



Minutes of the Regular Meeting of the Winters City Council
Held on July 18, 2017

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, Contract Planner Dave Dowswell, Police Chief John Miller, Economic Development/Housing Manager Dan Maguire, Public Works Superintendent Eric Lucero, Building Official Gene Ashdown, and Management Analyst Tracy Jensen.

Mayor Cowan welcomed and thanked the Winters High School Youth Council for attending the meeting and asked them to lead the Pledge of Allegiance.

Approval of Agenda: Motion by Council Member Neu, second by Council Member Loren to approve the agenda with no changes. 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: None

CONSENT CALENDAR

- A. Minutes of the Regular Meeting of the Winters City Council Held on Tuesday, June 20, 2017
- B. On-Call Contracts with Blackburn Consulting and Geocon for Materials Sampling and Testing and Geotechnical Engineering Services Associated with Private Development and Public Works Construction Projects
- C. Wastewater Treatment Facility Bar Screen Design Project
- D. Wastewater Treatment Facility Monitoring Services with Luhdorff & Scalmanini
- E. City Park Futsal Court Project - Grading & Paving

City Manager Donlevy gave an overview. Council Member Biasi recused himself for Item E, City Park Futsal Court Project due to the proximity of his residence to the City Park Futsal Court. Motion by Council Member Loren, second by Council Member Anderson to approve Items A-D on the Consent Calendar. Motion carried with 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 Anderson to approve Item E on the Consent Calendar. Motion carried with the following vote:

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

PRESENTATIONS

City Manager Donlevy introduced Dixon Fire Chief Jay Bushrow, who has 25 years of experience working for a number of agencies and is now part of the Dixon Administrative team. Mayor Cowan congratulated and welcomed Chief Bushrow, who started his employment two days after the Winters fire broke out.

Winters Police Chief John Miller gave a power point presentation and said the departments' only problem is attrition. Chief Miller provided a budget summary, Uniform Crime Reporting statistics, arrest statistics and patrol activity statistics. He stressed Engineering, Education, and Enforcement within the department and provided the department's mission statement, motto, principles, vision statement and philosophy. The Winters Police Department performs many types of

community outreach and education and also includes regional participation and partnerships. Council Member Loren asked how much funding the department needs for their canine unit. Chief Miller said they are short by \$20K but have applied for a grant through Yocha Dehe, although they did receive a single donation of \$15K. Mayor Cowan voiced his surprise that 13 parking tickets had been issued.

DISCUSSION ITEMS

1. Olive Grove Subdivision - Proposed Inclusionary Housing Plan
 - a. Resolution 2017-37, a Resolution of the City Council of the City of Winters Approving an Affordable Housing Plan for Olive Grove Subdivision
 - b. Public Hearing and Resolution 2017-38, a Resolution of the City Council of the City of Winters for the Consideration and Approval of Revised Tentative Map (Olive Grove Subdivision - 21 lots) for Parcels APN 003-391-005 and 003-392-001 near Apricot Avenue and Hemenway Street

Housing Manager Dan Maguire gave an overview of the proposed inclusionary housing plan and introduced Chris Williams, managing member of SLO Rentals LLC. Council Member Neu said the general plan includes inclusionary housing, and we say we're going to include it within the new developments, but when are we going to start doing it? Dan said it's even more challenging now that the first-time homebuyers assistance is no longer available through the City, but staff will continue to work on it. Council Member Biasi said as a member of the Affordable Housing Steering Committee (AHSC), they all thought this was a fair plan for the developer and for the City with one unit being moderate income and said they are getting there.

Contract Planner Dave Dowswell reviewed the history of Olive Grove and confirmed the minimum number of lots increased from 18 to 21 based on the City's medium density land use category and is consistent with the general plan for the minimum lots allowed. The Affordable Housing Steering Committee as well as the Planning Commission reviewed the tentative map, which was approved unanimously.

Mayor Cowan opened the public hearing at 7:25 p.m.

Jeff Tenpas, 24 E. Main St., said he was concerned with the way our affordable housing plans have been going with the new subdivisions. He added that instead of following the general plan, the City goes outside of the plan and approves an in-lieu plan instead. The principle of the affordable housing plan is to spread affordable housing out through the City. Instead it's being concentrated in a few areas in town. Where will the in lieu fee be applied? Are

we talking with anyone regarding the next affordable housing project? Mayor Cowan replied by identifying the new senior housing project on East Baker, Blue Mountain Terrace, as the next affordable housing project. City Manager Donlevy added that affordable housing is being integrated into the Stone's Throw project. Housing Manager Dan Maguire said the City's obligation is 3 affordable units for every 61 units. Blue Mountain Terrace will satisfy this obligation from these three projects.

Don Jordan, 718 Hemenway, said as a builder, the affordable housing aspect is a complete loss to a developer, smaller lots are even harder to build on, and it is not feasible to build this development. The five lots being planned on Hemenway need to be reduced to three or four. Eighteen lots was a good number.

Joe Bristow, 405 Pear Place, said he and his neighbors have enjoyed privacy, peace and quiet and asked those who are designing the locations of the houses within the lots to consider this and not place the pools right next to the fences. Fifty-seven existing properties will be affected by the Apricot Avenue connection. Residents in the area have had zero traffic until now, and this will become the new faster short-cut to school. Joe requested signage, speed bumps, etc. to address this issue. He also suggested that staff check the lot numbers for duplications.

Lauren Brickey, 716 Hemenway, said the five lots on Hemenway are not keeping with the flow and feel of the neighborhood. Squeezing five new homes into this area does not seem realistic and will create parking problems. She asked Council to carefully consider this project.

Sandy Vickrey, 7 E. Main, Ste. C, asked for full disclosure. The original map submitted by the Ogando's had no access to Hemenway and she likes the access to Hemenway as presented. She said 4 lots within the project are designated for duplexes and asked if this was the solution to the low income housing need. Applicant Chris Williams indicated that each side of the duplex will be an individual unit.

Mayor Cowan closed the public hearing at 7:41 p.m.

Council Member Loren said she sees smaller infill projects as beneficial to the City and agrees with Council Member Neu regarding inclusionary housing, but realizes that with the current market, the City must be OK with in-lieu fees although it strays from the principles of the general plan. Mayor Cowan said he had a problem with 5 lots on Hemenway as they are smaller than any other dwellings in the neighborhood. Hemenway is already one of the most crowded streets in town and he has a problem approving 21 lots. 18 lots is more realistic. The Mayor has no problem with the affordable housing part, which is more than fair. This plan is crowding Hemenway too much and also agrees that Apricot Avenue will be a short-cut. It will help with congestion, but steps need to be

taken for traffic control, ie: speed bumps. Contract Planner Dave Dowswell said that Council can make it part of the agreement. Council Member Biasi echoed Mayor Cowan's thoughts on this development. The City needs in-fill development, but he wants to see something match the existing neighborhood. He would also like to see 18 lots, if not 15 lots and asked if the applicant could work with City staff to do this. Applicant said if the project is downsized, affordable housing could be a problem. City Attorney Walsh said if the lot size is to be reduced from 21 to 18, it must be re-zoned and the City would have to do a general plan amendment, as zoning currently indicates 21 units. Contract Planner Dave Dowswell said Council could direct staff to do a general plan amendment and zoning amendment at the City's expense, or they can try to drop one lot on Hemenway. Council Member Neu asked if the state would have to approve the new plan and Dave replied no. Mayor Cowan asked if zoning cleanup was possible and questioned why a general plan amendment is necessary. Dave said this project has a lower density range than that in the general plan and 18 lots were originally approved. Staff subsequently found on another project the Council had previously changed the land use range in 2003 by increasing it. City Manager Donlevy said to meet certain requirements, the zoning, density and housing element were re-calculated to arrive at the new density range for the entire city and we can't selectively change one zone. Council Member Anderson said one of the benefits of the project is Apricot Avenue going through and said he appreciated Joe Bristow's comments. He asked the applicant if Joe's comments were feasible. Chris Williams said all dwellings would be consistent with R-2 requirements and all dwelling would have to comply with fence and setback requirements. City Manager Donlevy said all plans have to go through design review, followed by the Design Review Committee, Planning Commission and City Council. Mayor Cowan reiterated that he was glad to see Apricot going through and glad to see empty property getting filled in, but he has a problem with 5 lots on Hemenway. 18 lots is much more proper for this property.

Motion by Council Member Loren, second by Council Member Anderson to approve Resolution 2017-37 approving an Affordable Housing Plan for Olive Grove Subdivision.

Council Member Anderson said beside the benefit to get Apricot Avenue through, he favors staff recommendation knowing we can have more design review if needed. Regarding inclusionary housing, Council Member Biasi said we've kind of spread it around town and not concentrated it in one part of town and identified five projects that include inclusionary housing units. Council Member Loren said the idea is to not have project-like housing in the City and the City has been good at avoiding it.

Motion carried with the following vote:

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

NOES: None
ABSENT: None
ABSTAIN: None

Motion by Council Member Neu, second by Council Member Loren to approve Resolution 2017-38 approving the revised tentative map for the 21-lot Olive Grove Subdivision for Parcels APN 003-391-005 and 003-392-001 near Apricot Avenue and Hemenway Street. Motion carried with the following vote:

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

2. Public Hearing and Introduction of Ordinance 2017-03, an Ordinance of the City Council of the City of Winters for the Amended and Restated Development Agreement for the Property known as Creekside Estates (40-lot subdivision) Located Near the Intersection of Grant Avenue and Main Street, between the City of Winters and the Catholic Bishop of Sacramento a California Corporation Sole

City Manager Donlevy said park fees play a key role in the payoff of improvements ie: Well #7, traffic signals, etc. Contract Planner Dave Dowsell said this is one of multiple Development Agreements that was approved beginning in 2005. One condition that has carried over to this amended and restated development agreement is the deletion of the annuity, which will be done. The installation of broadband in the infrastructure will be required and the document will expire in 5 years.

Council Member Anderson asked how the section regarding the power of eminent domain in the draft agreement can be exercised and is concerned that it can be used to take somebody's residence. City Attorney Walsh said this is pretty standard language. If Watt Communities requires a public improvement that they don't own, and the City is putting the requirement on them, they will negotiate with the property owner to obtain property to build the improvements. A private party must negotiate with the property owner. The City could go through with eminent domain is desired, but it is not required and is considered on a case by case basis. Council Member Anderson asked if they could get a public improvement easement instead. City Attorney Walsh said the City is under the California Constitution to use public domain for public improvements and doesn't see the need to purchase anyone's home.

Mayor Cowan opened the public hearing at 8:20 p.m. and closed the public hearing at 8:20 p.m. with no comment.

Council Member Biasi said the project needs large lots for custom homes. A lot of homes backing up to the creek have a large backyard but can't build close to the creek. The buildable and usable area is not that big. We still have two years and the agreement can be extended long term at that time, if needed. City Manager Donlevy said there are 40 units in the subdivision and if building starts in 2018 and may extend out through 2019 and into 2020 or 2021. If the development agreement expires in 2019, the diocese will have to go it again. Kevin Webb said it will take 4-5 months for plans, 2-3 months to process the plans with the City, and 4-5 months to start building. There is no incentive to slow down and the developer would want to process this agreement as soon as possible.

Council Member Loren asked if the sidewalks will be wide and lined with trees like those along Grant Avenue in front of the church. City Manager Donlevy said one of the specific conditions is an 8-ft. sidewalk that will continue along Grant Avenue with a Class One bike lane, utilizing the City's bike and pedestrian master plan. On Main Street, the bike lane will remain Class Two with similar width. When the project comes back for further approval, Mayor Cowan asked if fewer lots would be considered or is the number of lots set in stone. City Attorney Walsh said there is already a tentative map for this project. Council Member Anderson asked if affordable housing agreements were incorporated into this project. City Manager Donlevy said yes, they had paid in lieu fees and will pay two more.

Motion by Council Member Anderson, second by Council Member Loren to introduce Ordinance 2017-03 approving the Amended and Restated Development Agreement for the Creekside Estates Subdivision between the City of Winters and the Catholic Bishop of Sacramento, a California Corporation sole, keep the term "economic conditions" as part of Section 3.6(a), and extend the time to file the Final Map from 150 to 180 days. Motion carried with the following vote:

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

3. Economic Development

City Manager Donlevy gave an overview of the three recommendations by the Economic Development Subcommittee (re-establishment of the Economic Development Advisory Committee (EDAC), City/Chamber Collaboration through an Economic Development Office, and City Membership and Affiliation with Regional Organizations) and reviewed the key roles of the EDAC. Council Member Neu and Mayor Cowan agreed this item was well thought-out. The

EDAC is a great idea and its members come from a lot of different areas. A lot of good came from the prior EDAC committee. Council Member Neu advised keeping in touch with the Snow Mtn. monument and support it however we can and to finish the creek project to attract more people. Council Member Biasi stated he would like to continue serving on the EDAC. City Manager Donlevy said City Clerk Nanci Mills has the proper form in order to re-start the committee. Or a resolution can be created to assign tasks. Snow Mtn. and Putah Creek will be added to the list. This item will come back to Council on 8/1 or 8/15, and the parking project will also be wrapping up. Mayor Cowan asked City Manager Donlevy if a general plan update can be part of the EDAC conversation. City Manager Donlevy said they would take a look at the land use. Council Member Anderson said if we start making changes to the general plan, don't lose site of the recreational opportunities in the north area (sports park!) He also added that UCD will do as much as they can.

4. Infrastructure Transition Plan

City Manager Donlevy brought before Council a recommendation to approve the Infrastructure Transition Plan to be submitted to CalTrans. He explained how this plan fits into a larger plan and reviewed the power point presentation. He also distributed a Sidewalk/Ramp Improvement Plan for review. Governor Brown signed a gas tax increase and the City will see an increase in road monies from \$300,000 to \$500,000. City Manager Donlevy requested Council review and approve the transition plan and complaint procedure. Council Member Loren asked what the criteria for prioritization was for the locations identified in the plan. Public Works Superintendent Eric Lucero said location and length of time needed will determine the order, although if other work is being done in a particular area that is included in the plan, staff will likely do that work at the same time. Council Member Loren said a certain location had been brought to her attention: Winters Senior Apartments and Winters Apartments at Morgan & Baker Streets. Upgrades to this location are currently scheduled for July, 2018 but asked if they could be moved up. Eric said yes, that can be done and indicated a storm drain is located in the middle of the street at that intersection.

Kate Laddish, 400 Morgan Street, said drivers drive fast along Morgan between E. Main and Grant and said ramps are needed for basic safety. Kate also inquired about a roundabout at Morgan and Grant and asked how the plan of the new development affects accessibility. Driveways are difficult, as are planting strips that line the sidewalks. The ramps to the parking lot at Abbey are not connected and are not accessible. The obstacle course along Railroad Avenue and Main Street, otherwise known as sidewalk enhancements or parklets, and cars parked in driveways that stick out onto the sidewalk blocks access. Kate also identified visiting RV's with cables and hoses going over the sidewalk and poles or trees in the sidewalks also prevent access.

Tina Lowden said the bike lane on Railroad Avenue near the high school is often eliminated by the placement of green waste. Also, trucks drive too fast on Railroad and the balloon vans drive too fast on Niemann.

Mayor Cowan said the Morgan & Baker intersection needs to move up on the priority list due to the construction of the roundabout at Walnut & Grant as traffic will be diverted through this area. Council Member Biasi said he is usually not too happy about CalTrans, but this brings to light the things we need to do to make the City more accessible and walkable. Thanks to Eric and to Kate for her comments. Bill asked if there was a complaint form for people to report issues without submitting a formal claim, just to make the City aware of an issue. City Manager Donlevy said the Morgan Street roundabout will be the next one, staff has completed a paving index, and the Morgan & Baker intersection is the first priority. Council Member Loren asked if staff could balance appearance vs utility at Rotary Park by installing a curved walkway.

Motion by Council Member Loren, second by Council Member Neu to approve the Transition Improvement Plan. Council Member Anderson requested the public comments be incorporated into the plan and Council Member Neu requested the complaint procedure be less formal. Motion carried with the following vote:

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

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

1. None
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CITY MANAGER REPORT: Friends of Winters Putah Creek served Solano County with a lawsuit against the Putah Creek EIR. Staff met with Hostetler and Roberts regarding the north area property, storm drain master plan update and ideas for future planning, who agree with the idea of making a large benefit out of a flood master plan. In planning of the area, they are very open to community-based projects when/if they want to move forward, although no dates were decided. All in all, it was a very positive meeting. We're working with a very diversified group - farming & development. It was agreed by all that it is very important to be transparent.

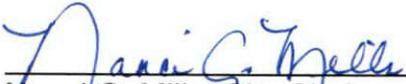
INFORMATION ONLY: None

ADJOURNMENT: Mayor Cowan adjourned the meeting at 9:37 p.m.



Wade Cowan, MAYOR

ATTEST:



Nanci G. Mills, City Clerk