

Winters City Council Meeting  
City Council Chambers  
318 First Street  
Tuesday, December 6, 2016

*Members of the City Council*

*Cecilia Aguiar-Curry, Mayor  
Bill Biasi, Mayor Pro-Tempore  
Harold Anderson  
Jesse Loren  
Pierre Neu*

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

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**6:00 p.m. – Executive Session**

**AGENDA**

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

Pursuant to Government Code Section 54957 - Public Employee Performance  
Evaluation – City Manager

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**6:30 p.m. – Regular Session**

**AGENDA**

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

Roll Call

Pledge of Allegiance

Approval of Agenda

**COUNCIL/STAFF COMMENTS**

### PUBLIC COMMENTS

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

### CONSENT CALENDAR

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

- A. Minutes of the Regular Meeting of the Winters City Council Held on Tuesday, November 15, 2016 (pp. 5-10)
- B. Street Closure Request Submitted by St. Anthony's Parish for Sunday, December 11, 2016 (pp. 11-18)
- C. Resolution 2016-39, a Resolution of the City Council of the City of Winters Approving the Grant Avenue/Walnut Lane Roundabout Caltrans Master Agreement (pp. 19-20)
- D. Construction Engineering for Roundabout Project – Laugenour and Meikle (pp. 21-24)
- E. Construction Agreement with Ample Electric for the Shade Structure Electrical Work at the Walnut Park Phase Two Project (pp. 25-27)
- F. Approve Project Budget Sheet for Water and Storm Drain Improvements Associated with Hotel Winters, LLC (Downtown Hotel) (pp. 28-31)
- G. El Rio Villa Sewer Lift Station Pump Replacement (pp. 32-40)
- H. Reclassification of Building Permit Technician to Management Analyst (pp. 41)

### PRESENTATIONS

Recognition for Out-Going Mayor Cecilia Aguiar-Curry

DISCUSSION ITEMS

1. Filling A City Council Vacancy and Appointing a Councilmember to Serve as Mayor (pp. 42-44)

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

1. None

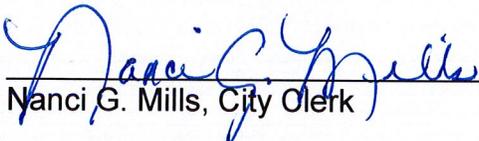
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CITY MANAGER REPORT

INFORMATION ONLY

ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the December 6, 2016 regular meeting of the Winters City Council was posted on the City of Winters website at [www.cityofwinters.org](http://www.cityofwinters.org) and Councilmembers were notified via e-mail of its' availability. A copy of the foregoing agenda was also posted on the outside public bulletin board at City Hall, 318 First Street on November 30, 2016, and made available to the public during normal business hours.

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

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

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

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

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

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*Email Subscription: You may contact the City Clerk's Office to be placed on the list. An agenda summary is printed in the Winters Express newspaper.*

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

*Winters Library – 708 Railroad Avenue*

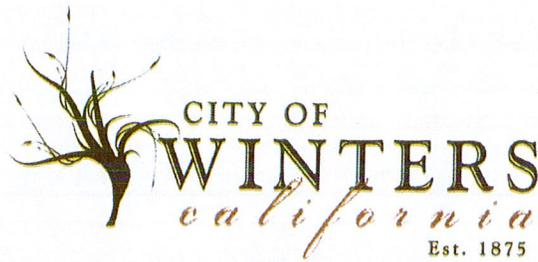
*City Hall – Finance Office - 318 First Street*

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

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Wednesday at 10:00 a.m.

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



Minutes of the Regular Meeting of the Winters City Council  
Held on November 15, 2016

Mayor Cecilia Aguiar-Curry called the meeting to order at 6:30 p.m.

Present: Council Members Harold Anderson, Bill Biasi, Jesse Loren, Pierre Neu and Mayor Cecilia Aguiar-Curry

Absent: None

Staff: City Manager John Donlevy, City Attorney Ethan Walsh, City Clerk Nanci Mills, Housing Programs/Economic Development Manager Dan Maguire, Environmental Services Manager Carol Scianna, and Management Analysts Dagoberto Fierros and Tracy Jensen.

Carol Scianna led the Pledge of Allegiance.

Approval of Agenda: Motion by Council Member Neu, second by Council Member Biasi to approve the agenda with no changes. Motion carried with the following vote:

AYES: Council Members Anderson, Biasi, Loren, Neu, Mayor Aguiar-Curry

NOES: None

ABSENT: None

ABSTAIN: None

COUNCIL/STAFF COMMENTS

PUBLIC COMMENTS: WJUSD Superintendent Todd Cutler thanked Council and staff for their support for Measure D, which passed with +72% of the vote. Plans for the first classroom have been submitted to the State with hopes of breaking ground by summer. He again thanked the community and admires the way we support each other.

Winters resident Tina Lowden asked who was responsible for the phone booths on Main Street, located outside Ocean Restaurant and the Smith Funeral Home,

which have become trash receptacles. She wanted to bring it to staff's attention for the beautification of our beautiful city.

Wally Pearce of the Winters Senior Foundation returned with an application to have a proclamation issued by the City recognizing its senior citizens. He offered that May is Older Americans Month.

Christina Cogdell, 206 Main Street, read aloud a letter proposing the passing of a resolution declaring Winters a safe community for all residents regardless of ethnic, religious, sexual preference, clothing choices, language spoken, or whether a person is documented or undocumented.

### CONSENT CALENDAR

- A. Minutes of the Regular Meeting of the Winters City Council Held on Tuesday, November 1, 2016
- B. Request for Seed Money for Winters Community Dinner
- C. Request for Street Closure and Parade Permit Application for Chamber of Commerce Tractor Parade/Holiday Tree Lighting Ceremony on Saturday, December 3, 2016

City Manager Donlevy gave an overview. Mayor Aguiar-Curry said volunteers are needed for the Winters Community Dinner and to contact Marie Heilman to volunteer.

Motion by Council Member Biasi, second by Council Member Neu to approve Consent Items A and B. Motion carried with the following vote:

AYES: Council Members Anderson, Biasi, Loren, Neu, Mayor Aguiar-Curry  
NOES: None  
ABSENT: None  
ABSTAIN: None

Council Members Anderson and Neu recused themselves for Item C due to a possible conflict of interest.

Motion by Council Member Biasi, second by Council Member Loren to approve Consent Item C. Motion carried with the following vote:

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

Council Members Anderson and Neu returned to the dais.

## PRESENTATIONS

Mayor Aguiar-Curry said it was an honor to introduce Michael A. Martin, President of the Board of Trustees from Solano Community College and thanked him for his fine work on behalf of the City of Winters. Mike then introduced Solano Community College Superintendent / President Celia Esposito-Noy, who gave a power point presentation and reviewed the academic programs being offered and the partnership between Solano Community College and the City of Winters. Executive Bonds Manager Lucky Lofton then spoke about the Measure "Q" bond and the six building projects with a projected budget of \$130 million dollars to be constructed for the horticulture, theater, auto technology, bio-technology, science and aeronautics departments at its Fairfield, Vallejo and Vacaville campuses, as well as the Vacaville airport. Mayor Aguiar-Curry again thanked Mike for his four years and for all he has brought to the college and to Winters and for "bringing Winters to the table." Mike said they had to be educated about a small rural town like Winters and he is proud to see the growth. He said Solano Community College is there to support the community and he plans on being on the board for another four years. He then thanked the Council for their continued support.

## DISCUSSION ITEMS

### 1. Approval of Sole Sourcing Well #9 Pilot Hole Drilling

Environmental Services Manager Carol Scianna gave an overview and explained the difference between traditional well drilling and a new method with patented technology known as profiling long screened test well, which speeds up the process and provides an approximate cost savings (\$10,000 vs \$60,000.)

Jeff Tenpas, 24 E. Main, said moving forward slowly is a good idea. Chromium 6 (Cr6) will cost us a lot of money and we don't want to do it unless we have to. He asked if the City had looked into surface water from Lake Berryessa as an alternative. City Manager Donlevy said this alternative would represent a massive campaign for the City and would require an agreement involving the Solano Irrigation District and hundreds of water right owners. Mayor Aguiar-Curry said the City, by law, has a timeline to meet this unfunded mandate and we don't want to add any additional fees for the community.

City Attorney Walsh said there is a court case pending in the Sacramento Superior Court challenging the regulations, but is unlikely to be successful, although the State didn't adequately consider the economic impacts on small communities. The judge has asked for more briefing on the case. Mayor Aguiar-Curry said the City is trying to look at all alternatives, but water quality and water safety are the priorities. City Manager Donlevy said the City may be forced to spend more on Cr6 than what it would cost to install a whole

new water system and confirmed the City's Cr6 level is 90% lower than the rest of the country. Unfortunately, the rate payers will face the burden, with an estimated \$100 increase per rate payer. Mayor Aguiar-Curry asked if there were programs available for reimbursement and City Attorney Walsh said some programs are available and Carol is working with Kennedy/Jenks to find financing mechanisms.

Council Member Anderson said a recent article in Sac State News said the State Water Resources Control Board's Office of Sustainable Water Solutions has awarded the Institute for Water, Energy, Sustainability and Technology at Sac State two grants totaling as much as \$10 million to provide technical assistance to disadvantaged California communities over the next three years. Does the City of Winters meet the description of a disadvantaged community?

Council Member Biasi said this unfunded mandate is ridiculous and is putting a burden on the community. If the State doesn't raise the Cr6 limit, they should provide us with funding.

Motion by Council Member Biasi, second by Council Member Anderson, authorizing staff to sole source for an estimated \$150,000 to Maggiora Brothers Drilling, who will subcontract with BESST. Motion carried with the following vote:

AYES:	Council Members Anderson, Biasi, Loren, Neu, Mayor Aguiar-Curry
NOES:	None
ABSENT:	None
ABSTAIN:	None

2. Filling a City Council Vacancy and Appointing a Councilmember to Serve as Mayor

City Attorney Walsh gave an overview and said this item is discussion only – staff is asking for direction. Council has 60 days to appoint a Winters resident or call a special election. If a special election is held, it would occur in June, 2017 and the City would have to pay 100% of the cost, or \$70,000, approximately double the cost of a normal election. A mail ballot election would also be expensive and the same time frame would apply. If an appointment is made, Council would select someone or discuss what process you want to go through for potential applicants. The Council will also have a vacancy for the position of Mayor and normally the Mayor Pro Tempore is next in line after serving a two-year term. But since two years have not passed for the current Mayor Pro Tempore, the Council can choose any member as Mayor.

Jeff Tenpas, 24 E. Main St., said an election would be a fair process but the appointment process is more likely. He would prefer an open and democratic process to fill this 18-month term.

Sarah McCullough, 415 4<sup>th</sup> St., said given the cost associated with an election, she encouraged the Council to take the most fair and equitable process and ideally have as many voices from the community to take part in the process.

Council Member Loren said she put a lot of thought into this issue and called other cities to see how they address this situation. She spoke in favor of someone from the Hispanic community being a part of the process and being considered for the job. "Applications of Interest to Serve in Appointed Positions" are available on the City's website and she suggested setting a two-week deadline and then going through the interview process, which would include two Council members and two community members on the interview panel. A democratic process with open citizen participation for this short-term appointment could attract interest, although Council would make the final decision.

Council Member Biasi said a special election is not a good use of City money and could delay filling the vacancy for six months. Due to the amount of training and education involved, it is in the best interest for Council to appoint someone with experience for this 18-month term.

Council Member Neu agreed with much of what Council Member Biasi said. If this vacancy is opened up to the public, the public would have to know what the job entails. After spending nine years on the Planning Commission, I thought I could step right into the Council. I have been on the Council for two years and it has taken awhile to get up to speed. For someone not serving in City business, attending meetings or up on current issues, it would be very difficult for someone to step in for 18 months. It's not just a job you walk into – you have to put in your time. If someone were to come in with no experience, it would be a very big step.

Mayor Aguiar-Curry said nobody knows how much we work. We're at the table because we've done the work. It's an important job and she wants it left in good hands. She said she appreciated everyone being at the meeting and said WFOL needs new people and the Winters Senior Foundation also needs help. A position on the Council is not a fly-by-night job and we need someone at the table right now. Council Member Anderson added that he doesn't see an election to fill an 18-month position and referenced a prior Council member who ran for office at the last election.

Motion by Council Member Biasi, second by Council Member Anderson to fill the seat, and appoint someone at the next Council meeting. Motion carried with the following vote:

AYES: Council Members Anderson, Biasi, and Neu  
NOES: Council Member Loren  
ABSENT: None  
ABSTAIN: Mayor Aguiar-Curry

Council Member Neu commented that people wanted to open the vacancy to the entire community. He said he would like for all the people who attended the meeting to find people you want to be on the City Council and ask them to come to meetings, become involved and get ready to step in. If you want representatives from the Hispanic community, start working toward it.

Council Member Loren thanked those present for coming to the meeting and being a part of the conversation and said two years is a short period of time to prepare.

City Attorney Walsh also commented that the Mayor selection is not automatic. The decision can be made after the vacant Council seat is filled, and out-going Mayor Aguiar-Curry won't be involved in the selection.

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

1. None
- 

CITY MANAGER REPORT: Grand opening for YFCU was held on 11/14. Thanks to the EDAC and Planning Commission, this is what smart development looks like. Winters Healthcare Foundation took their plans to the Planning Commission last week, and the Blue Mountain Terrace Senior Project is coming in. The Successor Agency has authorized bond refunding, or the refinancing of bonds, and the Railroad parking lot, both of which are being reviewed for approval by the Dept. of Finance. The Fire Dept. Shrimp Feed was well-attended with 100 more tickets sold this year. Police Officer Jose Hermosillo is working hard on the canine program and it's coming together. Toys for Tots applications will be taken soon. There is a big need in the community and the Fire Dept. does a good job. Working with ACE Hardware to carry blue lights and asking the community to put a blue light on your porch in support of law enforcement. Shop locally! We are blessed with a wonderful community, but you never know. It is important that our law enforcement community knows that we support them.

ADJOURNMENT: Council Member Biasi thanked Mayor Aguiar-Curry for her service and Mayor Aguiar-Curry thanked the Council and community for their support. Mayor Aguiar-Curry adjourned the meeting at 8:09 p.m. and Council Member Anderson said the State would be better off for her going!

ATTEST:

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Cecilia Aguiar-Curry, MAYOR

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Nanci Mills, City Clerk



**CITY COUNCIL  
STAFF REPORT**

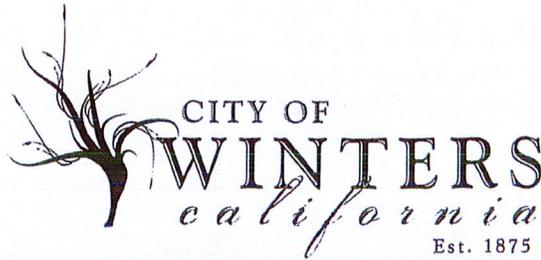
**TO:** Honorable Mayor and Councilmembers  
**DATE :** December 6, 2016  
**THROUGH:** John W. Donlevy, Jr., City Manager  
**FROM:** Nanci G. Mills, Director of Administrative Services  
**SUBJECT:** Request for Street Closure for Religious Procession Submitted by St. Anthony's Parish for Sunday, December 11, 2016

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**RECOMMENDATION:** Staff is recommending the approval of the Request for Street Closure submitted by St. Anthony Parish.

**BACKGROUND:** The procession is scheduled to take place on Sunday, December 11, 2016 between the hours of 12:00 p.m. to 1:00 p.m. The parade route is from the gazebo in Rotary Park (intersection of Main Street and Railroad Avenue) and ending at St. Anthony Parish Hall at 511 Main Street, Winters, approximately one-half mile.

**FISCAL IMPACT:** St. Anthony will provide vested church members to provide traffic control at stop signs along the parade route. It is recommended a barricade be placed at Main and Cody Streets warning drivers traveling south from Grant Avenue of the procession ahead.



**RECEIVED**  
 NOV ~~14~~ 15 2016  
 CITY OF WINTERS

**City of Winters Request for Street Closure**

This application is for citizens or groups that have occasion to request that streets be temporarily closed for such things as bicycle races, running contests, block parties and other such events requiring the re-routing of traffic. For a parade or amplified sound an additional permit is required.

A request to close streets shall be filed with the Police and Public Works Departments at least ten (10) business days prior to the date the street would be closed.

There shall be no closure of the following streets without Council approval:

1. Main Street
2. Railroad Street
3. Grant Avenue
4. Valley Oak Drive
5. Abbey Street

Request to close these streets shall be processed in much the same manner except that the request shall be submitted to the City Council by the Police Department. Requests to close the streets herein listed shall be submitted at least thirty (30) business days prior to the street closure.

Requests for street closures that are not submitted by the minimum time lines may be granted only by the Winters City Council.

Name: <u>Saint Anthony's Parish</u>	Organization: <u>Saint Anthony's Parish</u>
Address: <u>511 Main St.</u>	Mailing Address: <u>511 Main St</u>
Telephone: <u>530-795-2230</u>	Today's Date: <u>Nov-08, 2016</u>
Streets Requested: <u>Main street from Rotary Park to St Anthony's Parish Hall</u>	
Date of Street Closure: <u>December 11, 2016</u>	Time of Street Closure: <u>12:00 - 1:00 PM</u>
Description of Activity: <u>Religious procession - Float, Marching Band, Horses and about 200 people walking</u>	
Services Requested of City: <u>One police officer to escort</u>	
<u>We provide our own Stop/Slow signs for traffic control</u>	
APPROVED: _____ <u>Police Department</u> _____ <u>Public Works Department</u>	

### City of Winters Request for Street Closure

Please provide a listing of the names and signatures of people living on the street (s) to be closed and acknowledging that they know why the closure is requested and that they agree to the closure. Attach additional sheets if necessary.

512 Main St.	Ruth Duchamp
508 Main St	Letter <sup>WM</sup> left.
504 Main St.	Letter <sup>WM</sup> left.
480 Main St.	Letter was left
442 Main St.	<del>Michael J. Smith</del>
464 Main St	Michael J. Smith
456 Main St.	Rosa Vazquez.
439 -	House for Sale - no one is at home
436 -	Refer to Sign.
431 Main St	letter was left
422 - Main St.	letter was left.
418 Main St.	letter was left.
410 Main St.	Dr. D Taylor Ann Walker
308 Main St.	letter was left
302 Main St.	letter was left.
212 Main St.	letter was left
208 Main St	J. G. TRAMONTANA
224 Second St	letter was left.
116 Main St.	letter was left
110 Main St.	Shannon West Shannon West
106 main St	(Amy Williams)
106 Main St.	
34 Main St.	Funeral Smith - Close.

### City of Winters Request for Street Closure

Please provide a listing of the names and signatures of people living on the street (s) to be closed and acknowledging that they know why the closure is requested and that they agree to the closure. Attach additional sheets if necessary.

516		
500	left letter	
488	left letter	
484	left letter	
476	main	Darby
468	left letter	
460	main st	Cherry
438	left letter	
434	main st	Karla Ferguson
430	main st	Brenda
428	left letter	
426	left letter	
423	left letter	
416	left letter	
406	left letter	
306	left letter	
304	left letter	
300	main st	M. Lankford
210	main st	Duke Colwell
206	left letter	
204	main	Pione News
114	left letter	

Letter left.

**City of Winters Request for Street Closure**

Please provide a listing of the names and signatures of people living on the street (s) to be closed and acknowledging that they know why the closure is requested and that they agree to the closure. Attach additional sheets if necessary.

main letter left	475
main letter left	471
Andrew Sturmer	469 Main
main letter left	463
main letter left	459
main letter left	455
John Bosse	451
Mr. Hillier	437
Letter left	435
letter left	433
Marita Wallin	427
BOB CAMPBELL	421
Doug Hushins	410
letter left	408
letter left	311
letter left	309
letter left	307
letter left	305
Susan Peay	303
letter left	213
letter left	209
letter left	205
Amyanne Fitness	113/115 215

**City of Winters Request for Street Closure**

Please provide a listing of the names and signatures of people living on the street (s) to be closed and acknowledging that they know why the closure is requested and that they agree to the closure. Attach additional sheets if necessary.

112 left letter

108 Angelica I.

106 left letter

103 left letter

first northern bank close 48 main  
James CRINTERO 38 main ST.

22 Main left letter Rootstock

10 Main St left letter

Steady Eddy's left a letter 7 AMan St



**City of Winters Request for Street Closure**

Please provide a listing of the names and signatures of people living on the street (s) to be closed and acknowledging that they know why the closure is requested and that they agree to the closure. Attach additional sheets if necessary.

Dan Fortin 155 Main St - Dan Fortin

Trenda Delicious, 41 Main Street - ~~back~~

30 Main St - Building empty -

26 Main St - Ireland Agency - Closed - letter left

18 Main St - Jean DeLeonardi - Letter left

14 Main Cloth Carusel Fiber Sierra Ken

2 Main Buckhorn Linda Rodriguez



**CITY COUNCIL  
STAFF REPORT**

**TO:** Honorable Mayor and Councilmembers  
**DATE:** December 6, 2016  
**THROUGH:** John W. Donlevy, Jr., City Manager  
**FROM:** Carol Scianna, Environmental Services Manager *CS*  
**SUBJECT:** Grant Ave/Walnut Ln Roundabout Caltrans Master Agreement Resolution

**RECOMMENDATION:** Staff recommends the Council approve Resolution 2016-39 which authorizes the City Manager to execute Master Agreement Administering Agency-State Agreement for Grant Ave/Walnut Ln Roundabout - Federal Aid Project No. 03-5110F15 and Program Supplemental Agreement No. 009-F.

**BACKGROUND:** Caltrans requires the City adopt a resolution authorizing a responsible agency official to execute the Master Agreement as part of the process of accepting federal funds for a construction project. The City received construction authorization for Grant Ave/Walnut Ln Roundabout on October 24, 2016. The RSTP funding allocation for the Roundabout is \$646,269, there are also \$160,000 allocated in SHOPP funding towards the project as well. The local match is \$296,339. The project is out to bid with proposal due December 1, 2016. Construction is expected to begin in January weather permitting.

**FISCAL IMPACT:** Funds to be received are \$806,269 from both funding sources

**RESOLUTION NO. 2016- 39**

**A Resolution Authorizing the City Manager  
to execute Master Agreement Administering Agency-State Agreement  
for Federal Aid Projects No. 03-5110F15 and Program Supplement Agreement No. 009-F**

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

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

WHEREAS, the City has received an allocation for Grant Ave(SR128) and Walnut Ln. Roundabout and Project No. STPL-5110(30); and

WHEREAS, Federal and State Share funds will be used for improvements associated with the various projects, including Project No. STPL-5110(30); and

WHEREAS, the City must enter into a Master Agreement in order to receive federal or state funds for projects; and

WHEREAS, the State has prepared a Master Agreement Administering Agency-State Agreement for Federal-Aid Projects No. 03-5110F15 and Program Supplement Agreement No. 009-F; and

WHEREAS, the State requires local agencies adopt a Resolution authorizing a responsible agency official to execute the Master Agreement.

**NOW THEREFORE BE IT RESOLVED** that the City Council authorizes the City Manager of Winters to execute the Master Agreement Administering Agency-State Agreement for Federal-Aid Projects No. 03-5110F15 and Program Supplement Agreement No. 009-F

**PASSED AND ADOPTED** on December 6, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Nanci Mills, City Clerk



CITY COUNCIL  
STAFF REPORT

**TO:** Honorable Mayor and Councilmembers  
**DATE:** December 6, 2016  
**THROUGH:** John W. Donlevy, Jr., City Manager  
**FROM:** Carol Scianna, Environmental Services Manager CS  
**SUBJECT:** Construction Engineering for Roundabout Project – Laugenour and Meikle

**RECOMMENDATION:** Staff recommends Council authorize the City manager to execute a contract with Laugenour and Meikle for Construction Engineering Services for the Grant Ave/Walnut Ln Roundabout Project in the amount not to exceed \$14,000.

**BACKGROUND:** The design of the Grant Ave/Walnut Ln Roundabout began several years ago, the initial design contract with Laugenour and Meikle was part of the City's Ponticello Engineering services contract. Subsequently, the City was required to hire a new firm to manage the Roundabout project per Caltrans Architect and Engineering hiring protocol. Willdan was contracted to manage the project to ensure all Caltrans guidelines were adhered to. Now that the Roundabout is out to bid the City there is a need to have the design engineer on board to address any construction questions or concerns during construction of the project. The process to get the Roundabout project to construction phase has been a very long arduous task. There were numerous plan submittals to Caltrans with pages of comments that had to be addressed and resubmitted. Laugenour and Meikle staff as well as Ponticello staff spent many hours responding to comments and were generous in billing only a portion of their time to complete this process. Staff is confident that funds being requested for the final engineering needs during construction will be a good use of City funds

**FISCAL IMPACT:** Not to exceed \$14,000

August 18, 2016

Mr. Alan Mitchell, City Engineer  
City of Winters  
318 First Street  
Winters, California 95694  
E-mail: [alan.mitchell@ponticello.inc](mailto:alan.mitchell@ponticello.inc).

**Re: Proposal for City of Winters, Grant-Walnut Roundabout – Construction Engineering,  
Winters, California**

Dear Mr. Mitchell:

Laugenour and Meikle is pleased to present this proposal for construction engineering services for the above referenced project. A detailed description of the services to be provided is included in the attached Exhibit "A", Scope of Services & Compensation, which reflects the standard items of work required for this type of project.

If you have any questions or comments, please call.

Sincerely,

**LAUGENOUR AND MEIKLE**



Bryan P. Bonino, Principal, P.E., L.S.

Enclosure

**EXHIBIT “A”**

**SCOPE OF SERVICES & COMPENSATION**

**I. SCOPE OF SERVICES:**

**A. CONSTRUCTION ENGINEERING:**

- Attend meeting (progress and coordination meeting at Owner’s request).
- Site visit during construction (per Owner’s request).
- Review and comment on project submittals related to civil design items.
- Conduct final project review of site improvements and assist in preparation of punch list.
- Support costs are based on a time and materials estimate per work item requested.
- Assumes 80 hours of Engineer time, any additional time will be charged on a time and material basis. See Exclusions below.

**II. COMPENSATION:**

Our estimated costs for the components of this project are as follows:

A. Construction Engineering (Time & Materials Estimate) ..... \$ 14,000.00

**PROJECT TOTAL: \$14,000.00**

These costs are based on the following Laugenour and Meikle Prevailing Wage Rate Schedule (Exhibit B). Government agency fees are not included in this cost proposal.

**III. EXCLUSIONS AND/OR RESPONSIBILITIES OF CLIENT OR OTHERS:**

1. Client agrees consultant will not perform on-site construction review, construction management, supervision of construction of engineering structures, or other construction supervision for this project unless specifically provided for in another Agreement.
2. Due to the variable aspects of construction, and not knowing the quality of Contractor that will be selected for the project, it is difficult to determine actual time required for construction engineering during the course of the project. The requests from Agency Inspectors and Construction Managers also vary for each project which affect actual time required for the project. All Construction Engineering costs are an estimate only and will be billed on a time and materials basis.

**EXHIBIT "B"**  
**RATE SCHEDULE**

**PERSONNEL CLASSIFICATION**

**RATE PER HOUR**

Principal Engineer	\$175.00
Senior Engineer	\$165.00
Associate Engineer	\$145.00
Senior Surveyor	\$150.00
Surveyor	\$135.00
Assistant Surveyor	\$125.00
Assistant Engineer	\$125.00
Junior Engineer	\$100.00
Senior Engineering Technician	\$100.00
Engineering Technician	\$ 75.00
Survey Technician	\$ 75.00
Technician	\$ 55.00
Clerical	\$ 55.00
Survey Party, 1-Man*	\$140.00
Survey Party, 2-Man*	\$255.00

**EQUIPMENT CLASSIFICATION:**

Field Materials	—	Charged at cost plus 10%
Reproduction Items	—	Charged at cost plus 10%

\*Public Works Prevailing Wage Rate



**CITY COUNCIL  
STAFF REPORT**

**TO:** Honorable Mayor and Council members  
**DATE:** December 6, 2016  
**THROUGH:** John W. Donlevy, Jr., City Manager  
**FROM:** Dan Maguire, Economic Development and Housing Manager *DM*  
**SUBJECT:** Award a Construction Agreement for Shade Structure Electrical Work as part of Phase Two Construction at Walnut Park Project (APN # 003 360 025)

---

**RECOMMENDATIONS:**

Authorize the City Manager or his designees to issue a Construction Agreement with Ample Electric for the Shade Structure electrical work at the Walnut Park Phase Two Construction Project in an amount not to exceed five thousand three hundred eighty five dollars and fifteen cents (\$5,385.15).

**BACKGROUND:**

The City is under contract to receive Prop 84 grant funds in the amount of \$865,191 (including \$200,000 for environmental mitigation) from the California State Parks and Recreation Department, and also was awarded \$117,275 in grant funds for the project from the Housing Related Parks Program ("HRPP"). The Walnut Park project previously received CDBG grant funds from the State's CDBG General Allocation Program. Funding from all these sources is being utilized for the development of a new city park to be located on the 5 acre parcel (APN # 003 360 025) between Dutton Street and Walnut Lane due east of the new Orchard Village Apartments. The CDBG grant funds were expended during the construction of Phase One of Walnut Park.

The City Council authorized the bid issuance for the Phase Two construction of Walnut Park at the City Council meeting on April 19, 2016. At the May 3, 2016 City Council meeting, Council authorized the purchase of the shade structure for the project to ensure funding available under the Housing Related Parks Program Grant was expended by the June 30, 2016 expenditure deadline. This purchase was reflected in an adjustment to the bid invitation through the issuance of an addendum.

At the June 7<sup>th</sup> City Council meeting Council awarded the construction contract for Phase 2 of Walnut Park to Empire Landscaping. The contract was awarded for the base bid only, in the amount of \$547,000.00.

At the September 6<sup>th</sup>, 2016 City Council meeting, Council authorized a contract with Construction Plus, a preferred contractor that installs shade structures manufactured by ICON and sold by their West Coast representative, NSP3. Their bid was substantially below the line item for installation in the Empire Landscape base bid (\$15,000). Staff removed the shade structure installation and related electrical work (\$5,000) from the Empire Landscape scope of work via a change order. The switch in shade structure installation companies and the electrical contractor work for the shade structure will result in a cost savings of approximately \$7,000 which will allow the City the flexibility to add elements to the park depending on unused contingency funds results:

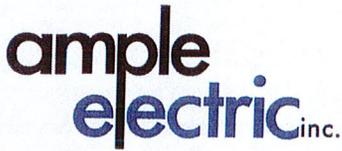
- Sand Play Area
- Fence at play area
- Drinking Fountain at playground (one currently on site)
- Raised Garden Beds
- Serving Tables at existing group picnic area
- Sport Court

**FISCAL IMPACTS:**

No impact on City's General Fund as construction will be funded from the Prop 84 Grant, the Housing Related Parks Program Grant, and from the City's Transportation Development Act Fund ("TDA")

**ATTACHMENTS:**

Ample Electric Proposal



PO Box 456  
Winters, CA 95694

Lic.# 807298

Phone # 530-795-9913  
Fax # 530-795-9951  
E-mail jdiaz@ampleelectricinc.com

Date	Estimate #
11/15/2016	12603

City of Winters  
Attn: Public Works  
318 First Street  
Winters, CA 95694

# Proposal

Project

Description	Total
<p>This proposal is for the installation of the electrical system for the Walnut Park Phase 2 for the City of Winters. Included in this bid is the labor and materials it will take to install 4 new lights piped surface mount EMT on to existing shade structure. We will tie in new electrical conductors to existing control panel.</p> <p>Exact location of lighting fixtures is to be determined by others prior to installation.</p> <p>Bid Item #24 Shade Structure Lighting Material and Installation.</p> <p>NOT INCLUDED IN THIS PRICE: PLANS PERMITS INSPECTIONS AND FEES AND ARE TO BE OBTAINED BY OTHERS.</p> <p>Light fixtures have a 2-3 week lead time.</p>	<p>5,385.15</p> <p>0.00</p>
<b>Total</b>	<b>\$5,385.15</b>

Sign below to accept this proposal and the contract terms

Signature \_\_\_\_\_

Date \_\_\_\_\_



**CITY COUNCIL  
STAFF REPORT**

**TO:** Honorable Mayor and Council Members  
**DATE:** December 6, 2016  
**THROUGH:** John W. Donlevy, Jr., City Manager  
**FROM:** Alan Mitchell, City Engineer *AM*  
Dan Maguire, Economic Development and Housing Manager *DM*  
**SUBJECT:** Approve Project Budget Sheet for water and storm drain improvements associated with the Hotel Winters, LLC (Downtown Hotel).

---

**RECOMMENDATION:** Staff recommends the City Council approve new Project Budget Sheet (PBS) for the Downtown Hotel - Water and Storm Drain Improvements, in the amount of \$180,000.

**BACKGROUND:** In May 2014 the City Council received the staff report on the proposals for development of a downtown hotel, and unanimously approved staff's recommendation to authorize the City to enter into an Agreement with Royal Guest.

In January 2015, the Planning Commission reviewed and approved the Design/Site Plan, Tentative Parcel Map, and Conditional Use Permit for construction of a three-story, approximately 70-unit Hotel with Hotel Lobby, courtyard, retail tenant space and all support functions.

A Disposition and Development Agreement (DDA) was executed on November 18, 2014, between the City and Developer for the Downtown Hotel project.

**DISCUSSION:** Per the DDA (see attached excerpt), the City is responsible for public improvements associated with the new Downtown Hotel project, including a new water line in the alley, alley surface improvements, a parking lot with landscaping, curb and gutter and paving along Abbey Street, and new drainage system in the parking lot and along the alley and Abbey Street. The improvements are being designed by the Developer's Engineer, and the City will implement the improvements in phases.

The first phase of improvements includes the water line in the alley. A new 8" water line will replace an old 6" water line, which will provide for better flow and a more reliable pipeline. The first phase also includes a new storm drain system, which will provide drainage for the alley, new parking lot, and portions of Abbey Street.

Staff recommends the City Council approve new Project Budget Sheet (PBS) for the Downtown

Hotel - Water and Storm Drain Improvements, in the amount of \$180,000. The remainder of the city's improvements will be implemented once the Hotel construction is nearly-completed.

**ALTERNATIVES:** None recommended by staff.

**FISCAL IMPACT:**

\$90,000 expenditure in the Water Capital Fund 612

\$90,000 expenditure in the Sewer Capital Fund 622

Attachments: Project Budget Sheet  
Excerpt from Agreement

## Downtown Hotel - Water and Storm Drain Improvements Project Budget Sheet

**CIP#: 17-01**  
**Last Updated:**  
**Project Owner:** Public Works  
**Project Manager:** Alan Mitchell

**MTIP #**  
**Original Approval:** December 2016  
**Project Resource:** Consultant

**Description:**

City infrastructure responsibility associated with new Downtown Hotel - Design and construction of new water line in the alley, to replace old and non-standard water line. Design and construction of drainage system to serve alley, city parking lot adjacent to Hotel, and Abbey Street.

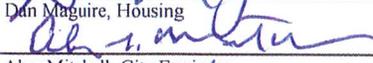
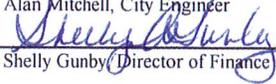
**Authority:**

The City is responsible for upgrade and maintenance of public infrastructure.

<b>Budget:</b>						
Item	%	Amount	Item	%	Amount	
Project Management		\$5,000	Design		\$15,000	
Testing and Inspection		\$10,000	Permits		\$0	
Pre-Design		\$0	Construction		\$130,000	
Right of Way/Utility Relocation		\$0	Contingency		\$20,000	
CEQA/NEPA		\$0	<b>Project Total:</b>		<b>\$180,000</b>	

<b>Financing Schedule:</b>		Project Start:	2016	Project Completion:	2017		
Phases:	Water	Storm Drain					
<b>Fund Code:</b>	612	622					
<b>Name:</b>	Water Capital	Sewer Capital	Blank	Blank	Blank	Blank	<b>FY Totals</b>
<b>Previous</b>							\$ -
<b>FY 16/17:</b>	\$ 90,000	\$ 90,000					\$ 180,000
<b>FY 17/18:</b>							\$ -
<b>Fund Totals:</b>	\$ 90,000	\$ 90,000	\$ -	\$ -	\$ -	\$ -	\$ 180,000

**Recommended for Submittal**  
**Recommended for Approval**  
**Finance Department Approval**  
**City Manager Approval**

 11/29/2016  
 Dan Maguire, Housing (date)  
 11/29/16  
 Alan Mitchell, City Engineer (date)  
 11/29/16  
 Shelly Gunby, Director of Finance (date)  
 John Donlevy, City Manager (date)

## ATTACHMENT NO. 5

### DESCRIPTION OF PUBLIC IMPROVEMENTS

The City intends to construct the following public improvements adjacent to the Site:

- A public surface parking lot consisting of approximately 40+ spaces on City-owned property known as Assessor's Parcel Numbers 003-204-003 and 003-204-004, located at the corner of First Street and Abbey Street.
- Alleyway and Paseo Improvements between First Street and Railroad Avenue as more particularly described in the City's Downtown Master Plan.
- Installation and/or relocation of water, sewer, storm drainage, electrical, gas and phone lines necessary for the construction of the Hotel Project on the Project Site and in conformance with the requirements of electrical, gas and telecommunication utility companies.



CITY COUNCIL  
STAFF REPORT

**TO:** Honorable Mayor and Councilmembers  
**DATE:** December 6, 2016  
**THROUGH:** John W. Donlevy, Jr., City Manager  
**FROM:** Carol Scianna, Environmental Services Manager *CS*  
**SUBJECT:** El Rio Villa Pump Replacements

**RECOMMENDATION:** Staff recommends the Council approve purchase of two 20 HP Homa submersible pumps for El Rio Villa Lift Station at a cost not to exceed \$70,500 and removal of existing pumps and installation of new pumps at a cost not to exceed \$78,658 work to be done by Telstar.

**BACKGROUND:** The Paco pumps purchased in 2007 and 2008 at the El Rio Villa lift station are no longer functioning at required efficiencies, and thus, drastically reducing the required capacity of the lift station. The problem is that the discharge housing on both pumps is damaged causing effluent to continuously re-circulate in the wet well. The Paco pumps are now obsolete, and attempts to replace the two damaged discharge housing parts were futile, as they are not manufactured any longer. Due to the level of inefficiency of the lift station at this point, ragging is becoming more and more of a problem, and the pumps are clogging quite frequently. Also, because the pumps run times are about three times higher than normal, three times as much energy is being consumed as well.

The pump rails are corroded, and are also in need of replacement.

The price quoted includes all parts necessary for installation of new pumps. Staff has received two quotes for the replacement quotes; Telstar is \$8000 less than the second quote.

As part of fees paid to the City for Wastewater treatment services there are monies collected for capital and ongoing O & M costs. The current capital funds collected are available to cover the new pump expenses, upon completion of the pump project there will be 30% of capital projects funds remaining.

**FISCAL IMPACT:** \$149, 158 to be allocated from El Rio Villa Capital Fund



C10 Contractor License #422364

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

November 22, 2016

City of Winters

Sent via email: [jim.keating@cityofwinters.org](mailto:jim.keating@cityofwinters.org)

Attn: Jim Keating

Subj: Pump Replacement Project El Rio Villas Lift Station - *Install*

Ref: 30176

Dear Jim,

Telstar Instruments is pleased to quote the removal of your existing pumps, supply and installation of new 20 HP Homa pumps for your El Rio Villas Lift Station. This proposal is based on the follow assumptions.

**Assumptions:**

1. Existing pumps are PACO Model 58-49511-5822, 15HP, 3 phase, 240 vac, 1750 RPM, Type QDN. This information was provided by the City and new replacement HOMA pumps equal or exceed the performance specifications for the original pumps.
2. Existing pumps discharge to an existing header in the Drywell and are pumped to the WWTP incoming lift station approximately 1.5 miles from this site.
3. The existing PACO pumps currently have damaged discharge housing causing discharge effluent to circulate in the sump but are capable of emptying the sump under all conditions.

**Scope of Work:**

**A. Initial Sump Investigation**

1. A 4 hr sump downtime will be scheduled with the City to inspect the existing pump discharge piping.
2. An inflatable plug will be inserted into the manhole located Southeast of the sump. It appears that this line feeding the sump is an 8" pipe.
3. The sump will be washed down with water available at the site and pumped out to the manhole east of the sump.
4. The sump discharge piping will be examined and measured to allow fabrication of new discharge piping to accommodate the new pumps.
5. The plug(s) will be deflated and removed from the manholes and pumps will be returned to service before 4 hours.
6. Note: if existing manholes and lines are incapable of handling the incoming sewage during this downtime period, then the City will provide necessary Vector services to pump out the manholes.
7. The existing sump hatch will be removed and replaced with a temporary plywood lid to allow fabrication of a replacement lid.



8. The electrical controls will be documented to provide necessary Engineering to replace the protective relays with the new HOMA relays.

**B. First Pump Replacement**

1. An 8 hour downtime period will be scheduled with the City to replace the first of two pumps.
2. The City will provide Vactor services to keep manholes from overflowing during this down time period.
3. The influent manhole will be plugged, the sump washed down and pumped to the adjacent manhole.
4. The existing pump, discharge housing and guide rail assembly will be removed using the installed Jib Crane. The City will confirm that this crane is capable of hoisting the existing and new pumps.
5. The new HOMA pump, discharge base, guiderails and lifting chain will be installed. The pump will be terminated to existing supply wiring. Rotation will be verified before the pump is lowered into the sump.
6. Existing pump controls will be modified to accommodate installation of new pump protective relay.
7. The plug will be removed and the new pump will be commissioned and test run.

**C. Second Pump Replacement**

1. The second pump will be replaced similarly to the First pump, however, the City has requested that it not be performed with a rental Vactor truck. This can be accommodated, however, it is likely that at some point during the work, the plug will need to be deflated and the sump will need to be pumped out using the new pump. This will require a second plug placement, a second cleaning and pump out of the sump extending the work day to a 10 hour overtime day.
2. All of the work steps under B. First Pump Replacement will be duplicated.
3. If more than one unplugging operation is required to allow the manholes to be drained and pumped out of the sump, then additional costs will accrue on a T&M basis. Additionally, if the manholes take more than 15 minutes to empty into the sump, then additional cost will occur which will require a further change order.

**D. Hatch Lid Replacement**

1. A new Lid fabricated from ¼" Aluminum Tread material will be installed using new Bilco hinges.

**The Lump Sum Price for work as outlined .....\$78,658.00**  
**This price does include applicable tax and freight.**

**CLARIFICATIONS:**

1. Pricing includes tax and freight.
2. The cost of a Bond is excluded. Telstar's bonding rate if required is 0.9%.
3. Delivery for Telstar provided equipment only, FOB factory.
4. Telstar's quotation includes only those items listed above. Owner requests for additions/deletions from our Scope of Supply will require a change in the quoted price.
5. All labor is included at straight time prevailing wage rates with the exception that the second pump replacement includes 2 hours of overtime work.



**EXCEPTIONS/EXCLUSIONS (unless specifically noted above):**

1. Supply, Installation and calibration of all instruments is excluded, however, new level sensors can be installed and calibrated for additional cost if required. Existing PLC, HMI and Level sensors are being used for pump control and are not being replaced and adjusted as part of this proposal.
2. Cost of permits, licenses, fees.
3. We assume no responsibility for performance, applicability, start-up, testing, or acceptance of any equipment not furnished by Telstar under this proposal.

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

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

Sincerely,

*Alan D. Strong*

Alan D. Strong  
Senior Project Manager

C:\Users\lastrong\Documents\Telstar\Projects\Bid Jobs\30176 Winters El Rio Villa Lift Station\Proposal\Winters 30176 Replace Pumps 11-22-16 Rev A.docm



C10 Contractor License #422364

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

November 4, 2016

City of Winters  
Sent via email: [jim.keating@cityofwinters.org](mailto:jim.keating@cityofwinters.org)

Attn: Jim Keating  
Subj: Pump Replacement - Pump Purchase  
Ref: Quote #30176

Dear Jim,

Telstar Instruments is pleased to quote on the above referenced project. We purpose to supply the following:

- 1. Two (2) each HOMA submersible non clog vortex impeller model AVX432-220/53F/C, 4" X 4" flanged connection, capable of providing 400 GPM at 143' TDH, 50' power/sensing cable, 460 volt, 3 phase, 3500 RPM, 240 MM impeller.

**The price (NOT including tax and freight) is .....\$64,532.00  
This price does not include installation labor.**

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

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



C10 Contractor License #422364

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

November 4, 2016

City of Winters

Sent via email: [jim.keating@cityofwinters.org](mailto:jim.keating@cityofwinters.org)

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4017 Vista Park Court, **Sacramento**, CA 95834 Phone 916-646-1999, Fax 916-646-1096  
202 South Douty Street, **Hanford**, CA 93230 Phone 559-584-7116, Fax 559-584-8028

2nd pump purchase quote



**Xylem Water Solutions USA, Inc.  
Flygt Products**

790-A Chadbourne Rd  
Fairfield, CA 94534  
Tel (707) 422-9894  
Fax (707) 422-9808

October 5, 2016

Quote # 2016-FFB-0401

CITY OF WINTERS  
318 1ST ST  
WINTERS CA 95694

Re: City of Winters - El Rio Villa PS Retrofit Project

Xylem Water Solutions USA, Inc. is pleased to provide a quote for the following Flygt equipment.

**Pumps**

Qty	Part Number	Description	Unit Price	Extended Price
2	3171.095-0152	Flygt Model NP-3171.095 4" volute Submersible pump equipped with a 460 Volt / 3 phase / 60 Hz 35 HP 3550 RPM motor, 277 impeller, 1 x 50 Ft. length of submersible cable, FLS leakage detector, volute is prepared for Flush Valve	\$ 26,297.00	\$ 52,594.00

**Accessories**

Qty	Part Number	Description	Unit Price	Extended Price
2	540 13 05	CONNECTION,DISCH 4X4" CI	\$ 769.00	\$ 1,538.00
2	14-58 91 06	HOOK,SAFETY ASSEMBLY SS	\$ 107.00	\$ 214.00
40	14-48 71 17	CHAIN 5/16" 316SS SWL2750#	\$ 38.00	\$ 1,520.00
2	14-58 72 09	KIT,CHAIN FITTING 316SS+ FLYGT SWL1250#	\$ 212.00	\$ 424.00
80	14-49 01 08	TS3043 FEET 3"GUIDE RAIL 304SS	\$ 46.00	\$ 3,680.00
2	661 54 01	BRACKET,GUIDE BAR U. 3" 316SS	\$ 254.00	\$ 508.00
4	255 47 01	SLEEVE,NBR	\$ 17.00	\$ 68.00



Qty	Part Number	Description	Unit Price	Extended Price
1	Access Cover	037055KBDP----- CLEAR OPENING 34" X 54.25" The above aluminum access cover(s) to have channel frame, 1 1/2" drain coupling, T316 s.stl. hardware, hold open arm, recessed lock box, spring assist, slam lock, gasket, bituminous coating, lockable-hinged protective grating panel and 300 psf load rating. The grating panel is powder coated the color "safety orange".	\$ 2,475.38	\$ 2,475.38

**Electrical**

Qty	Part Number	Description	Unit Price	Extended Price
1	84-80 00 84	MULTISMART MSM 3MP2+ 3 PUMP W/MTR PROT NO SOFT	\$ 5,661.00	\$ 5,661.00
6	14-40 41 21	TRANSFORMER,CURRENT 50:5	\$ 50.00	\$ 300.00
1	84-80 00 24	PROBE,FS,10 SENSORS+ 9'7" LONG, 33' CABLE	\$ 905.00	\$ 905.00
1	83 75 78	SENSOR,LEVEL LTU701 0-5M 20M+ LIGHTNING PROT NO FM OR CSA	\$ 1,704.00	\$ 1,704.00

**Services & Misc.**

Qty	Part Number	Description	Unit Price	Extended Price
1	14-69 00 09A	START UP,FLYGT,NO TAX 1-TP MODELS: 3000,7000,8000	\$ 1,115.00	\$ 1,115.00

**Total Project Price** \$ 72,706.38

**Freight Charge** \$ 1,454.00

**Total Project Price** \$ 74,160.38

**Incoterm:** 1 FCA - Free Carrier **Named Placed:** 02 - US WH/ Factory  
Incoterms 2010 clarify responsibility for costs, risks, & tasks associated with the shipment of goods to the named place.

**Terms & Conditions:** Attached please find our Standard Terms & Conditions of Sale that apply to this order.

**Taxes:** State, local and other applicable taxes are not included in this quotation.

**Time of delivery:** Approximately 10-12 working weeks after approval of order and receipt of approved submittal.

**Terms of delivery:** PP/Add Order Position

**Terms of Payment:** 90% Net 45 days, 10% Net 120 days.

**Changes:** This Quote is based on the current design criteria provided to Xylem Water Solutions USA, Inc. Revisions may result in price changes.

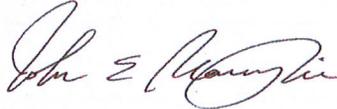


**Exclusions:** This Quote includes only the items listed specified above.

**Validity:** This Quote will expire in ninety (90) days unless extended in writing by Xylem Water Solutions USA, Inc..

We thank you for your interest in Flygt equipment from Xylem Water Solutions USA, Inc.. and look forward to being of service to you in the near future.

Sincerely,



John Maupin

Direct Sales Representative

Phone: 707-430-0181

Cell: 707-317-4707

john.maupin@xylem-inc.com





**TO:** Honorable Mayor and Council Members  
**DATE:** December 6, 2016  
**THROUGH:** John W. Donlevy, Jr., City Manager  
**FROM:** Nanci G. Mills, Director of Administrative Services/City Clerk  
**SUBJECT:** Reclassification of Building Permit Tech to Management Analyst

**RECOMMENDATION:**

Information item only. The City currently has the Management Analyst Position in place in our job descriptions and salary schedule.

**BACKGROUND:**

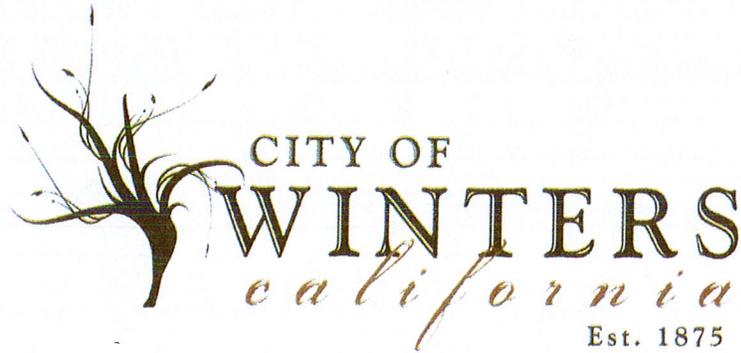
The Building Permit Tech was hired August 31, 2015 and has taken on additional assignments in the areas of project and contract management for construction projects and consultant contracts.

The Management Analyst will be heavily involved in the upcoming fee study and cost allocation plan, assisting in the interview process of the consultants and will be assisting in other ways as needed.

Based on the type of projects the Building Permit Tech is working on this position is working out of their classification.

**FISCAL IMPACT:**

\$15,000 2016/2017 Budget



### STAFF REPORT

**TO:** Honorable Mayor and Council Members  
**DATE:** December 6, 2016  
**THROUGH:** John W. Donlevy, Jr., City Manager  
**FROM:** Ethan Walsh, City Attorney  
Nanci G. Mills, Director of Administrative Services/City Clerk  
**SUBJECT:** Filling a City Council Vacancy and Appointing a Councilmember to Serve as Mayor

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**RECOMMENDATION:** City Council to fill vacancy on the Winters City Council and determine who will serve as the new Mayor.

**BACKGROUND:** At the last City Council meeting on November 15, 2016 the City Council decided to fill the seat and appoint someone at the December 6, 2016 Council meeting.

However listed below are the original options that are allowed to take place per the Elections Code.

Mayor Aguiar Curry has been elected to the serve in the State Assembly. The City Council and State Assembly are incompatible offices, and Mayor Aguiar Curry therefore will resign from her position as Mayor, effective upon her being sworn into the State Assembly, in December 2016.

#### **DISCUSSION:**

1. Filling the Mayor's Council Seat

Under the California Government Code, within 60 days after the vacancy occurs, the Winters City Council must either:

1. Appoint a Winters resident to the Winters City Council to fill the Mayor's unexpired term; or
2. Call for a Special Election to fill the term. The Special Election must be held at the next regular election at least 114 days after the call for special election, which means the position would be vacant until the June 2017 election. The City would have to pay the costs to hold the special election, since that is not an election that would typically include any candidates for City Council.

If the City Council decides to call a special election, it does have the option of conducting the election by either a traditional or all mail ballot election. As a general rule, all municipal elections must permit traditional, in person voting. However, the Elections Code outlines a number of exceptions when all mail ballot voting is permitted. In this case, Elections Code section 4004 allows cities with less than 100,000 residents to use all mail ballot voting in a special election to fill a Council vacancy if: (1) the City Council passes a resolution allowing mailed ballots for the election, (2) the election is not held on the same date as any statewide primary or general election, (3) the election is not consolidated with any other election and (4) the return of mailed ballots is conducted pursuant to Elections Code section 3017.

Here, the City meets all of these requirements. First, its current population is well below 100,000. Second, there are no statewide primary or general elections scheduled for 2017. Third, the election will not be consolidated with any other election. Therefore, if the City Council decides to call a special election, it may conduct a traditional or an all-mail ballot election. An all-mail election may reduce the costs somewhat, although it would require that the election be held in June 2017, meaning that the Council seat would be vacant for several months.

If the Council decides to fill the position by appointment, City staff can work with the Council to organize a process for the Council to consider candidates for appointment if desired.

## 2. Appointing the New Mayor

The City Council has discretion to appoint any one of its members as the new Mayor. Government Code section 36801 requires that after each general municipal election the City Council select one Councilmember to serve as Mayor and one as Mayor Pro Tempore. Despite this, the Mayor and Mayor Pro Tempore are not specific "offices" in the sense that the holders possess special rights to them. Rather, the Mayor and Mayor Pro Tempore both serve at the pleasure of the City Council.

The Mayor Pro Tempore is generally the Council member who received the most votes in the most recent general election, and becomes the mayor when the current Mayor's term is over. The Mayor Pro Tempore also performs the duties of the Mayor if he or she is absent from the meeting. However, the Municipal Code does not specifically provide that the Mayor Pro Tempore will assume the position of Mayor upon a vacancy. Therefore, the Council may appoint any one of the members as Mayor, if it so chooses.

**FISCAL IMPACT:** No fiscal impact for appointment of a Council member, or for selection of the Mayor. There are costs associated with a special election, and if the Council is interested in pursuing that option, the City Clerk can determine an estimate of the cost.