the M&C Tech Center shall be fitted with silencers shown to provide 20 dB of noise reduction prior to operation.
143. **Mitigation Measure 4.9-4b:** Jack hammer training activities shall be conducted only within the T&D area as proposed.
144. **Mitigation Measure 4.9-4c:** Prior to opening day, the project applicant shall construct a secondary solid noise barrier a minimum of six feet in height adjacent to the north side of the northern T&D training pad and along the south side of the southern T&D training pad at the locations shown on Figure 4.9-2. Because of the proximity of these barriers to the noise source, and the low height of the jackhammer noise source, the noise reduction of this measure is estimated to be 8 dB.

145. **Mitigation Measure 4.9-5:** All project construction activities shall be limited to the hours of 7 a.m. to 7 p.m., Monday through Friday, excluding holidays unless the project applicant obtains a variance from the City.
146. **Mitigation Measure 4.11-2:** Prior to operation of the proposed project, the applicant shall contribute traffic impacts fees consistent with the City's Traffic Impact Fee Program for the installation of a traffic signal at the East Grant Avenue (SR 128)/I-505 Southbound Ramps. The installation of a traffic signal at this intersection is included in the City's Impact Fee Program as well as the adopted Complete Streets Concept Plan for SR 128/Grant Avenue/Russell Boulevard (December 2010) that was prepared for Caltrans and the City of Winters, and adopted by the Winters City Council in February 2011. Further, sufficient right of way is available for the improvement. The installation of a traffic signal at this location will be triggered by a combination of new development activity in the I-505/Grant Avenue planning area and/or the addition of through trips generated by other cumulative development. The signal shall be triggered by 50 percent of approved developments plus a total of 630 p.m. peak hour trips generated by development within the I-505/Grant Avenue planning area. When these future volume triggers are met, a formal traffic signal warrant analysis shall be prepared to evaluate all the designated criteria and determine if sufficient warrants are met, or if additional growth can occur.

When it is determined that the installation of a traffic signal is warranted, the analysis shall be submitted to Caltrans for review.

147. **Mitigation Measure 4.11-3:** The project applicant shall install a traffic signal at the East Grant Avenue/Timbercrest Road intersection prior to building occupancy.
148. **Mitigation Measure 4.11-7:** Install signal indications at the East Grant Avenue/Matsumoto Lane intersection (northbound approach). The project applicant shall install traffic signal poles, mast arms, and signal indications at the East Grant Avenue/Matsumoto Lane intersection (northbound approach) prior to building occupancy. Sufficient right-of-way is available for this improvement
149. **Mitigation Measure 4.11-8:** Develop and implement a Construction Traffic Management Plan. The project applicant shall develop and implement a Construction Traffic Management Plan to the satisfaction of the City of Winters Department of Public Works. The plan shall be submitted to the City of Winters Public Works Department and Caltrans for review/approval prior to initiation of site disturbance. The plan shall include the following performance standards:
- guidance on the number and size of trucks per day entering and leaving the project site;
 - identification of arrival/departure times that would minimize traffic impacts;
 - approved truck circulation patterns;
 - locations of employee parking and methods to encourage carpooling and use of alternative transportation;
 - methods for partial/complete street closures (e.g., timing, signage, location and duration restrictions);
 - criteria for use of flaggers and other traffic controls;
 - preservation of safe and convenient passage for bicyclists and pedestrians through/around construction areas;

- monitoring for roadbed damage and timing for completing repairs; and
- preservation of emergency vehicle access.

EXHIBITS

The following exhibits are a part of these conditions and shall be attached:

- 1) Cross Section F-F, North/South Diversion Channel (Adjacent to Timbercrest Road, Looking North)
- 2) Cross Section G-G, North/South Diversion Channel (South of Timbercrest Road, Looking North)
- 3) Cross Section H-H, East/West Diversion Channel (Looking West)
- 4) Final Adopted Mitigation, Monitoring, and Reporting Program (MMRP)

RESOLUTION No. 2015-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS APPROVING (1) AMENDMENT TO THE WINTERS GENERAL PLAN, (2) A CONDITIONAL USE PERMIT, (3) A PARCEL MAP, (4) SITE PLAN/DESIGN REVIEW, AND (5) AN AMENDMENT TO THE CITY'S 2008 STORM DRAINAGE MASTER PLAN IN CONNECTION WITH THE DEVELOPMENT OF THE WINTERS PG&E GAS OPERATIONS TECHNICAL TRAINING CENTER (GOTTTC), MAKING CERTAIN FINDINGS IN CONNECTION WITH SUCH APPROVALS, AND FINDING THE PROPOSED CONSTRUCTION OF THE STORM WATER CHANNEL ADJACENT TO THE GOTTTC TO BE CONSISTENT WITH GENERAL PLAN POLICY VLD.1 RELATED TO THE CITY'S REQUIREMENT FOR A 100-FOOT OPEN SPACE BUFFER ALONG PUTAH CREEK

WHEREAS, Pacific Gas and Electric ("PG&E") has submitted an application to reconfigure and develop certain property comprised of 55.2 acres located at the southwest quadrant of the intersection of Interstate 505 and East Grant Avenue (also known as State Route 128) to accomplish the following: (1) Construct, operate, and maintain a natural gas vocational training center totaling 106,740 sf on approximately 29.4 acres; (2) Construct and dedicate to the City for operation and maintenance a storm drainage channel and parallel maintenance roads on approximately 7.9 acres. The maintenance road closest to the west and south would also serve as a public trail connection to the Putah Creek corridor and as a segment of Upper Putah Creek Trail system; (3) Construct and dedicate to the City for operation and maintenance a signalized extension of Timbercrest Road (which would serve as the main access to the Training Center) south from SR 128 onto a portion of a 1.6-acre right-of-way for operation and maintenance by the City. As a part of these improvements PG&E would construct a sidewalk and a bicycle path along East Grant Avenue to East Main Street; (4) Create two remainder lots totaling approximately 16.2 acres to be retained by the current owner (McClish) with no proposed development or land use approvals at this time; (5) Provide funding for the design and installation (by others, through cooperative efforts with the city and local volunteer groups) of native landscaping and other recreational improvements (which may include bench seating, trash receptacles, interpretive signage, trail directional signage, etc.) within the Putah Creek Open Space buffer proposed for dedication to the City adjacent to the existing riparian edge of the Putah Creek corridor; and (6) The City or other parties would construct the future segment of the Upper Putah Creek Trail along the rear of the McClish remainder parcel, within the 100-foot open space buffer along the existing vegetation line of the Putah Creek Corridor. This segment constitutes the final segment of the planned trail extending from downtown Winters to I-505 (collectively, the "Project"); and

WHEREAS, in furtherance of the Project PG&E has requested that the Winters General Plan be amended to make the following changes to the General Plan's Land Use Diagram: (1) the current land use designations for the property to be developed with the GOTTTC be amended from Highway Service Commercial (HSC) and Business/Industrial Park (BIP) to Public/Quasi-Public (PQP), (2) the current land use designation for certain property to be dedicated to the City be amended from HSC and BP to Open Space (OS), (3) the current land use designation for certain property currently designated as BIP be amended to City right-of-way; and

WHEREAS, the Project as proposed further requires a Parcel Map to subdivide the McClish parcel into three private lots (Lot 1, Lot 2, and Lot 3), vacate public right-of-way and a 60-foot public utility easement, offer to dedicate to the City, in fee, two public lots (Lot A and Lot B), offer to dedicate to the City a 35-foot public utility easement, offer to dedicate to the City a 35-foot emergency vehicle access easement, offer to dedicate to the City a 15-foot trail easement, and offer to dedicate to the City a 12-foot wide sidewalk easement along Grant Avenue; and

WHEREAS, in furtherance of the Project, the City Council is concurrently considering certain amendments to the Zoning Code and Zoning Map of the City of Winters that will, among other things, rezone the property upon which the GOTTC will be developed to a Public/Quasi-Public zoning designation, to add a new use classification under Section 17.08.060 of the Zoning Code for a "Vocational Training Facility" and adds Vocational Training Facility as a conditional use in the PQP zoning district; and

WHEREAS, PG&E has applied for a Conditional Use Permit for the GOTTC in anticipation of approval of the Zoning Code amendments as described above; and

WHEREAS, the Project further requires Site Plan/Design Review pursuant to Sections 17.36.020 and 17.80.010 of the City Zoning Code and consistent with the Grant Avenue Design Guidelines, which are applicable to the Project; and

WHEREAS, the Project further requires certain amendments to the City of Winters 2008 Storm Drainage Master Plan to make changes to certain improvements designated in the Master Plan; and

WHEREAS, over the past eighteen months the Project has been discussed at great length and in great detail in twenty-seven separate public meetings or hearings held by the City Council, Planning Commission, other City committees and other interested groups, including but not limited to the City Hispanic Advisory Committee, the Winters Putah Creek Committee, the City Design Review Committee, and the Winters Chamber of Commerce, during which members of the public have had the opportunity to provide comments on the Project to both PG&E and the City; and

WHEREAS, on June 11, 2015, the Planning Commission of the City of Winters ("Planning Commission") conducted a duly noticed public hearing on the Project and all approvals and entitlements required in furtherance of the Project, at which time all persons wishing to testify in connection with the Project were heard and the Project was comprehensively reviewed; and

WHEREAS, following said public hearing, the Planning Commission recommended on a 5-0 vote that the City Council approve the approvals and entitlements as more particularly described below in this Resolution; and

WHEREAS, on July 7, 2015, the City Council conducted a duly noticed public hearing on the Project and all approvals and entitlements required in furtherance of the Project, at which time all persons wishing to testify in connection with the Project and the approvals and entitlements were heard and the Project was comprehensively reviewed; and

WHEREAS, the City Council has prepared and certified an Environmental Impact Report for the Project in accordance with the California Environmental Quality Act; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WINTERS RESOLVES AS FOLLOWS:

SECTION 1. The foregoing findings, approvals and determinations as set forth in this Resolution as based on substantial evidence in the administrative record before the City Council and are made based on the Council's independent review and consideration.

SECTION 2 Approval of General Plan Amendment.

A. The City Council of the City of Winters hereby amends the Winters General Plan to amend the Land Use Diagram of the General Plan as follows, and as more specifically shown in Exhibit A (Land Use Amendment) attached hereto and incorporated herein:

i. Parcel-specific Land Use Diagram amendment to change 11.5 acres (APN 038-070-028, Lot 3 portion, -029, -031, -032 and City Right of Way) from HSC to PQP;

ii. Parcel-specific Land Use Diagram amendment to change 18.0 acres (APM 038-070-038, -039 Lot 3 portion, and 0.8 acres of City Right of Way) from BIP to PQP;

iii. Parcel-specific Land Use Diagram amendment to change 0.2 acre (APN 038-070-28 Lot B portion) from HSC to Open Space (OS) and 7.7 acres (APN 038-070-37 Lot A portion and 038-070-39 Lot B portion) from BIP to OS; and

iv. Parcel-specific Land Use Diagram amendment to change 0.1 acre (McClish) from BIP to City Right of Way;

B. The City Council finds that the public health, safety and general welfare warrant the amendments to the General Plan as set forth herein and such amendments to the General Plan are in the best interest of the citizens of the City of Winters.

SECTION 3. Finding of Consistency with General Plan Policy VI.D.1. The City Council hereby finds that the Project as conditioned herein is consistent with General Plan Policy VI.D.1 which requires a 100-foot open space buffer along the Putah Creek corridor notwithstanding the planned temporary east-west drainage channel that is included as part of the Project, which will substantially occupy the required 100-foot open space buffer. This finding is based on the fact that as conditioned, the temporary drainage channel will be designed to maximize area on the south side of the channel for native landscaping, the Putah Creek trail connection and recreational amenities consistent with the Putah Creek Nature Park Master Plan, in a manner that will not require future modification of the channel for it to continue to be functional as public open space at such time as the interim channel is abandoned. Further PG&E shall be required by the Conditions of Approval to the Conditional Use Permit, as attached hereto

and incorporated herein, to install native landscaping consistent with the City's open space goals and the Putah Creek Master Plan, which shall allow the 100-foot area, including that portion occupied by the temporary drainage channel to serve as open space within the meaning and intent of General Plan Policy VI.D.1.

SECTION 4. Approval of Parcel Map.

A. The City Council hereby tentatively approves a parcel map consistent with the Parcel Map attached hereto as Exhibit B (Parcel Map) and incorporated herein, subject to approval of a final Parcel Map in accordance with the requirements of the the City's Subdivision Ordinance (Winters Municipal Code, Title 16).

B. The City Council hereby makes the following findings in connection with the Parcel Map:

i. The design and improvement of the proposed Parcel Map is consistent with the General Plan.

ii. The site that is the subject of the Parcel Map is physically suitable for the development contemplated by the Project.

iii. The design of the subdivided property and the proposed improvements will not cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat.

SECTION 5. Approval of Conditional Use Permit.

A. The City Council does hereby approve a conditional use permit for the construction, operation and maintenance of the GOTTC (the "Conditional Use Permit"), subject to the Conditions of Approval attached hereto as Exhibit C and incorporated herein.

B. The City Council makes the following findings in connection with the grant of the Conditional Use Permit:

i. The requested use for the GOTTC, as conditioned herein, will be in conformity with the general plan.

ii. Upon the effective date of the Conditional Use Permit, as set forth below, the requested use shall be listed as a conditional use in the zoning regulations of the City's Zoning Code (Title 17 of the Winters Municipal Code).

iii. The requested use, as conditioned herein, is consistent with the intent and purposes of the zoning in which the GOTTC is located, and will not detrimentally impact the character of the neighborhood.

iv. The requested use, as conditioned herein, will not create a nuisance or enforcement problem within the neighborhood.

v. The requested use, as conditioned herein, will not create a nuisance or enforcement problem within the neighborhood.

C. The Conditional Use Permit shall become operative from and after the effective date of Ordinance No. _____ of the City Council of the City of Winters amending with Winters Zoning Code to allow for "Vocational Training Center" as a conditional use within the Public Quasi-Public Zoning District.

SECTION 6. Approval of Site Plan/Design Review.

A. The City Council hereby approves the Site Plan pursuant to the Design Review requirements of Winters Municipal Code Chapter 17.36, subject to the Conditions of Approval as incorporated into the Conditional Use Permit, and finds that the Site Plan is consistent with the Winters General Plan and Grant Avenue Design Guidelines as conditioned herein.

B. The City Council's approval of the Site Plan is based on its review of the following aspects of the Project:

- i. The siting of all structures as designed upon the site plan;
- ii. The landscaping, fencing, other screening as designed on a landscape or irrigation plan featuring all existing trees and shrubs and proposed plantings;
- iii. The design of all circulation and parking and loading facilities for automobiles and bicycles;
- iv. The location, design and screening of garbage/recycling facilities;
- v. The details of fencing, public works items such as curb cuts, curbs, gutters, sidewalks, sidewalk design, drainage, fire hydrants;
- vi. The location, design and intensity of all exterior lighting;
- vii. The location and design of all required open space areas;
- viii. The exterior elevations of the structures including but not limited to building height, description of all building materials, building colors, screening of utility meters and mechanical equipment;
- ix. The design, placement, dimension, colors of all proposed signs and exterior graphics as required by the Zoning Ordinance.
- x. The review of design and placement of facilities for disabled persons.
- xi. The design of the subdivision and type of improvements will not cause serious public health problems.

SECTION 7. Amendment to 2008 Storm Drainage Master Plan. The City Council hereby amends the 2008 Storm Drainage Master Plan as follows:

A. Water Quality Detention Ponds #3 and #4 are hereby deleted and replaced with one private storm water detention pond on 1.5 acres in the southeastern corner of the GOTTC site.

B. The alignment of the Putah Creek Diversion Channel south of State Route 128 shall be moved approximately 325 feet to 485 feet east of the currently approved alignment, as more particularly shown on the Revised Storm Drainage Master Plan Figure 5, Channel Location, attached hereto as Exhibit D and incorporated herein.

C. The City Council finds that the amendments to the 2008 Storm Drainage Master Plan as set forth herein modify the plan to be consistent with the approved drainage system for the Project.

SECTION 8. This Resolution shall become effective upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the City Council of the City of Winters at a regular meeting held on the 21st day of July, 2015, by the following vote:

AYES:

NOES:

ABSENT:

Cecilia Aguiar-Curry, Mayor
City of Winters

ATTEST:

Nanci G. Mills, City Clerk
City of Winters



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers
DATE: July 21, 2015
THROUGH: John W. Donlevy, Jr., City Manager *[Signature]*
FROM: Ethan Walsh, City Attorney
SUBJECT: Approval of Memorandum of Understanding with Yolo County and the Cities of Davis, Woodland and West Sacramento regarding Turning Point and Resource Development Associates Services

RECOMMENDATION: Staff recommends that the Council authorize the City Manager to enter into a Memorandum of Understanding with Yolo County and the Cities of Davis, Woodland and West Sacramento regarding certain mental health related services being provided through the County by Turning Point Community Programs and Resource Development Associates.

BACKGROUND: Yolo County has entered into an agreement with the State to provide mental health services to County residents, and has additionally received grant funding under the Investment in Mental Health Wellness Act of 2013 (SB 82) to implement community based crisis response teams. As a result, the County has created the Community Intervention Program (CIP), which is a collaboration between County law enforcement and the County's Department of Alcohol, Drug and Mental Health to have trained clinical staff available when law enforcement responds to a mental health crisis to minimize the costly placement of individuals in

hospitals and jails when less restrictive intervention and treatment are available.

As part of the CIP, the County has contracted with Turning Point Community Programs, a non-profit, to provide specialty mental health services, and Resource Development Associates, a consulting firm. Turning Point provides mental health professionals that work out of the offices of participating law enforcement offices. Resource Development Associates is responsible for evaluating the utilization of the CIP, and cost effectiveness to determine whether the program is meeting its goals. These services are all paid for by the County. A representative from Turning Point is currently working out of the Winters Public Safety facility on a periodic basis and provides a resource for addressing mental health issues to the Winters Police Department. Resource Development Associates may periodically request information from the Winters Police Department related to mental health detentions, in order to properly evaluate the effectiveness of the CIP.

DISCUSSION: The City Attorney's law firm negotiated terms of a Memorandum of Understanding on behalf of the Cities of Winters, Davis and Woodland to clarify that while Turning Point is providing these services at the police departments of these cities and the cities will provide a location for the Turning Point professionals to work, the County is contracting for these services and is ultimately responsible for their contractors. The MOU additionally ensures that Resource Development Associates and the County will maintain the confidentiality of any data received from the cities related to mental health detentions, as this information is protected and confidential under California law. The MOU is intended to commemorate the relationship between the County and the Cities under which this valuable service will be provided, and protects the Cities and their records.

FISCAL IMPACT: There is no fiscal impact from this action.

MEMORANDUM OF UNDERSTANDING

**COUNTY OF YOLO
(YOLO COUNTY SHERIFF'S OFFICE AND YOLO COUNTY DEPARTMENT OF
ALCOHOL, DRUG, AND MENTAL HEALTH)
CITY OF DAVIS
CITY OF WOODLAND
CITY OF WINTERS
CITY OF WEST SACRAMENTO**

JULY 2015

MEMORANDUM OF UNDERSTANDING

I. PURPOSE

A. The County of Yolo ("County") has entered into an agreement with the State of California, Department of Health Care Services, to provide Mental Health services to County residents. Additionally, the County has received grant funding under the Investment in Mental Health Wellness Act of 2013 (Senate Bill 82) to implement community based crisis response teams. As a result, the County has created the Community Intervention Program ("CIP"). CIP is a collaboration between the County's law enforcement agencies and Yolo County's Department of Alcohol, Drug, and Mental Health ("ADMH") to have trained clinical staff available when law enforcement responds to a mental health crisis to minimize the costly placement of individuals in hospitals and jails when less restrictive intervention and treatment are available. CIP's goal is to increase access and capacity for community based mental health crisis services, including use of mobile crisis support teams.

B. As part of CIP, the County has contracted with both Turning Point Community Programs, a non-profit corporation ("Turning Point"), to provide specialty mental health services, and Resource Development Associates, a consulting firm ("RDA"). Among the services Turning Point provides is contractor staff, including clinicians and peer counselors who may be based out of the participating law enforcement agency offices. Pursuant to its contract with the County, RDA will evaluate CIP utilization and cost effectiveness to determine whether CIP is meeting its goals. To make this evaluation, RDA will receive data on a monthly basis from the County's Mental Health Director, or designee, over a three year evaluation period. The data will include information from the participating law enforcement agencies, ADMH, and Turning Point.

C. The participating law enforcement agencies are: the City of Davis (Davis Police Department), City of Woodland (Woodland Police Department), City of Winters (Winters Police Department), and the City of West Sacramento (West Sacramento Police Department). These agencies are collectively referred to in this MOU as the "Participating Agencies."

D. The purpose of this MOU is to set forth the terms and conditions upon which the Participating Agencies will (1) provide facilities and support services to Turning Point; and (2) share data for purposes of RDA's evaluation of CIP and its effectiveness.

II. TERM OF MOU

The term of this MOU shall be the same as the term of the County's agreement with Turning Point (entered into on August 5, 2014, Agreement No. 14-174, Agreement for Mental Health Services), as it may be amended from time to time. The County/Turning Point agreement currently has a term of July 1, 2014 through June 30, 2017 unless sooner terminated. The County/Turning Point agreement may be extended upon written agreement of the County and

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MOU - County of Yolo (Yolo County Sheriff's Office and Yolo County Department of Alcohol, Drug, AND Mental Health) City of Davis, City of Woodland, City of Winters, City of West Sacramento [July 2015]

Turning Point for two additional 12 month periods. This MOU will terminate upon the termination of the County/Turning Point agreement. Similarly, if the County/Turning Point agreement is extended, the term of this MOU will be automatically extended for the same time period.

III. FACILITIES, EQUIPMENT & PROPERTY

The Participating Agencies shall provide the following for assigned Turning Point clinicians and counselors assigned to each Participating Agency at no cost to the County or Turning Point:

1. Office or cubicle space for one Turning Point clinician or counselor at each Participating Agency's respective police department; and
2. Use of telephone, internet, copy machines, fax machines, mail service, and basic office supplies (e.g., pens, papers, staples, and paper clips) for services provided in accordance with County Agreement No. 14-174.

IV. DATA SHARING

The Participating Agencies agree, subject to the qualifications in this paragraph, to share or provide data to the County's Mental Health Director concerning calls for service, arrests, or voluntary or involuntary mental health detentions that occur under Welfare and Institutions Code section 5150. For ease of reference such data is referred to in this MOU as "5150 Data." The purpose of sharing the 5150 Data is to allow the County (specifically ADMH) to evaluate and improve CIP for the benefit of all of the Participating Agencies and their communities. The Participating Agencies are sharing 5150 Data based upon the County's assurance that such data is highly confidential and protected from public disclosure under state law, including but not limited to Penal Code sections 13300 *et seq.* and Welfare and Institutions Code section 5328. All 5150 Data containing personally identifying information will be encrypted for transmission and will be stored in a manner that will protect against accidental or intentional sharing of 5150 Data. The County will monitor the storing and sharing of 5150 Data to ensure it is being stored and shared in accordance with all applicable state and federal laws.

V. RESPECTIVE RESPONSIBILITIES

A. The County will be responsible for monitoring and enforcing its agreements with Turning Point and RDA, but the Participating Agencies will work collaboratively and in good faith with the County and its contractors to achieve the goals of the CIP.

B. The Participating Agencies may conduct and complete background checks of those Turning Point or RDA staff assigned to their respective facilities should they opt to do so.

C. The County shall possess no authority with respect to any Participating Agency decision and no right to act on behalf of any of the Participating Agencies in any capacity whatsoever as agent, or to bind the Participating Agencies to any obligations whatsoever, except

as otherwise expressly provided in this MOU. Likewise, the Participating Agencies shall possess no authority with respect to any County decision and no right to act on behalf of the County in any capacity whatsoever as agency, or to bind the County to any obligations whatsoever, except as otherwise expressly provided in this MOU.

VI. STATUS OF CONTRACTORS

Assigned personnel from Turning Point and RDA that may work with the Participating Agencies pursuant to their respective agreements with the County related to the CIP are independent contractors, and no employer-employee relationship exists among these assigned personnel and the Participating Agencies. Assigned personnel from Turning Point or RDA shall not be entitled to any benefits payable to employees of the Participating Agencies. Likewise, the Participating Agencies shall not have the right to set the hours or duties of the Turning Point or RDA assigned personnel. The County shall be solely responsible for making such determinations consistent with the terms of the County's agreements with Turning Point and RDA, provided that the County agrees to work with the Participating Agencies to determine the most effective means of utilizing the assigned Turning Point and RDA personnel to achieve the CIP's goals.

VII. INDEMNITY

The County shall indemnify, defend and hold harmless each Participating Agency, its respective officers, agents, employees and volunteers from and against any and all claims, damages, demands, losses, defense costs, expenses (including attorney fees) and liability of any kind or nature arising out of or resulting from (1) services related to or arising out of the provision of services under Agreement No. 14-174 between the County and Turning Point; and (2) the disclosure of information by the Participating Agencies to the County or RDA, provided that any such claim, damage, demand, loss, cost, expense or liability is caused in whole or in part by the negligent or intentional act or omission of the County, its employees, its contractors (including Turning Point and RDA), any subcontractor, or anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable, regardless of whether or not it is caused in part by a party indemnified hereunder. The County's responsibility for such defense and indemnity obligations shall survive the termination or completion of this MOU for the full period of time allowed by law.

VIII. NOTICES

A. Any notices pertaining to this MOU shall be sent to the County and the Participating Agencies at the addresses specified below by U.S. First Class Mail, postage pre-paid, and by email:

Yolo County

ADMH

Karen Larsen
137 N. Cottonwood Street, Suite 2500
Woodland, CA 95695
(530)666-8651
Karen.Larsen@YoloCounty.org

Yolo County Sheriff's Office

Tom A. Lopez
140 Tony Diaz Drive
Woodland, CA 95776
(530) 668-5227
Tom.Lopez@yolocounty.org

County Counsel's Office

Philip J. Pogledich
County Counsel
625 Court Street, Room 201
Woodland, CA 95695

City of Davis

Davis Police Department
Attn: Asst. Chief Darren Pytel
2600 5th Street
Davis, CA 95618
dpytel@cityofdavis.org

City Attorney's Office

Attn: Harriet A. Steiner
Best Best & Krieger LLP
500 Capitol Mall, Suite 1700
Sacramento, CA 95814
Harriet.Steiner@bbklaw.com

City of Woodland

Woodland Police Department
Attn: Lt. Anthony Cucchi
1000 Lincoln Avenue
Woodland, CA 95695
Anthony.Cucchi@cityofwoodland.org

City Attorney's Office

Attn: Kara K. Ueda
Best Best & Krieger LLP
500 Capitol Mall, Suite 1700
Sacramento, CA 95814
Kara.Ueda@bbklaw.com

City of Winters

Winters Police Department
Attn: Chief Sergio Gutierrez
702 Main Street
Winters, CA 95694
Sergio.Gutierrez@winterspolice.org

City Attorney's Office
Attn: Ethan Walsh
Best Best & Krieger LLP
500 Capitol Mall, Suite 1700
Sacramento, CA 95814
Ethan.Walsh@bbklaw.com

City of West Sacramento

West Sacramento Police Department
Attn: Chief Tom McDonald
550 Jefferson Blvd.
West Sacramento, CA 95605

City Attorneys' Office
Kronick Moskowitz
Attn: Jeffrey A. Mitchell
400 Capitol Mall, 27th Floor
Sacramento, CA 95814

B. Any party to this MOU may change the mailing or email address(es) specified above by providing the other parties with written notice of such change. Such notice shall be provided at least 15 calendar days prior to the effective date of the change.

IX. AMENDMENT

This MOU may be amended as to any Participating Agency only by written instrument signed by the County and that Participating Agency.

X. AUTHORIZATION AND EFFECTIVENESS

The MOU may be executed in any number of counterparts, and shall be effective as to that Participating Agency upon the execution by the Participating Agency's authorized official. The County and Participating Agencies, by their duly authorized officials, have executed this MOU on the respective dates indicated below.

COUNTY OF YOLO

Dated: _____, 2015

By: _____
Patrick Blacklock
County Administrator

CITY OF DAVIS

Dated: _____, 2015

By: _____
Dirk Brazil
City Manager

CITY OF WOODLAND

Dated: _____, 2015

By: _____
Paul Navazio
City Manager

CITY OF WINTERS

Dated: _____, 2015

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

CITY OF WEST SACRAMENTO

Dated: _____, 2015

By: _____
Martin Tuttle
City Manager

APPROVED AS TO FORM:

CITY OF DAVIS

By: _____
Harriet A. Steiner, City Attorney

**APPROVED AS TO FORM, signatures
continued:**

CITY OF WOODLAND

By: _____
Kara K. Ueda, City Attorney

CITY OF WINTERS

By: _____
Ethan Walsh, City Attorney

CITY OF WEST SACRAMENTO

By: _____
Jeffrey A. Mitchell, City Attorney

COUNTY OF YOLO
Philip J. Pogledich, County Counsel

By: _____
Eric May, Deputy County Counsel



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Council Members
DATE: July 21, 2015
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Dan Maguire, Economic Development and Housing Manager *DM*
SUBJECT: Downtown Hotel Project Contaminated Soil Disposal Alternative

RECOMMENDATIONS:

- 1) Receive the update from staff regarding the downtown hotel project site soil alternative remediation to be Used as a Basis for Environmental Mitigation for the Downtown Hotel Construction Project, and
- 2) Authorize the City Manager to execute all necessary contracts for alternative soil disposal if sufficient information is available as of the July 21st Council meeting.

BACKGROUND:

The City is under a Purchase & Sale contract to transfer ownership of property to AKM Railroad LLC in conjunction with the Downtown Hotel project. The City and its' contractors have completed the demolition of the buildings previously on those properties (10-12 Abbey, 314 & 318 Railroad Avenue; aka Fire Department, Cody's, & JJ's). The Purchase and Sale agreement with AKM Railroad LLC calls for the City to deliver a "clean site" at Close of Escrow.

As defined by the Phase 2 Environmental report for City-owned properties, the site had an area that needed to be excavated to address ash and debris under one of the recently demolished buildings, with an additional excavation to confirm and define remediation of a suspected hydraulic lift within one of the buildings formerly on Railroad Avenue. It was subsequently determined by additional excavation that no remediation was required for the suspected hydraulic lift area

The City's Public Works staff did do the excavation, with monitoring and testing performed by specialists from Wallace Kuhl, as authorized by City Council at the June 16, 2015 Council meeting. The contaminated soil was placed on top of a protective

barrier of visqueen, with the soil pile covered and protected by an additional layer of plastic to encapsulate it until disposal. Wallace Kuhl subsequently took numerous soil samples to determine the levels of contamination/toxicity of the soil.

At the July 7, 2015 City Council meeting, Council authorized the City Manager to execute contracts on a Not to Exceed basis of \$110,000 for the disposal of an estimated 432 yards (600 tons) of soil. Staff has been exploring the possibility of an alternate approach whereby the City could be authorized by the California Department of Toxic Substance Control (DTSC) to re-compact the stockpiled materials as part of the building foundation (or under the proposed improved parking lot) under a voluntary clean up agreement.

If approved on an expedited basis, this approach would result in significant cost savings to the City, substantially less than the approved budget of \$110,000. The City would likely need to secure the services of a Toxicologist (estimated to cost less than \$10,000), with additional costs bringing this alternative cost estimate to the \$30,000 to \$50,000 range.

FISCAL IMPACTS:

Total contract cost TBD, based on preliminary phone conversations with DTSC, with a discussion of the soil testing results. The issuance of the Professional Services Contract for the alternative treatment of the soil will have no impact on City's General Fund as it will be treated as an offset to the proceeds of the sale of the property.