



Winters City Council Meeting  
City Council Chambers  
318 First Street  
Tuesday, May 1, 2018  
6:30 p.m.  
**AGENDA**

*Members of the City Council*

*Wade Cowan, 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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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, April 17, 2018 (pp. 4-11)
- B. Resolution 2018-10, a Resolution of the City Council of the City of Winters Approving a Budget Adjustment for Water Bond Well Rehabilitation Projects (pp. 12-15)
- C. Agricultural Lease Agreement Amendment with Martinez Orchards, Inc. (pp. 16-20)
- D. Claim Against the City of Winters by Adelaido Rodriguez (pp. 21-30)
- E. Amplified Sound Permit Application Submitted by Winters Resident Raul Duran (pp. 31-33)
- F. Second Reading and Adoption Ordinance 2018-01, an Ordinance of the City Council of the City of Winters to Establish Speed Zones for Local Streets and Highways Within the City of Winters (pp. 34-41)

### PRESENTATIONS

None

### DISCUSSION ITEMS

1. Fiscal Years 2018-2019 and 2019-2020 Budgets Workshop (pp. 42-45)

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

1. None

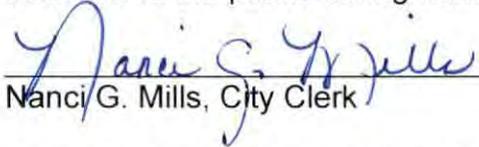
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### CITY MANAGER REPORT

## INFORMATION ONLY

### ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the May 1, 2018 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 April 26, 2018, and made available to the public during normal business hours.

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

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

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

*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 April 17, 2018

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Mayor Wade Cowan called the meeting to order at 6:30 p.m.

Present: Council Members Harold Anderson, Bill Biasi, Jesse Loren, Pierre Neu and Mayor Wade Cowan

Absent: None

Staff: City Manager John W. Donlevy, Jr., City Attorney Ethan Walsh, City Clerk Nanci Mills, Economic Development/Housing Manager Dan Maguire, Public Works Superintendent Eric Lucero, Director of Financial Management Shelly Gunby, Police Chief John Miller, Environmental Services Manager Carol Scianna, Public Works Maintenance Workers Terry Vender, Sal Del Toro, Luis Herrera, Adrian Balderas, and Management Analyst Tracy Jensen.

Members of the Winters High School Youth Day Council led the Pledge of Allegiance.

Approval of Agenda: City Manager Donlevy requested that Consent Item E, Claim Against the City of Winters by Adelaido Rodriguez, be removed and placed on a future agenda. Motion by Council Member Loren, second by Council Member Neu to approve the Consent Calendar with this change. Motion carried with the following vote:

AYES: Council Members Anderson, Biasi, Loren, Neu, Mayor Cowan

NOES: None

ABSENT: None

ABSTAIN: None

COUNCIL/STAFF COMMENTS

**PUBLIC COMMENTS:** Denise Monegato, 114 Third Street, reported there has been abandoned furniture sitting at the corner of Third & Russell Streets for a long period of time.

**CONSENT CALENDAR**

- A. Minutes of the Regular Meeting of the Winters City Council Held on Tuesday, April 3, 2018
- B. Homeless Coordination Project Contract
- C. Final Acceptance of Public Improvements Along Matsumoto Lane for Starbucks and Directing the City Clerk to Final a Notice of Completion
- D. Proclamation of the City Council of the City of Winters Honoring May 3<sup>rd</sup>, 2018 as the Big Day of Giving Led by the Sacramento Region Community Foundation
- E. Claim Against the City of Winters by Adelaido Rodriguez **(Item Removed from Agenda)**
- F. Street Closure Request and Amplified Sound Permit Application for "Youth Day Friday Festival" on April 27<sup>th</sup>, Sponsored by the Winters Chamber of Commerce

City Manager Donlevy gave an overview of the Consent Calendar and reiterated that Item E had been removed. Council Member Anderson recused himself from Consent Item F due to a possible conflict of interest. Motion by Council Member Loren, second by Council Member Biasi to approve the Consent Items A-D. Motion carried by the following vote:

AYES: Council Members Anderson, Biasi, Loren, Neu, Mayor Cowan  
NOES: None  
ABSENT: None  
ABSTAIN: None

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

AYES: Council Members Biasi, Loren, Neu, Mayor Cowan  
NOES: None  
ABSENT: None  
ABSTAIN: Council Member Anderson

**PRESENTATIONS**

Mayor Cowan read aloud and presented a Proclamation on behalf of the Winters City Council to Vasey Coman, Marketing Manager of the Sacramento Region Community Foundation honoring May 3<sup>rd</sup>, 2018 as the Big Day of Giving.

Public Works Superintendent Eric Lucero gave a power point presentation that included an overview of the 2017-2018 overall and operating budgets and photos of activities that have occurred in the facilities, parks and streets departments. He reviewed the construction of the downstairs conference room and the painting of City Hall. Terry Vender gave an overview of the work being done at the 6 parks located within the City. Eric then showed the areas of the Nature Park that the Public Works department has inherited, along with the existing park land that staff currently maintains. Recently the entire staff tackled the Valley Oak median to remove unwanted vegetation, which is done three times a year. He also showed the work that was being done at City Park and the futsal court, the Project Playground demo, Walnut Park/Community Garden, removing graffiti from the back wall of the PG&E facility and the installation of a new entrance into the Community Center/Rotary Park parking lot. Staff also installed a crosswalk, signs, and built ramps @ SRIS, repaired sidewalks, trimmed trees, painted striping, and installed a storm drain. Council Member Loren said she was impressed with the Public Works Department and thanked them for installing the pedestrian ramps at Morgan and E. Baker Streets and for installing the new playground apparatus at Valley Oak Park.

### DISCUSSION ITEMS

1. Winters Police Department's Revised Axon Quote for the Purchase of Body Worn Cameras (BWC)

Police Chief John Miller modeled the exterior vest covers with the body worn camera, reviewed the top three vendors and recommended Axon, which offers numerous advantages as shown by the video provided. The Axon system will automatically activate the BWC's in several ways: a "signal vehicle" activates the BWC if the emergency equipment is activated, a "sidearm signal" activates the BWC if an officer draws their firearm, and a "signal performance power magazine" activates the BWC if an officer draws their taser. The technology also talks to each other wirelessly so that all the BWC's in the vicinity are automatically activated in order to capture the incident from the BWC's perspective. The data storage system is secure and the BWC's automatically download once placed in their docking/charging station. Axon also offers a technology assurance plan, a full warranty plus complete replacement of upgraded technology at the 2.5 and 5 year points.

Council members inquired about the system's warranty, the reduction of litigation for cities who utilize this type of system, and if there would be an additional cost for anticipated growth, which has already been factored into the proposal. Taylor Buley, Publisher of the Winters Express, inquired how the newspaper can obtain information from the police log without submitting a public records request. He supported the purchase of the system for transparency purposes.

Motion by Council Member Loren, second by Council Member Biasi to approve the purchase of 15 Axon BWC's, 15 Sidearm Signals, 15 Signal Performance Power Magazines, and 5 Signal Vehicle units, including software licenses, data storage, 5-year warranty, docking stations, technical assistance to set up the system, and initial training for all officers. Motion carried with the following vote:

AYES: Council Members Anderson, Biasi, Loren, Neu, Mayor Cowan  
NOES: None  
ABSENT: None  
ABSTAIN: None

## 2. Approval of Nature Park Extension Project

Environmental Services Manager Carol Scianna gave an overview and said PG&E has donated \$200,000 to be used to purchase trees and plantings to landscape the areas adjacent to the training center to provide a buffer between the PG&E facility and the Winters Nature Park. Staff is working with the Putah Creek Council to convert the property and the Winters Putah Creek Committee is supportive of the project.

Amy Williams, the Stewardship Coordinator for Putah Creek Council gave a power point presentation entitled "Winters Putah Creek Nature Park Extension Proposal" that included project goals, scope of work, timeline and budget information. The three-year project is slated to begin this summer and nearly \$175,000 in grant funds has been requested.

Council Member Biasi thanked Amy and said it was a good proposal. He requested that tree planting in certain areas should not hinder the flow of the creek. This project can showcase what we can do when partnering and involving high school students and the community.

Kurt Balasek gave a shout out to PG&E and to those who negotiated for the seed money and added the Yolo County Resource Conservation District has agreed to match funds up to \$40,000. He added that this is a tremendous project with natural resources.

Valerie Whitworth, representing the Lower Putah Creek Coordinating Committee, said Amy is doing a fantastic job with this tremendous project, which she fully supports.

Motion by Council Member Loren, second by Council Member Biasi to approve the plans for the Nature Park Extension Project and authorize the City Manager to execute the contract with Putah Creek Council for project management and implementation of the project. Motion carried with the following vote:

AYES: Council Members Anderson, Biasi, Loren, Neu, Mayor Cowan  
NOES: None  
ABSENT: None  
ABSTAIN: None

3. 2016-2017 Comprehensive Annual Financial Report (CAFR)

Director of Financial Management Shelly Gunby gave an overview of the 2016-2017 report and said the report could be found on the City's website. City Manager Donlevy explained that fund balances fluctuate and while staff was expecting projects to pull permits that didn't, the gap was closed with expenditures that weren't made. The financial information contained in the CAFR is generated by independent auditors and although it is not all good news, it is absolutely transparent. At the back of the report is a ten-year comparison or ten years of information. The format for the CAFR is dictated by the Government Finance Officers of America and Shelly and the Finance Department has earned consecutive awards for financial reporting.

Council Member Loren said we seem to be faced with year round fire seasons and asked about fire prevention and response. City Manager Donlevy said Winters Fire Department houses an OES fire truck, so when our firefighters are deployed, the State pays the City for it.

Council Member Biasi said the report was very informative and thanked Shelly for putting it together. He added that through June 2017, the latest developments are not included, but will be reflected in the next CAFR. Shelly clarified that when new houses go on the tax rolls in June 2017, the City doesn't receive property tax until January 2019. The lag time can be anywhere from 13 to 23 months. And although the City doesn't receive property tax from the PG&E project, the ancillary businesses will generate Transient Occupancy Tax. Council Member Biasi said building the reserve fund back up should be a priority. City Manager Donlevy said there will also be a new fund on the next CAFR that will go toward a pension trust.

Mayor Cowan said reading these reports takes time to comprehend the funds and how they work and commended Shelly for putting the CAFRs together. He said he also appreciates the fiscal responsibility of the City Manager and staff and thanked them for their hard work on the budget. Tyler Davis asked about valuing the TOT and asked how the occupancy rate would be calculated into it. Shelly said estimated occupancy rates have been used for the downtown and freeway hotels based on reports from the development of the hotels. Market feasibility studies are done after a project is completed.

4. Introduction of Ordinance 2018-01, an Ordinance of the City Council of the City of Winters Adding Chapter 10.36 to the City of Winters Municipal Code to Implement the Speed Limits Consistent with Current Engineering and Traffic Surveys

City Manager Donlevy gave a brief overview and said this ordinance will enable the City to set speed limits on arterial City streets following the completion of an Engineering a Traffic Study (ETS). Railroad Avenue speed zones are included in this ordinance along with other local street 25mph speed zones. The speed zones for Grant Avenue through the City limits are set by Cal Trans through their independent ETS efforts and will be enforced by Winters P.D. and C.H.P. once the speed zones are set.

Council Member Biasi inquired about the 85<sup>th</sup> percentile on the Table 1 Summary for Railroad Avenue. City Manager Donlevy said Council doesn't have the authority to set speed limits. A fee study, or radar survey is done and the speed limit is set at the 85<sup>th</sup> percentile of the speed of the traffic. The speed limit can't be enforced if it doesn't meet the criteria of the certified survey.

No public comments were provided.

Motion by Council Member Neu, second by Council Member Loren to introduce Ordinance 2018-01, adding Chapter 10.36 to the City of Winters Municipal Code to implement the speed limits consistent with current engineering and traffic surveys. Motion carried with the following vote:

AYES: Council Members Anderson, Biasi, Loren, Neu, Mayor Cowan  
NOES: None  
ABSENT: None  
ABSTAIN: None

5. Resolution 2018-09, a Resolution of the City Council of the City of Winters Amending the 2018-2019 Adopted Operating Budget to Amend the Landfill Monitoring Services Contract with Wallace Kuhl & Associates (WKA)

Environmental Services Manager Carol Scianna gave an overview. Additional monitoring data will be required to make an accurate assessment on whether or not the landfill is creating a negative impact on the groundwater quality. A public hearing will be held at the end of May, followed by the receipt of a revised tentative order. Staff will then work with WKA to bring a proposal back to Council. It is expected that initial efforts to evaluate and possibly drill new monitoring wells and perform a year of quarterly monitoring will cost an estimated \$60,000.

Mayor Cowan voiced his appreciation for City Manager Donlevy, Environmental Services Manager Carol Scianna, and WKA's Kurt Balasek during this process. The prospect of spending \$60,000 over a couple of years is better than having to put in a new cap.

No public comments were provided.

Motion by Council Member Biasi, second by Council Member Neu to approve Resolution 2018-09, approving a budget adjustment of \$4,000 for 2018/2019 budget cycle to approve Amendment No. 3 to Service Agreement 006-16 with Wallace Kuhl & Associates for services to provide a response to the Central Valley Water Quality Control Board's (CVRWQCB) Tentative Waste Discharge Requirements (WDR). Motion carried with the following vote:

AYES: Council Members Anderson, Biasi, Loren, Neu, Mayor Cowan  
NOES: None  
ABSENT: None  
ABSTAIN: None

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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 regarding General Plan fees has been distributed to Council. A revised impact fee program will come back to Council (monitoring fee=planning fee.) Working on a comprehensive overview of a General Plan report and will include dozens of plans, documents and agencies that implement and encompass the General Plan. The chart will include these aspects of the plan. The overall goals and policies of the General Plan will be looked at while providing transparency and information. The General Plan report will go to the Planning Commission and then come back to Council.

An advertisement to recruit community members for the Economic Development Advisory Committee (EDAC) was recently published, resulting in three applicants being welcomed to the committee, which will kick off in May.

Youth Day will be held on Saturday, April 28, starting with the pancake breakfast at 6:30 a.m. at the Community Center. The Duck Derby will be held on Friday night.

The budget workshop with Council will be held at the May 1<sup>st</sup> City Council meeting, where staff and the Council will go through the budget and hit the main points.

INFORMATION ONLY: None

ADJOURNMENT: Mayor Cowan adjourned the meeting at 8:51 p.m.

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Wade Cowan, MAYOR

ATTEST:

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Nanci G. Mills, City Clerk



**STAFF REPORT**

**TO:** Honorable Mayor and Councilmembers  
**THROUGH:** John W. Donlevy, Jr., City Manager *JWD*  
**FROM:** Carol Scianna, Environmental Services Manager *CS*  
**DATE:** May 1, 2018  
**SUBJECT:** Water Bond Well Rehabilitation Projects

**RECOMMENDATION:** Staff recommends that Council authorize the expenditure of the remaining Water Bond Funding that was approved in 2008/09, in the amount not to exceed \$111,170.66. To complete work that is scheduled on Well 2 and work that has been completed on Well 6. And approve budget adjustment Resolution 2018-10.

**BACKGROUND:** Several years ago the City Council approved bonds to fund both water and sewer projects that were identified by staff and engineers. Most of the projects were completed years ago; however the rehabilitation work on wells 2 and 6 had been delayed for a variety of reasons. More recently staff executed a 10 year contract with Utility Services Group for ongoing maintenance for these two wells. The first step on our maintenance plan included a complete rehab of each well, which generally costs about \$150,000 each. The rehab for each well 6 was done last year and there was a hole found in the casing, this is not covered as part of the maintenance contract. Other items not covered were; the need to raise the cement pedestal as per Department of Drinking Water standards and replacement of the bowls in the well. These extra tasks totaled \$62,042. I had posted these expenses to the Water capital funds; because at the time it was thought we may need water funds for Well 9 work connected the Chrom 6 issue. Since we don't really know what if anything will be required regarding Chrom 6, staff would like to reallocate those expenditures to the water bond funding. The reallocation will also help reduce the current deficit in the water fund department.

Similarly, with the Well 2 rehab which is was started recently, we also found holes in the casing, the pedestal needs to raised and a new motor is being recommended for better pumping efficiency, the total for these tasks is \$49,218.60. The combination of

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**COUNCIL MEMBERS**  
 Harold Anderson  
 Jesse Loren  
 Pierre Neu

**MAYOR**  
 Wade Cowan  
**MAYOR PRO TEM**  
 Bill Biasi

**CITY CLERK**  
 Nanci Mills  
**TREASURER**  
 Michael Sebastian

**CITY MANAGER**  
 John W. Donlevy, Jr.

the reallocation of Well 6 work and the completion of proposed work for Well 2 will expend all remaining bond funds.

**FISCAL IMPACT: \$111,170.66 Water Bond Funds**

Eaton Pumps Construction and Project Costs March 26, 2018  
 City of Winters - Well #2 Liner / Rebowl and Repairs This Estimate prepared by:  
Eric Vincent

Item Number	Description	Amount	Unit Price	Total
Construction Materials				
1.)	10" Mill Slot (060) Perforated Casing .250 Wall	70 Feet	\$ 48.00	\$ 3,360.00
2.)	10" J-Hook Adaptor	1 LS	\$ 728.00	\$ 728.00
3.)	Gravel Pack 8 x 16	1.2 Cubic yd	\$ 328.00	\$ 393.60
4.)	12% Chlorine (NSF61 Compliant)	5 Gallon	\$ 6.00	\$ 30.00
5.)	Pail. 3/8 Bentonite Chips (NSF61)	1 Each	\$ 123.00	\$ 123.00
6.)	Yolo County Permit	1 LS	\$ 806.00	\$ 806.00
7.)	12CHC 5 Stage (900 @ 298 tdh)	1 Each	\$ 9,881.00	\$ 9,881.00
8.)	100 Hp Motor Clean/Dip/Bake and Bearings	1 Each	\$ 2,953.00	\$ 2,953.00
9.)	10" x 20' Butt Column Pipe	2 Each	\$ 708.00	\$ 1,416.00
10.)	2-1/2 x 1-1/2" x 20' Tube and Shaft	2 Each	\$ 875.00	\$ 1,750.00
11.)	10' x 10" suction	1 Each	\$ 585.00	\$ 585.00
12.)	10" Cone Strainer	1 Each	\$ 173.00	\$ 173.00
13.)	Tune Nipple/ Head Shaft	1 LS	\$ 546.00	\$ 546.00
14.)	10" ANSI Fabricated Discharge Head /W Gaskets/ Bolting	1 Each	\$ 6,546.00	\$ 6,546.00
15.)	10" Pipe / Elbows	1 Est. Only	\$ 637.00	\$ 637.00
16.)	14" Swage Patch 175.6 feet	1 LS	\$ 6,500.00	\$ 6,500.00
Estimated Construction Material Costs (Items 1 through 16)				\$ 36,427.60
				+7.25% Tax \$ 2,641.00
17.)	Install Liner from 270-200 feet	10 Est Hrs.	\$ 325.00	\$ 3,250.00
18.)	Gravel Pack Liner / Swab	8 Est Hrs.	\$ 325.00	\$ 2,600.00
19.)	Raise Discharge Piping at Building	20 Est Hrs.	\$ 215.00	\$ 4,300.00
Total Project Costs (Items 1 through 19)(Tax included)				\$ 49,218.60

All Material Costs Are Estimates And Subject To State And Local Taxes  
 Prices Subject To Change After 30 Days

**RESOLUTION No. 2018-10**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF WINTERS AMENDING THE  
CITY OF WINTERS 2017-2018 ADOPTED OPERATING BUDGET**

**WHEREAS**, On June 7, 2016 the City Council of the City of Winters adopted operating budget for Fiscal Year 2016-2017 and 2017-2018; and

**WHEREAS**, expenditures for items not included in the budget are required;

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Winters that the adopted operating budget for fiscal year 2018-2019 be amended as follows:

Section 1: Increase budgeted expenditures in the following funds and accounts for fiscal year 2018-2019 for Water Bond Rehabilitation Work for Wells 2 and 6

a. 615-57711-630                      \$111,170.66

**PASSED AND ADOPTED** by the City Council, City of Winters, this 1st day of May 2018 by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

\_\_\_\_\_  
Wade Cowen, Mayor

**ATTEST:**

\_\_\_\_\_  
Nanci G. Mills, CITY CLERK



**STAFF REPORT**

**TO:** Honorable Mayor and Councilmembers  
**THROUGH:** John W. Donlevy, Jr., City Manager  
**FROM:** Carol Scianna, Environmental Services Manager  
**DATE:** May 1, 2018  
**SUBJECT:** Martinez Orchards, Inc. Agricultural Lease Agreement Amendment

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**RECOMMENDATION:** Staff recommends that Council authorize the City Manager to execute an amendment to the agricultural lease agreement with Martinez Orchards, Inc. for the additional planting area of 1.35 acres.

**BACKGROUND:** In April 2017 the City Council approved a Agriculture lease agreement with Martinez Orchards, Inc to lease 8.5 acres of City Property adjacent to the south spray field at the Waste Water Treatment Facility(WWTF). Although the entire 9.85 acres was included in the original lease agreement description the full acreage was not planted at that time. This agreement amendment will allow Martinez Orchards to utilize the entire planting area, which will be leased at the same rate of \$450 per acre for years 1-5, \$500 per acre year 5-10, and \$550 per acre year 10-15. (Rent) during the term of this Lease. Rent shall be due January 1<sup>st</sup> and June 30 each year.

**FISCAL IMPACT:** Additional \$405.04 in rent to be paid this year

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**COUNCIL MEMBERS**

Harold Anderson  
Jesse Loren  
Pierre Neu

**MAYOR**

Wade Cowan

**MAYOR PRO TEM**

Bill Biasi

**CITY CLERK**

Nanci Mills

**TREASURER**

Michael Sebastian

**CITY MANAGER**

John W. Donlevy, Jr.

**LEASE AMENDMENT NO. 1**

CITY PARCEL: 27661 County Road 32A  
Winters, California

LANDLORD: CITY OF WINTERS, a California municipal  
corporation

TENANT: MARTINEZ ORCHARDS, INC., a California  
corporation

LEASE DATE: April 18, 2017

This Amendment No. 1 to the Lease ("Amendment"), is dated as of February 27, 2018, for reference purposes only, and is entered into by and between the CITY OF WINTERS, a California municipal corporation ("Landlord"), and MARTINEZ ORCHARDS, INC., a California corporation ("Tenant").

NOW, THEREFORE, in consideration of the foregoing and of their mutual covenants contained herein, the parties hereby agree as follows:

1. Background. Landlord and Tenant entered into an Agricultural Lease dated April 18, 2017 (the "Lease"), for certain real property described therein and referred to as an 8.5 acre parcel of vacant land located within a 113 acre parcel of city-owned land at 27661 County Road 32A, Winters, California (the "Premises"). Tenant desires to lease an additional 1.35 acres adjacent to the west edge of the Premises on the same terms and conditions set forth in the Lease, except to the extent modified in this Amendment. Capitalized terms used in this Amendment without definition shall have the meaning given to such terms in the Lease. This Amendment shall be effective upon the last date set forth below the parties' signatures.

2. Amendments. The Lease is hereby amended as follows:

A. Description of Premises. The Premises shall be expanded by 1.35 acres ("Expansion Premises"), as more particularly described in the exhibits attached to the Lease.

B. Exhibits. The Exhibit A and Exhibit B attached to the Lease inadvertently included the Expansion Premises. Therefore Exhibit A and Exhibit B attached to the Lease remain in force and effect, and describe the Premises as expanded by this Amendment.

C. Rent. The Expansion Premises shall be leased at the same rate as the original Premises, pursuant to Section 3 of the Lease. The total amount of Rent shall increase because the total leased area is increasing from 8.5 acres to 9.85 acres.

3. Delivery of Possession. Tenant hereby agrees that the Expansion Premises shall continue to be leased in its "AS IS" condition.

4. Ratification: Counterparts. Except as modified by this Amendment, in all other respects the Lease is hereby ratified and affirmed and remains in full force and effect. This Amendment may be executed in one or more counterparts.

IN WITNESS WHEREOF, the undersigned have executed this Amendment as of the day and year last set forth below.

**LANDLORD:**  
CITY OF WINTERS, a California municipal corporation

**TENANT:**  
MARTINEZ ORCHARDS, INC., a California corporation

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Its: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_

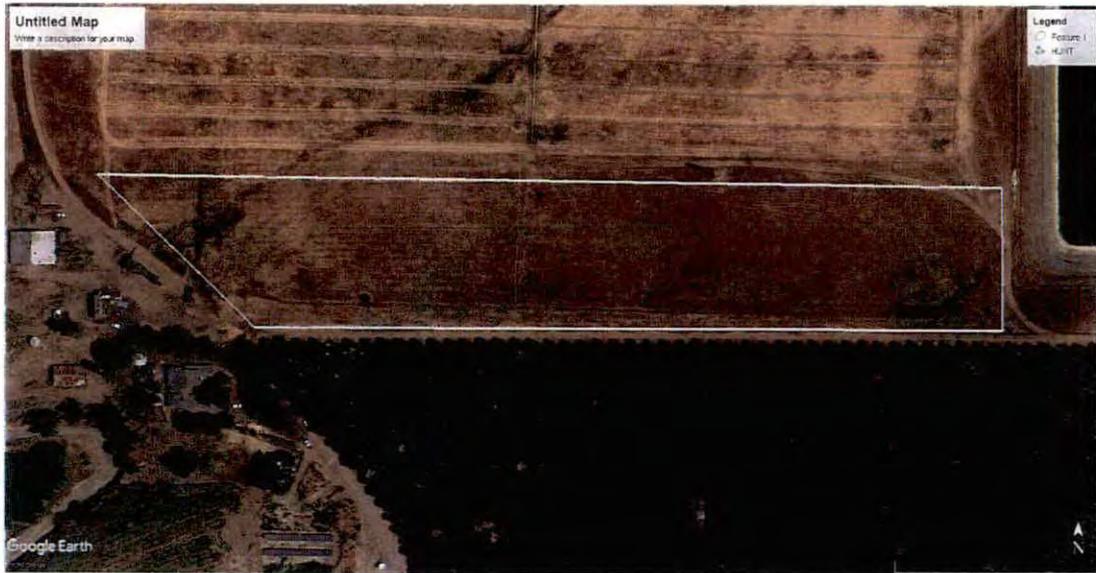
## EXHIBIT A

The leased property, encompassing roughly 10 acres, is located in the County of Yolo, State of California, situated in Section 17, Township 8 North, Range 1 West, Mount Diablo Meridian, more particularly described as follows:

Starting at the Southeast corner of Section 17, then North 1190 feet along East line of Section 17, then West parallel to South line of Section 17, 750 feet to Point Of Beginning. Continuing from Point Of Beginning West parallel to South line of Section 17, 1500 feet, then North parallel to East line of Section 17, 290 feet, then East parallel to South line of Section 17, 1500 feet, then South 290 feet back to Point Of Beginning.

EXHIBIT B  
MAP OF THE PREMISES

[INSERT HERE]





**CITY COUNCIL  
STAFF REPORT**

**TO:** Honorable Mayor and Councilmembers  
**DATE:** May 1, 2018  
**THROUGH:** John W. Donlevy, Jr., City Manager   
**FROM:** Nanci G. Mills, Director of Administrative Services/City Clerk  
**SUBJECT:** Claim Against the City of Winters – Adelaido Rodriguez

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**RECOMMENDATION:**

It is recommended that the City Council deny the claim and refer to Yolo County Public Agency Risk Management Insurance Authority (YCPARMIA).

**BACKGROUND:**

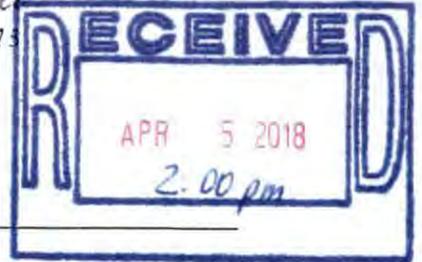
When the City of Winters receives a Claim for Damages to Person or Property, the claim is denied and referred to YCPARMIA to handle the investigation.

**FISCAL IMPACT:**

Not to exceed the City's \$1,000 deductible, with any costs in excess to come from funds pooled at the JPA.



CLAIM FOR DAMAGES  
TO PERSON OR PROPERTY



TO: (Entity) City of Winters

1. Claims for death, injury to person or to personal property must be filled out not later than six months after the occurrence. (Gov. Code Sec. 911.2)
2. Claims for damages to real property must be filled not later than 1 year after the occurrence.
3. Read entire claim form, both sides, before filing.
4. See page 2 for diagram upon which to locate place of accident.
5. This claim form must be signed on page 2 at bottom.
6. Attach separate sheets, if necessary, to give full details. SIGN EACH SHEET.

NAME OF CLAIMANT <u>Adelaida Rodriguez</u>		Date of Birth of Claimant <u>10-10-63</u>
Home Address of Claimant <u>955 Rail Road Ave</u>		Occupation of Claimant <u>Disabled</u>
City and State <u>Winters CA</u>		Home Telephone Number <u>902-6332</u>
Business Address of Claimant <u>530/902-6332</u>		Business Telephone Number <u>N/A</u>
Give address and telephone number to which you desire notices or communications to be sent regarding this claim:		
When did DAMAGE or INJURY occur? Date <u>3-30-18</u> Time <u>10:00</u>	Section 111 of the Medicare Medicaid & S-CHIP Extension Act requires the entity to report certain claims to the federal government. Please indicate if the claimant is: 65 years of age or older, or is receiving Social Security Disability Insurance Benefits for 24 or more months, or has End Stage Renal Disease. If yes, you may be required to provide additional information to process your claim. YES / <input checked="" type="radio"/> NO (circle one)	
If claim is for Equitable Indemnity, give date claimant served with the complaint: Date _____		

Where did DAMAGE or INJURY occur? Describe fully, and locate-on-diagram on Page 2. Where appropriate, give street names and address and measurements from landmarks.

At the end of Dutton st around Right side by dog Park

Describe in detail how the DAMAGE or INJURY occurred:

chovy impact left side of 2011 passenger door rear door both window door do to city worker weed eating

Names of any employees involved in INJURY or DAMAGE:

Why do you claim the Entity is responsible?

City worker name Adrian

door dings scratches window chips rear fender

Describe in detail each INJURY or DAMAGE:

The amount claimed, as of the date of presentation of the claim, is computed as follows:

Damages incurred to date (exact)	Estimated prospective damages as far as known
Damage to property.....\$ _____	Future expenses for medical and hospital care.....\$ _____
Expenses for medical and hospital care...\$ _____	Future loss of earnings.....\$ _____
Loss of earnings.....\$ _____	Other prospective special damages.....\$ _____
Special damages for.....\$ _____	Total estimate prospective damages.....\$ _____

General Damages.....\$ \_\_\_\_\_

Total damages Incurred to date.....\$ \_\_\_\_\_

Total amount claimed as of date of presentation of the claim: \$ \_\_\_\_\_

Was damage and/or injury investigated by police? Yes If so, what city? Winters  
 Were paramedics or ambulance called? No If so, name city or ambulance \_\_\_\_\_  
 If injured, state date, time, name and address of doctor of your first visit \_\_\_\_\_

WITNESSES to DAMAGE or INJURY. List all person and addresses of persons known to have information:

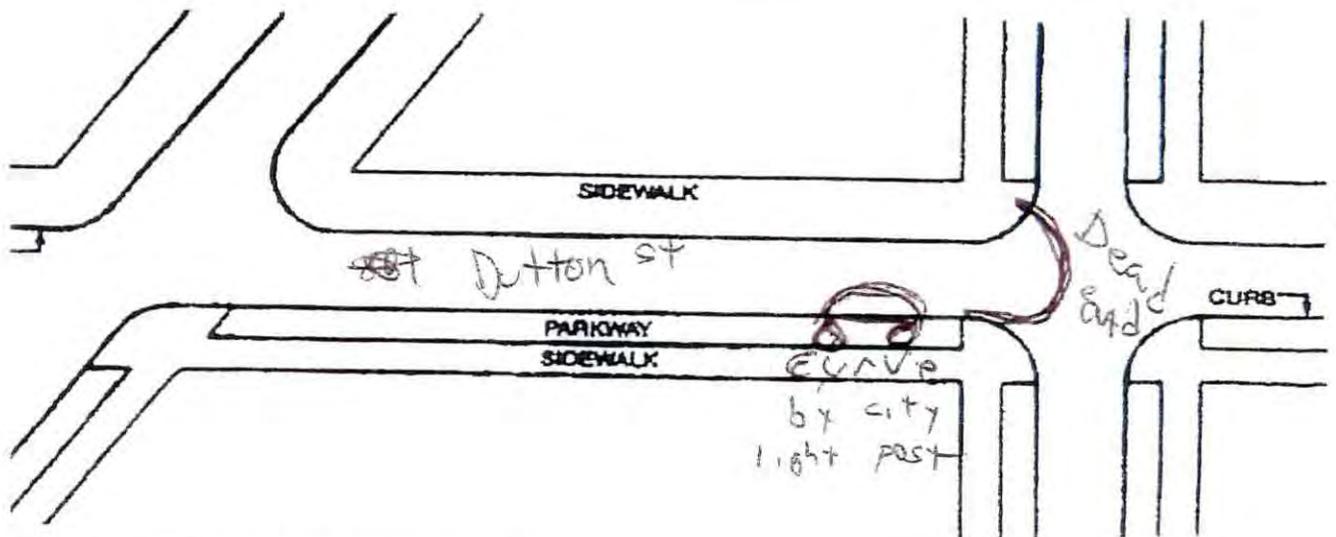
Name Adelardo Rodriguez Address 955 Railroad Apt 29 Phone 530 902-6332  
 Name \_\_\_\_\_ Address \_\_\_\_\_ Phone \_\_\_\_\_  
 Name \_\_\_\_\_ Address \_\_\_\_\_ Phone \_\_\_\_\_

DOCTORS and HOSPITALS

Hospital _____	Address _____	Date Hospitalized _____
Doctor _____	Address _____	Date of Treatment _____
Doctor _____	Address _____	Date of Treatment _____

READ CAREFULLY

For all accident claims place on following diagram names of streets, including North, East, South and West. Indicate place of accident by "X" and by showing house numbers or distance to street corners.	NOTE: If diagrams below do not fit the situation, attach hereto a proper diagram signed by claimant.
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Signature of Claimant or person filing on his behalf giving relationship to Claimant: <u>Adelardo Rodriguez</u>	PRINT Name: <u>Adelardo Rodriguez</u>	Date: <u>3-30-18</u>
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2017  
Chevy  
Impala

**VACAVILLE AUTO BODY CENTER  
INC.**

Workfile ID: ed0991df  
BAR: ARD00190002

vacavilleautobody@yahoo.com  
938 E. MONTE VISTA AVE., VACAVILLE, CA 95688  
Phone: (707) 449-4200  
FAX: (707) 446-4488

**Preliminary Estimate**

**Customer: RODRIGUEZ, ADELAIDO**

**Job Number:**

Written By: JAMES HALE

Insured: RODRIGUEZ, ADELAIDO  
Type of Loss:  
Point of Impact:

Policy #:  
Date of Loss:

Claim #:  
Days to Repair: 0

**Owner:**  
RODRIGUEZ, ADELAIDO  
955 RAILROAD AVE APT 29  
WINTERS, CA 95694-1546  
(530) 902-6332 Cell

**Inspection Location:**  
VACAVILLE AUTO BODY CENTER INC.  
938 E. MONTE VISTA AVE.  
VACAVILLE, CA 95688  
Repair Facility  
(707) 449-4200 Business

**Insurance Company:**

**VEHICLE**

2017 CHEV Impala Premier LZ2 4D SED 6-3.6L Flex Fuel Direct Injection Silver

VIN: 1G1145S39HU115450  
License: 8BJE365  
State: CA

Interior Color: Black  
Exterior Color: Silver  
Production Date: 6/2016

Mileage In:                      Vehicle Out:  
Mileage Out:  
Condition:                      Job #:

**TRANSMISSION**

Automatic Transmission  
Overdrive

**POWER**

Power Steering  
Power Brakes  
Power Windows  
Power Locks  
Power Mirrors  
Heated Mirrors  
Power Driver Seat  
Power Passenger Seat

**DECOR**

Dual Mirrors  
Tinted Glass  
Console/Storage

**CONVENIENCE**

Air Conditioning  
Intermittent Wipers  
Tilt Wheel  
Cruise Control  
Rear Defogger  
Keyless Entry  
Alarm  
Message Center  
Steering Wheel Touch Controls  
Telescopic Wheel  
Climate Control  
Remote Starter  
Backup Camera w/Parking Sensors  
**RADIO**  
AM Radio  
FM Radio  
Stereo

Search/Seek  
CD Player  
Auxiliary Audio Connection  
Satellite Radio  
**SAFETY**  
Drivers Side Air Bag  
Passenger Air Bag  
Anti-Lock Brakes (4)  
4 Wheel Disc Brakes  
Front Side Impact Air Bags  
Head/Curtain Air Bags  
Communications System  
Hands Free Device  
Rear Side Impact Air Bags  
Blind Spot Detection  
Lane Departure Warning  
**SEATS**

Bucket Seats  
Leather Seats  
Heated Seats  
**WHEELS**  
Aluminum/Alloy Wheels  
**PAINT**  
Clear Coat Paint  
Metallic Paint  
**OTHER**  
Traction Control  
Stability Control  
Signal Integrated Mirrors  
Xenon Headlamps  
Power Trunk/Gate Release

Get live updates at [www.carwise.com/e/3ozKaK](http://www.carwise.com/e/3ozKaK)

**Preliminary Estimate**

**Customer: RODRIGUEZ, ADELAIDO**

**Job Number:**

2017 CHEV Impala Premier LZ2 4D SED 6-3.6L Flex Fuel Direct Injection Silver

Line	Oper	Description	Part Number	Qty	Extended Price \$	Labor	Paint
1		<b>FENDER</b>					
2	*	Rpr RT Fender				1.0	2.2
3		Add for Clear Coat					0.9
4		R&I RT Fender liner				0.4	
5		<b>FRONT BUMPER &amp; GRILLE</b>					
6		R&I R&I bumper cover				1.7	
7		<b>FRONT LAMPS</b>					
8		R&I RT R&I headlamp assy				0.3	
9		<b>FRONT DOOR</b>					
10	*	Rpr RT Door shell w/o molding				1.0	2.0
11		Overlap Major Adj. Panel					-0.4
12		Add for Clear Coat					0.3
13		Repl RT Door glass GM	20961197	1	223.32	0.8	
14		R&I RT Handle, outside w/o passive entry all				0.4	
15		R&I RT R&I trim panel				0.5	
16		R&I RT Upper molding				0.2	
17	*	R&I RT Mirror assy				0.5	
18		Repl RT Applique	23377433	1	49.40	0.3	
19		R&I RT Molding				0.3	
20		Repl RT Nameplate "IMPALA"	22743583	1	23.65	0.3	
21		<b>REAR DOOR</b>					
22		Blnd RT Door shell w/o molding					1.0
23		R&I RT Belt molding				0.3	
24		R&I RT R&I trim panel				0.5	
25		R&I RT Handle, outside w/o chrome w/passive				0.4	
26		Repl RT Applique front	23377436	1	37.73	0.3	
27		Repl RT Applique rear	84261836	1	47.68	0.3	
28		R&I RT Molding				0.3	
29		<b>QUARTER PANEL</b>					
30	*	Rpr RT Quarter panel				1.0	2.6
31		Overlap Major Non-Adj. Panel					-0.2
32		Add for Clear Coat					0.5
33		R&I RT Quarter glass GM w/o flex fuel				1.4	
34	#	Repl urethane kit		1	20.00		
35		Repl RT Emblem	22799520	1	12.50	0.2	
36		<b>REAR LAMPS</b>					
37		R&I RT Tail lamp assy				0.3	
38		<b>REAR BUMPER</b>					
39		R&I R&I bumper cover				1.6	
40	#						
41	#	Subl Hazardous waste removal		1	5.00 X		

**Preliminary Estimate**

**Customer: RODRIGUEZ, ADELAIDO**

**Job Number:**

2017 CHEV Impala Premier LZ2 4D SED 6-3.6L Flex Fuel Direct Injection Silver

42	#	Repl	Cover car- paint	1	7.00	0.3	
43	#	Repl	Cover car- primer	1	7.00	0.3	
44	#		Color tint / color match	1			0.5
45	#	Repl	Corrosion protection primer	1	10.00	0.3	
<b>SUBTOTALS</b>					<b>443.28</b>	<b>15.2</b>	<b>9.4</b>

**ESTIMATE TOTALS**

Category	Basis	Rate	Cost \$
Parts			438.28
Body Labor	15.2 hrs @	\$ 95.00 /hr	1,444.00
Paint Labor	9.4 hrs @	\$ 95.00 /hr	893.00
Paint Supplies	9.4 hrs @	\$ 48.00 /hr	451.20
Miscellaneous			5.00
<b>Subtotal</b>			<b>3,231.48</b>
Sales Tax	\$ 889.48 @	7.6250 %	67.82
<b>Grand Total</b>			<b>3,299.30</b>
Deductible			0.00
<b>CUSTOMER PAY</b>			<b>0.00</b>
<b>INSURANCE PAY</b>			<b>3,299.30</b>

MyPriceLink Estimate ID: 410504068943896576

WE GUARANTEE ALL WORKMANSHIP AND  
REFINISHING FOR THE LIFETIME OF YOUR VEHICLE

\*\*\*\*\*

**#1. AUTHORIZATION FOR REPAIRS**

X \_\_\_\_\_ DATE X \_\_\_\_\_

**#2. AUTHORIZATION FOR SUPPLEMENTAL REPAIRS**

X \_\_\_\_\_ DATE X \_\_\_\_\_

**#3. AUTHORIZATION FOR SUPPLEMENT CHECK SIGNING**  
(Permission to Sign Supplement Check - Power of Attorney)

X \_\_\_\_\_

**VACAVILLE AUTO BODY - FACTS THAT YOU SHOULD KNOW!**

- #1. No law requires you to get more than one estimate. Your insurance company can not "Steer" you to another shop, it is "Illegal" in the state of California. SB551 was signed into law October 13, 2003 by Governor Grey Davis.
- #2. You are not obligated to use any particular shop to obtain repairs. You choose the shop and authorize the repairs.

## Preliminary Estimate

Customer: **RODRIGUEZ, ADELAIDO**

Job Number:

2017 CHEV Impala Premier LZ2 4D SED 6-3.6L Flex Fuel Direct Injection Silver

#3. You do not have to accept the insurance company's appraisal of damage. Check the "Appraisal Clause" in your policy on how to resolve any differences.

#4. You are responsible for the cost of repairs. Financial arrangements must be completed before the car can be released.

#5. There is a big difference between shops. Any shop can give a lower price by leaving something out or overlooking parts. Our people are "Craftsmen" and will do a quality job of restoring your car at a fair price.

Thanks.... for letting us serve you !

FOR YOUR PROTECTION CALIFORNIA LAW REQUIRES THE FOLLOWING TO APPEAR ON THIS FORM: ANY PERSON WHO KNOWINGLY PRESENTS FALSE OR FRAUDULENT CLAIM FOR THE PAYMENT OF A LOSS IS GUILTY OF A CRIME AND MAY BE SUBJECT TO FINES AND CONFINEMENT IN STATE PRISON.

THE FOLLOWING IS A LIST OF ABBREVIATIONS OR SYMBOLS THAT MAY BE USED TO DESCRIBE WORK TO BE DONE OR PARTS TO BE REPAIRED OR REPLACED:

MOTOR ABBREVIATIONS/SYMBOLS: D=DISCONTINUED PART, A=APPROXIMATE PRICE. LABOR TYPES: B=BODY LABOR, D=DIAGNOSTIC, E=ELECTRICAL, F=FRAME, G=GLASS, M=MECHANICAL, P=PAINT LABOR, S=STRUCTURAL, T=TAXED MISCELLANEOUS, X=NON TAXED MISCELLANEOUS. CCC ONE: ADJ=ADJACENT, ALGN=ALIGN, A/M=AFTERMARKET, BLND=BLEND, CAPA=CERTIFIED AUTOMOTIVE PARTS ASSOCIATION, D&R=DISCONNECT AND RECONNECT, EST=ESTIMATE, EXT. PRICE=UNIT PRICE MULTIPLIED BY THE QUANTITY, INCL=INCLUDED, MISC=MISCELLANEOUS, NAGS=NATIONAL AUTO GLASS SPECIFICATIONS, NON-ADJ=NON ADJACENT, O/H=OVERHAUL, OP=OPERATION, NO=LINE NUMBER, QTY=QUANTITY, RECOND=RECONDITION, REFN=REFINISH, REPL=REPLACE, R&I=REMOVE AND INSTALL, R&R=REMOVE AND REPLACE, RPR=REPAIR, RT=RIGHT, SECT=SECTION, SUBL=SUBLET, LT=LEFT, W/O=WITHOUT, W/\_=WITH/\_ SYMBOLS: #=MANUAL LINE ENTRY, \*=OTHER [IE..MOTORS DATABASE INFORMATION WAS CHANGED], \*\*=DATABASE LINE WITH AFTERMARKET, N=NOTES ATTACHED TO LINE. OPT OEM=ORIGINAL EQUIPMENT MANUFACTURER PARTS EITHER OPTIONALLY SOURCED OR OTHERWISE PROVIDED WITH SOME UNIQUE PRICING OR DISCOUNT.

"CURE TIME" MEANS THE LENGTH OF TIME THAT, PER THE ADHESIVE MANUFACTURER, THE WINDSHIELD ADHESIVE NEEDS TO CURE UNTIL THE WINDSHIELD CAN PROPERLY FUNCTION AS A SAFETY DEVICE PURSUANT TO THE FEDERAL MOTOR VEHICLE SAFETY STANDARDS AND THE VEHICLE MANUFACTURER'S SPECIFICATIONS.

## Preliminary Estimate

Customer: RODRIGUEZ, ADELAIDO

Job Number:

2017 CHEV Impala Premier LZ2 4D SED 6-3.6L Flex Fuel Direct Injection Silver

Estimate based on MOTOR CRASH ESTIMATING GUIDE and potentially other third party sources of data. Unless otherwise noted, (a) all items are derived from the Guide DR1CB14, CCC Data Date 3/16/2018, and potentially other third party sources of data; and (b) the parts presented are OEM-parts manufactured by the vehicles Original Equipment Manufacturer. OEM parts are available at OE/Vehicle dealerships. OPT OEM (Optional OEM) or ALT OEM (Alternative OEM) parts are OEM parts that may be provided by or through alternate sources other than the OEM vehicle dealerships. OPT OEM or ALT OEM parts may reflect some specific, special, or unique pricing or discount. OPT OEM or ALT OEM parts may include "Blemished" parts provided by OEM's through OEM vehicle dealerships. Asterisk (\*) or Double Asterisk (\*\*) indicates that the parts and/or labor data provided by third party sources of data may have been modified or may have come from an alternate data source. Tilde sign (~) items indicate MOTOR Not-Included Labor operations. The symbol (<>) indicates the refinish operation WILL NOT be performed as a separate procedure from the other panels in the estimate. Non-Original Equipment Manufacturer aftermarket parts are described as Non OEM, A/M or NAGS. Used parts are described as LKQ, RCY, or USED. Reconditioned parts are described as Recond. Recored parts are described as Recore. NAGS Part Numbers and Benchmark Prices are provided by National Auto Glass Specifications. Labor operation times listed on the line with the NAGS information are MOTOR suggested labor operation times. NAGS labor operation times are not included. Pound sign (#) items indicate manual entries.

Some 2017 vehicles contain minor changes from the previous year. For those vehicles, prior to receiving updated data from the vehicle manufacturer, labor and parts data from the previous year may be used. The CCC ONE estimator has a list of applicable vehicles. Parts numbers and prices should be confirmed with the local dealership.

The following is a list of additional abbreviations or symbols that may be used to describe work to be done or parts to be repaired or replaced:

### SYMBOLS FOLLOWING PART PRICE:

m=MOTOR Mechanical component. s=MOTOR Structural component. T=Miscellaneous Taxed charge category. X=Miscellaneous Non-Taxed charge category.

### SYMBOLS FOLLOWING LABOR:

D=Diagnostic labor category. E=Electrical labor category. F=Frame labor category. G=Glass labor category. M=Mechanical labor category. S=Structural labor category. (numbers) 1 through 4=User Defined Labor Categories.

### OTHER SYMBOLS AND ABBREVIATIONS:

Adj.=Adjacent. Algn.=Align. ALU=Aluminum. A/M=Aftermarket part. Blnd=Blend. BOR=Boron steel. CAPA=Certified Automotive Parts Association. D&R=Disconnect and Reconnect. HSS=High Strength Steel. HYD=Hydroformed Steel. Incl.=Included. LKQ=Like Kind and Quality. LT=Left. MAG=Magnesium. Non-Adj.=Non Adjacent. NSF=NSF International Certified Part. O/H=Overhaul. Qty=Quantity. Refn=Refinish. Repl=Replace. R&I=Remove and Install. R&R=Remove and Replace. Rpr=Repair. RT=Right. SAS=Sandwiched Steel. Sect=Section. Subl=Sublet. UHS=Ultra High Strength Steel. N=Note(s) associated with the estimate line.

CCC ONE Estimating - A product of CCC Information Services Inc.

The following is a list of abbreviations that may be used in CCC ONE Estimating that are not part of the MOTOR CRASH ESTIMATING GUIDE:

BAR=Bureau of Automotive Repair. EPA=Environmental Protection Agency. NHTSA= National Highway Transportation and Safety Administration. PDR=Paintless Dent Repair. VIN=Vehicle Identification Number.

**Kergel Autobody Inc.**

Workfile ID: c5039d8e  
 Federal ID: CAL000079676  
 State EPA: ARD00167605  
 BAR:

"Excellence Endures"

370 Kentucky Ave, Woodland, CA 95695

Phone: (530) 668-6686

FAX: (530) 668-8329

2017 Chevy  
 Impala

**Estimate**

**RD Number:**

Customer:	Insurance:	Adjuster:	Estimator:	Joseph Kergel
Rodriguez, Adelaido		Phone:	Create Date:	4/3/2018
9155 Railroad Ave		Claim:		
Winters, CA 95694		Loss Date:		
(530) 902-6332		Deductible:		

2017 CHEV Impala Premier LZ2 4D SED 6-3.6L Flex Fuel Direct Injection Silver

VIN: 1G1145S39HU115450	Interior Color:	Mileage In:	Vehicle Out:
License: 8BJE365	Exterior Color: Silver	Mileage Out:	
State: CA	Production Date: 6/2016	Condition:	Job #:

Line	Ver	Operation	Description	Qty	Extended Price \$	Part Type	Labor	Type	Paint
1	E01		<b>WINDSHIELD</b>						
2	E01	Alignment	Reveal molding-rope				0.3	Body	
3	E01		<b>PILLARS, ROCKER &amp; FLOOR</b>						
4	E01	Blend	RT Uniside assy-outer sail clear coat only						0.5
5	E01		<b>FRONT DOOR</b>						
6	E01	Repair	RT Outer panel w/molding				0.5	Body	2.0
7	E01		Add for Clear Coat						0.8
8	E01	Refinish	Spot color adjustment						(0.3)
9	E01	Remove/Install	RT Belt molding				0.3	Body	
10	E01	Remove/Install	RT Molding				0.3	Body	
11	E01	Remove/Replace	CLEAN AND RETAPE MLDG	1	4.50T	A/M	0.3	Body	
12	E01	Remove/Replace	RT Nameplate "IMPALA"	1	23.65T	OEM	0.3	Body	
13	E01	Remove/Install	RT Mirror assy				0.5	Body	
14	E01	Remove/Replace	RT Door glass GM	1	223.32T	Glass	0.8	Body	
15	E01	Remove/Install	RT Handle, outside w/passive entry w/chrome				0.4	Body	
16	E01	Remove/Install	RT R&I trim panel				0.5	Body	
17	E01		<b>REAR DOOR</b>						
18	E01	Repair	RT Outer panel w/molding				0.5	Body	2.0
19	E01		Overlap Major Adj. Panel						(0.4)
20	E01		Add for Clear Coat						0.3
21	E01	Refinish	Spot color/Full clear adjustment						(0.3)
22	E01	Remove/Install	RT Belt molding				0.3	Body	
23	E01	Remove/Install	RT Molding				0.3	Body	
24	E01	Remove/Replace	CLEAN AND RETAPE MLDG	1	4.50T	A/M	0.3	Body	

T = Taxable Item, RPD = Related Prior Damage, AA = Appearance Allowance, UPD = Unrelated Prior Damage, PDR = Paintless Dent Repair, A/M = Aftermarket, Rechr = Rechromed, Reman = Remanufactured, OEM = New Original Equipment Manufacturer, Recor = Re-cored, RECOND = Reconditioned, LKQ = Like Kind Quality or Used, Diag = Diagnostic, Elec = Electrical, Mech = Mechanical, Ref = Refinish, Struc = Structural

**Estimate**

**RO Number:**

2017 CHEV Impala Premier LZ2 4D SED 6-3.6L Flex Fuel Direct Injection Silver

25	E01	Remove/Replace	RT Door glass GM	1	140.28T	Glass	0.5	Body	
26	E01	Remove/Install	RT Handle, outside w/chrome				0.4	Body	
27	E01	Remove/Install	RT R&I trim panel				0.5	Body	
28	E01		<b>BACK GLASS</b>						
29	E01	Alignment	Back glass GM-tight mask				0.3	Body	
30	E01		<b>QUARTER PANEL</b>						
31	E01	Repair	RT Quarter panel				0.5	Body	2.6
32	E01		Overlap Major Adj. Panel						(0.4)
33	E01		Add for Clear Coat						0.4
34	E01	Refinish	Spot color/Full clear adjustmetn						(0.5)
35	E01		<b>REAR LAMPS</b>						
36	E01	Remove/Install	RT Tail lamp assy				0.3	Body	
37	E01		<b>REAR BUMPER</b>						
38	E01	Remove/Install	R&I bumper cover				1.6	Body	
39	E01		<b>COVER CAR</b>	1	5.00T	Other	0.2	Body	
40	E01	Remove/Replace	Corrosion protection	1	19.95T	A/M	0.2	Body	
41	E01	Refinish	<b>TINT COLOR</b>						0.5
42	E01		<b>DE NIB AND POLISH AS NEEDED</b>				0.5	Body	

<b>Estimate Totals</b>	<b>Discount \$</b>	<b>Markup \$</b>	<b>Rate \$</b>	<b>Total Hours</b>	<b>Total \$</b>
Parts		5.91			427.11
Labor, Body			80.00	10.6	848.00
Labor, Refinish			80.00	7.2	576.00
Material, Paint			46.00	7.2	331.20
E.P.C.					4.00
<b>Subtotal</b>					<b>2,186.31</b>
Sales Tax					60.66
<b>Grand Total</b>					<b>2,246.97</b>
<b>Net Total</b>					<b>2,246.97</b>

<b>Estimate Version</b>	<b>Total \$</b>
Original	2,246.97

Insurance Total \$:	2,246.97
Received from Insurance \$:	0.00
<b>Balance due from Insurance \$:</b>	<b>2,246.97</b>
Customer Total \$:	0.00
Received from Customer \$:	0.00
<b>Balance due from Customer \$:</b>	<b>0.00</b>

T = Taxable Item, RPD = Related Prior Damage, AA = Appearance Allowance, UPD = Unrelated Prior Damage, PDR = Paintless Dent Repair, A/M = Aftermarket, Rechr = Rechromed, Reman = Remanufactured, OEM = New Original Equipment Manufacturer, Recor = Re-cored, RECOND = Reconditioned, LKQ = Like Kind Quality or Used, Diag = Diagnostic, Elec = Electrical, Mech = Mechanical, Ref = Refinish, Struc = Structural



**CITY COUNCIL  
STAFF REPORT**

**TO:** Honorable Mayor and Councilmembers  
**DATE:** May 1, 2018  
**THROUGH:** John W. Donlevy, Jr., City Manager   
**FROM:** Nanci G. Mills, Director of Administrative Services  
**SUBJECT:** Amplified Sound Permit Application for Winters Resident Raul Duran

---

**RECOMMENDATION:**

Approve the Amplified Sound Permit Application for an Anniversary Party to be held at the home of Raul Duran, 103 Martinez Way on Saturday, June 16<sup>th</sup> from 2:00 p.m. to 9:00 p.m.

**BACKGROUND:**

City Council approval is required for all Amplified Sound Permit requests that occur within the City limits.

**FISCAL IMPACT:**

None

Date of Application: ~~6-11-18~~ 4-11-18 To City Council: 5/1/2018

Name of Person(s)/ Organization: Raul Duran Contact: Business Address: 103 Martinez way Telephone: 530-668 38 65 Telephone:

Type of Event: Anniversary Party

Purpose of Event: (ie; fundraiser, parade, festival, etc.): Party

Date/Time of Event: 6-16-18 From: 2 PM To: 9 PM

Location/Address of Event: 103 Martinez way

Rated Output of Amplifier in Watts: Marache Number of Speakers:

I have provided a list of and contacted all property owners adjacent to and within 300 feet of the event. Their approval of this event is indicated by their signature on the attached petition. Complaints about the sound will result in a warning and a request to reduce the volume. Additional complaints will result in the cessation of amplified sound. All amplified sound must be extinguished no later 10:00 p.m. pursuant to Winters Municipal Code Title VI; Chapter 7-Noise Control. Signing below certifies that all information contained within this application is correct. In the event that any of this information is found to be fraudulent, it may result in an automatic denial of this application.

Signature: [Handwritten Signature]

For City Use Only

RECEIVED

Proof of Insurance: [ ] N/A (Not City Property) [ ] Yes [ ] No

APR 11 2018

Rental Fee Paid: [ ] N/A (Not City Property) [ ] Yes [ ] No

CITY OF WINTERS

Police Department: [ ] Approved [ ] Denied Date:

Authorized Signature:

City Council: [ ] Approved [ ] Denied Date:

Authorized Signature:





**CITY COUNCIL  
STAFF REPORT**

**TO:** Honorable Mayor and Councilmembers  
**DATE:** May 1, 2018  
**THROUGH:** John W. Donlevy, Jr., City Manager   
**FROM:** Alan Mitchell, City Engineer  
**SUBJECT:** City of Winters Speed Zone Ordinance

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**RECOMMENDATION:** That the City Council waive the second reading and adopt Ordinance No. 2018-01, an Ordinance of the City Council of the City of Winters, adding Chapter 10.36 to the City of Winters Municipal Code to establish speed zones for the City of Winters Local Streets and Highways.

**BACKGROUND:** To support speed zone enforcement by the Winters Police Department for the City's local streets and state highways, the California Vehicle Code requires that each prima facie speed zone established that is variant from standard 25 mph (local streets)/55 mph (highways) be supported by an Engineering and Traffic Study (ETS) and that the local agency support the speed zone by local ordinance. The office of the City Engineer has recently completed the ETS for Railroad Avenue and is recommending that an ordinance be approved for the speed zones established for Railroad Avenue but also for other local street prima facie limits that have been the subject of past ETS and speed zone justification to retain their 25mph designation.

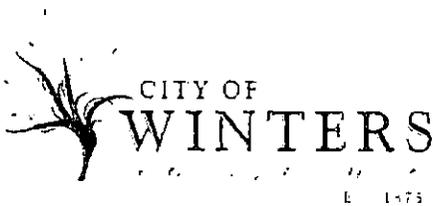
**DISCUSSION:** In the absence of an enabling ordinance for Railroad Avenue, the City is restricted in its use of radar enforcement. Railroad Avenue Speed Zones are included within this ordinance along with other local street 25mph speed zones that were retained by ETS in 2011 through CVC Section 627 justification criteria.

A copy of the justification memo from the ETS for Railroad Avenue is attached for reference. The original ETS is valid for 5 years and can be extended upon findings prior to that date of expiration. A copy of a recent memo to the Yolo county Traffic Courts extending the local streets ETS to 7 years is also attached. Staff anticipates being able to extend the local streets ETS to 10 years when required.

In addition, the speed zones for Grant Avenue through City limits are set by Caltrans through their independent ETS efforts. The Winters Police Department will assist the Highway Patrol to enforce Grant Avenue once speed zones are set. With the significant construction occurring along Grant Avenue this past year, Caltrans indicates it will be reviewing the speed zones in August 2018.

**FISCAL IMPACT:** The cost of signage for the modified speed zones along Railroad Avenue, if required.

Attachment: ETS Railroad Avenue - Justification Memo  
Memo to Yolo County Traffic Court regarding local streets  
Ordinance No. 2018-01



3-15-18

TO: Alan Mitchell, Winters City Engineer  
John Miller, Winters Police Chief

FROM: Rudi Golnik, PE  
Ponticello Inc.

Subject: Railroad Avenue - Engineering Traffic Study  
Justification Memo

Railroad Avenue is divided into five segments for setting speed zones. The following Table 1 provides a summary of those zones and findings with recommendations.

**Table 1 – Summary**

Segment	Railroad Avenue (length From / To)	85 <sup>th</sup> Percentil e	(e) speed limit	(p) speed limit	Acc. Rate (3 year)	Nonapparent Considerations (ref: notes)	Roadway Characteristics (ref: notes)
1	South City Limits to E. Main Street (0.1 mile)	25 (N) 27 (S)	25 (N) 25 (S)	25 (N) 25 (S)	0.64		a.
2	East Main Street to Grant Avenue (0.2 mile)	27 (N) 28 (S)	25 (N) 25 (S)	25 (N) 25 (S)	2.45	e.	a.
3	Grant Avenue to Anderson Avenue (0.2 mile)	36 (N) 34 (S)	30 (N) 30 (S)	30 (N) 30 (S)	0.93	f., g.	b.
4	Anderson Avenue to Neiman Street (0.3 mile)	39 (N) 39 (S)	30 (N) 30 (S)	<b>35 (N)</b> <b>35 (S)</b>	1.56	h.	c.
5	Neiman Street to North City Limits (0.7 mile)	49 (N) 49 (S)	50 (N) 50 (S)	<b>45 (N)</b> <b>45 (S)</b>	0	i.	d.

Notes:

- a. Open Space/Commercial corridor with 36' width and pedestrian/bicycle volumes. Numerous driveways and intersections (ref: strip map for widths).
- b. Residential/Commercial with a reduced roadway width of 33' and zippered frontage on both sides. Within school zone.
- c. Residential/Office with improved roadway width of 41' and no curves.
- d. Open Space/Residential /Agricultural with reduced roadway width of 22' and no curves.
- e. Speed kept at 25 by round down of the prevailing speed per CVC Section 21400 for northbound and by round up of the prevailing speed to 30 mph and applying the 5 mph drop allowance for the southbound direction to maintain directional consistency south of Grant Avenue.



Attachment "A"

- f. Speed kept at 30 mph for the northbound direction by 1 mph round down of prevailing speed and 5mph drop allowance due to considerations for the school zone, curve and roadway widths entering the residential zone.
- g. Speed kept at 30mph for southbound direction by 1mph round up of prevailing speed and applying 5 mph drop allowance due to considerations for the school zone, curve and unimproved roadway entering the Grant Avenue intersection.
- h. Speed increased to 35 mph for both directions by round up requirement of prevailing speed to 40mph and then applying the 5 mph drop allowance to 35 due to considerations for the existing residential corridor, attenuated crosswalk and to establish a 5mph zone transition from/to segment 3.
- i. Speed decreased to 45 mph by applying the required 1 mph round up of the prevailing speeds to 50 mph and then applying the 5 mph drop allowance due to narrow roadway widths and a 10mph transition to/from segment 4. Speed limit increases to 55 mph outside of City limits north of segment 5.

Please reference the strip map (attachment "B") or contact me directly should you have questions or need additional information.

Respectfully Submitted,

Rudi Golnik P.E.  
Ponticello Enterprises and Consulting Engineers, Inc.





Date: November 7, 2016

To: Yolo County Superior Court – Traffic Court Division  
Attention; Clerk to the Traffic Division

From: Sergeant Jose Ramirez  
City of Winters Police Department

Subject: City of Winters – Extension of Existing Speed Zone Enforcement

To whom this concerns;

In accordance with the provisions of the California Vehicle Code Section 40802 and 40803, the City of Winters Police Department is providing this certification of compliance that its officer training and equipment calibration are current and meet the CVC criteria for the extension of its use of radar enforcement for existing speed zones within the City of Winters.

The purpose of certification is to extend, by 2 years, its use of radar enforcement for the following speed zones established within the City of Winters in November 2011 and which are on file.

The roadways and their corresponding speed limits are identified as follows;

Roadway	Limits	Speed Limit
Neimann Street	West End to Railroad Avenue	25 mph
Anderson Avenue	Cottage Circle to Railroad Avenue	25 mph
Edward Street	Main Street to First Street	25 mph
Main Street	North of Ivy Loop to Railroad Avenue	25 mph
East Main Street	Railroad Avenue to Grant Avenue	25 mph

Please contact me at (530) 795-2261 should you have questions or require additional information.

**ORDINANCE NO. 2018-01**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WINTERS  
ADDING CHAPTER 10.36 TO THE CITY OF WINTERS MUNICIPAL  
CODE TO IMPLEMENT THE SPEED LIMITS CONSISTENT WITH  
CURRENT ENGINEERING AND TRAFFIC SURVEYS**

**WHEREAS**, California Vehicle Code sections 22357 and 22358 authorize the City to increase and decrease its local speed limits; and

**WHEREAS**, at the request of the Police Department and City Engineer, Ponticello Enterprises, Inc. recently completed an engineering and traffic survey for Railroad Avenue in the City of Winters compliant with Vehicle Code section 627 on a number of streets throughout the City; and

**WHEREAS**, There were a total of 5 road segments surveyed; and

**WHEREAS**, the City Engineer and the Police Department have reviewed the engineering and traffic survey results and both offices recommend approval and implementation of the report's recommendations; and

**WHEREAS**, in November 2011 the City Engineer additionally conducted an engineering and traffic survey that confirmed the prima facie speed limit for other road segments within the City; and

**WHEREAS**, the City desires to establish new speed limits in those areas as determined appropriate based on the engineering and traffic study, and to confirm the prima facie speed limits for those segments as deemed appropriate by the engineering and traffic studies; and

**WHEREAS**, the City Council finds that the new speed limits will facilitate the orderly movement of vehicular traffic; and

**WHEREAS**, the City Council finds that the new speed limits are safe and reasonable; and

**WHEREAS**, a copy of the applicable engineering and traffic surveys are on file in the offices of the City Clerk and the City Engineer; and

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

**NOW, THEREFORE**, the City Council of the City of Winters does hereby ordain as follows:

**Section 1. Recitals.** The above recitals are hereby found to be true and accurate and are incorporated into this Ordinance as findings of the City Council by this reference.

**Section 2. Addition of Chapter 10.36.** Chapter 10.36 is hereby added to the City of Winters Municipal Code to read as follows:

**Chapter 10.36 Speed Limits**

**10.36.010 - Speed Limits**

It is determined upon the basis of an engineering and traffic survey that a speed greater than twenty-five miles per hour would facilitate the orderly movement of vehicular traffic and would be reasonable and safe upon the portions of Railroad Avenue hereinafter designated in this section, and it is declared that the prima facie speed limit shall be as hereinafter set forth on those portions of Railroad Avenue hereinafter designated in this section when appropriate signs are erected on said streets:

<b>Roadway</b>	<b>Portion of Roadway Affected</b>	<b>Declared Prima Facie Speed Limit (miles per hour)</b>
Railroad Avenue	Between South City Limit and East Main Street	25
Railroad Avenue	Between East Main Street and Grant Avenue	25
Railroad Avenue	Between Grant Avenue and Anderson Avenue	30
Railroad Avenue	Between Anderson Avenue and Neiman Street	35
Railroad Avenue	Between Neiman Street and North City Limit	45
Neimann Street	Between West End and Railroad Avenue	25
Anderson Avenue	Between Cottage Circle and Railroad Avenue	25
Edward Street	Between Main Street and First Street	25
Main Street	North of Ivy Loop to Railroad Avenue	25
East Main Street	Between Railroad Avenue and Grant Avenue	25

**Section 3. Direction to Staff.** The City Council directs the City of Winters Public Works Department to implement the speed limit recommendations contained within this ordinance in compliance with regulations promulgated by the California Department of Transportation under Vehicle Code section 21400.

**Section 4. Custodian of Records.** The documents and materials that constitute the record of

proceedings on which this Ordinance is based are located at the City Clerk's office located at 318 First Street, Winters, CA 95694. The custodian of these records is the City Clerk.

**Section 5. Severability.** If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The City Council of the City of Winters hereby declare that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

**Section 6. Effective Date.** This Ordinance shall become effective thirty (30) days following its adoption.

**Section 7. Publication.** The City Clerk shall certify to the adoption of this Ordinance. Not later than fifteen (15) days following the passage of this Ordinance, the Ordinance, or a summary thereof, along with the names of the City Council members voting for and against the Ordinance, shall be published in a newspaper of general circulation in the City of Winters.

**INTRODUCED** at a regular meeting on the 17<sup>th</sup> day of April, 2018 and **PASSED, APPROVED AND ADOPTED** at a regular meeting of the Winters City Council, County of Yolo, State of California, on the 1<sup>st</sup> day of May, 2018 by the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

City of Winters

\_\_\_\_\_  
By: Wade Cowan, Mayor

**ATTEST:**

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

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Ethan Walsh, City Attorney



**CITY COUNCIL  
STAFF REPORT**

**DATE:** September 5, 2017  
**TO:** Mayor and City Council  
**FROM:** John W. Donlevy, Jr., City Manager   
Shelly Gunby, Director of Financial Management  
**SUBJECT:** Fiscal Years 2018-19 and 19-20 Budgets- Workshop

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**RECOMMENDATION:**

That the City Council receive a presentation and provide input in relation to the preparation of the Fiscal Years 2018-19 and 2019-20 Budgets.

**BACKGROUND:**

The City of Winters develops a two (2) year budget to allow for advance planning and fiscal monitoring/implementation. It allows for a longer view which provides flexibility for the financial management of the City as well as the ability to adjust expenditures and revenues when needed.

The current budgets expire at the end of June, 2018.

Staff has developed preliminary expenditure plans for each of our various funds and is asking the input of the City Council and Public before finalizing the completed document.

**Discussion:**

For this budget discussion, Staff is focusing on three funds including the General Fund and the Water and Wastewater Utilities which represent the expenditure funds with the most discretionary approval.

**General Fund:** Staff is pleased to announce that for the preliminary General Fund budgets for both fiscal years are balanced. This is based on projected robust growth in the anticipated housing construction and the economic growth the City will experience through hotels currently in process. Additionally, Staff is anticipating increased revenues from the addition of businesses including Starbucks and the expansion of the Chevron.

Highlights for the General Fund and Capital Items include:

- Design Funding for a new Sports Park and a new Community Center.
- Additional positions in Police and Fire in FY 2019-20.
- Capital Projects (previously reviewed with the City Council) to address streets, water and wastewater needs. See Exhibit A.

Total spending in Fiscal Year 2018-19 is \$5,504,462 and \$5,819,707 in 2019-20.

The following is detail related to revenues and expenditures.

### **General Fund Revenues**

The following is an overview of revenue assumptions for both fiscal years.

1. 18-19 includes \$286,000 for hotel TOT for 9 months for one hotel and 6 months for the second.
2. 19-20 includes \$495,750 for 12 months operation of hotels
3. Building Activity
  - a. 18-19
    - i. Include permits for 143 homes by 4 different developers
    - ii. includes Blue Mountain Terrace building permit
    - iii. Freeway Hotel building permit
    - iv. Winters HealthCare building permit
  - b. 19-20
    - i. 200 homes by 4 different developers
    - ii. Senior Center Construction
4. Property Taxes-increases for homes built in 17-18, 18-19, the hotels and Starbucks.
5. Sales Tax
  - a. Increase for the increase in gas prices and for the inclusion of Starbucks in our revenue base.
6. Other Revenues are expected to not show increases.

**General Fund Expenditures**

1. Most expenditures have been held at previous levels for 2018-2019
  - a. Assumptions
    - i. 1% Cola for all employees on October 1, 2018
    - ii. 2% Cola for all employees on October 1, 2019
    - iii. Implemented change in staff as a result of the retirement of the current Director of Administrative Services/City Clerk.
    - iv. Implement the full time Fire Chief position with the hiring of a full time Captain effective 1-1-19.
    - v. Used CalPERS employer rate as provided in October 2017 (next valuation will be in October 2018).
    - vi. Included 10% increase in health insurance premiums for both calendar 2019 and calendar 2020.
2. Most operating expenditures have been held at previous levels for 2019-2020
3. Staffing
  - a. 18-19
    - i. Fire Dept-Included a part time seasonal position in the fire department to help with station coverage during the fire season.
    - ii. Reclassification of employees
      1. Finance
        - a. Reclassify Records Clerk I to Records Clerk II due to addition duties at the Fire Station.
        - b. Reclassify Accounting Tech to Accountant due to additional responsibilities.
      2. Public Works
        - a. Reclassify Maintenance Worker IV to Facilities Manager
        - b. Reclassify Sewer Maintenance Worker II to Maintenance Worker III
      3. Police
        - a. Reclassify Corporal to Sergeant
        - b. Reclassify CSO to CSO II
  - b. 19-20
    - i. Additional Staffing
      1. Fire-
        - a. Addition of a full time Captain as of 1-1-20 (or Engineer, not fully determined at this time).
        - b. Removal of the seasonal part time position with the hiring of the full time position

2. Police-
  - a. Addition of 1 position

- ii. Reclassification of employees

1. Reclassification of 2 employees from Maintenance Worker I to Maintenance Worker II

## **Water and Sewer Revenues**

### **Water Revenues**

- 18-19 Estimated at \$1,480,096
- 19-20 Estimated at \$1,461,992

### **Estimated expenditures**

- 18-19 \$1,417,200
- 19-20 \$1,596,630

Current projections are that we should barely meet debt service coverage for 2018-2019 and that we will fall short by approximately \$65,000 of meeting debt service coverage for 2019-2020.

We will need to look at water rates to insure that we meet our debt service coverage for the two year period, and moving forward.

### **Sewer Revenues**

- 18-19 revenues \$1,689,543
- 19-20 revenues \$1,706,439

### **Estimated Expenditures**

- 18-19 \$2,350,303 (this includes \$450,000 for a Capital Project)
- 19-20 \$1,888,753

In neither year do we meet our debt service coverage requirements .

We need to look at the rate structure for both water and sewer.

**FISCAL IMPACT:** None by this action.