

**AGENDA FOR A REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF WINTERS SCHEDULED FOR TUESDAY,
MAY 2, 2006 AT 7:30 P.M.**

CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

RECOGNIZE AUDIENCE/CORRESPONDENCE:

At this time members of the public may address the Council on items not listed on the agenda and within the jurisdiction of the Council. No formal action may be taken on items not listed on the agenda. Presentations may be limited or continued, depending on the time available.

MODIFICATION OF AGENDA:

PRESENTATION:

CONSENT ITEMS:

- A. Minutes of the Regular Meetings of the City Council of the City of Winters Held April 4, 2006 and April 18, 2006. (pp 1-17)
- B. Resolution 2006-14, A Resolution of the City Council of the City of Winters Fixing the Tax Rate for the 1979 Sewer Bonds for Fiscal Year Ending June 30, 2007 and Rescinding Resolutions in Conflict Herewith. (pp 18-19)
- C. Resolution 2006-15, A Resolution of the City Council of the City of Winters Increasing the Capital Improvement Facilities Fees by 4.6% Effective July 1, 2006 in Accordance with Ordinance 92-06. (pp 20-22)
- D. Resolution 2006-16, A Resolution of the City Council of the City of Winters Increasing the Project Monitoring Fee by 4.6% Effective July 1, 2006 in accordance with Ordinance 92-10. (pp 23-25)
- E. Proclamation recognizing 2006 Bike Commute Month (pp 26)

DISCUSSION ITEMS:

- 1. Presentation of Alignment Alternatives and Architectural Elements for Putah Creek Bridge Replacement, Project No. 01-05 (pp 27-30)
- 2. Public Hearing - Ordinance 2006-05, an Ordinance for Council Compensation (pp 31-33)
- 3. Approval of Resolution 2006-03, Adopting the Citywide Habitat Mitigation Program. (pp 34-52)
- 4. 2006 Summer Recreation Program (pp 53-54)

*****COMMUNITY DEVELOPMENT AGENCY*****

**AGENDA FOR A REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF WINTERS SCHEDULED FOR TUESDAY,
MAY 2, 2006 AT 7:30 P.M.**

CITY MANAGER REPORT

COUNCIL/STAFF COMMENTS

INFORMATION ONLY

1. March 31, 2006 Investment Report (pp 55-56)
2. March 31, 2006 Treasurer Report (pp 57-63)

Consideration of items not listed on the agenda:

Items in the following categories; pursuant to Government Code

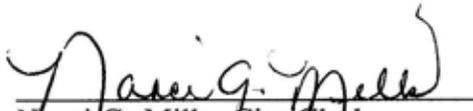
1. *Majority determination that an emergency (as defined by the Brown Act) exists; or*
2. *A 4/5th determination that the need to take action arose subsequent to the posting of the agenda*

EXECUTIVE SESSION:

ADJOURNMENT:

I declare under the penalty of perjury that the foregoing agenda for the May 2, 2006 meeting of the City Council of the City of Winters was posted April 27, 2006 in the office of the City Clerk, 318 First Street, Winters, CA and was available to the public during normal business hours.

ATTEST:



Nanci/G. Mills, City Clerk

**MINUTES FOR A REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF WINTERS SCHEDULED FOR TUESDAY,
APRIL 4, 2006 AT 7:30 P.M.**

Mayor Martinez called the meeting to order at 7:30 p.m.

Pledge of Allegiance

Present were: Councilmembers Anderson, Fridae, Godden, Stone, and Mayor Martinez. Also present were City Manager John W. Donlevy Jr., City Attorney John Wallace, Public Works Director Charlie Simpson, Community Development Director Dan Sokolow, City Engineer Nicholas Ponticello, Contract Planner Heidi Tschudin, and City Clerk Nanci Mills.

RECOGNIZE AUDIENCE/CORRESPONDENCE: None

MODIFICATION OF AGENDA: None

CONSENT ITEMS:

- A. Approve Minutes of a Regular meeting held Tuesday, March 21, 2006
- B. Adopt Resolution 2006-10 - Declaring Public Nuisance on Specified Parcels
- C. Final acceptance of Trestle Bridge Improvements, Project No. 02-07
- D. Budget Adjustment from CARF (Capital Acquisition Recovery Fee) for Purchase of GIS Software
- E. Proclamation Recognizing the Contributions of Mike and Janet Kimes to the Business Community of Winters
- F. Proclamation Recognizing Dawn Van Dyke, past City Editor of the Winters Express
- G. Approve Increased Expenditures for Police Department Computer Purchases

City Manager John Donlevy gave an overview of Consent Items A – G. Council Member Fridae made a motion to approve Consent Items A – G. Seconded by Council Member Anderson. Motion carried unanimously.

PRESENTATION:

Proclamations were presented to Mike and Janet Kimes of Kimes Ace Hardware and Dawn Van Dyke, past City Editor of the Winters Express.

DISCUSSION ITEMS:

1. Winters Youth Day Fun Run (No Backup)

Council Member Tom Stone proposed resurrecting the Youth Day Fun Run fundraiser, which would take the place of the Winters Healthcare Foundation Golf Tournament, which will be taking place later in the year. The Fun Run would require warning cones to be placed along the course route. Council Member Fridae made a motion to approve the Youth Day 5K Fun Run. Seconded by Council Member Anderson. Motion carried unanimously.

**MINUTES FOR A REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF WINTERS SCHEDULED FOR TUESDAY,
APRIL 4, 2006 AT 7:30 P.M.**

2. Rotary Park Expansion – Design Committee

City Manager John Donlevy gave an overview of the need to recruit a landscape design committee consisting of citizens of Winters and members of the Rotary Club for the Rotary Park Expansion. A conceptual design and budget will be brought back before the council at a future meeting. Council Member Godden moved to appoint Council Member Fridae as the council liaison on the Rotary Park Design Committee. Seconded by Council Member Fridae. Motion carried unanimously.

3. Public Hearing and consideration of Resolution No. 2006-07 approving the issuance of revenue bonds in the amount of \$6,500,000 by the California Municipal Finance Authority for the purpose of financing a multi-family rental housing development to be located at 110 East Baker Street (APN 003-370-15), and approving and directing execution of the joint exercise of powers agreement relating to the authority.

Community Development Director Dan Sokolow gave an overview. Ron Jones, CMFA representative, indicated that the approval of the revenue bonds would not inhibit the City's ability to seek tax allocation bonds. Mayor Martinez opened the public hearing at 8:00 p.m. Mayor Martinez closed the public hearing at 8:00 p.m. Council Member Anderson made a motion to approve Resolution 2006-07, a resolution approving the issuance of revenue bonds in the amount of \$6,500,000 by the California Municipal Finance Authority for the purpose of financing a multi-family rental housing development to be located at 100 East Baker Street, and approving and directing execution of the joint exercise of powers agreement relating to the authority. Seconded by Council Member Stone. Motion carried unanimously.

4. Continued public hearing and consideration of Winters Highlands Tentative Subdivision Map.

Mayor Martinez excused himself from his seat due to a possible conflict of interest.

The project is a proposed residential subdivision of 102.6 acres to create 413 single-family lots (including 36 "duplex" lots) on 49.49 acres, a 2.01 acre multifamily lot on which 30 apartments will be developed, a 10.63 acre park site (plus a proposed 10,000 square foot well site), and a 7.43 acre wetlands/open space area, an exchange parcel of 0.04 acres to the Callahan property to the south; and 32.81 acres in public roads.

**MINUTES FOR A REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF WINTERS SCHEDULED FOR TUESDAY,
APRIL 4, 2006 AT 7:30 P.M.**

The project site is located north of Grant Avenue along Moody Slough Road (County Road 33) in the northwestern portion of the City of Winters. The project site totals 102.6 acres comprised of APNs 030-220-17 (48.1 acres), 030-220-19 (21.0 acres), and 030-220-33 (33.5 acres) located south of Moody Slough Road, east of the westerly City limits, and north of the existing Dry Creek subdivision.

The following approvals are needed from the City: 1) CEQA clearance; 2) Exclusion from the West Central Master Plan; 3) Approval of the Winters Highlands Development Agreement; 4) Approval of various General Plan Amendments; 5) Approval of various Re-zonings; 6) Approval of the Tentative Subdivision Map; 7) Approval of a Lot Line Adjustment; 8) Amendment of the Rancho Arroyo Storm Drain District Master Plan; 9) Amendment of the Circulation Master Plan; and 10) Amendment of the Bikeway System Master Plan

Contract Planner Heidi Tschudin gave an overview. She indicated this is a final action hearing, where the City Council will approve, deny or approve with conditions this project based on the planning commission's recommendation for approval from the 3/14/06 Planning Commission meeting.

Rick Cheney of Granite Bay Holdings and Winters Highlands gave a final overview of the proposed subdivision. He gave a power point presentation, which outlined the phasing of the project (5 phases in 6 years) and what amenities are associated with each phase. Mr. Cheney reviewed all current projects. He stated he would like to see the habitat money stay in local hands. If approved, Granite Bay Holdings has 150 days to bring in final map after adoption. Mr. Cheney reviewed the growth and building statistics in California and also talked about the flaring tempers and hate mail received. He stated that Granite Bay Holdings is an honor free agency and accepts the conditions of the Development Agreement and will submit \$200,000 for the General Plan update and amendments.

Mayor Pro Tem Fridae opened the public hearing at 9:05 p.m.

Father Chuck Kelly of St. Anthony's Church, Winters, spoke of easement issues and stated the church has 5.3 acres east of Winters, as well as other portions of properties, available to Winters Highlands for mitigation land.

Glen Negri, 12 E. Grant, Winters, stated numerous positive aspects that Winters Highlands will bring to Winters through the Development Agreement, which include an unprecedented willingness to enhance the city of Winters with its'

**MINUTES FOR A REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF WINTERS SCHEDULED FOR TUESDAY,
APRIL 4, 2006 AT 7:30 P.M.**

proposed improvements, as well as the doubled school fees. Mr. Negri asked the council for approval.

Demar Hooper, attorney representing Granite Bay Holdings, spoke regarding environmental issues (wetlands & CEQA) and to respond to Kevin Jackson's comments regarding the adequacy of the EIR. In summary, none of Mr. Jackson's comments justify change to the Staff's draft findings. While they are valid expressions of opinions, they create no legal barrier to City approval of Winters Highlands.

Rich Marovich, Putah Creek Streamkeeper and committee member of the Lower Putah Creek Coordinating Committee, stated that the citizens had concerns regarding the instability of the Dry Creek Channel. Granite Bay Holdings has agreed to donate \$100,000 to the Putah Creek Fund, which is an unexpected benefit of the project. Rich doesn't see a cause and effect of development versus erosion. Mayor Pro Tem Fridae questioned the establishment of the W Weir. Rich indicated that outside funding in the amount of \$400,000 has been requested for removal of percolation dam and construction of the weir.

Sally Brown, 24 E. Main, Winters, believes Winters Highlands is a good project, citing all the amenities that will coincide with the development. She is concerned about the rate of construction and asked the council to consider approving a 10-year build out instead of a 6 year build out. She also urged council to not approve any additional residential projects until 2016. Industrial growth and permanent jobs are needed (jobs associated with construction of Winters Highlands are temporary.) She is also concerned about the prospect of having 2 summers without a swimming pool and urged the council to accept the offer from Granite Bay Holdings for a temporary patch for the existing swimming pool could be or has been considered. City Manager John Donlevy indicated the construction of the new pool will bid out during the fall of 2006 and anticipates having the new pool available by May or June of 2007. Rick Cheney indicated the offer for their construction company to make repairs to the current swimming pool still stands.

Dawn Lindstrom, 260 Russell Blvd., Davis, Program Director of Putah Creek Council commends the council and city staff's work with Granite Bay Holdings to provide money for bank stabilization of Dry & Putah Creeks.

Tim Kehoe, 425 Abbey St., Winters, spoke regarding the alarming growth rate of 6% in the City of Winters, which is four times the state average, which he feels is extreme. He is also concerned about the amount of land designated for the Swainson's Hawk and ferry shrimp and various wildlife being reduced from approximately 100 acres to 7 acres.

**MINUTES FOR A REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF WINTERS SCHEDULED FOR TUESDAY,
APRIL 4, 2006 AT 7:30 P.M.**

Carol Brydolf, 425 Abbey St., Winters, is concerned about the quick build out rate, but is reassured by the amount of environmentally-conscious citizens praising the project. In response to the recent voter survey, she would be willing to pay more taxes for the added services and not hold the developers "hostage" for services the citizens are not willing to pay for.

David Springer, 200 Madrone Ct., Winters, member of the Davis Energy Group, a representative of the Department of Energy Building America program, affirmed they had received a letter from Mr. Cheney indicating his interest in working with the Davis Energy Group through the Building America program to make the new homes some of the most energy-efficient in the state. As a resident, he would like the City Council to review the additional cost per house and the economic impact by applying Option 3. He is also concerned about the helicopters spraying the near-by orchards and requested a larger agricultural buffer zone.

Rory Linton, 314 Railroad Avenue, Winters, & President of Winters Wrestling Program. Whether citizens are "for" or "against" the Winters Highlands project, the community must live together without anger, hatred and frustration and respect one another. The Winters Highlands project will bring new police and fire facilities, freeing up their current spaces, which is prime real estate for commercial purposes, or for the city to utilize, which is greatly needed. The local schools also need the support. The population in 1951 was 1,500; current population is approximately 6,800. This new project may seem like an explosion, but growth is needed. Regarding the industrial area, this must have easy access to a freeway to avoid traveling through residential areas. If you build the homes, the industrial businesses will follow, and vice versa. Some of the other benefits of this project are the library, Putah Creek, the swimming pool, a new cafeteria infrastructure, and a sewage system upgrade. All of these amenities are needed. He believes the build out will exceed six years as projected. In the past 17 years, this is one of the best products he's seen. Mr. Linton stated that during his presentation, Mr. Cheney spoke with heart and not like that of a typical developer. Mr. Linton urged the council to vote in favor of this project.

Kevin Jackson, 806 Carrion Circle, Winters, provided documentation raising several questions regarding the environmental impact as a result of not choosing Alternative #3. He didn't think there was enough documentation provided by Granite Bay Holdings pertaining to Alternative #3. Alternative #3 would reduce impacts to endangered species by avoiding environmentally sensitive habitat in the northwest corner of the site.

**MINUTES FOR A REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF WINTERS SCHEDULED FOR TUESDAY,
APRIL 4, 2006 AT 7:30 P.M.**

Don Jordan, 718 Hemenway, Winters, indicated that the environmental areas will be fenced off.

Mark Wuestehube, Project Manager and Ecologist for North State Resources, an environmental consulting firm working with Granite Bay Holdings, provided several maps depicting the proposed building site, the wetlands shed area, and several photos depicting the property in its' current state.

Brian Bonino, employee of Laugenour and Meikle and representing Granite Bay Holding as their civil engineer, reviewed his handout. He indicated the wetlands are explained in the handout provided within the agenda packet.

Mayor Pro Tem Fridae closed the public hearing at 10:25 p.m. City Council took a short break for five minutes and the meeting resumed at 10:30 p.m.

Correspondence received from Dan Wheeler, Vice President of Business Operations for Richland Planned Communities, Inc., indicated their concerns regarding the effects to their property. The council acknowledged the letter and entered it into record.

Councilmember Stone voiced concern regarding the low-income housing. Steve Rudolph, MHA Legal Counsel and special counsel to the City of Winters, is satisfied with the current development agreement, which requires the developer to pay \$3.10/sq. ft. plus \$3.10/sq. ft., except for all low income and very low income affordable housing units. Marty Steiner, legal counsel for Granite Bay Holdings, stated that the Winters School District agreement excepts "very low" income affordable housing units only. Steve Rudolph stipulated to change the agreement to very low income by removing "low income." Dan Sokolow indicated that the city should insure that the development agreement reflects the language in the actual agreement the school district has executed with Granite Bay Holdings. All Council Members are satisfied with this agreement. Any monetary differences between the City of Winters agreement and the Winters School District agreement, if any, will be collected by the city and paid to the school district.

Dave Sanders, VP of Economic Planning Systems, stated that as per the State Board of Equalization, \$3,500 per person is the current approximate amount of personal spending of all taxable transactions. As per Dan Sokolow, Community Development Director, stated an adjustment formula exists on the current development agreement. There are two basic components: sale price index and labor/wage index. Both categories will be reviewed on a regular basis to verify that the amount collected reflects the current conditions. Dave Sanders

**MINUTES FOR A REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF WINTERS SCHEDULED FOR TUESDAY,
APRIL 4, 2006 AT 7:30 P.M.**

indicated individual pricing structure of each of the categories of the homes within the project are "pretty safe."

Heidi Tschudin made two clarifications: the "if necessary" clause would apply if Callahan begins building their facilities first and advises leaving wording as a correct description in the two places in the findings, which does not change their obligation to build them if they have not been built, which is in the conditions of approval. Regarding the analysis of Alternative 3, which is identified in the CEQA requirements to identify an "environmentally superior alternative." The Planning Commission staff report contains nine items that led to the conclusion to recommend against approval of Alternative 3. To summarize Alternative 3, the overall lot size decreased significantly; decreased number of large lots (meets or exceeds 7,000 sq. ft.) from 48 to 31; topography for NE wetland is different than the NW wetland, enabling the NE to be better sustained; size of wetlands is significantly smaller and the area to protect it is smaller; hydrology analysis; general plan inconsistency; Valley Oak alignment; residential lot patterns, with lots backing onto park area; location of apartment site was not beneficial. Two other items of concern identified are that there would be 2 acres less of the required parkland and the strength of the linear park design would be adversely affected.

City Engineer Nick Ponticello verified that there will be "traffic calming" devices and one traffic circle at Niemann & West Main Street as per Councilmember Anderson's inquiry.

Mayor Pro Tem Fridae indicated he has reservations and is not convinced that Alternative 3 is not better, and has reservations about not choosing it. Councilmember Stone's concern regarding Alternative 3 is the ½ acre wetland area, which has evolved to approximately 6 or 7 acres. Also, the design of the linear park is a large factor in choosing the Project over Alternative 3.

Mayor Pro Tem Fridae indicated that the biggest reason to consider Alternative 3 was regarding the close proximity of the orchard on the NW corner and the impact of farming and agricultural spraying would be very close to the residential area.

Councilmember Godden made a motion to support the project as recommended by the Planning Commission. Councilmember Stone seconded the motion. Motion passed with Mayor Pro Tem Fridae abstaining.

At Councilmember Anderson's request, Heidi Tschudin reviewed the overriding considerations of the project based on the planning commission's recommendation to justify the council's adoption of the project and why it is

**MINUTES FOR A REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF WINTERS SCHEDULED FOR TUESDAY,
APRIL 4, 2006 AT 7:30 P.M.**

beneficial to the community. Clarification under recommended actions are as follows: \$3.10/\$3.10 is a minimum amount to be collected by the city and applicant is willing to add additional funds to the General Plan modifications. There are four edits to conditions of approval: applicants make a good faith effort to obtain outside funding for solar energy systems for the affordable units (Condition #6); naming of street and address numbering shall be completed by a "Street-Naming" Committee (Condition #57); replace City of Woodland with City of Winters Fire Department (Condition #149); a new condition, #191, is as follows: "Moisture sensors shall be installed on the 14 ft. parkway strips located along West Main Street." This addresses Councilmember Anderson's request.

Regarding Mr. Rick Cheney's offer of \$200,000, Councilmember Godden suggested the donation would be best spent towards repairs to the existing swimming pool. Councilmember Anderson voiced concerns that it is still not known where the loss of water from the pool is going, so to repair the swimming pool in its' present condition would not be a feasible way to utilize the donation from Mr. Cheney. All Councilmembers were in agreement. Steve Rudolph suggested the following additional language be added to Section 415, a provision of the development agreement regarding miscellaneous contributions, and the consideration of Mr. Cheney's offer of \$200,000: "prior to the recording of the final map of Phase I, developer shall pay \$200,000 to the City to be used for studies and other efforts associated with evaluating the impacts of growth and bringing jobs to the community."

Mr. Rick Cheney, on behalf of Granite Bay Holdings, Winters Highlands, and Larry John, accepted all conditions. Mayor Pro Tem Fridae indicated that this is the largest development in Winters history, the developer has a commitment to hire labor locally, the project is beneficial to the schools, the staff's hard work on the Development Agreement is much appreciated, Granite Bay Holdings additional \$200,000 donation is exceptional, and the low cost housing is made possible due to the size of the development. Councilmember Stone made a motion to waive the first reading of Ordinance 2006-03, An Ordinance rezoning the Winters Highlands Property, Property to the North, and Adopting Planned Development Permit 2006-01 and Ordinance 2006-04, An Ordinance adopting a Development Agreement for the Winters Highlands Project, and to approve Resolution No. 2006-09, approving the Winters Highlands Subdivision (with modifications) and Amending the City General Plan for the First Time in 2006, and Resolution No. 2006-08, Adopting CEQA Findings of Fact; Adopting a Statement of Overriding Considerations; Adopting a Mitigation Monitoring Plan; and Certifying the Final Environmental Impact Report for the Winters Highlands Subdivision. Councilmember Godden seconded the motion. The motion passed unanimously.

**MINUTES FOR A REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF WINTERS SCHEDULED FOR TUESDAY,
APRIL 4, 2006 AT 7:30 P.M.**

4. Dry Creek Assessment District / Bank Stabilization

Mayor Dan Martinez re-entered the Chambers. City Manager John Donlevy gave an overview. Councilmember Fridae made a motion to investigate properties along Dry Creek. Seconded by Councilmember Stone. Motion carried unanimously.

*****COMMUNITY DEVELOPMENT AGENCY*****

CITY MANAGER REPORT: None

COUNCIL/STAFF COMMENTS: Councilmember Anderson indicated there is a SACOG Transportation Choices meeting on 5/15/06 from 6:00 to 9:00 p.m. Mayor Martinez spoke of a BOS meeting regarding development impact fees.

INFORMATION ONLY

Consideration of items not listed on the agenda:

Items in the following categories; pursuant to Government Code

- 1. Majority determination that an emergency (as defined by the Brown Act) exists; or*
- 2. A 4/5th determination that the need to take action arose subsequent to the posting of the agenda*

EXECUTIVE SESSION:

1. Meeting with City Manager to Discuss Real Estate Pursuant to Section 54956.8 of the Government Code Regarding Real Estate: APM 003-191-1, 311 First Street.

ADJOURNMENT: Meeting was adjourned at 12:25 a.m.

I declare under the penalty of perjury that the foregoing agenda for the April 4, 2006 meeting of the City Council of the City of Winters was posted March 31, 2006 in the office of the City Clerk, 318 First Street, Winters, CA and was available to the public during normal business hours.

**MINUTES FOR A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF WINTERS HELD ON
TUESDAY, APRIL 18, 2006 AT 7:30 P.M.**

CALL MEETING TO ORDER: Mayor Martinez called the meeting to order at 7:30 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL: Present were Councilmembers Anderson, Fridae, Godden, Stone, Mayor Martinez, City Manager John Donlevy, City Attorney John Wallace, Director of Financial Management Shelly Gunby, Community Development Director Dan Sokolow, Chief of Police Bruce Muramoto, Fire Chief Scott Leach, Director of Public Works Charlie Simpson, Redevelopment Manager Dan Maguire, Redevelopment Consultant Stephen Streeter, Contract Planner Heidi Tschudin and City Clerk Nanci Mills.

RECOGNIZE AUDIENCE/CORRESPONDENCE: None

MODIFICATION OF AGENDA: City Manager John Donlevy requested that Consent Items A and L be removed from the agenda and are to be brought back at a later date. Councilmember Stone made a motion to accept the changes to the agenda. Seconded by Councilmember Fridae. Motion carried unanimously.

PRESENTATION:

Derek Rampone of Moss Levy & Hartzheim gave an overview of the 2004-2005 Comprehensive Financial Report to the City Council.

CONSENT ITEMS:

- A. Approve Minutes of a Regular Meeting of the City Council of the City of Winters held April 4, 2006 - **REMOVED**
- B. Credit Cards for Department Heads
- C. Establish and Funding of Service Reserve Fund
- D. Funding of Equipment Replacement Fund
- E. Amended Investment Policy
- F. Adopt Resolution 2006-12, Approving the Preliminary Engineer's Annual Levy Report, and Declaring its Intention to Levy and Collect Annual Assessments and Providing Notice of Hearings Thereof for the City of Winters City Wide Maintenance Assessment District, Fiscal Year 2006/2007
- G. Adopt Resolution 2006-13, A Resolution Initiating Proceedings for the Annual Levy and Collection of assessments for the City of Winters City Wide Maintenance Assessment District, Fiscal Year 2006/2007
- H. Per Diem Policy for City of Winters
- I. Cingular Wireless Tower Contract
- J. Purchase of Valve Exercising Machine for Water Department
- K. Yolo County Animal Services Contract
- L. Public Safety Facility Update - **REMOVED**

**MINUTES FOR A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF WINTERS HELD ON
TUESDAY, APRIL 18, 2006 AT 7:30 P.M.**

City Manager John Donlevy gave an overview of Consent Items B – K. Councilman Stone made a motion to approve Consent Items B – K. Seconded by Councilman Anderson. Motion carried unanimously.

DISCUSSION ITEMS:

1. Public Hearing – 2006 Weed Abatement To Consider Objections from Property Owners

Public hearing was opened and closed at 7:53 by Mayor Martinez.

2. Second reading and Adoption of Ordinance No. 2006-04 adopting the Winters Highlands Development Agreement

Mayor Martinez excused himself from the meeting due to a possible conflict of interest. Don Troppman, Richland Communities, indicated he had received no response from the Councilmembers to their correspondence dated 4/4/06. Mayor Pro Tem Fridae indicated the letter was entered into record on 4/4/06 and that Mr. Troppman's concerns were noted.

Cecilia Curry, resident at 319 Anderson and a member of the Planning Commission, requested a status of the offer of \$200,000 from Granite Bay Holdings to repair the swimming pool. City Manager John Donlevy indicated there will be a recreation update on the May 2, 2006 agenda.

Community Development Director Dan Sokolow requested to remove a portion of the verbiage of Condition Item #57, removing "comprised of ."

Councilmember Anderson made a motion to adopt Ordinance No. 2006-04, adopting the Winters Highlands Development Agreement, with the specified corrections. Seconded by Councilmember Godden.

AYES: Anderson, Fridae, Godden, Stone
NOES: None
ABSTAIN: None
ABSENT: Mayor Martinez

Motion carried 4-1 with Mayor Martinez absent.

3. Second Reading and Adoption of Ordinance No. 2006-03, rezoning the Winters Highlands Property, Property to the North, and Adopting Planned

**MINUTES FOR A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF WINTERS HELD ON
TUESDAY, APRIL 18, 2006 AT 7:30 P.M.**

Development Permit 2006-01 (APNs 030-220-17, 030-220-19, 030-220-33, 030-210-005 through -008)

Councilmember Stone made a motion to adopt Ordinance No. 2006-03, rezoning the Winters Highland Property, Property to the North, and Adopting Planned Development Permit 2006-01 (APNs 030-220-17, 030-220-19, 030-220-33, 030-210-005 through -008). Seconded by Councilmember Anderson.

AYES: Anderson, Fridae, Godden, Stone
NOES: None
ABSTAIN: None
ABSENT: Mayor Martinez

Motion carried 4-1 with Mayor Martinez absent.

Mayor Martinez returned to his seat at this time.

4. Industrial Study Areas

City Manager John Donlevy gave an overview and recommended the following: Approve the development of an Industrial/Business Area study to be conducted to determine the opportunities and constraints of development within each area; Authorize the solicitation of proposals from outside firms and agencies to perform said analysis; Approve the suspension of the previously authorized North Area Specific Planning until such a time that it is determined feasible to advance industrial and business development within said area; and Authorize staff to cancel the current reimbursement of costs agreement with Centex Homes to fund the North Area Study and authorize re-payment in full of all funds advanced toward said project. The estimated cost for an outside assessment is between \$2,800 and \$20,000 and the City Manager would like to budget \$20,000 to begin the process. It was suggested that the Centex agreement and the funds they contributed be rescinded until an industrial analysis has been completed. Councilmember Anderson asked about an Ag buffer relating to a proposed industrial site located to the NE of Grant Avenue and I-505. Mayor Martinez stated that he does not want to confine the possibilities of industrial growth to the five specific areas shown on the diagram provided. Don Troppman of Richland Communities indicated they have a detailed industrial analysis and would be happy to provide this to the city. Richland Communities is also willing to help the City of Winters with an amendment to the General Plan for this industrial growth area. Councilmember Anderson, from a SACOG perspective, sees no end to gridlock unless there are jobs where the people live. Mayor Martinez indicated that the Industrial Study will not be abandoned as it is an integral part of the development of the city. Councilmember Anderson made

**MINUTES FOR A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF WINTERS HELD ON
TUESDAY, APRIL 18, 2006 AT 7:30 P.M.**

a motion to approve the staff recommendations. Seconded my Councilmember Fridae. Motion carried unanimously.

5. Swimming Pool Update

Gary Cook, Facilities Supervisor of Winters Unified School District, gave a powerpoint presentation for the new pool, which included a schedule of anticipated construction, configuration, equipment needs, and operation. There will be no diving boards due to liability issues. Granite Bay Holdings has budgeted \$1.5 million toward construction of the swimming pool.

6. Major Projects Update

City Manager John Donlevy gave an overview of the Major Projects list. Councilmember Fridae indicated there needs to be children included on the appropriate committees. Regarding the Grant Access Improvements, Councilmember Anderson suggested getting notices of these Cal Trans meetings out to the public.

7. Yolo County Development Fee Program

City Manager John Donlevy gave an overview, asking for council feedback. Councilmember Stone asked if the county is able to impose fees within the city, and the county has verified that they have jurisdiction to do this. Councilman Godden spoke regarding the cost increase of \$3,194 for the Animal Services agreement.

8. Trestle Bridge Name Dedication

Councilmember Anderson asked the City Council to consider naming the Trestle Bridge in honor of Robert Chapman, who is one of our city fathers and helped bring this project to completion. Councilmember Anderson made a motion to approve this and to bring back a resolution at the next meeting. Councilmember Godden seconded the motion. Motion carried unanimously.

9. Introduction and First Reading of Ordinance 2006-05, Amending Section 2.04.150 of the Winters Municipal Code Relating to Compensation of Council Members

The current stipend for the Planning Commission and City Council members is \$75 and has been since 1966. Councilmember Anderson made a motion to introduce Ordinance 2006-05 to increase the stipend to \$150. Councilmember Godden seconded the motion.

**MINUTES FOR A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF WINTERS HELD ON
TUESDAY, APRIL 18, 2006 AT 7:30 P.M.**

AYES: Anderson, Godden, Stone, Mayor Martinez
NOES: Fridae
ABSTAIN: None
ABSENT: None

Motion carried 4-1.

10. Planning Commission Vacancy

Effective July 1, 2007, there will be a vacant seat on the Planning Commission. Councilmembers Fridae and Stone volunteered to be on the Planning Commission Vacancy Selection Committee. An advertisement will be posted in the newspaper, and any new applications will be added to the applications on file.

11. Adoption of Resolution 2006-03, adopting the Citywide Habitat Mitigation Program

Community Development Director Dan Sokolow gave an overview. Mayor Martinez asked if the land must be contiguous. Kathryn Kelly, Executive Director of Yolo Land Trust, said there are no buffer requirements and contiguous land would be counter-productive and there are no buffer requirements on easements. Councilmember Anderson is reluctant to include the Department of Fish & Game and views them as restrictive. Kathryn Kelly indicated they have the same authority. Councilmember Stone suggested they be included only to the extent that they have to be. John Hasbrook of St. Anthony's Catholic Church gave an overview of the Catholic Church properties. Mayor Martinez, as well as Councilmember Stone, do not support extending into Solano County beyond the 7-mile radius, but would be willing to extend beyond the 7-mile radius in Yolo County. Mayor Martinez also indicated the Swainson Hawk property will be farmed the same. Cecilia Curry of the Winters Planning Commission indicated the Planning Commission may not have had all of the information pertaining to the Citywide Habitat Mitigation Program at their meeting. Councilmember Godden made a motion to bring back the resolution with the proposed changes to the next meeting scheduled for May 2, 2006. Seconded by Councilmember Stone. Motion carried unanimously.

12. Preparation of Agenda Packets - Deadlines

City Manager John Donlevy gave an overview. Current city policy calls for all agenda items and supporting documentation to be turned into the City Manager's

**MINUTES FOR A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF WINTERS HELD ON
TUESDAY, APRIL 18, 2006 AT 7:30 P.M.**

office not later than Tuesday prior to the council meeting, enabling the staff to prepare the agenda packets by Wednesday. Councilmember Anderson moved to approve the staff recommendation, supporting the current city policy, and to bring back to a future meeting as a resolution. Seconded by Councilmember Fridae. Motion carried unanimously. Consideration of a third City Council meeting was discussed, with Councilmember Godden stating this should commence in July!

*******COMMUNITY DEVELOPMENT AGENCY*******

1. Community Center Shade Structure

Redevelopment Consultant Steve Streeter gave an overview. The agreed-upon color of the 1,440 sq. ft. metal roof will be Tundra, as the Sandstone Metallic was not immediately available and would have pushed the project completion date back by 6-8 weeks. Project expected to be completed by May 29, 2006 (Memorial Day).

2. Downtown Master Plan Capital Projects- FY 2006-07

CITY MANAGER REPORT: There will be a park design meeting at the Community Center on 4/19/06 @ 6:30 p.m. to start designing the Linear Park and the Sports Park.

COUNCIL/STAFF COMMENTS: Councilmember Anderson reported that Yolo County Transportation District filed a grant application with the Cache Creek Indian Casino for funds to be used toward a city vehicle to transport seniors and other residents to and from various appointments. As a SACOG representative, Councilmember Anderson reported that the City of Winters has been excluded from the Sacramento River Flood District Protection. There will be a meeting at UCD Freeborn Hall on May 15, 2006, from 6:00 p.m. to 9:00 p.m. regarding the Metropolitan Transportation Plan. Councilmember Fridae reported that there will be a Rotary Park Planning Committee meeting on May 1, 2006 at 6:00 p.m. at the Palms. Councilmember Stone indicated there are 92 Youth Day parade entries, but are short on vehicles to transport council members and staff and asked Council members to RSVP for their ride in the parade.

INFORMATION ONLY

Consideration of items not listed on the agenda:

Items in the following categories; pursuant to Government Code

1. Majority determination that an emergency (as defined by the Brown Act) exists; or



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Councilmembers
DATE: May 2, 2006
THROUGH: John W. Donlevy, Jr., City Manager *John*
FROM: Shelly Gunby, Director of Financial Management *Shelly*
SUBJECT: Fixing Tax Rate for the 1979 Sewer Bonds

RECOMMENDATION:

Approve Resolution 2006-14, A Resolution Fixing the Tax Rate for the 1979 Sewer Bonds For Fiscal year ending June 30, 2007 and Rescinding Resolutions in Conflict Herewith.

BACKGROUND:

The City of Winters issued Sewer Bonds in 1979 and is required to set a rate each year for the repayment of Bond Principal and Interest. The amount set as the tax rate is collected by the County of Yolo each year and remitted to the City of Winters along with property taxes in January and May of each year.

FISCAL IMPACT:

Failure to fix the tax rate would cause no collection of taxes for the express repayment of the bond principal and interest.



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Councilmembers
DATE: May 2, 2006
THROUGH: John W. Donlevy, Jr., City Manager *[Signature]*
FROM: Shelly Gunby, Director of Financial Management *[Signature]*
SUBJECT: Resolution 2006-15, A Resolution of the City Council of the City of Winters Increasing the Capital Improvement Facilities Fees by 4.6% Effective July 1, 2006 in Accordance with Ordinance 92-06.

RECOMMENDATION:

Approve Resolution 2006-15, A Resolution of the City Council of the City of Winters Increasing the Capital Improvement Facilities Fees by 4.6% Effective July 1, 2006 in Accordance with Ordinance 92-06.

BACKGROUND:

In 1992, the City of Winters established a facility fee program (development impact fees) for all new development projected and Ordinance 92-06 established an automatic annual increase each July 1, equal to the percentage change in the Engineering News Record Construction Cost Index. The April 24, 2006 Engineering News Record Construction Cost Index increased 4.6% for the last 12 month period.

FISCAL IMPACT:

Revenues to the impact fee funds would be increased in a manner similar to the increase in construction costs that these funds are to be used on.

RESOLUTION NO. 2006-15
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS
INCREASEING THE CAPITAL IMPROVEMENT FACILITIES FEES BY 4.6%
EFFECTIVE JULY 1, 2006 IN ACCORDANCE WITH ORDINANCE 92-06

WHEREAS, Ordinance 92-06 established a facility fee program (development impact fees) for all new development projects, and;

WHEREAS, Ordinance 92-06 provides that each fee imposed by this ordinance shall be adjusted automatically on July 1 of each year, by a percentage equal to the rise in the Engineers News Record construction cost index for the preceding twelve (12) months;

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Winters that the adopted Capital Improvement Facilities Fees shall be increase by 4.6% effective July 1, 2006 according to the construction cost index for the prior year, through April 24, 2006 as published in the Engineering News Record. Said fee for the period July 1, 2006 through June 30, 2007 is on the attached schedule.

PASSED AND ADOPTED at the regular meeting of the City Council of the City of Winters, County of Yolo, State of California, on this 2nd day of May 2006, by the following roll call vote.

AYES:

NOES:

ABSTAIN:

ABSENT:

Dan Martinez, Mayor

ATTEST:

Nanci G. Mills, City Clerk



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Councilmembers

DATE: May 2, 2006

THROUGH: John W. Donlevy, Jr., City Manager *[Signature]*

FROM: Shelly Gunby, Director of Financial Management *[Signature]*

SUBJECT: Resolution 2006-16 A Resolution of the City Council of the City of Winters Increasing the Project Monitoring Fee by 4.6% Effective July 1, 2006 in Accordance with Ordinance 92-10.

RECOMMENDATION:

Approve Resolution 2006-16 A Resolution of the City Council of the City of Winters Increasing the Project Monitoring Fee by 4.6% Effective July 1, 2006 in Accordance with Ordinance 92-10.

BACKGROUND:

When the City Council established the Project Monitoring Fee in 1992, Ordinance 92-10 included a provision that the fees shall be increased automatically annually according to the Engineering News Record Construction Cost Index. The increase is 4.6% based on the April 24, 2006, Engineering News Record and the fees are increased accordingly. The Project Monitoring Fee was established in 1992 to pay for the 1992 General Plan Update to partially pay for the ongoing costs of monitoring the implementation of the General Plan. These fees are currently being used to pay off the General Plan Deficit.

FISCAL IMPACT:

Increased revenues will pay off the General Plan Deficit quicker.

RESOLUTION NO. 2006-16
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS
INCREASEING THE PROJECT MONITORING FEE BY 4.6% EFFECTIVE
JULY 1, 2006 IN ACCORDANCE WITH ORDINANCE 92-10

WHEREAS, Ordinance 92-10 established a Project Monitoring Fee as related to the 1992 General Plan; and

WHEREAS, Ordinance 92-10 provided that the fee imposed by that Ordinance shall be adjusted automatically on July 1 of each year by a percentage equal to the rise in the Engineering News Record construction cost index for the proceeding year;

NOW, THEREFORE, BE IT RESOLVED , the City Council of the City of Winters that the adopted Project Monitoring Fee shall be increase by 4.6% effective July 1, 2006 according to the construction cost index for the prior year, through April 24, 2005 as published in the Engineering News Record.. Said fee for the period July 1, 2006 through June 30, 2007 is on the attached schedule.

PASSED AND ADOPTED at the regular meeting of the City Council of the City of Winters, County of Yolo, State of California, on this 2ND Day of May, by the following roll call vote.

AYES:

NOES:

ABSTAIN:

ABSENT:

Dan Martinez, Mayor

ATTEST:

Nanci G. Mills, City Clerk

Exhibit A
Resolution 2006-15
City of Winters Development Impact Fees
Effective July 1, 2006

Facility	Residential Fee Per Unite					Non-Residential Fee per Building Square Foot								
	Rural	Low Density	Medium Density	Medium High Density	High Density	NC	Highway Comm	CBD	Office	Other Comm	Business Park	Light Industrial	Heavy Industrial	Public/Quasi Public
Water System	7,087	5,523	3,682	2,504	1,804	1.78	1.78	0.61	1.30	1.30	1.49	1.05	1.15	1.17
Waste Water System	8,833	6,883	6,118	4,589	3,211	3.24	3.24	1.09	2.32	2.32	2.32	1.62	2.17	2.49
General Storm Drain	94	73	49	29	25	0.03	0.03	0.01	0.02	0.02	0.02	0.02	0.02	-
Streets	7,732	7,732	7,732	6,282	4,833	9.41	9.41	6.55	7.06	7.06	2.82	1.64	1.21	-
Parks & Rec	3,941	3,941	3,941	3,203	2,463	-	-	-	-	-	-	-	-	-
Public Saftey	1,048	1,048	1,048	1,048	2,478	1.32	1.32	2.30	1.32	1.32	0.26	0.26	0.26	-
Fire Protection	1,506	1,592	1,592	1,294	995	0.92	0.92	1.12	1.19	1.19	0.75	0.60	0.58	-
General Capital	2,342	2,342	2,342	1,903	1,463	1.35	1.35	2.00	2.15	2.15	0.87	0.50	0.37	-
Storm Drain Non Flood	675	226	203	10	54	0.09	0.19	0.06	0.12	0.12	0.19	-	-	-
Monitoring Fee	1,100	1,100	1,100	1,100	1,042	0.58	0.58	0.58	0.58	0.58	0.10	0.10	0.10	-



**A PROCLAMATION OF THE CITY COUNCIL
OF THE CITY OF WINTERS RECOGNIZING
THE SACRAMENTO REGION BIKE COMMUTE MONTH 2006**

WHEREAS, the City of Winters recognizes the goal of the Sacramento Region Bike Commute Month to bicycle 1 million miles within the SACOG region (Sacramento, Placer, El Dorado, Yolo, Yuba and Sutter counties) within the month of May; and

WHEREAS, the City of Winters recognizes Bike Commute Month 2006 by encouraging its' citizens to bicycle during the month of May to contribute towards the Million Mile goal; and

WHEREAS, the City Council of the City of Winters encourages its' residents to record their bicycling miles by logging onto www.bikecommutemonth.com; and

THEREFORE, BE IT PROCLAIMED by the Winters City Council that May 2006 be recognized as Sacramento Region Bike Commute Month and encourage its citizens to participate by riding their bikes to work, to school, to run errands or just for fun. Our air will be cleaner and our bicyclists healthier for it.

PASSED AND ADOPTED this 2nd day of May, 2006 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Councilmember Steven C. Godden

Councilmember Woody Fridae

Councilmember Harold Anderson

Councilmember Tom Stone

Mayor Dan Martinez

City Manager John W. Donlevy, Jr.

ATTEST: City Clerk Nanci G. Mills



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Council Members
DATE: May 2, 2006
FROM: Nicholas J. Ponticello, City Engineer *njp*
THROUGH: John W. Donlevy, Jr., City Manager *JD*
SUBJECT: Putah Creek Bridge Replacement, Project No. 01-05

Recommendation:

The City Council (1) concur with the Design Subcommittees recommendation to proceed with Alignment Alternative No. 1; (2) concur with the subcommittees recommendations for architectural elements; (3) provide direction on detouring traffic during construction; and (4) direct staff to proceed with the design and environmental processes.

Background:

The Putah Creek Bridge (Bridge No. 23C-234) on the south end of Railroad Avenue was put on the State's list of bridges eligible for replacement or upgrade. On April 3, 2001, staff presented Council with a list of options for the project, which were developed by Solano County's Transportation Department. A public workshop was held on June 11, 2001, to present and discuss the options. Out of the Workshop came a shortlist of viable options, which were presented to Council on May 6, 2003 for consideration. The preferred option at the time was to rehabilitate and widen the existing bridge in hopes of upgrading the bridge while maintaining the historic structure.

The City and County contracted with a structural engineering firm to assess the stability and rehabilitation viability of the existing bridge. Unfortunately, the structural analysis concluded that the existing bridge is not structurally sound and rehabilitation is infeasible. On January 6, 2004, Council approved replacement of the bridge, based on the analysis and recommendation.

Last year, MGE Engineering out of Sacramento was selected to perform design services associated with the project. A design subcommittee consisting of Solano County representatives – Paul Weise and Leo Flores; City of Winters representatives - Alan Mitchell, John Donlevy, Harold Anderson, and Woody Fridae; and MGE Engineering representatives – Darrel Huckabay and Don MacDonald, have been meeting for the last several months to consider alignment alternatives and architectural elements.

Alignment:

The subcommittee came up with two alignment alternatives, which were further developed for presentation to the Council. Darrel and Paul will present the two alternatives and discuss opportunities and constraints associated with the alternatives. A plan and profile sheet for each Alternative is attached and additional drawings will be available at the meeting.

Due to resistance from the property owner on the southwest corner of Railroad and Russell to selling their property, the subcommittee is recommending Alternative No. 1 as the preferred alignment.

Architecture:

Don MacDonald with MacDonald Architects presented architectural elements to the subcommittee for consideration. The overwhelming consideration was to preserve the historical features of the existing bridge where possible. Don will present the elements the subcommittee has agreed will address that consideration. Drawings and a color rendering will be available at the meeting.

As part of the design and environmental process, staff will hold a public meeting to review the proposed alignments and architectural features with the community, and any significant issues will be brought back to the Council for further consideration.

Schedule:

The current project schedule shows the design and environmental clearance taking 4 years and construction commencing in 2010. The construction schedule will range between 315 and 540 days, depending on whether a temporary detour bridge is constructed or traffic is detoured around to I-505.

Budget:

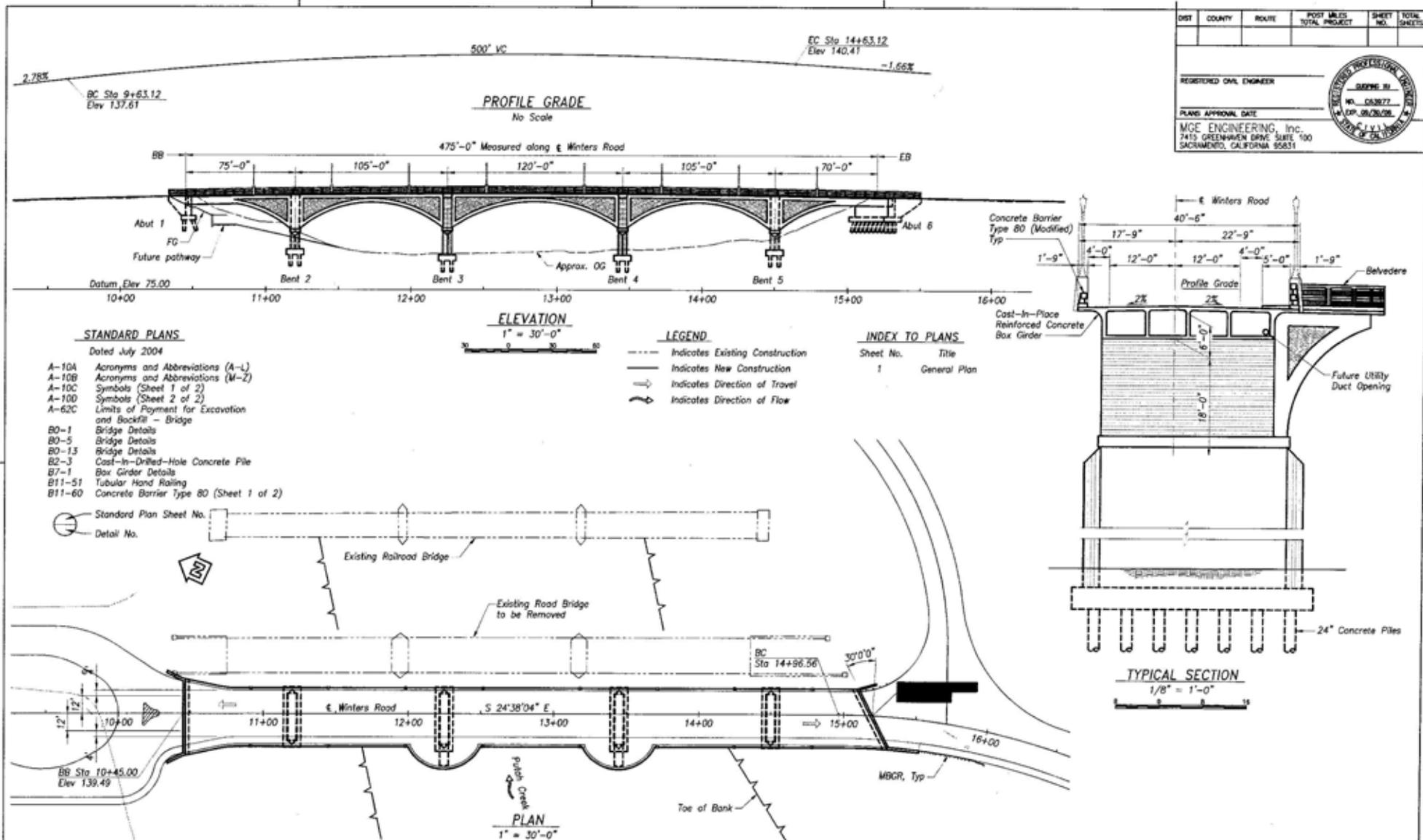
The current construction cost estimates for the different alignments and detour options are as follows. Please note these costs do not include soft costs or land acquisition.

Alternative 1 with temporary detour bridge	\$7,904,000
Alternative 1 w/o detour bridge	\$7,039,000
Alternative 2	\$7,460,000

Funding from the State's Highway Bridge Repair and Replacement (HBRR) Fund will be available to pay for up to 88.53% of the project's eligible costs. Solano County will sponsor the project through Caltrans District 4. The City and County of Solano would be responsible to split the remaining 11.47% of the cost. The City has received \$1,600,000 in federal high priority project/demonstration funds, which are programmed for FFY 2009/2010. The City will be responsible for a \$400,000 match to fully utilize those funds. Unfortunately, the demonstration funds cannot be used toward the City's portion of the HBRR match.

Council will be updated as costs are refined and funding sources are developed.

Attachments: Drawings – Alignment Alternatives 1 and 2



DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS

REGISTERED CIVIL ENGINEER

PLANS APPROVAL DATE

MGE ENGINEERING, Inc.
7415 GREENHAVEN DRIVE SUITE 100
SACRAMENTO, CALIFORNIA 95831

REGISTERED PROFESSIONAL ENGINEER
STATE OF CALIFORNIA
NO. 652677
EXP. 06/30/08

STANDARD PLANS
Dated July 2004

- A-10A Acronyms and Abbreviations (A-L)
- A-10B Acronyms and Abbreviations (M-Z)
- A-10C Symbols (Sheet 1 of 2)
- A-10D Symbols (Sheet 2 of 2)
- A-62C Limits of Payment for Excavation and Backfill - Bridge
- B0-1 Bridge Details
- B0-5 Bridge Details
- B0-13 Bridge Details
- B2-3 Cast-In-Drilled-Hole Concrete Pile
- B7-1 Box Girder Details
- B11-51 Tubular Hand Railing
- B11-60 Concrete Barrier Type 80 (Sheet 1 of 2)

ELEVATION
1" = 30'-0"

LEGEND

- Indicates Existing Construction
- Indicates New Construction
- Indicates Direction of Travel
- ↷ Indicates Direction of Flow

INDEX TO PLANS

Sheet No.	Title
1	General Plan

PLAN
1" = 30'-0"

TYPICAL SECTION
1/8" = 1'-0"

DESIGN	BY G. Xu	CHECKED	LOAD FACTOR DESIGN	LIVE LOADS: HS20-44 AND ALTERNATIVE AND POINT LOADS	PREPARED FOR THE COUNTY OF SOLANO DEPARTMENT OF RESOURCE MANAGEMENT	BRIDGE NO. 23C-0243	POST MILE N/A	WINTERS ROAD BRIDGE REPLACEMENT
DETAILS	BY X. Sun	CHECKED	LAYOUT	BY	Robert E. Sennett IV			GENERAL PLAN - ALTERNATIVE 2
QUANTITIES	BY	CHECKED	SPECIFICATIONS	BY				

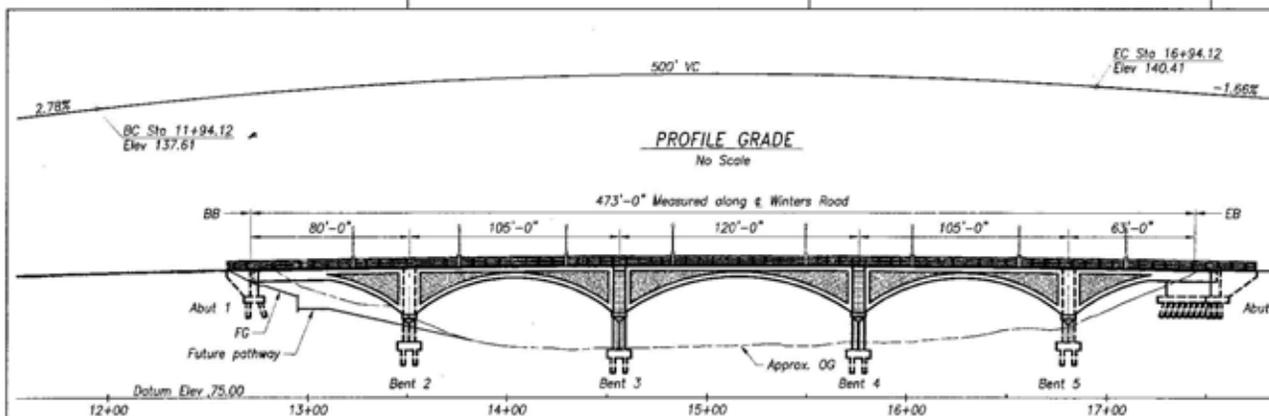
DS 050 2138 (CADD 4/98)

ORIGINAL SCALE IN INCHES FOR REDUCED PLANS

VERTICAL PRINTS BEARING EARLIER REVISION DATES

REVISION DATES (PRELIMINARY STAGE ONLY)

SHEET 1 OF 1



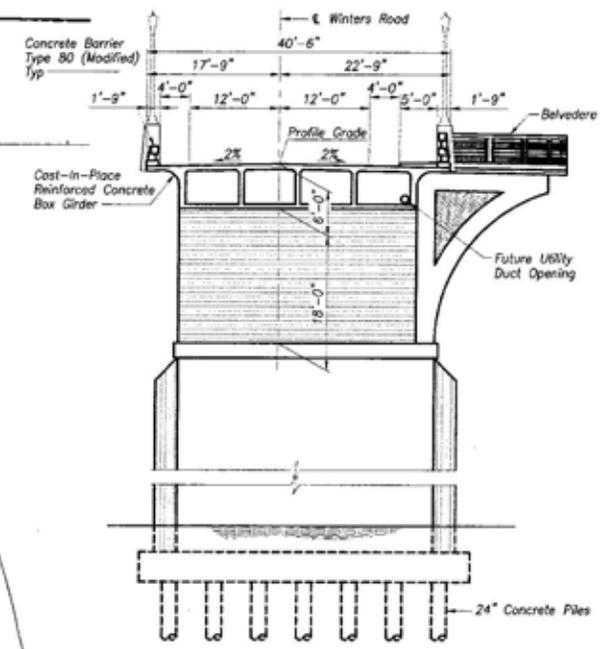
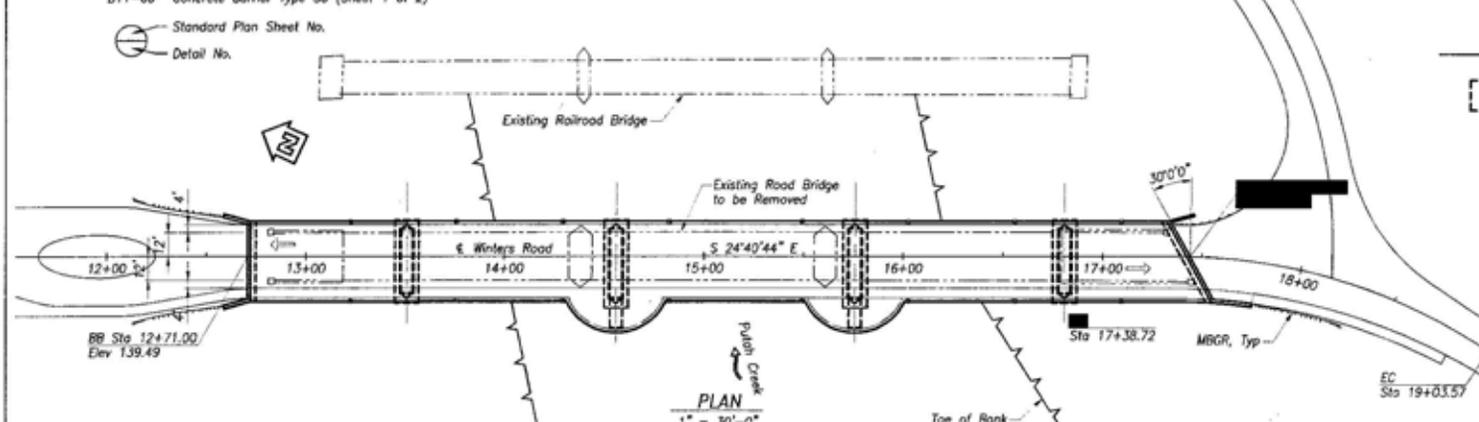
ELEVATION
1" = 30'-0"

- STANDARD PLANS**
Dated July 2004
- A-10A Acronyms and Abbreviations (A-L)
 - A-10B Acronyms and Abbreviations (M-Z)
 - A-10C Symbols (Sheet 1 of 2)
 - A-10D Symbols (Sheet 2 of 2)
 - A-62C Limits of Payment for Excavation and Backfill - Bridge
 - B0-1 Bridge Details
 - B0-5 Bridge Details
 - B0-13 Bridge Details
 - B2-3 Cast-in-Drilled-Hole Concrete Pile
 - B7-1 Box Girder Details
 - B11-51 Tubular Hand Rolling
 - B11-60 Concrete Barrier Type 80 (Sheet 1 of 2)

- LEGEND**
- Indicates Existing Construction
 - Indicates New Construction
 - Indicates Direction of Travel
 - ↻ Indicates Direction of Flow

INDEX TO PLANS

Sheet No.	Title
1	General Plan



DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET NO.	TOTAL SHEETS

REGISTERED CIVIL ENGINEER

PLANS APPROVAL DATE

MGE ENGINEERING, Inc.
7415 DREDDENHAW DRIVE SUITE 100
SACRAMENTO, CALIFORNIA 95831

DESIGN	BY G. Xu	CHECKED	LOAD FACTOR DESIGN	LIVE LOADS	H20-44 AND ALTERNATE AND POINT LOAD	PREPARED FOR THE COUNTY OF SOLANO DEPARTMENT OF RESOURCE MANAGEMENT	BRIDGE NO. 23C-0243	WINTERS ROAD BRIDGE REPLACEMENT GENERAL PLAN - ALTERNATIVE 1
DETAILS	BY X. Sun	CHECKED	LAYOUT	BY	CHECKED	Robert E. Sennett IV	POST MILE N/A	
QUANTITIES	BY	CHECKED	SPECIFICATIONS	BY	CHECKED		N/A	

06 OSD 2138 (ADD 4/99)

ORIGINAL SCALE IN INCHES FOR REDUCED PLANS

0 1 2 3

DISREGARD PRINTS BEARING EARLIER REVISION DATES

REVISION DATE (PRELIMINARY STAGE ONLY)

1



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Council Members
DATE : May 2, 2006
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Nanci G. Mills, Director of Administrative Services, City Clerk
SUBJECT: Second Reading and Adoption of Ordinance 2006-05 Amending Section 2.04.150 of the Winters Municipal Code Relating to Compensation of Council Members

RECOMMENDATION:

The City Council holds a public hearing and adopts Ordinance 2006-05, Amending Section 2.04.150 of the Winters Municipal Code Relating to Compensation of Council Members.

BACKGROUND:

Ordinance 2006-05 was introduced for the first reading at the April 18, 2006 City Council meeting. The current compensation paid to members of the City Council is \$75, which has been the salary since 1966, and \$30 for Community Development meetings. Pursuant to Government Code Section 36516, the City Council may increase the amount of compensation paid to its members, by ordinance.

On October 19, 2004 the City Council approved an increase in City Council compensation to \$150 per month plus \$30 for Community Development meetings.

Any adjustment to City Council compensation will not take effect immediately. Government Code Section 36516.5 provides that a "change in compensation" shall not take effect until one or more Council members begin a new term in office. Accordingly, the proposed increase in compensation will take effect in June 2006, after the June 2006 City Council election. The current compensation has an annual cost of \$6,300, the proposed compensation has an annual cost of \$10,800.

FISCAL IMPACT:

Annual increase of \$4,500.

ORDINANCE 2006-05

**AN ORDINANCE OF THE CITY OF WINTERS AMENDING
SECTION 2.04.150 OF THE WINTERS MUNICIPAL CODE
RELATING TO COMPENSATION OF COUNCIL MEMBERS**

THE CITY COUNCIL OF THE CITY OF WINTERS DOES ORDAIN AS
FOLLOWS:

Section 1. Government Code Section 36516 allows the City Council, by ordinance, to adjust the amount of compensation paid to its members.

Section 2. There has been no salary adjustment for City Council members since the salary adjustment set forth in Ordinance No. 293, adopted on February 21, 1966, which adjusted Council member's salary to \$75.

Section 3. The City Council desires to adjust its compensation in conformity with Government Code Section 36516.

Section 4. Section 2.04.150 of Title 2, Chapter 2 of the City of Winters Municipal Code is hereby amended to read as follows:

"Section 2.04.150 Compensation of Council Members.

Each member of the council shall receive a monthly salary of one hundred and fifty dollars (\$150.00)."

Section 5: Pursuant to Government Code section 36516.5, the adjustment of the compensation of all members of the Council, in accordance with Section 2.04.150 of the Winters Municipal Code as amended by Section 4 above, shall not take effect until that date in June, 2006 on which new terms of office will begin for three positions on the City Council.

Section 6: The City Clerk shall cause this Ordinance to be published at least once in a newspaper of general circulation published and circulated in the City within (15) days after its passage, in accordance with Section 36933 of the Government Code; shall certify to the adoption of this Ordinance and shall cause this ordinance and her certification, together with proof of publication, to be entered in the Book of Ordinances of the Council of this City.

Section 7. This Ordinance shall go into effect and be in full force and effect in 30 days after its passage.



CITY COUNCIL STAFF REPORT

May 2, 2006

TO: Honorable Mayor and Members of the City Council

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

FROM: Dan Sokolow – Community Development Director 

SUBJECT: Citywide Habitat Mitigation Program

RECOMMENDATION: Staff recommends that the City Council Adopt Resolution No. 2006-03, Adopting a Citywide Habitat Mitigation Program.

BACKGROUND: The City Council held two public hearings and reviewed the Citywide Habitat Mitigation Program at its April 18, 2006, March 7, 2006, and February 21, 2006 meetings. At the April 18 meeting, the Council decided to drop Solano County from the mitigation program; however, the Council directed staff to draft language allowing mitigation to occur in an approved mitigation bank in Solano County within a seven-mile radius from the current City limits in the event that mitigation was not possible in Yolo County. This language is detailed below and found on page 12 of the Habitat Mitigation Program.

Establish mitigation areas as close to town as practicable without detrimentally affecting likely direction of future growth. The precise acceptability of a particular mitigation property shall be decided on a case-by-case basis to avoid manipulating the market. Generally favorable areas are those that occur in Yolo County within a seven-mile radius of the current City limits (see Appendix B). Where mitigation is not possible in Yolo County, the first priority shall be mitigation in an approved mitigation bank in Solano County located within a seven-mile radius of the current City limits.

DISCUSSION: Staff reviewed the language on the location of mitigation areas with the staff of the Yolo County HCP/NCCP JPA and the JPA staff did not raise concerns.

ATTACHMENTS:

Resolution No. 2006-03 Adopting a Citywide Habitat Mitigation Program
Habitat Mitigation Program

RESOLUTION NO. 2006-03

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS
ADOPTING A CITYWIDE HABITAT MITIGATION PROGRAM**

WHEREAS, the City has recently approved several development projects each of which has habitat mitigation requirements;

WHEREAS, the City is desirous of providing a consistent framework for implementation of these project-level mitigation requirements;

WHEREAS, establishing a citywide habitat program is critical to maximizing community benefit from coordinated implementation of project-level habitat mitigation requirements;

WHEREAS, the Planning Commission developed guidance for such a program at a public hearing held January 24, 2006; and

WHEREAS, the attached City of Winters Habitat Mitigation Program is consistent with the direction of the Commission and with the City General Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Winters that:

- 1) The City of Winters Habitat Mitigation Program is hereby adopted as official policy of the City of Winters.
- 2) The staff is directed to ensure that this program is fully implemented in the course of implementing development approvals.

I HEREBY CERTIFY THAT the foregoing resolution was duly and regularly adopted by the City Council of the City of Winters, County of Yolo, State of California, on the 2nd day of May, 2006 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Dan Martinez, Mayor

ATTEST:

Nanci G. Mills, City Clerk

CITY OF WINTERS HABITAT MITIGATION PROGRAM

The City currently faces oversight of the implementation of various habitat mitigation requirements associated with recently approved and pending development project approvals. The purpose of this program is to establish a framework for acceptable satisfaction of these requirements.

The program is formatted as follows:

State and Federal Framework	page 1
Swainson's Hawk	
Other Raptors	
Burrowing Owls	
Valley Elderberry Longhorn Beetle (VELB)	
Seasonal Wetlands Habitat and Species	
General Plan Policy Framework	page 5
Approved and Proposed Projects	page 6
Callahan Estates	
Creekside Estates	
Hudson/Ogando Subdivision	
Winters Highlands Subdivision	
Summary of Habitat Preservation Acreage Requirements	
Statement of Guiding Values	page 9
Mitigation Strategy by Resource	page 10
Swainson's Hawk	
Other Raptors	
Burrowing Owls	
Valley Elderberry Longhorn Beetle (VELB)	
Seasonal Wetlands Habitat and Species	
Framework for Mitigation	page 12
Qualifying Land	
Minimum Standards for the Agreement	
Requirements for the Submittal	

STATE AND FEDERAL FRAMEWORK

Swainson's Hawk -- The Swainson's Hawk is listed as a "threatened" species under the California Endangered Species Act (CESA) and is also protected pursuant to Section 3503.5 of the State Fish and Game Code and the Federal Migratory Bird Treaty Act. Swainson's Hawk impacts are generally distinguished as nesting impacts and foraging impacts. Nesting impacts are those that remove or disturb occupied nesting habitat, including native or nonnative trees along riparian corridors, roadside trees, or isolated trees or groups of trees. Foraging habitat impacts are those that remove suitable foraging habitat, such as open grasslands and agricultural lands that are compatible with their foraging behavior (i.e., hay, grain, and row crops and pasturelands with low vegetative height).

To mitigate impacts to Swainson's Hawk nesting and foraging habitat, mitigation strategies are generally imposed in accordance with California Department of Fish and Game

(CDFG) guidelines set forth in the "Staff Report Regarding Mitigation for Impacts to Swainson's Hawks in the Central Valley of California" (CDFG, 1994). Pre-construction nesting surveys are required to be conducted during the nesting season. If an active nest is located, or if previously active nests are documented by CDFG, mitigation measures may include delineation of no-construction buffer zones around the active nest site and/or a delay of construction until nestlings have fledged. CDFG guidelines require mitigation for losses of Swainson's hawk foraging habitat within ten miles of an active nest, and indicate that such losses can be mitigated by providing suitable habitat management (HM) lands (i.e., foraging habitat) based on the following ratios:

a) Projects within one mile of an active nest shall provide one acre of HM land for each acre of development authorized (1:1 ratio);

b) Projects within five miles of an active nest tree but greater than one mile from the nest tree shall provide 0.75 acre of HM land for each acre of development authorized (0.75:1 ratio);

c) Projects within 10 miles of an active nest tree but greater than five miles from an active nest tree shall provide 0.5 acre of HM land for each acre of development authorized (0.5:1 ratio).

Other Raptors – Other raptors are also protected pursuant to Section 3503.5 of the State Fish and Game Code and the Federal Migratory Bird Treaty Act. In the local area, both nesting and foraging impacts are considered mitigated by the same measures that apply to the Swainson's Hawk. Pre-construction surveys for the Swainson's Hawk include identification of nests for other raptor species and Swainson's Hawk foraging mitigation provides mitigation for other raptor foraging impacts.

Burrowing Owls – The Burrowing Owl is designated by the CDFG as a "species of special concern" and is also protected pursuant to Section 3503.5 of the State Fish and Game Code and the Federal Migratory Bird Treaty Act. The Burrowing Owl nests and finds cover in subterranean burrows, typically those made by ground squirrels; however, man-made structures, such as culverts, pipes, and debris piles are also used. It forages primarily in open grasslands, but also uses agricultural types with low vegetative cover.

The Burrowing Owl is not a state or federally listed species; however, its status as a species of special concern indicates that populations are declining or the species is otherwise imperiled in California. Impacts to Burrowing Owls and other non-listed special-status species are typically addressed during CEQA review. To mitigate impacts to Burrowing Owl habitat, mitigation strategies are generally imposed in accordance with CDFG guidelines set forth in the "Staff Report on Burrowing Owl Mitigation" (CDFG, 1995). Surveys are required to be conducted for California Environmental Quality Act (CEQA) review to verify potential habitat and/or the existence of occupied habitat. If an active nest is located, mitigation measures may include delineation of no-construction buffer zones around the active nest site and/or a delay of construction until nestlings have fledged. Where potential habitat exists pre-construction surveys are also required.

CDFG guidelines require mitigation for losses of Burrowing Owl nesting or foraging habitat based on acquisition and permanent protection of a minimum ratio of 6.5 acres of foraging habitat per pair or unpaired resident bird. Enhancement or creation of new burrows on the

protected habitat is required at a ratio of 2:1. Avoidance buffers during the breeding and nesting season may also be required.

Valley Elderberry Longhorn Beetle (VELB) – The VELB is listed as a “threatened” species under the Federal Endangered Species Act (FESA). It is a wood boring beetle that depends entirely on its host plant, the elderberry shrub, for habitat. Elderberry shrubs are generally found in riparian and upland habitats throughout the Central Valley, including the City of Winters. Potentially occupied shrubs are defined as having stems greater than one inch in diameter regardless of the presence of emergence holes (an indicator of VELB use). Shrubs that do not support stems greater than one inch are not considered potential habitat. To mitigate impacts to the VELB, mitigation strategies are generally imposed in accordance with United States Fish and Wildlife Service (USFWS) “Conservation Guidelines for the Valley Elderberry Longhorn Beetle” (USFWS, 1999). Surveys are required to identify potentially occupied elderberry shrubs.

The USFWS has issued a programmatic consultation that requires mitigation as summarized below. The actual mitigation ratio applied depends on several factors including whether the host plant is located in a riparian or non-riparian area, the actual size of the branches that meet the one-inch minimum threshold, and presence of emergence (exit) holes. The guidelines provide a table to determine the appropriate mitigation ratio.

- a) Avoidance with a minimum buffer zone of 100-feet around each plant. Protection, restoration, and maintenance are required; or,
- b) Transplantation to a conservation area; new plantings at a mitigation ratio ranging from 1:1 to 8:1 (new planting to affected one-inch stems); over-story and under-story native species plantings at a mitigation ratio ranging from 1:1 to 2:1 (native tree or plant to new elderberry planting)
- c) The size of the conservation area depends on the number of plantings – approximately 1,800 square feet for every ten plantings (combined elderberry and/or natives).

Seasonal Wetlands Habitat and Species – A variety of state and federal regulations affect aquatic habitat and species, including the Federal Clean Water Act, the FESA, the Fish and Wildlife Coordination Act, the State Porter-Cologne Water Quality Control Act, the CESA, the California Native Plant Protection Act, the State Fish and Game Code, and State Wetlands Conservation Policy (Executive Order). Relevant agencies, depending on the circumstances, include the US Army Corps of Engineers, USFWS, CDFG, and the Central Valley Regional Water Quality Control Board (CVRWQCB).

The impact analysis and mitigation determination process for aquatic resources starts with a biological assessment of on-site features, in particular wetlands. Wetlands are defined differently at the federal and State level, with federal agencies requiring all three wetland indicators (hydrology, soils, and vegetation) and the State requiring only one of the three. Furthermore, wetlands policy differs as well. State policy is generally no net loss of wetlands acreage and values; federal policy is general no net loss of wetlands acreage or values.

If wetlands are present a delineation must be prepared and a determination must be made as to whether they are jurisdictional (meaning they fall under the jurisdiction of the US Army Corps of Engineers (ACOE) pursuant to Section 404 of the federal Clean

Water Act) or "isolated" meaning they are not adjacent to navigable waters and therefore fall outside of the regulation of the ACOE pursuant to the Supreme Court's ruling in *Solid Waste Agency of Northern Cook County v. United States Army Corps of Engineers*, 531 U.S. 159 (2001) ("SWANCC").

For avoided wetlands occupied or potentially occupied by federally listed invertebrates, the USFWS generally requires a 250 foot buffer. If the wetlands are jurisdictional, impacts to them will trigger either a general permit under Section 404 or an individual permit. General Permits have already received National Environmental Policy Act (NEPA) clearance. The most commonly applicable general permit that would apply to projects in Winters is Nationwide Permit #39 which covers projects that impact less than or equal to one half acre of wetlands and less than or equal to 300 linear feet of streambed. Whether or not a project can qualify for a general permit is ultimately a determination made by the ACOE. "Minimal impact" standards and compliance with general permit conditions factor into their decision. If the impacts from a project do not fall under a general permit, then an individual permit is required and separate NEPA clearance would be triggered as well.

Impacts to wetlands that contain or provide suitable habitat for federally listed species trigger a consultation requirement under FESA, before a federal Incidental Take Permit (ITP) can be issued to allow the project to move forward. If the wetlands are jurisdictional, the consultation must satisfy FESA Section 7 and requires the USFWS to render a formal Biological Opinion. If the wetlands are non-jurisdictional, the consultation must satisfy FESA Section 10 and requires the preparation of a project-level HCP.

The USFWS has issued a programmatic consultation for impacts to small areas (less than one acre) of vernal pool habitat containing invertebrates. Projects with larger impacts would not be covered by this consultation and may be subject to different mitigation requirements.

a) a "preservation" requirement of 2:1 for mitigation at a mitigation bank or 3:1 for mitigation on-site or at a non-bank location; and

b) a "creation" requirement of 1:1 for mitigation at a mitigation bank or 2:1 for mitigation on-site or at a non-bank location.

For jurisdictional wetlands, Section 401 of the Clean Water Act triggers a requirement for Water Quality Certification from the Central Valley Regional Water Quality Control Board. For isolated wetlands similar regulatory authority is provided to the Regional Board through Porter-Cologne Water Quality Control Act. The Water Quality Certification is needed for both individual and general permits from the Corps and the Certification is required before any such permit issued or authorized by the Corps can be acted upon.

It should be noted that invertebrates in general, and "rare" listed plants under the California Native Plant Protection Act, are not regulated under CESA. Therefore, unless the wetlands lie within a stream bed or channel, CDFG has no direct permitting authority except through CEQA. Through their CEQA authority, CDFG generally requires that

permanent wetlands be protected by no less than 100-foot setback buffer areas, and intermittent streams and swales be protected by no less than a 50-foot non-building setback buffer established on each side of the stream. They generally advise that buffers be extended to protect riparian habitats. Where impacts to these resources will result CDFG relies on the State policy of no net loss of wetlands acreage and values for establishing mitigation. Section 1600 of the State Fish and Game Code triggers the requirement for a Lake or Streambed Alteration Agreement if activities are proposed within the bed or bank of a river, stream, or lake including wetlands or riparian vegetation associated with that stream.

At the local level, the City of Winters has separate relevant policies which are discussed below.

GENERAL PLAN POLICY FRAMEWORK

The Winters General Plan adopted May 19, 1992, includes a Natural Resources Element with the following goal and policies relevant to habitat values:

Goal VI.C: To protect sensitive native vegetation and wildlife communities and habitat.

Policies:

- VI.C.1. Prior to approving public or private development projects in areas containing or adjacent to areas containing large trees, riparian vegetation, wetlands, or other significant wildlife habitat, the City shall require the project area and its environs be field surveyed for the presence of special-status plant and animal taxa. Such field surveys shall be conducted by a qualified biologist. If special-status taxa are encountered during the field surveys, appropriate measures shall be developed to minimize disturbance and protect identified populations where feasible.
- VI.C.2. In regulating private development and constructing public improvements, the City shall ensure that there is no net loss of riparian or wetland habitat acreage and value and shall promote projects that avoid sensitive areas. Where habitat loss is unavoidable, the City shall require replacement on at least a 1:1 basis. Replacement entails creating habitat that is similar in extent and ecological value to that displaced by the project. The replacement habitat should consist of locally-occurring, native species and be located as close as possible to the project site. Implementation of this policy should be based on baseline data concerning existing native species. Study expenses shall be borne by development.
- VI.C.3. Unless there are overriding considerations as defined in the California Environmental Quality Act, the City shall not approve any project that would cause significant unmitigatable impacts on rare, threatened, or endangered wildlife or plant species.
- VI.C.4. The City shall support and participate in local and regional attempts to restore and maintain viable habitat for endangered or threatened plant and animal species. To this end, the City shall work with surrounding jurisdictions and state and federal agencies in developing a regional *Habitat Management Plan*. Such plan shall provide baseline data for the Winters area on special-status plant and animal taxa, including Swainson hawk and the valley elderberry longhorn beetle, and provide guidelines and standards for mitigation of impacts on special-status taxa.
- VI.C.5. The City shall require mitigation of potential impacts on special-status plant and animal taxa based on a policy of no-net-loss of habitat value. Mitigation measures shall incorporate as

the City deems appropriate, the guidelines and recommendations of the U.S. Fish and Wildlife Service and the California Department of Fish and Game. Implementation of this policy may include a requirement that project proponents enter into an agreement with the City satisfactory to the City Attorney to ensure that the proposed projects will be subject to a City fee ordinance to be adopted consistent with the regional *Habitat Management Plan*.

- VI.C.6. The City shall undertake a feasibility study for the establishment of an Open Space Preserve between the Urban Limit Line and Grant Avenue west of I-505. Such preserve should be designed to provide for a combination of uses including agriculture, habitat protection, groundwater recharge, and educational and recreational activities. The Open Space Preserve should, to the maximum extent possible, be designed to function as part of the City's flood control and wastewater discharge system. The City should consider requiring developments that cannot mitigate wetlands or riparian habitat impacts on-site to make in-lieu contributions to the establishment, development, and maintenance of the Open Space Preserve or other mitigations consistent with the regional *Habitat Management Plan*.
- VI.C.7. The City shall promote the use of drought-tolerant and native plants, especially valley oaks, for landscaping roadsides, parks, schools, and private properties.
- VI.C.8. Parks, the drainage detention areas, and golf course development shall incorporate areas of native vegetation and wildlife habitat.
- VI.C.9. Large, older and historically-significant trees should not be removed unless they are diseased or represent an unavoidable obstacle to development. Development should be designed and constructed to avoid adverse impacts on such trees.
- VI.C.10. The City shall encourage and support development projects and programs that enhance public appreciation and awareness of the natural environment.

Policy VI.C.2 is most directly relevant and was used as the basis for local compensatory replacement habitat requirements applied to recent project approvals, which are discussed further herein.

APPROVED AND PROPOSED PROJECTS

The City has recently approved four significant residential projects (Callahan Estates, Creekside Estates, Hudson/Ogando, and Winters Highlands) that required discretionary approvals and CEQA clearance. A brief summary of the habitat mitigation requirements of each is provided below. The full text of the adopted habitat mitigation measures for each project is attached to this analysis (see Appendix A).

As evident below, the mitigation requirements for the Swainson's Hawk are not consistent between project approvals. This is due to the City becoming aware of the lapse in the status of the Memorandum of Understanding between Yolo County, the cities, and the State Department of Fish and Game for this species. As a result, the mitigation wording for Hudson/Ogando and Winters Highlands was modified from the wording used for the earlier projects. This is discussed further below.

Callahan Estates Subdivision (approved April 5, 2005) -- The project is a residential subdivision of 26.4 acres to create 120 single-family lots; Parcels A and D (exchange lots); Parcels E, F, and G (open space lots); and Parcel X (detention pond/well site).

Habitat mitigation summary (full text of mitigation measures attached):

Other Raptors (MM #3) – Nest survey required. Avoidance required.

Burrowing Owl (MM #4) – Nest survey required. Preservation area required per nest per DFG.

Swainson's Hawk (MM #5) – 1:1 preservation of foraging land required for 26.4 acres. Payment of MOU fee allowed.

Wetlands Invertebrates (MM #5.1) – 0.25 acres seasonal wetlands in SE corner. Avoid or do protocol surveys. Mitigation required pursuant to USFWS and DFG requirements.

Seasonal Wetlands (MM #5.2) – 0.25 acres seasonal wetlands in SE corner plus unknown acreage for Highlands Canal onsite. Local 1:1 mitigation required per GP Policy VI.C.2 located either at the City's Community Sports Park site north of Moody Slough Road or at the wetlands site in the northeast corner of the Winters Highlands property.

Creekside Estates Subdivision (approved May 17, 2005) -- The project is a residential subdivision of 13.7 acres to create 40 single-family lots.

Habitat mitigation summary (full text of mitigation measures attached):

Valley Elderberry Longhorn Beetle (VELB) (MM #4) – Species survey required. Preservation area required per bush per USFWS.

Other Raptors (MM #5) – Nest survey required. Avoidance required.

Burrowing Owl (MM #6) – Nest survey required. Preservation area required per nest per DFG.

Swainson's Hawk (MM #7) – 1:1 preservation of foraging land required for 13.7 acres. Payment of MOU fee allowed.

Seasonal Wetlands – None. Not applicable.

Hudson/Ogando Subdivision (approved December 13, 2005) -- The project is a residential subdivision of 15.97 acres to create 72 single-family lots (47 R-1 lots on 10.06 acres; plus 25 R-3 lots on 3.63 acres), Parcel A (5,360 sf) for a small open space or well site, and Parcel Y (93,608 sf) for a proposed City Public Safety Center .

Habitat mitigation summary (full text of mitigation measures attached):

Burrowing Owl (MM #4) – Nest survey required. Preservation area required per nest per DFG.

Swainson's Hawk (MM #5) – 1:1 preservation of foraging land required for 15.97 acres. Payment of MOU fee allowed if MOU is in effect, otherwise land required.

Other Raptors (MM #6) – Nest survey required. Avoidance required.

Wetlands Invertebrates (MM #7) – 0.78 acre seasonal wetlands in the center of the northern portion of the site. Avoid or do protocol surveys. Mitigation required pursuant to USFWS, DFG, and RWQCB requirements, as applicable.

Seasonal Wetlands (MM #8) – 0.78 acre seasonal wetlands in the center of the northern portion of the site. Local 1:1 mitigation required per GP Policy VI.C.2 located either at the City's Community

Sports Park site north of Moody Slough Road, at the wetlands site in the northeast corner of the Winters Highlands property, or elsewhere as directed/approved by the City Council.

Winters Highlands Subdivision (approved April 4, 2006) -- The project is a proposed residential subdivision of 102.6 acres to create 413 single-family lots (including 36 "duplex" lots) on 49.49 acres, a 2.01 acre multifamily lot on which 30 apartments will be developed, a 10.63 acre park site (plus a proposed 10,000 square foot well site), a 7.43 acre wetlands/open space area, an exchange parcel of 0.04 acres to the Callahan property to the south; and 32.81 acres in public roads.

Habitat mitigation summary (full text of mitigation measures attached):

Wetlands Invertebrates (MM #4.3-1a) – Protocol surveys identified 0.67 acre of populated seasonal wetlands (vernal pools) on-site. Mitigation is required pursuant to USFWS requirements.

Seasonal Wetlands On-Site Preserve (MM #4.3.2a) – Preserve and manage in perpetuity 7.43 acres in northeast corner comprised of 0.99 acres wetlands/vernal pools, 2.10 acres open space grasslands, and 4.33 acres of open space buffer.

Swainson's Hawk and Other Foraging Raptors (MM #4.3-3a) – 1:1 preservation of foraging land required for 102.6 acres. Payment of MOU fee allowed if MOU is in effect, otherwise land required.

Burrowing Owl (MM #4.3-4a/b) – Three owl pair/individuals identified. Pre-construction nest survey required. 19.5 acres of habitat required to be preserved and enhanced per DFG.

Seasonal Wetlands (MM #4.3-5a) – Local 1:1 mitigation required per GP Policy VI.C.2 for the 0.54 acre of seasonal wetlands that occur in the Highlands Canal. Local 2:1 mitigation required per GP Policy VI.C.2 for the 0.81 acre of wetlands that occur outside the Highlands Canal. Total mitigation requirement 2.16 acres. See specified performance criteria.

Other Raptors (MM #4.3-6a) – Nest survey required. Avoidance required.

Riparian Corridor Adjoining Dry Creek (MM #4.3-9a) – Restoration plan required for 50 foot section on either side of Highlands Canal outlet (0.05 acre).

Summary of Habitat Preservation Acreage Requirements

Based on the information provided above by project, aggregate preservation requirements by resources (as currently known) are as follows:

Burrowing Owl – 19.5 acres for Highlands (additional acreage may be required depending on results from site surveys to be completed).

VELB -- 0 acres (additional acreage may be required depending on results from site surveys to be completed).

Swainson's Hawk – 158.7 acres (Callahan 26.4, Creekside 13.7, Hudson 15.97, Highlands 102.6).

Wetlands Invertebrates – 0.67 acre for Highlands (additional acreage may be required depending on results from protocol surveys to be completed at Callahan project sites).

Seasonal Wetlands – 3.19 acres (Callahan 0.25 + ? for Canal, Creekside 0.0, Hudson 0.78, Highlands 2.16 comprised of 0.54 at 1:1 and 0.81 at 2:1) (additional acreage may be required depending on results from delineation of Highlands Canal on Callahan site to be completed).

Total – 182.1 acres (additional acreage may be required depending on results from site surveys to be completed as noted above).

STATEMENT OF GUIDING VALUES

It is the goal of the City to achieve the greatest possible social and habitat value from the implementation of the City's habitat mitigation requirements. This is another way to achieve community gains from the various projects, in exchange for the right to develop and the approval to convert these properties to new neighborhoods. Although these development approvals have been for properties planned in the General Plan to convert to residential uses, there are still important community values to be gained in maximizing the mitigation. The General Plan goal and policies listed above support this concept. In light of this, the City will oversee the implementation of mitigation requirements based on the following guiding values:

- Consolidate single-project mitigation into a large and biologically meaningful preserve.
- Maximize open space and habitat value for Winters' community.
- Coordinate with other cities and agencies to maximize land preservation opportunities. This shall include coordination with the JPA to maximize opportunities for joint benefit. It is the intent of the City to remain a partner and participant in the JPA and that this program be consistent with the efforts of the JPA.
- Be flexible, practical, and efficient with resources and opportunities.
- Ensure that this Habitat Mitigation Program (HMP) has been satisfied as early as possible and no later than prior to issuance of building permits. Require mitigation implementation to be consistent with this program.
- Require land dedications generally, but allow use of established mitigation banks under specified circumstances, where the habitat and monitoring requirements are particularly complicated, regulated, or technical.
- Where Swainson's Hawk mitigation for less than 40 acres is a requirement of a project, as a last resort where the developer has made a compelling case to demonstrate their inability to purchase land or easements pursuant to the program, the City retains the authority to allow that developer to pay in-lieu fees through the JPA.

MITIGATION STRATEGY BY RESOURCE

Overall Vision -- Strategies for each impacted biological resource are provided below. If properly implemented, it is the intent that these strategies will result in contiguous acreage of preserved land in proximity to the City comprised of open space and/or cropland adjoining a local creek or slough with significant riparian values. The open space or crop land would be used for Swainson's Hawk mitigation. Mitigation for Burrowing Owl, VELB, and/or seasonal wetlands would be incorporated into the open space or located between the open space/cropland (depending on the presence of existing resources and physical characteristics) and the slough or creek area which would be accepted as mitigation under General Plan Policy VI.C.2. Furthermore, this land would be managed in a manner allowing for controlled open space recreational value to be gained for Winters residents and children, in the form of education programs, trails, viewing points, event gathering areas, etc.

In all cases, the mitigation land must not only be acquired and put under a conservation easement, but the applicant must provide an appropriate endowment to cover management of the land in perpetuity. The applicant must, therefore, provide a management plan acceptable to the agencies and City that identifies the management actions required for the land being set aside.

Swainson's Hawk and Other Raptors – Swainson's Hawk foraging land is easily located throughout the local area and in proximity of the City. As such where mitigation for Swainson's Hawk is triggered, the City will generally not allow it to occur through a mitigation bank, but rather require that it occur on land placed under easement by the applicant, under the management of a local established land trust approved by the City and acceptable to CDFG. In addition, preservation of Swainson's Hawk land generally has the dual effect of preservation of agricultural land in those cases where the foraging land is agricultural row crop land.

The County and all cities within the County have a Memorandum of Understanding executed with CDFG that allows for the payment of in-lieu fees to the Yolo County Habitat Joint Powers Agency (JPA) as mitigation for the Swainson's Hawk. These fees are to be used to make purchases of Swainson's Hawk foraging land and/or easements on such land, for permanent conservation as a precursor to adoption of the Yolo County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP). To date no purchases of mitigation land have been made by the JPA and the MOU has expired.

As written, the City approvals for the Callahan and Creekside projects defer to payment of the in-lieu fees to the JPA for mitigation of Swainson's Hawk. Whereas, the City's approval of the Hudson and Highlands projects indicate that unless the MOU and/or the countywide HCP/NCCP are approved and in effect, the applicants must directly secure land dedications, and can not rely on payment of the in-lieu fee.

In light of the situation and in particular the expiration of the JPA on which the Callahan and Creekside Swainson's Hawk mitigations are based, the City will exercise its discretion on the Callahan and Creekside Swainson's Hawk mitigation requirements by

determining that they can only be properly discharged by land dedication, as would be required of the Hudson and Highlands projects (assuming final approvals for Highlands).

Therefore, for all four projects the City position is that the applicants will purchase and set aside in perpetuity the appropriate acreage of Swainson's Hawk foraging land consistent with the parameters of this report, through the purchase of the underlying land and/or the development rights and execution of an irreversible conservation easement to be managed by a local established land trust approved by the City.

Burrowing Owl – It is possible to successfully create Burrowing Owl habitat and encourage use by Burrowing Owls. Additionally, this species shares some of the same habitat requirements as the Swainson's Hawk, primarily open grasslands. As such, where mitigation for Burrowing Owls is required, the City will not generally allow it to occur through a mitigation bank, but rather require that it occur on land placed under easement by the applicant, adjacent to Swainson's Hawk mitigation land (see discussion above), and under the management of a local established land trust approved by the City and acceptable to CDFG. "Stacking" of Burrowing Owl and Swainson's Hawk habitat on the same acreage is not supported by the City.

Valley Elderberry Longhorn Beetle – A similar situation exists for the VELB. The host plant for this beetle is fairly easy to transplant. Similarly, the success rate for new plantings is high. As such, where mitigation for VELB is triggered, the City will not generally allow it to occur through a mitigation bank, but rather require that it occur on land placed under easement by the applicant, adjacent to and on the fringes of Swainson's Hawk mitigation land (see discussion above), and under the management of a local established land trust approved by the City and acceptable to the USFWS.

Seasonal Wetlands Habitat/Species – The technology for preservation and creation of riparian and wetlands habitat is fairly standard and well understood but in many cases poorly implemented, managed and monitored. Where permitting approval from State or federal agencies is required (as is the case for example where protected invertebrates would be impacted) the mitigation requirements generally become no more technically difficult, however the regulatory requirements seem to increase significantly in the form of bureaucratic oversight. For this reason the City sees a logical distinction between mitigating riparian and wetlands habitat losses pursuant solely to local General Plan Policy VI.C.2 verses satisfaction of State and federal agencies requirements for mitigation of impacts to jurisdictional wetlands and/or protected species.

Pursuant to the General Plan requirements, projects with impacts to riparian or wetland features must mitigate those impacts with land acquisition in the same fashion described above for the Swainson's Hawk. There then needs to be new habitat created on this land that replaces the habitat that was lost due to the project. This General Plan mitigation will not be allowed to occur in a mitigation bank as that removes it from City proximity and does not fully take advantage of the potential to permanently preserve open space around the city.

To the extent that State or federal mitigation is also triggered for jurisdictional wetlands and/or protected species, this may be allowed to be satisfied within the same land acquisition but on separate acreage, but not to the extent that it limits or impairs full satisfaction of the City's General Plan requirements and not to the extent that it might limit the ability of the City and its residents to gain open space recreational value from the dedicated lands and have management autonomy over them. The City recognizes that at both the State and federal level, agencies generally do not support "multi-use" management due to concerns regarding incompatibilities between human activities (even passive) and habitat preservation. Should this be the case, then mitigation for State and federal purposes must occur on separate land.

The mitigation text for the Callahan and Hudson projects specify that mitigation under City General Plan Policy VI.C.2 is to take place at the City's community sports park site north of Moody Slough Road or at the preserved wetlands in the northwest corner of the Highlands project site. However all non-mounded land at the community sports park site will be needed for sports fields and the mounded areas will likely not be suitable for surface wetlands creation due to the underlying landfill cells and hazardous materials concerns. As part of the recent approval of the Highlands project a decision was made not to preserve the wetlands in the northwest corner of the project. Therefore, the City will exercise its discretion to direct that the wetlands mitigation for Callahan and Hudson be satisfied pursuant to this program in the same manner as will be required of the Highlands project.

FRAMEWORK FOR MITIGATION

The City hereby establishes the following framework for habitat mitigation in Winters:

Qualifying Land

- Establish mitigation areas as close to town as practicable without detrimentally affecting likely direction of future growth. The precise acceptability of a particular mitigation property shall be decided on a case-by-case basis to avoid manipulating the market. Generally favorable areas are those that occur in Yolo County within a seven-mile radius of the current City limits (see Appendix B). Where mitigation is not possible in Yolo County, the first priority shall be mitigation in an approved mitigation bank in Solano County located within a seven-mile radius of the current City limits.
- Isolated mitigation areas should be avoided. They should be contiguous to one another or to other existing preserved land, or as a part of a larger conservation strategy.
- Preserved areas must have equal or better habitat values for the subject species, or must be restored and maintained in perpetuity to such level as part of the mitigation. This shall be demonstrated through the submittal of an assessment of biological value prepared by a qualified biologist acceptable to the City.

- Agricultural land may not be taken out of production for the purposes of qualifying land for this program.
- The property may be zoned or designated for any use but must be redesignated to Agriculture, Open Space, or equivalent designation at the applicant's expense.
- The mitigation area shall be comprised of units of land that meet minimum size (40 acres) and shape requirements (grossly irregular parcels that preclude efficient operation are not acceptable) so as to ensure efficient management. Whether or not particular parcels of land proposed for mitigation are acceptable under these requirements shall be evaluated by the City based on geographic and soil characteristics, natural features (including topography, hydrology, and vegetation), habitat values, adjacent property ownership and land use, etc.
- Existing rural development on mitigation parcels is not acceptable and shall be rejected or discounted from the calculation of net mitigation credit. Planned or proposed rural residential development on mitigation land shall render it unacceptable for this program.
- The mitigation land shall have adequate water supply to support the agricultural use and the water supply shall be protected in the conservation easement.
- Proposed mitigation land shall be examined through a title search for easements or other prior encumbrances and the City and managing entity shall be satisfied that any such encumbrances will not adversely affect the intended use and management of the parcel for habitat mitigation purposes.

Minimum Standards for the Agreement

- The method of preservation must ensure permanent protection of the mitigation land for the habitat uses.
- Control of the land shall be established either through outright purchase (fee title) or through acquisition of development rights.
- As a courtesy, notice of the transaction shall be provided by the applicant to the City or County with land use jurisdiction. Evidence of this shall be provided to the City of Winters.
- Preservation shall be ensured through the use of a conservation easement, deed restriction, or other equivalent mechanism, for specified habitat purposes in perpetuity.
- Identify an appropriate and qualified "managing entity" to hold and manage the conservation easement (e.g. Yolo Land Trust, American Farmland Trust, Trust for Public Land, Nature Conservancy, etc.). This entity must satisfy the definition of a "qualified organization" under Internal Revenue Code Section 170(h) related to

conservation easements and their treatment in the federal tax laws. This entity and the inclusion of any other signatories on the agreement must be acceptable to the City.

- Develop a standard conservation easement agreement to serve as a template throughout the program.
- The agreement shall address funding for ongoing management fees for stewardship, property-specific management, record keeping, transfers, and legal defense. This shall be in the form of a long-term "non-wasting" endowment that comprises a minimum of five percent of the value of the easement, unless a lesser amount is acceptable to the managing entity.
- All owners of the land must execute the instrument.
- The agreement must be recorded and contain an accurate legal description of the mitigation property.
- The agreement must prohibit any activity which adversely affects the habitat value of the mitigation land.
- The City shall be named as a beneficiary under any instrument conveying the interest in the mitigation land to a management entity.
- The interest in the mitigation land shall be held in trust by the managing entity in perpetuity.
- The managing entity may not sell, lease, or convey any interest in the mitigation land except for fully compatible agricultural or open space uses.
- If the managing entity ceases to exist, the duty to hold, administer, monitor, and enforce the interest shall pass to the City to be retained or reassigned.
- The agreement shall specifically address the monitoring requirements of the property including specific performance criteria for the species or habitats being mitigated, contingencies and short-term adaptive management measures (e.g. replanting riparian trees that die in the first three years), monitoring time periods, etc.
- "Stacked easements" refer to the concept of allowing mitigation for one species to occur on the same land (or portion thereof) as mitigation for another species. For example, Swainson's Hawk and Burrowing Owl. While adjacency and contiguity of mitigation property is required as noted elsewhere, it is the City's position that the greatest social and habitat value of the mitigation is achieved by having each impacted species/habitat mitigated through separate acreage. Similarly stacking of the General Plan wetlands mitigation with other State/federal wetlands mitigation

requirements is not allowed. Though it may be located within the same land acquisition, it must be located on separate acreage.

- Other specific requirements of the approved project mitigation measures shall be implemented unless otherwise modified herein.

Required Submittals

In order to satisfy the mitigation requirements of the City, the developer must submit appropriate evidence that all requirements of this program have been satisfied. This information will be used by the City to determine whether or not the proposed mitigation property is located strategically to allow maximum benefit from the preservation program. This shall include the following:

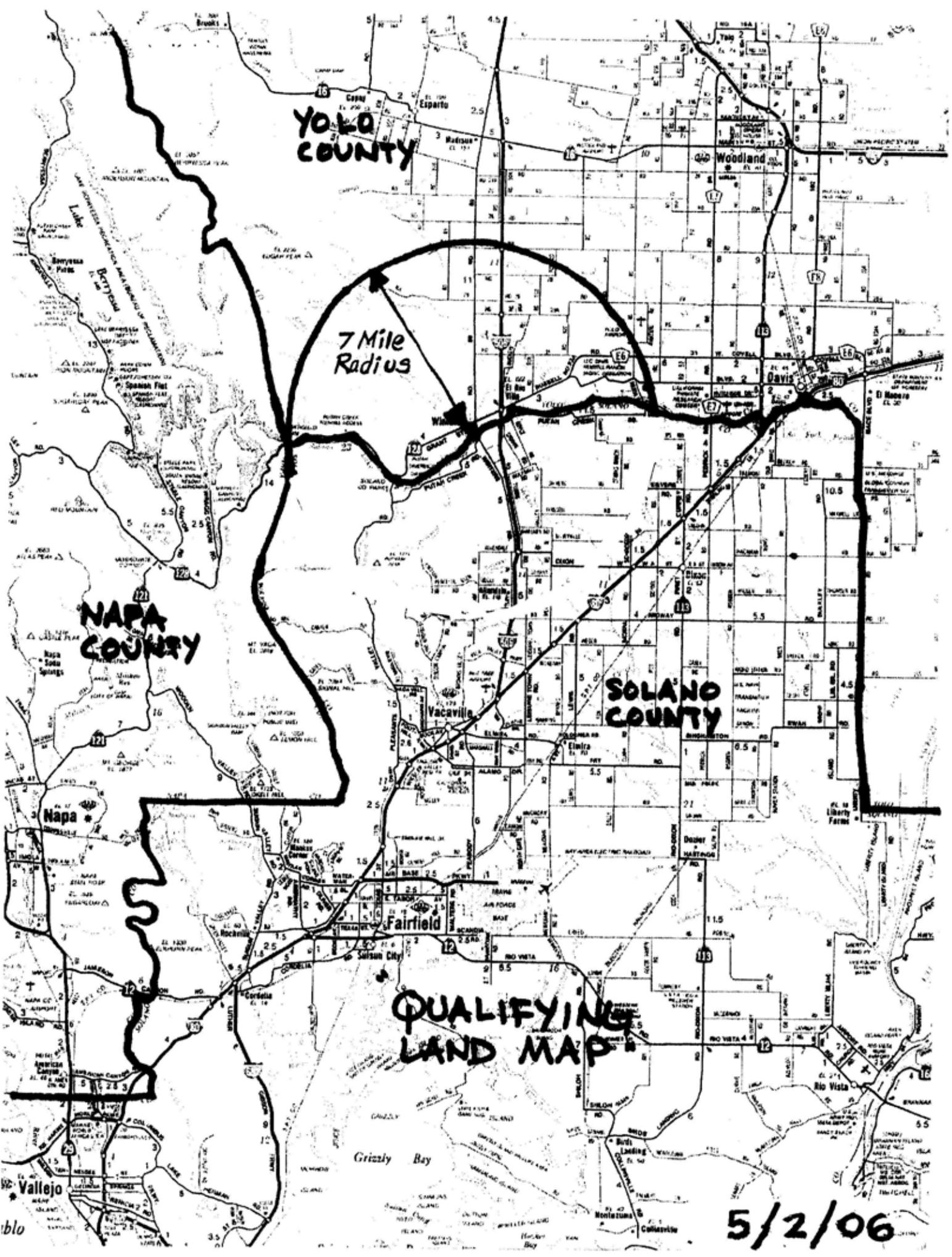
- A legal description of the property including water rights and water supply.
- Evidence of control of the land (e.g. title report) and documentation regarding any outstanding loans.
- Disclosure of any easement (including mineral rights), physical condition, or other material fact that would preclude or substantially impair the intended use.
- A draft conservation easement or other proposed mechanism. The agreement must contain language that requires outstanding loans and mineral rights to be subordinated to the mitigation interests.
- A letter from the proposed managing entity confirming their qualifications to manage the property, their interest in the property, and agreement to accept the conservation easement.
- A letter of acceptance from the State Department of Fish and Game if necessary to satisfy State mitigation requirements.
- Letters of acceptance from other responsible agencies if appropriate.
- Information on soils, topography, hydrology, and vegetation prepared by a qualified professional, as determined by the City.
- A history of use and practices on the property included as part of a Phase I Environmental Site Assessment that meets applicable standards in the industry.
- A map of the property and surrounding area depicting the following:
 - Lands in the vicinity of the proposed mitigation property that have restricted development rights such as a conservation or habitat easement, flowage or flood easement, etc., already in place.
 - A delineation of the proposed mitigation property

- Parcel numbers, ownership, zoning, and acreage.
 - Soils, topography, hydrology, and vegetation for the mitigation property and surrounding parcels in the vicinity.
 - 100-year floodplain, landfills, or other such limiting features.
 - Known areas of special status species habitat.
 - Structures and residences.
- Any other information required by the City.

APPENDICES

A – Project-Level Biological Mitigation Measures (verbatim)

B – 7-Mile Radius Map



YOLO COUNTY

NAPA COUNTY

SOLANO COUNTY

7 Mile Radius

QUALIFYING LAND MAP

5/2/06

blo



CITY COUNCIL MEMO

TO: Honorable Mayor and Councilmember's
DATE: April 25, 2006
THROUGH: John W. Donlevy, Jr., City Manager 
FROM: Gloria Marion. Recreation Supervisor
SUBJECT: 2006 Summer Recreation

Recommendation:

That the City Council receive a report and provide comments regarding the upcoming summer recreational programming.

Discussion:

Since 2003, the City's recreation programming has expanded to include a variety of programs to encourage park activity. With the closure of the pool for the upcoming reconstruction, Staff is recommending an expanded park program to provide ongoing recreational opportunities.

The Recreation Department would like to step up this year's summer program by including some extra activities, along with last year's program.

1. **Adventure Day Camp:** a 9:00 am-2:00 pm structured Child Care program for Children 6-12 years of age. This is Monday-Friday program with special themes for each of the 9-10 weeks. Cost for this program is \$75.00 for the first week or first child and \$50.00 for each additional week or child. Location: City Park and Community Center.
2. **Fun in the Park:** a 1:00—5:00 pm play group with special crafts, story time, board game, water game, game activities, creative painting and group games to focus on team building for children 8-12 years of age. This year we are encouraging more participation of our Hispanic Children in both programs. This is a Free Day program – Location: City Park & Community Center
3. **Adult Programs:** Staff will pursue the formation of a co-ed softball program for the months of July and August. Staff will also pursue the formation of adult soccer programs.
4. **Basketball League:** Staff will be pursuing the formation of a youth/adult basketball league to be held at City Park.

5. **Field Trips:** at least one a week for the Summer. There will be a small fee to help cover admission and transportation fee. Locations will include:

Sutter's Fort
Jelly Belly Factory
Vacaville Thunderbirds Game
Sacramento Zoo
Movie Matinee
Crocker Art Museum
Land & Yolo Cattle Company
Farm on Putah Creek Land Based Learning
Vacaville Stars Bowling Center
DMTC Davis Musical Company Theatre Youth Production
City of Winters Youth Drama Production
Ice Skating
Scandia Miniature Golf
Slide Hill Park Pool in Davis

6. **Youth Drama:** The summer play has not been selected as of yet. 20-25 children are usually involved in this summer production. There are two hours rehearsals twice a week at the Community Center, with performances on the first weekend in August, Friday, Saturday & a Sunday Matinee Brunch. There is a fee for this with sibling discounts, \$125.00 first child and a \$25.00 discount for sibling.

Fiscal Impact:

Staff has budgeted \$10,000 in the upcoming budget to cover expenses for these programs. Each program will include a nominal fee to cover incidentals.



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Councilmembers

DATE: May 2, 2006

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

FROM: Shelly A. Gunby, Director of Financial Management 

SUBJECT: Investment Report for March 31, 2006

RECOMMENDATION:

The City Council receive and file the City of Winters monthly investment report for February 2006

BACKGROUND:

The City of Winters financial policy requires at minimum, quarterly investment earnings reports. The attached report shows the earnings for March 2006, as well as the year to date investment earnings. The City of Winters is invested in Local Agency Investment Funds (LAIF), a savings account at our local First Northern Bank, and receives interest payments on the various CDBG and EDBG funded loans made to residents and businesses within the City of Winters. The investment earnings for March 2006 include revenues from savings account and the grant funded loans. Interest on the LAIF accounts are received quarterly and will be recorded in April 2006 for the first quarter of 2006.

FISCAL IMPACT:

None.

City of Winters
Investment Report
As of March 31, 2006

Fund#	Fund Description	March Interest	Year to Date Interest
101	GENERAL FUND	\$ 106	\$ 42,583
212	FLOOD ASSESSMENT DISTRICT		57
221	GAS TAX FUND		1
223	PERS TRUST FUND		6,080
231	STATE COPS 1913		3,821
243	COPS MORE GRANT		39
251	TRAFFIC SAFTEY		2,586
252	ASSET FORFEITURE		166
253	TRAFFIC GRANT		141
254	VEHICLE THEFT DETERRENT		455
261	TRAFFIC CONGESTION RELIEF		83
273	Railroad Trestle Bridge Grant		248
291	BEVERAGE RECYCLE GRANT		282
294	TRANSPORTATION/BUS		922
311	STBG-700	32	680
313	STBG 96-1043	123	1,108
321	EDBG 99-688	780	7,691
322	EDBG 96-405 CRADWICK		124
351	RLF HOUSING REHAB		366
352	RLF AFFORDABLE HOUSING		37
355	RLF SMALL BUSINESS		2,189
411	STREET IMPACT FEE		33,649
412	STORM IMPACT FEE		2,290
413	PARKS & REC IMPACT FEE		14,298
414	POLICE IMPACT FEE		4,320
415	FIRE IMPACT FEE		2,930
416	GENERAL FACILITY IMPACT FEE		3,859
417	WATER IMPACT FEE		7,438
418	SEWER IMPACT FEE		11,105
421	GENERAL FUND CAPITAL		8,589
422	LANDFILL CAPITAL		6,131
424	PARKS & REC CAPITAL		3,931
427	EQUIPMENT REPLACEMENT FUND		2,423
482	FLOOD CONTROL STUDY		19
492	RAJA STORM DRAIN		588
494	CARF		840
501	GENERAL DEBT SERVICE		831
502	GENERAL LONG TERM DEBT		136
612	WATER RESERVE		4,347
621	SEWER O & M		5,580
623	SEWER BOND		3,048
701	REDEVELOPMENT		32,721
702	RDA PROJECT AREA		56,637
711	REDEVELOPMENT LIH		5,647
712	RDA LIH PROJECT AREA		55,181
751	REDEVELOPMENT LTD		14,992
821	WINTERS LIBRARY		7,641
831	SWIM TEAM		1,307
	Total Investment Revenues	<u>\$ 1,041</u>	<u>\$ 360,137</u>



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Councilmembers
DATE: May 2, 2006
THROUGH: John W. Donlevy, Jr., City Manager *[Signature]*
FROM: Shelly A. Gunby, Director of Financial Management *[Signature]*
SUBJECT: Treasurer report for March 31, 2006

RECOMMENDATION:

The City Council receive and file the City of Winters Treasurer's Report for March 31, 2006.

BACKGROUND:

The City of Winters financial policy requires monthly reports regarding receipts, disbursements and fund balances be submitted to the City Council for review.

General Fund:

General Fund revenues are 59% of budgeted. The following items affect how the cash flows into the general fund.

- The second installment of property tax will be received in May.
- The second installment of property tax in lieu of sales tax will be received in May.
- The second installment of property tax in lieu of VLF will be received in May.
- Sales and Use Taxes are remitted to the City two (2) months after they are received by the State Board of Equalization.
- Municipal Services Tax collections are 75% of budgeted.
- Planning application fees collected are higher than the amount budgeted for the current year.
- Plan check fees collected are higher than the amount budgeted.
- Youth Drama and Basketball revenues are double the amount budgeted due to high participation this year.
- Business License fees are higher than budgeted due to efforts of staff to be sure all businesses within the city limits are licensed.
- Building permit fees are lower than budgeted due to low building activity.
- Interest rates have increased and interest earnings are higher than budgeted.

General Fund Expenditures are 61% of the budgeted expenditures. Staff is continuing to be frugal in expenditures.

Other Funds:

Fund 211: The second installment will be received in May from Yolo County with the

property tax collections. Expenditures are 82% of budgeted.

Fund 262: Street Grant-these revenues are reimbursed upon submittal of a reimbursement request

Fund 294: Payments have begun for the current year and are higher than budgeted.

Funds 411-421: A few building permits have been issued that required the payment of impact fees, and the small amount of revenues are reflected in these financial statements.

Funds 701 and 711: The second installment will be received in May.

Fund 611: Funds have been transferred in from the Reservoir Repair fund as directed at the December 13, 2005 City Council meeting and the new rates were effective January 1, 2006. For the first time in 4 years, the water fund has a positive cash balance. Expenditures are 50% of budgeted.

Fund 621: The Sewer O & M fund expenditures are 58% of budgeted while revenues are 75% of budgeted. .

FISCAL IMPACT:

None

City of Winters
General Fund Revenue Summary
July 1, 2005 through March 31, 2006

G/L Code	Account Description	% Of Year Completed		75%
		Budget FY 05-06	Actual FY 05-06	Actual/ Budget %
101-41101	Property Tax	\$ 582,120	\$ 288,386	50%
101-41102	Property Tax in Lieu of Sales Tax	84,240	44,220	52%
101-41103	Property Tax in Lieu of VLF	378,241	239,356	63%
101-41401	Sales & Use Tax	270,000	161,776	60%
101-41402	Prop 172	23,776	14,452	61%
101-41403	Franchise Fee	166,798	67,299	40%
101-41404	Property Transfer Tax	15,000	21,791	145%
101-41405	Utility Tax	416,728	243,470	58%
101-41406	Municipal Services Tax	276,840	207,886	75%
101-41407	Business Licenses	17,500	19,132	109%
101-41408	TOT Tax	3,800	1,656	44%
101-41507	Motor Vehicle in Lieu	52,074	22,002	42%
101-41508	Motor Vehicle Licensing Fee-ERAF	4,825		
101-41509	Homeowners Property Tax Relief	18,368	9,423	51%
101-41511	Off-Highway VLF	200	262	131%
101-41511	Off-Highway Motor Vehicle			
101-42102	Copy Fees	200	68	34%
101-42103	Plan Check Fees	32,591	35,080	108%
101-42104	Planning Application Fees	5,000	18,261	365%
101-42105	Sales of Maps and Publications	750		
101-42108	Police Reports	1,000	380	38%
101-42109	Fingerprint Fees	3,000	5,326	178%
101-42111	Towing/DUI Reimbursement	2,000	1,990	100%
101-42112	Ticket Sign Off Fees	200	115	58%
101-42201	Recreation Fees	4,000	3,035	76%
101-42203	Youth Drama Revenues	2,000	4,915	246%
101-42205	Basketball Revenues	2,500	4,500	180%
101-42211	Pool Ticket Sales	2,000	1,242	62%
101-42215	Swim Passes	200	175	88%
101-42216	Swim Lessons	750	750	100%
101-42217	Water Aerobics Fees	550	572	104%
101-42218	Swim Team Reimbursement	1,700		
101-42219	Life Guard Classes	200		
101-42301	Park Rental	500	575	115%
101-42302	Library Hall Rental	1,500	579	39%
101-42303	Community Center Rental	14,000	9,133	65%
101-42304	Community Center Insurance Collected		542	
101-43110	Fines-No Building Permit		770	
101-44101	Rents/Leases Revenues	17,396	23,322	134%
101-44102	Interest Earnings	15,350	42,583	277%
101-46101	Building Permit Surcharge	93,500	26,272	28%
101-46102	Building Permits	50,140	27,697	55%
101-46103	Encroachment Permit	1,119	742	66%
101-46104	Other Licenses & Permits	14,463	12,388	86%
101-46106	Reinspect Fee		100	
101-48106	Post Reimbursement	2,400	3,468	145%
101-48107	State Highway Maint Rte 128	4,500		
101-49101	Contributions		3,176	
101-49102	Reimbursements/Refunds		2,497	
101-49104	Miscellaneous Revenues	20,000	13,211	66%
101-49106	Cash Over/Short		(114)	
101-49108	Commissions on Coke Machine	100	95	95%
101-49109	Developer Planning Reimbursement	40,000	61,467	154%
101-49111	Fireworks Contributions	3,000		
101-49999	Interfund Operating Transfer	160,000		
	Total General Fund Revenues	\$2,807,119	\$1,646,023	59%

City of Winters
 Summary of Expenditures
 July 1, 2005 through March 31, 2006

% of Year Complete 75%

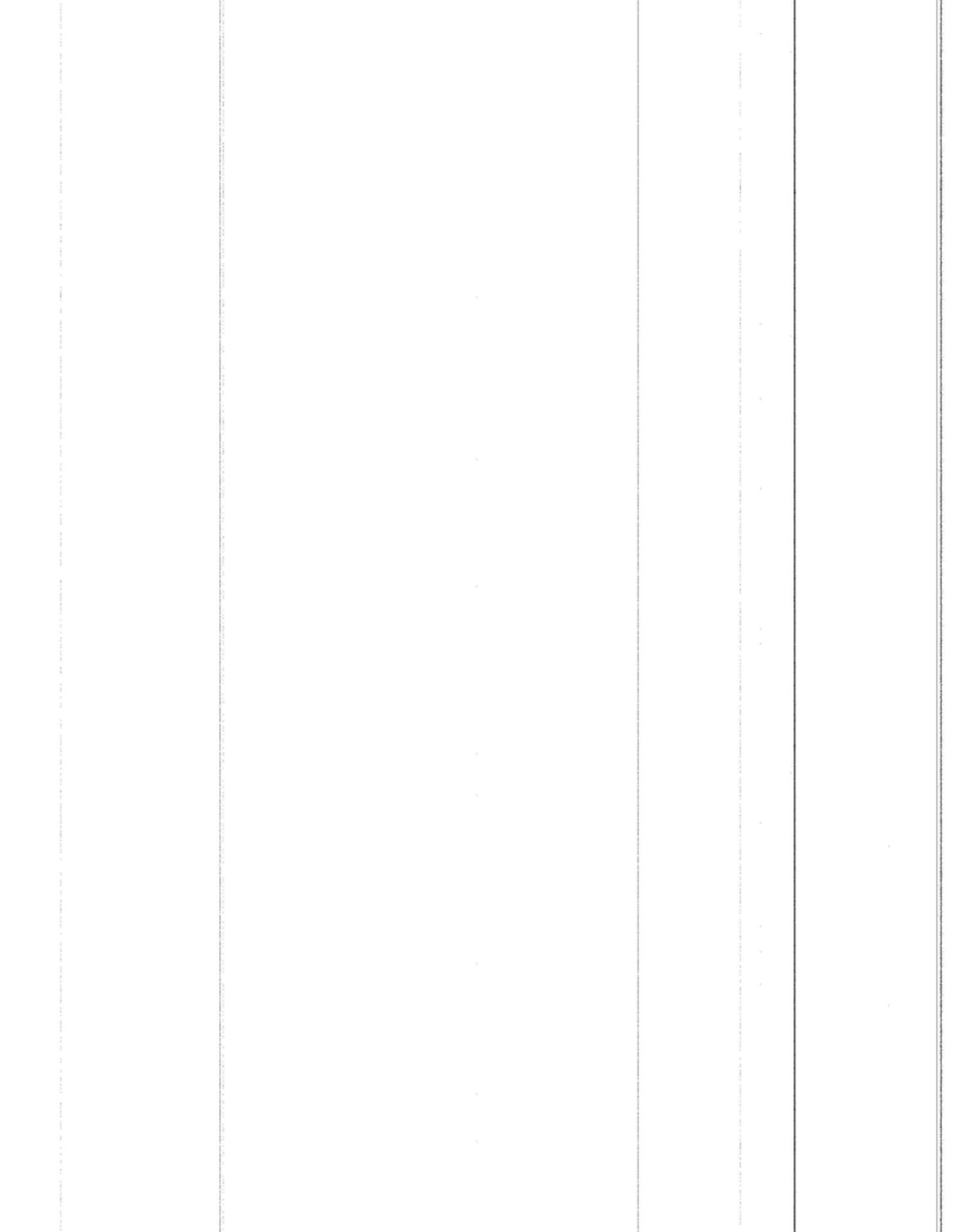
Fund#	Fund Description	Budget FY 05-06	March Actual	Year to Date Actual	Balance of Budget Available	% of Budget Expended
101	General Fund Expenditures by Department					
110	City Council	\$ 59,445	\$ 42	\$ 160	\$ 59,285	0%
120	City Clerk	11,655	487	5,551	6,104	48%
130	City Treasurer	334	12	135	199	40%
150	City Attorney	15,410	6,894	18,459	(3,049)	120%
160	City Manager	20,683	1,649	14,586	6,097	71%
170	Administrative Services	143,285	14,780	95,120	48,165	66%
180	Finance	2,036	103	2,838	(802)	139%
210	Police Department	1,430,153	103,946	982,518	447,635	69%
310	Fire Department	270,000		90,000	180,000	33%
410	Community Development	339,233	41,701	243,731	95,502	72%
420	Building Inspections	122,203	9,137	76,630	45,573	63%
610	Public Works-Administration	408,644	26,194	188,272	220,372	46%
710	Recreation	100,358	7,990	57,304	43,054	57%
720	Community Center	61,000	5,187	52,511	8,489	86%
730	Swimming Pool	38,699		17,818	20,881	46%
	Total General Fund Expenditures	\$ 3,023,138	\$ 218,122	\$ 1,845,633	\$ 1,177,505	61%
211	City Wide Assessment	186,791	23,946	175,405	11,386	94%
221	Gas Tax Fund	119,452	9,462	76,590	42,862	64%
231	State COPS 1913	171,399	22,866	98,324	73,075	57%
243	'96 COPS MORE Grant	600		600		100%
251	Traffic Safety	19,400		11,978	7,422	62%
253	Traffic Grant	8,056			8,056	
261	Traffic Congestion Relief	29,250			29,250	
262	Street Grants	966,778		216,056	750,722	22%
271	Prop 40 Grant	124,353		119,621	4,732	96%
273	Trestle Bridge Grant	30,000		30,784	(784)	103%
291	Beverage Recycling Grant	7,700	75	1,067	6,633	14%
294	Transportation	247,115	5,330	170,827	76,288	69%
295	Emergency Plan Update			1,997	(1,997)	
311	STBG 700 Housing Rehab	7,845	479	5,740	2,105	73%
313	STBG 96-1043 Housing & Public Works	8,724	727	5,269	3,455	60%
321	EDBG 99-688 Buckhorn	14,503	1,450	11,889	2,614	82%
322	EDBG 405-Cradwick			1,274	(1,274)	
411	Street Impact Fee	1,000	3,017	515,014	(514,014)	999%
412	Storm Drain Impact Fee			9,359	(9,359)	
413	Park & Recreation Impact Fee	260,115	915	915	259,200	
414	Public Safety Impact Fee	79,000		25,941	53,059	33%
415	Fire Impact Fee	55,000			55,000	
417	Water Impact Fee			5,106	(5,106)	
418	Sewer Impact Fee	911,800	210	14,512	897,288	2%
421	General Fund Capital	100,000			100,000	
422	Landfill Capital	14,000	66	4,597	9,403	33%
424	Parks & Recreation Capital	100,000			100,000	
427	Equipment Replacement Fund			2,139	(2,139)	
494	CARF	4,000			4,000	
495	Monitoring Fee	17,332		1,322	16,010	8%
611	Water O & M	764,111	28,506	381,711	382,400	50%
612	Water Reserve	230,628		227,232	3,396	99%
621	Sewer O & M	844,255	25,718	489,445	354,810	58%
623	Sewer Bond			3,125	(3,125)	
651	Central Service Overhead	17,000	82	(2,118)	19,118	-12%
701	Community Redevelopment	1,172,722	77,845	762,597	410,125	65%
702	RDA Project Area Fund H	2,920,263	39,381	430,132	2,490,131	15%
711	Community Redevelopment LIH	256,505	72,024	240,666	15,839	94%
712	LIH Bond Proceeds	2,540,000		950	2,539,050	
751	Community Redevelopment LTD			22,978	(22,978)	
831	Swim Team	60,225		48,297	11,928	80%
	Total Expenditures	\$ 15,313,060	\$ 530,221	\$ 5,956,974	\$ 9,356,086	39%

City of Winters
 Summary of Revenues
 July 1, 2005 through March 31, 2006

Fund#	Fund Description	Budget FY 05-06	March Actual	% of Year Completed		% of Budget Received
				Year to Date Actual	Difference	
101	General Fund	\$2,918,565	\$ 89,173	\$ 1,646,023	\$ 1,272,542	56%
211	City Wide Assessment	187,958		93,855	94,103	50%
212	Flood Assessment District			57	(57)	
221	Gas Tax	130,508	20,847	146,103	(15,595)	112%
223	PERS Trust Fund	34,250		6,080	28,170	18%
231	State COPS AB1913	102,081		103,821	(1,740)	102%
243	'96 COPS MORE Grant			39	(39)	
251	Traffic Saftey	6,700	20	7,918	(1,218)	118%
252	Asset Forfieture	100		3,530	(3,430)	999%
253	Traffic Grant			141	(141)	
254	Vehicle Theft Deterrent	6,200		455	5,745	7%
261	Traffic Congestion Relief			14,243	(14,243)	
262	Street Grants	1,000,479		315,516	684,963	32%
271	Prop 40 Grant	-		176,000	(176,000)	
273	TRESTLE BRIDGE GRANT			248	(248)	
291	Beverage Recycling	5,000		5,282	(282)	106%
294	Transportation	231,486	4,804	276,813	(45,327)	120%
295	Emergency Update Plan			16	(16)	
311	STBG 700 Housing	7,845	479	5,740	2,105	73%
313	STBG 96-1043 Housing & PW	8,724	727	5,269	3,455	60%
321	EDBG 99-688 Buckhorn	17,403	1,450	11,889	5,514	68%
322	EDBG 96-405 Cradwick			1,274	(1,274)	
351	RLF Housing Rehab	3,158	483	2,953	205	94%
352	RLF Affordable Housing	4,807	724	3,917	890	81%
355	RLF Small Business		1,450	19,894	(19,894)	
411	Street Impact Fee	139,422		41,041	98,381	29%
412	Storm Drain Impact Fee	6,076		2,576	3,500	42%
413	Parks & Recreation Impact Fee	69,288		18,084	51,204	26%
414	Public Saftey Impact Fee	18,532		5,322	13,210	29%
415	Fire Impact Fee	26,852		4,452	22,400	17%
416	General Facilities Impact Fee	38,024		6,098	31,926	16%
417	Water Impact Fee	90,480		12,718	77,762	14%
418	Sewer Impact Fee	100,284		17,685	82,599	18%
421	General Fund Capital	5,300		8,589	(3,289)	162%
422	Landfill Capital	3,400		6,131	(2,731)	180%
424	Parks & Recreation Capital	1,800		4,831	(3,031)	268%
427	Capital Equipment	300		8,886	(8,586)	999%
481	General Plan 1992	17,332		1,322	16,010	8%
482	Flood Control Study	12		19	(7)	158%
492	RAJA Storm Drain	450		588	(138)	131%
494	CARF	2,422	225	4,924	(2,502)	203%
495	Monitoring Fee	17,332		1,322	16,010	8%
496	Storm Drain Non Flood			3	(3)	
501	General Debt Service	1,000		831	169	83%
502	General LTD			136	(136)	
611	Water O & M	598,716	58,099	671,527	(72,811)	112%
612	Water Reserve	14,446	659	15,704	(1,258)	109%
621	Sewer O & M	759,186	67,693	567,003	192,183	75%
623	Sewer Bond	24,515		14,146	10,369	58%
701	Community Redevelopment	1,446,655	345	724,954	721,701	50%
702	RDA Project Area Fund	35,000		56,637	(21,637)	162%
711	Community Redevelopment LIH	359,118		170,695	188,423	48%
712	RDA Housing Project Area	900		55,181	(54,281)	999%
751	Community Redevelopment LTD			14,992	(14,992)	
821	Winters Library	4,700		7,641	(2,941)	163%
831	Swim Team	78,300	1,000	65,045	13,255	83%
	Total Revenues	\$8,525,106	\$248,178	\$5,356,159	\$3,168,947	61%

City of Winters
Cash and LAIF Balances
As of March 31, 2006

Fund#	Fund Description	Balance 6/30/2005	Balance 3/31/2006
101	GENERAL FUND	\$ 3,269,516	\$ 3,479,614
211	CITY WIDE ASSESMENT	20,549	(61,625)
212	FLOOD ASSESSMENT DISTRICT	3,191	3,271
221	GAS TAX	(154,345)	(72,911)
223	PERS TRUST FUND	340,053	348,545
231	STATE COPOS 1913	201,721	208,652
243	COPS MORE GRANT	2,683	2,141
251	TRAFFIC SAFTEY	149,231	149,606
252	ASSET FORFEITURE	9,284	12,880
253	TRAFFIC GRANT	7,869	8,066
254	VEHICLE THEFT DETERRENT	25,454	26,090
261	TRAFFIC CONGESTION RELIEF		14,243
262	STP AND STIP PROJECTS	(43,179)	(10,000)
271	PROPOSITION 40 GRANT	(100,361)	(44,000)
273	TRESTLE BRIDGE GRANT	30,321	
291	BEVERAGE RECYLING FUND	11,512	15,771
294	TRANSPORTATION(INCLUDING BUS SERVICE	31,550	135,460
295	EMERGENCY PLAN UPDATE GRANT	1,981	
351	RLF HOUSING REHABILITATION	19,132	22,210
352	RLF AFFORDABLE HOUSING	54	3,971
355	RLF SMALL BUSINESS	112,445	133,137
411	STREET IMPACT FEE	1,862,712	1,239,024
412	STORM IMPACT FEE	132,942	127,106
413	PARKS AND RECREATION IMPACT FEE	797,663	820,491
414	POLICE SAFTEY IMPACT FEE	254,903	236,093
415	FIRE IMPACT FEE	163,084	168,694
416	GENERAL FACILITIES IMPACT FEE	214,640	222,260
417	WATER IMPACT FEE	416,085	426,558
418	SEWER IMPACT FEE	621,396	628,787
421	GENERAL FUND CAPITAL	480,405	492,402
422	LANDFILL CAPITAL	348,887	349,419
424	PARKS AND RECREATION CAPITAL	219,354	225,741
427	CAPITAL EQUIPMENT FUND	131,164	137,954
481	GENERAL PLAN 1992 STUDY	(618,561)	(617,239)
482	FLOOD CONTROL STUDY	1,080	1,107
492	RAJA STORM DRAIN	32,872	33,692
494	CAPITAL ASSET RECOVERY FEE	44,685	49,856
496	STORM DRAIN NON FLOOD	195	200
501	GENERAL DEBT SERVICE	46,182	47,653
502	GENERAL LTD	30	14,313
611	WATER O & M	(128,051)	131,086
612	WATER RESERVE	244,191	31,198
621	SEWER O & M	338,703	375,011
623	SEWER BOND	169,983	184,369
651	CENTRAL SERVICES	25,077	(82)
701	REDEVELOPMENT	1,849,618	1,836,834
702	RDA PROJECT AREA	3,487,163	3,083,829
711	REDEVELOPMENT LIH	493,201	400,072
712	RDA HOUSING PROJECT FUND	2,613,066	2,686,089
751	REDEVELOPMENT LTD	6,748	6,748
821	WINTERS LIBRARY	427,357	438,030
831	SWIM TEAM	61,594	75,827
	TOTAL CASH	<u>\$ 18,677,029</u>	<u>\$ 18,228,243</u>



City of Winters
Fund Balances Report
Estimated Fund Balances as of March 31, 2006

Fund#	Fund Description	Audited		Transfers In/(Out)	Ending Fund Balance	Change From 6/30/05	
		Fund Balance 6/30/05	Current Year Revenues				Current Year Expenditures
101	General Fund	\$ 3,296,042	\$ 1,646,023	\$ 1,845,633	\$ -	\$ 3,096,432	\$(199,610)
211	City Wide Assessment	21,942	93,855	175,405	-	(59,608)	(81,550)
212	Flood Assessment District	3,214	57	-	-	3,271	57
221	Gas Tax	(142,425)	88,603	76,590	57,500	(72,912)	69,513
223	PERS Trust Fund	342,465	6,080	-	-	348,545	6,080
231	State COPS 1913	203,155	103,821	98,324	-	208,652	5,497
243	'96 COPS MORE Grant	2,702	39	600	-	2,141	(561)
251	Traffic Saffety	153,666	7,918	11,978	-	149,606	(4,060)
252	Asset Forfeiture	9,349	3,530	-	-	12,879	3,530
253	Traffic Grant	7,925	141	-	-	8,066	141
254	Vehicle Theft Deterrent	25,635	455	-	-	26,090	455
261	Traffic Congestion Relief	-	14,243	-	-	14,243	14,243
262	Street Grants	(109,460)	315,516	216,056	-	(10,000)	99,460
271	Prop 40 Grant	(100,379)	176,000	119,621	-	(44,000)	56,379
273	Trestle Bridge Grant	30,536	248	30,784	-	-	(30,536)
291	Beverage Recycling Grant	11,556	5,282	1,067	-	15,771	4,215
294	Transportation	13,718	276,813	113,327	(57,500)	119,704	105,986
295	Emergency Plan Update Gran	1,981	16	1,997	-	-	(1,981)
311	STBG 700 Housing	-	5,740	-	(5,740)	-	-
313	STBG-96-1043 Housing and PW	(29,070)	5,269	-	(5,269)	(29,070)	-
321	EDBG 99-688 Buckhorn	-	11,889	-	(11,889)	-	-
322	EDBG 96-405 Cradwick	-	1,274	-	(1,274)	-	-
351	RLF Housing Rehabilitation	30,901	366	-	2,587	33,854	2,953
352	RLF Affordable Housing	17,481	37	-	3,880	21,398	3,917
355	RLF Small Business	113,243	2,189	-	17,705	133,137	19,894
411	Street Impact Fee	1,807,997	41,041	515,014	-	1,334,024	(473,973)
412	Storm Drain Impact Fee	163,888	2,576	9,359	-	157,105	(6,783)
413	Parks & Recreation Impact	803,322	18,084	915	-	820,491	17,169
414	Public Saffety Impact Fee	256,711	5,322	25,941	-	236,092	(20,619)
415	Fire Impact Fee	164,241	4,452	-	-	168,693	4,452
416	General Facilities Impact	216,162	6,098	-	-	222,260	6,098
417	Water Impact Fee	418,945	12,718	5,106	-	426,557	7,612
418	Sewer Impact Fee	(390,944)	17,685	14,512	-	(387,771)	3,173
421	General Fund Capital	483,813	8,589	-	-	492,402	8,589
422	Landfill Capital	347,885	6,131	4,597	-	349,419	1,534
424	Parks and Recreation Capit	220,910	4,831	-	-	225,741	4,831
427	Equipment Replacement Fund	131,208	8,886	2,139	-	137,955	6,747
481	General Plan 1992	(618,561)	-	-	1,322	(617,239)	1,322
482	Flood Control Study	(123,912)	19	-	-	(123,893)	19
492	RAJA Storm Drain	23,516	588	-	-	24,104	588
494	CARF	44,932	4,924	-	-	49,856	4,924
495	Monitoring Fee	-	1,322	-	(1,322)	-	-
496	Storm Drain Non-Flood	196	3	-	-	199	3
501	General Debt Service	46,822	831	-	-	47,653	831
502	General LTD	43,998	136	-	-	44,134	136
611	Water O & M	167,584	440,899	381,711	230,628	457,400	289,816
612	Water Reserve	244,334	15,704	(3,396)	(230,628)	32,806	(211,528)
621	Sewer O & M	2,886,577	567,003	489,445	-	2,964,135	77,558
623	Sewer Bond	48,348	14,146	3,125	-	59,369	11,021
651	Central Service Overhead	(2,200)	-	(2,118)	-	(82)	2,118
701	Community Redevelopment	1,874,478	701,976	762,597	22,978	1,836,835	(37,643)
702	RDA Project Area	3,457,324	56,637	430,132	-	3,083,829	(373,495)
711	Community Redevelopment LI	520,042	170,695	240,666	-	450,071	(69,971)
712	RDA Housing Project Area	2,631,858	55,181	950	-	2,686,089	54,231
751	Community Redevelopment LT	565,077	14,992	-	(22,978)	557,091	(7,986)
821	Winters Library	430,389	7,641	-	-	438,030	7,641
831	Winters Library	59,080	65,045	48,297	-	75,828	16,748
911	General Fixed Assets	4,543,056	-	-	-	4,543,056	-
	Totals	<u>\$ 25,371,253</u>	<u>\$ 5,019,559</u>	<u>\$ 5,620,374</u>	<u>\$ -</u>	<u>\$ 24,770,438</u>	<u>\$(600,815)</u>