



Winters City Council Meeting
City Council Chambers
318 First Street
Tuesday, August 20, 2019

6:00 p.m. – Closed Session

AGENDA

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

Conference with Legal Counsel: Anticipated Litigation. Significant Exposure to Litigation Pursuant to: (One Case)

6:30 p.m. – Regular Session

AGENDA

Members of the City Council

*Bill Biasi, Mayor
Wade Cowan, Mayor Pro-Tempore
Harold Anderson
Jesse Loren
Pierre Neu*

*John W. Donlevy, Jr., City Manager
Ethan Walsh, City Attorney
Tracy Jensen, City Clerk*

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, August 6, 2019 (pp. 5-12)
- B. Amplified Sound Permit Application for 2019 Winters Healthcare Dinner on the Bridge (pp. 13-16)
- C. Wastewater Treatment Facility Monitoring Services with Luhdorff & Scalmanini (pp. 17-21)
- D. Proclamation Celebrating the Grand Opening and Open House of the new Yolo Food Bank Facility (pp. 22)
- E. Salmon Festival Funding Request (pp. 23)
- F. Street Closure Request and Amplified Sound Permit for the Winters Chamber of Commerce Annual Earthquake Festival (pp. 24-29)

PRESENTATIONS: None

DISCUSSION ITEMS

1. Continued Public Hearing of Ordinance 2019-02, an Ordinance of the City Council of the City of Winters Proposing Amendments to Chapter 17.12, Planning Agency, and Adding Chapter 17.54, Vacation Rentals, to Title 17 (Zoning Ordinance) of the Winters Municipal Code (pp. 30-49)

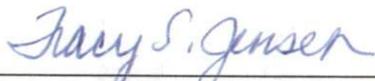
2. Consideration of Resolution 2019-35, a Resolution of the City Council of the City of Winters Replacing Council Resolution No. 2001-05, and Clarifying that the City Council Shall Consider Whether to Initiate Processing of any Development Entitlements for Projects Outside of the Urban Limit Line Set Forth in the City's General Plan (pp. 50-56)
3. Authorize Sharing Agreement with Hotel Winters for Use of City-Owned Buses (pp. 57-69)
4. Parking Master Plan Update (pp. 70-79)
5. City Projects Overview (pp. 80-91)

CITY MANAGER REPORT

INFORMATION ONLY

ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the August 20, 2019 regular meeting of the Winters City Council was posted on the City of Winters website at www.cityofwinters.org and Councilmembers were notified via e-mail of its' availability. A copy of the foregoing agenda was also posted on the outside public bulletin board at City Hall, 318 First Street on August 15, 2019, and made available to the public during normal business hours.



Tracy S. Jensen, City Clerk

Questions about this agenda – Please call the City Clerk's Office (530) 794-6702. Agendas and staff reports are available on the city web page at www.cityofwinters.org/administrative/admin_council.htm

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

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

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

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City Hall – Finance Office - 318 First Street

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Minutes of the Regular Meeting of the Winters City Council
Held on August 6, 2019

Mayor Bill Biasi called the meeting to order at 6:30 p.m.

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

Absent: None

Staff: City Manager John W. Donlevy, Jr., City Attorney Ethan Walsh, Director of Financial Management Shelly Gunby, Management Analyst Kristine DeGuerre, Contract Planner Dave Dowswell, Police Chief John Miller, City Clerk Tracy Jensen

Abigail Vargas led the Pledge of Allegiance.

Approval of Agenda: City Manager Donlevy said there were no changes to the agenda. Motion by Council Member Neu, second by Council Member Loren to approve the agenda. Motion carried with the following vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

COUNCIL/STAFF COMMENTS: Verbal updates were provided by Council.

PUBLIC COMMENTS: Tina Lowden, 320 Niemann Street, said there is a large volume of fast-moving traffic on Niemann Street. A new sign has been placed in front of the FFA building, but more police presence would be nice. She was also concerned about the increased volume of traffic when more homes are built in north Winters or if a sports park is built on Moody Slough Road.

Kate Laddish, 400 Morgan Street, said she wanted to notify the Council, City Manager and staff that the Yolo County Disaster Preparedness subcommittee is partnering with cities within the county. She added that she is eager to talk to the Senior Commission on Aging once it's up and running.

Emma Johnson, Editor-In-Chief of the Winters Express, submitted a comment to the Winters City Council in response to alleged inaccuracies published in the Winters Express. Mayor Biasi acknowledged the comment and requested it be included as part of the permanent record.

CONSENT CALENDAR

- A. Minutes of the Regular Meeting of the Winters City Council Held on Tuesday, July 16, 2019
- B. Purchase and Installation of Level Transmitter and Low-Level Float at East Street Pump Station
- C. Amplified Sound Permit for Winters Community Thanksgiving Dinner Fundraiser
- D. Resolution 2019-32 A Resolution of the City Council of the City of Winters Confirming Delinquent Utility Bills and Requesting Collection of Charges on Tax Roll
- E. Resolution 2019-33 A Resolution of the City Council of the City of Winters Confirming Delinquent Solid Waste Bills and Requesting Collection of Charges on Tax Roll
- F. Claim Against the City of Winters – Ashlee Kendrick
- G. Claim Against the City of Winters – Iran & Brian Murphy
- H. Claim Against the City of Winters – Michele Dill
- I. Claim Against the City of Winters – Carrie Peppers
- J. Claim Against the City of Winters – Ron Peppers (2)
- K. Claim Against the City of Winters – Adriana Soto
- L. Claim Against the City of Winters – Cameron Adams
- M. Claim Against the City of Winters – Lori Catalano
- N. Claim Against the City of Winters – Mid-Century Insurance Company ASO Lori Catalano

City Manager Donlevy gave a brief overview. Mayor Biasi recused himself from Item C, the Amplified Sound Permit, due to the proximity of his residence to the location of this event. Mayor Biasi asked if there were any public comments regarding the items on the Consent Calendar and there were none. Motion by Council member Loren, second by Mayor Pro Tem Cowan to approve the Consent Calendar, except for Item C. Motion carried with the following vote:

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

ABSTAIN: None

Motion by Council Member Loren, second by Mayor Pro Tem Cowan to approve Item C on the Consent Calendar. Motion carried with the following vote:

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

PRESENTATIONS

Environmental Services Manager Carol Scianna introduced Civic Spark Fellow Sarah Emerson, who gave a Power Point presentation regarding the Yolo Resiliency Collaborative's Resiliency Planning Toolbox. Council Member Loren thanked Sarah and asked for examples of equity measures in the implementation process. Sarah said before embarking, thought should be given about who is impacted and what steps need to be taken for those who do not get the full benefit of the policy but who still need to be considered. They are generally advising people to think about implementation from a holistic point of view. Mayor Biasi asked about financing and Sarah replied that there are numerous grant opportunities; the toolbox offers lists of funding opportunities. By 2022, cities must have a climate and resiliency plan as part of the safety element of the general plan or have a local hazard mitigation plan in place. City Manager Donlevy referenced the Yolo Operational Area Multi-Hazard Mitigation Plan but Sarah said that plan is focused more on disaster and response and not about resiliency.

Tina Lowden thanked Sarah for bringing this interesting topic to her attention and asked how residents might be impacted if 800 acres of almonds were eliminated in the north area. Carol Scianna said while trees are cooler than asphalt, residential areas could include more trees in new and existing neighborhoods to offset the loss of the other trees, but agreed that hardscape would increase the heat.

Teresa Evans asked how building more buildings and using more electricity would impact climate change. Carol Scianna said there would be more of an impact on the electrical grid but the City must also consider their fair share of housing. Houses and buildings being built now are much more energy efficient than they used to be.

Kate Laddish, 400 Morgan Street, thanked Sarah for her presentation and her work on the toolbox and also thanked Carol Scianna for working on it. Kate asked if the toolbox gets into details about what types of buildings are being built, what types of building materials they are using, whether more trees are being

planted, and whether lighter road materials are being used. Kate asked how we might look at decreasing the effects in town whether they are located in the new or existing part of town to avoid creating an urban heat island. City Manager Donlevy said the City has adopted the California Green Code, the most progressive building code in the world. The City's building department processed 11 solar roof applications today as part of the Aspire project. Kate asked if a climate commission might be formed once the City's Civic Spark Fellow is on board.

Mayor Biasi thanked Sarah for her presentation and said the vehicle miles traveled could be reduced by bringing more jobs to town. City Manager Donlevy said the environment is negatively impacted, with less to do with development and more to do with the amount of vehicle miles driven each day. Seven out of ten people who live in Winters drive 15-25 miles each way to work every day.

DISCUSSION ITEMS

1. Public Hearing, Introduction and Waive the First Reading of Ordinance 2019-02, an Ordinance of the City Council of the City of Winters Proposing Amendments to Chapter 17.12, Planning Agency, and Adding Chapter 17.54, Vacation Rentals, to Title 17 (Zoning Ordinance) of the Winters Municipal Code

Contract Planner Dave Dowswell gave an overview of the two amendments to the Winters Municipal Code to provide for the regulating of vacation rentals in the City of Winters. The Planning Commission has held seven meetings to discuss these amendments, and also met on three occasions with citizens who would be affected directly by this ordinance. Discussion included restrictions on Accessory Dwelling Units (ADU's), affordable housing restrictions, and the parameters of hosted vs. non-hosted vacation rentals.

Mayor Biasi opened the public hearing at 7:48 p.m.

Abigail Vargas, 1012 Taft Court, has an ADU and lists it as a part-time rental when her elderly parents aren't occupying it. She said she researched a large range of ordinances from other cities but it was difficult to find one for a town our size to compare to. She gave her input for the final draft of the ordinance but said it's very restrictive and she doesn't agree with most of it. She said she hopes Council will consider a less restrictive ordinance.

Benny Dippel, 726 Lupine Way, said he rents throughout the year and if Winters isn't available and becomes restrictive enough, people will rent elsewhere. An ordinance should be created to solve a problem and he hasn't heard there is a problem to be solved. The proposed fee would prohibit a lot of people from entering into the Airbnb market. The number of days has not been restricted, but

it could happen. Council can always re-visit the ordinance if needed. It's not fair to the people who purchase the property; it may not be financially feasible if the guidelines keep changing. People may not be able to afford the \$1,800 fee.

Mayor Biasi closed the public hearing at 8:01 p.m.

City Manager Donlevy said the Planning Commission has met seven times and spent several hours on this ordinance, which basically allows a business enterprise to occur within a residential zone. Hosts can afford to pay the one-time fee (\$1820) with the rental fees they are getting. If any other business were to operate out of a residence, it would require a conditional use permit (\$1800). There is a very strong basis for this ordinance to address these business enterprises.

Mayor Biasi thanked the Planning Commission, the City Manager, Dave Dowswell and the public who have come to the meetings. In response to the question of whether we need this ordinance, this is an emerging business and we want to maintain the character of our residential neighborhoods for what they were intended when they were built. The City needs a way to regulate where they are located and how many there are. The noise ordinance will remain the same, and the need for the initial inspection is a public safety issue. There have not been a large number of complaints to the Police Department, but some kind of regulation will help stay ahead of any problems that we may encounter. It was Mayor Biasi's opinion that it would be fair to let ADU's be used as a rental property as long as the City is getting credit for them as affordable housing units when they are being built. Parking will be an issue and will impact neighbors when guests are staying in the rental units, although providing for one on-street parking space is a good idea. Council Member Loren said AirBNB goes to great lengths to verify that rentals have all of the specified emergency devices on site. As a Council, the need for regulation exists. The City of Winters would benefit from having something like a tutorial or meeting to discuss best practices for vacation rental hosts.

Motion by Council Member Neu, second by Mayor Pro Tem Cowan to continue the public hearing to the August 20th City Council meeting to continue discussing the details of the proposed ordinance. Motion carried with the following vote:

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

2. Resolution 2019-31, a Resolution of the City Council of the City of Winters Designating an Alternate Liaison for Yolo County Housing Commission

City Manager Donlevy said Yolo County Housing Commission has requested the City to designate an alternate liaison. Council Member Neu is currently the primary liaison. Mayor Pro Tem Cowan attends an HPAC meeting immediately after the Yolo County Housing Commission meeting, and with Council Member Neu being the alternate liaison for HPAC, if one can't make one of the meetings, the other can make both. No public comments were made on this item. Motion by Council Member Loren, second by Council Member Anderson to designate Mayor Pro Tem Cowan as the Alternate Liaison on the Yolo County Housing Commission. Motion carried with the following vote:

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

3. Authorization for Purchase of Upgrade to the Energov Building Permit Software

Director of Financial Management Shelly Gunby and Management Analyst Kristine DeGuerre gave an overview of the benefits of the building software upgrade, including a mobile app for field inspections, improved work flow, and a process for planning, permits and code enforcement. The City has been using the existing Energov system since 2009 and Tyler Technologies will support this system. Staff received three quotes and are recommending the Energov upgrade. Mayor Pro Tem Cowan asked if there was an online track-it system for contractors to schedule when the inspector will be at the inspection site. Kristine said this feature is available through the citizen portal but is not included in the existing upgrade, but could be included in the process for an additional \$5,000. Mayor Pro Tem Cowan said with only one inspector, this may not be needed, but will be included as part of the agreement. Kristine also pointed out that staff's recommendation also mitigates the risk of losing historic records if transferring to a different software. Motion by Mayor Pro Tem Cowan, second by Council Member Neu to approve staff recommendation by authorizing the City Manager to execute a contract with Tyler Technologies, Inc. for the upgrade of the existing building permit software. Motion carried with the following vote:

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

4. General Plan Element Review – Natural Resources

City Manager Donlevy said this General Plan Element review, the 6th in a 9-part series, combines two elements, open space and conservation. City Manager Donlevy reviewed the main goals of this element not only for the City, but in collaboration with outside agencies such as the Yolo Habitat Conservancy, the Yolo Sustainable Groundwater Agency, and the Yolo Solano Air Quality Management District. City Manager Donlevy spoke about the importance of developing a Storm Water Master Plan to insure clean waterways and storm drainage systems. The Putah Creek Park Master Plan is currently working on Phase 3, the Lower Putah Creek Coordinating Committee (LPCCC) addresses the management, preservation and restoration of Putah Creek from Lake Berryessa, and the Lower Putah Creek Watershed Management Plan addresses water from Monticello Dam to the Sacramento River through the Yolo Bypass, which is managed by the Winter Putah Creek Committee. Their main function is not only the Master Plan, but also manages the Putah Creek Vegetation Management Plan. As part of the Natural Resources element, the City of Winters was the first city to adopt a habitat mitigation program in Yolo County, which addresses open spaces and conservation. This is a very important element of our general plan.

Kate Laddish, 400 Morgan, said she appreciated the Council, Planning Commission and staff working on this topic, which has produced a lot of good discussion. She requested that Council direct staff to bring this item back as an agenda item and not just an information item.

CITY MANAGER REPORT: City Manager Donlevy said he has been working on two very important documents and will be bringing them to Council at the 8/20 meeting under "City Projects Overview": a Planning Project List and Active Projects Listing. A Joint Land Use Planning Workshop with the City Council and Planning Commission is scheduled for Wednesday, August 21st from 5pm-8:30pm at the Public Safety Facility. Contract Planner Heidi Tschudin will take the lead and hit on the main topics: north area, annexation, general plan, status reports regarding planning issues. A comprehensive staff report will go along with this item, which will be educational in nature. The concerns of the residents will be included and they will be given a chance to review the project list and give their input.

Mayor Biasi asked if current Resolution 2001-05 should be applied to any draft proposal regarding any north area planning. He requested that City Attorney Walsh revise Ordinance 2001-05 or draft language to clean it up, not just for a development project that comes before Council, but for any project that comes before Council, including any projects that come to the City outside of the general plan area.

INFORMATION ONLY: None

ADJOURNMENT: Mayor Biasi adjourned the meeting at 9:04 p.m.

Bill Biasi, MAYOR

ATTEST:

Tracy S. Jensen, City Clerk



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Council Members
DATE: August 20, 2019
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Tracy S. Jensen, Records Manager/City Clerk
SUBJECT: Approval of Amplified Sound Permit Application for Winters Healthcare 3rd Annual Dinner on the Bridge

RECOMMENDATION:

Approve the Amplified Sound Permit Application for the Winters Healthcare 3rd Annual Dinner on the Bridge on Saturday, September 7th, 2019 on the Winters Historic Trestle Bridge.

BACKGROUND:

Winters Healthcare will be hosting the third annual Dinner on the Bridge to support efforts towards building a healthier Winters. Proceeds from this years event will ensure that Winters Healthcare provides state-of-the-art medical and dental equipment in their new facility, which is set to open in early 2020.

FISCAL IMPACT:

None

Date of Application: 7/15/2019

To City Council: 8/20/19

Name of Person(s)/

Organization: WINTERS HEALTHCARE

Contact: IRENE COLA-TUCCI

Business Address: 310 MAIN ST

Telephone: 530.262.103

WINTERS CA 95694

Telephone: 530.792.5200

Type of Event: WINTERS HEALTHCARE DINNER ON THE BRIDGE

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

Date/Time of Event: SEPT 7th 2019 From: 5:30 PM To: 10:00 PM

Location/Address of Event: WINTERS COMMUNITY CENTER & TRESTLE BRIDGE
201 RAILROAD AVE WINTERS CA 95694

Rated Output of Amplifier in Watts: 2000 Number of Speakers: 2

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.

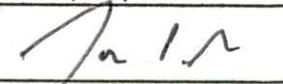
Signature: 

For City Use Only

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

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

Police Department: Approved Denied Date: 7/31/19

Authorized Signature: 

City Council: Approved Denied Date: _____

Authorized Signature: _____



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers
DATE: August 20, 2019
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Carol Scianna, Environmental Services Manager *CS*
SUBJECT: Wastewater Treatment Facility Monitoring Services with Luhdorff & Scalmanini

RECOMMENDATION: Staff recommends Council authorize City Manager to execute service agreement with Luhdorff & Scalmanini (L&S) for continued Wastewater Treatment Facility Monitoring Services in the amount not to exceed \$30,712

BACKGROUND: The City initiated a contract with L&S in October 2006 to provide the required groundwater monitoring at the Wastewater Treatment Facility. They have continued to provide reliable and efficient results and have stayed under budget for their services. In 2008 the City was required to add additional monitoring wells, which L & S assisted the City in completing the installation of the new wells and the subsequent necessary reporting. Two years later L&S petitioned the Regional Water Quality Board to install Hydrosleeves this technique enabled us to streamline the monitoring procedure, L & S were also successful in their request on behalf of the City for reduced monitoring from quarterly to semi-annual in 2012, which has further reduced costs to the City. Last year L & S expended only 75% of what was budgeted in their contract.

FISCAL IMPACT: Not to exceed \$30,712



August 2, 2019
File No. 18-1-135

Ma, Carol Scianna
Winters City Hall
Winters, CA 95694

**SUBJECT: SCOPE OF WORK AND BUDGET FOR HYDROGEOLOGIC SERVICES
(FISCAL YEAR 2019/20)
CITY OF WINTERS WASTEWATER TREATMENT FACILITY
YOLO COUNTY, CA**

Dear Ms Scianna:

Per your request, Luhdorff and Scalmanini, Consulting Engineers (LSCE) has prepared this scope of work and budget for hydrogeologic services related to the City's Wastewater Treatment Facility (WWTF) for the fiscal year 2019/20 (July 1, 2019 to June 30, 2020).

The City presently operates the WWTF under the California Regional Water Quality Control Board's (RWQCB) *Waste Discharge Requirements* (WDRs) Order No. R5-2002-0136, adopted July 19, 2002, the revised *Monitoring and Reporting Program* (MRP REV 2) Order No. R5-2002-0136, adopted July 8, 2011 and effective July 1, 2011, and *Cease and Desist Order* No. R5-2007-0002 (CDO), adopted January 25, 2007.

The following scope of work is comprised of four tasks:

1. Project Administration
2. Groundwater Sampling
3. Semi-Annual Reporting
4. Contingency Fund

Task 2 includes four groundwater monitoring events in compliance with the WDRs and the revised MRP (REV 2). Quarterly monitoring events are planned for August and November 2019, and February and May 2020. Quarterly monitoring is planned for water level monitoring (in August, November, February, and May) and semi-annual monitoring is planned for groundwater quality monitoring (August and February).

Task 3 includes the preparation of two semi-annual monitoring reports (due August 1, 2019 and February 1, 2020) to be prepared in compliance with the WDRs and the revised MRP (REV 2).

Ms. SCIANNA
AUGUST 2, 2019
2

Task 4 includes staff time to provide support services, on an as-needed basis, such as to avoid cumbersome budget amendment requests.

We propose to complete the work as scoped on a time and materials basis in accordance with LSCE's *Schedule of Fees for Engineering and Field Services (2019)*, a copy of which is attached. The tasks are detailed in the attached Project Cost Estimate.

Should the cost of services exceed our estimate, we will report the status of completed and completable work and further estimate additional requirements, including explanation of the need for further work, before proceeding.

We appreciate the opportunity to prepare this scope and budget to respond to your request.

Sincerely,

LUHDORFF AND SCALMANINI,
CONSULTING ENGINEERS



Vicki Kretsinger
Senior Principal Hydrologist



Till Angermann, P.G., C.Hg.
Principal Hydrogeologist



Barbara Dalgish, P.G.
Senior Hydrogeologist

BD/tea/vk

Enclosures:

Project Cost Estimate

LSCE 2016 Schedule of Fees - Engineering and Field Services

PROJECT COST ESTIMATE

Client: City of Winters; Attn.: Ms. Carol Scianna
 Project: City of Winters WWTF WDRs/MRP Compliance - Fiscal Year 2019/20 (July 1, 2019 - June 30, 2020)
 File No: 18-1-135
 Estimate: BD/TEA/VK
 Date: August 2, 2019

Task	Billing Level Billing Rate (\$/hr)	Estimated Labor Hours					Labor Cost	Direct Cost ¹
		Senior Principal \$215	Principal \$210	Senior \$187	Staff \$135	Clerical \$75		
1. Project Administration		2	2	10	0	0	\$2,300.00	\$100.00
2. Groundwater Sampling (Four Events) ²		0	1	6	50	0	\$7,872.00	\$300.00
3. Semi-Annual Reporting (Two Reports) ³		4	4	30	8	4	\$7,850.00	\$250.00
4. Contingency Fund		0	0	0	0	0	\$0.00	\$2,000.00

Total LSCE Cost **\$20,672.00**

Outside Services

Admin. @ 15%

Laboratory Analysis ⁴	\$8,730.00	\$10,039.50
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Total Project Estimate **\$30,711.50**

- Direct costs account for mileage, copies, postage, miscellaneous supplies, and incidentals.
- Quarterly groundwater level monitoring and semi-annual groundwater quality sampling of nine wells per requirements set forth in the Revised MRP (July 8, 2011 REV 2); groundwater quality sampling planned to occur in Aug-2019 and Feb-2020.
- Semi-annual reports due August 1, 2019 and February 1, 2020.
- Analyses per requirements set forth in the Revised MRP (9 annual samples @ \$ 610.00 each; 9 semi-annual samples at \$360.00 each).
The estimated laboratory analytical cost is based on recent experience and not on an actual bid.



Luhdorff & Scalmanini
Consulting Engineers

500 FIRST STREET WOODLAND, CALIFORNIA 95695

SCHEDULE OF FEES - ENGINEERING AND FIELD SERVICES
2019

Professional:*	
Senior Principal	\$215/hr.
Principal Professional	\$210/hr.
Supervising Professional	\$200/hr.
Senior Professional	\$187/hr.
Project Professional	\$145 to 170/hr.
Staff Professional	\$130 to 140/hr.
Technical:	
Engineering Inspector	\$130/hr.
ACAD Drafting/GIS	\$130/hr.
Engineering Assistant	\$100 to 120/hr.
Scientist	\$100 to 120/hr.
Technician	\$100 to 120/hr.
Clerical Support:	
Word Processing, Clerical	\$75/hr.
Digital Communications Specialist	\$90/hr.
Project Admin/Accounting Assistant	\$90/hr.

Vehicle Use	\$0.58/mi.
Subsistence	Cost Plus 15%
Groundwater Sampling Equipment (Includes Operator)	\$170.00/hr.
Copies	.20 ea.

Professional or Technical Testimony	200% of Regular Rates
Technical Overtime (if required)	150% of Regular Rates
Outside Services/Rentals	Cost Plus 15%
Services by Associate Firms	Cost Plus 15%

* Engineer, Geologist, Hydrogeologist, and Hydrologist



A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF WINTERS TO CELEBRATE THE YOLO FOOD BANK GRAND OPENING AND OPEN HOUSE

WHEREAS, the Yolo Food Bank Grand Opening and Open House is the debut of the first-ever purpose-built food distribution warehouse and operations facility to meet the food security need of Yolo County; and,

WHEREAS, Yolo Food Bank currently collects, sorts, stores, and distributes four million pounds of food a year, serving 26,000 food insecure Yolo County residents annually; and,

WHEREAS, the new Yolo Food Bank food distribution warehouse and operations facility represents a \$9.5 million community commitment to ending hunger and malnutrition in Yolo County. More than 90% of the funds were raised via private philanthropy. The facility holds the programmatic promise and capacity expansion potential to meet the full food security need of Yolo County as operations scale-up over the next few years; and,

WHEREAS, over the past 50 years, Yolo Food Bank has evolved from a volunteer-run backyard gleaning program to a food closet to a full-fledged food bank. More recently, Yolo Food Bank has transformed further into the hub of a network 200 partners strong, including food donors; distribution sites; grantors; donors; volunteers; and a wide range of education, healthcare, and faith-based organizations; as well as federal, state and local governments.

NOW, THEREFORE, BE IT PROCLAIMED that the City Council of the City of Winters hereby celebrates Yolo Food Bank and their dream and commitment to “Nourish Yolo” by providing food security for every Yolo County resident.

PASSED AND ADOPTED, this 20th Day of August, 2019.

Mayor Bill Biasi

Mayor Pro Tem Wade Cowan

Councilmember Harold Anderson

Councilmember Jesse Loren

Councilmember Pierre Neu

City Manager John W. Donlevy, Jr.

ATTEST: Tracy S. Jensen, City Clerk



CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers
DATE: August 20 2019
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Carol Scianna, Environmental Services Manager 
SUBJECT: Salmon Festival Funding Request

RECOMMENDATION: Staff recommends the Council support the Third Annual Salmon Festival on November 2th at Rotary Park in the amount of \$1000.

BACKGROUND: Staff has been working with several local creek related partners planning the Annual Salmon Festival. The purpose of the Winters Salmon Festival is to increase public awareness of conservation efforts for salmon and all Putah Creek wildlife.

The event will take place at Rotary Park area as well as walking tours along the creek trails in Nature Park. We have ongoing financial commitments from Solano County Water Agency, Bureau of Reclamation, Putah Creek Council, Putah Creek Trout and others. The requested funds will be used for publicity, prizes and other materials and services as needed.

Once again students from all of Winters schools will be involved on a variety of art projects, mural contest and field trips. There will be multiple informational booths, food booths, merchandise vendors and music throughout the day. We plan on closing E Main between Railroad and Elliot streets.

Funds raised will help to sponsor a scholarship program at for Winters High School and restoration projects in the Nature Park. Festival attendance as grown steadily over the first two years and we expect this year will bring even bigger crowds to Winters helping us to “Celebrate this year’s Salmon run in Winters!”

FISCAL IMPACT: \$1000 suggested to come from the Council Discretionary Funds



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Council Members
DATE: August 20, 2019
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Tracy S. Jensen, Records Manager/City Clerk
SUBJECT: Approval of Street Closure Request and Amplified Sound Permit Submitted by the Winters Chamber of Commerce for Annual Earthquake Festival to be Held on Friday, August 23, 2019

RECOMMENDATION:

Approve the closure of East Main Street between Elliot Street and Railroad Avenue, Main Street between Railroad and First Street, and Railroad Avenue between Abbey and Russell Streets to allow for the Winters Chamber of Commerce Earthquake Street Festival; Also Approve the Amplified Sound Permit Application.

BACKGROUND:

The Winters Chamber of Commerce has requested the closure of the aforementioned streets from 5:00 p.m. to 11:00 a.m. on Friday, August 23, 2019. A diagram of the enclosed area is included on the attached Earthquake layout, which includes fencing, barriers, entrances/exits to the beer garden, restrooms, and locations of where security guards will be stationed.

If approved, closure notification will be posted on all affected streets a minimum of 48 hours prior to the scheduled closures.

Per the City's Street Closure Ordinance, it requires Council approval on identified streets on the attached request form.

The Earthquake Festival also includes amplified sound throughout the event, which requires an Amplified Sound Permit Application be approved by Council.

FISCAL IMPACT:

To be Determined (Police staff overtime, signage, barricade placement).

Date of Application: 8/5/2019

To City Council: 8/20/19

Name of Person(s)/ Organization: Winters Chamber of Commerce

Contact: Steve/Luis

Business Address: 2d 1st Street

Telephone: Steve: 530-795-2329
Luis-530-848-2482

Telephone: 530-795-2329

Type of Event: Earthquake Festival

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

Festival

Date/Time of Event: August 23rd

From: 5:00 pm To: 11:00 pm

Location/Address of Event: Winters Main St, Rail Road,
E Main St.

Rated Output of Amplifier in Watts: 20,000

Number of Speakers: 6

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: Steve Moulalin

For City Use Only

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

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

Police Department: Approved Denied Date: _____

Authorized Signature: _____

City Council: Approved Denied Date: _____

Authorized Signature: _____

TO PD 8/12



City of Winters Request for Street Closure

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

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

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

- ① Main Street / *E Main St*
- ② Railroad Street
- 3. Grant Avenue
- 4. Valley Oak Drive
- 5. Abbey Street

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

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

Name: <i>Winters Chamber Of Commerce</i>	Organization: <i>Non-Profit</i>
Address: <i>201 1st Street</i>	Mailing Address: <i>201 1st Street</i>
Telephone: <i>530-795-2329</i>	Today's Date: <i>7/31/19</i>
Streets Requested: <i>Main St, Railroad Ave, E Main St</i>	
Date of Street Closure: <i>Aug. 23, 2019</i>	Time of Street Closure: <i>3:00pm</i>
Description of Activity: <i>Earth Quake Festival</i>	

Services Requested of City: *Street closure Signs*

<p>APPROVED:</p>	<p>City Council: Date Approved: Public Works Department: Police Department: Fire Department: Administrative Services:</p>
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City of Winters Request for Street Closure

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

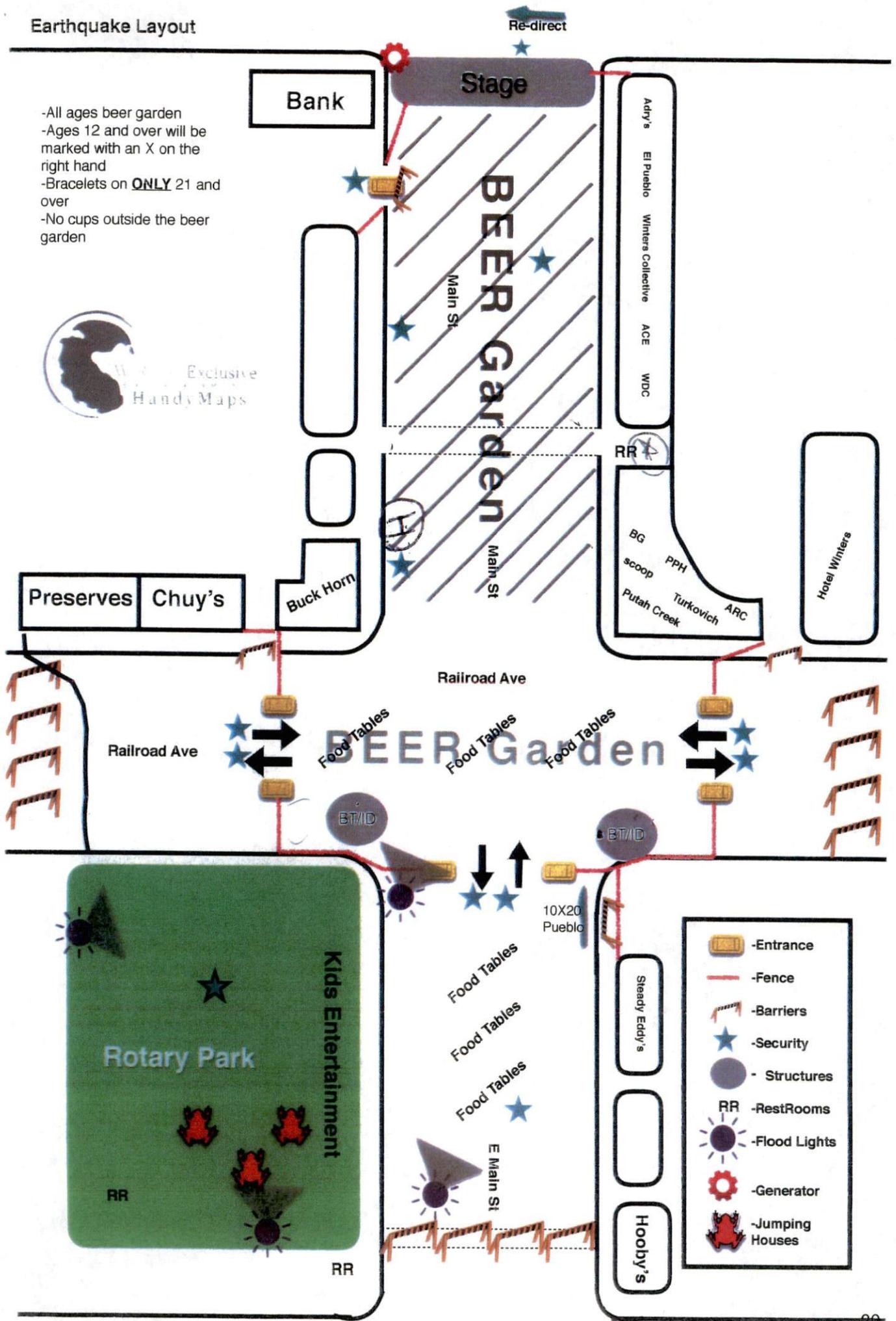
R. Woods	- 207 1st. St.
FNIS	48 Main St.
Murphy	44 MAIN STREET
Quintana	38 Main St.
Deleonardi	18 Main St.
Rivas	10 Main Street
Zamecnik	14 Main St.
Schwerdtfeger	9 & 14 MAIN St.
Rodriguez	11 Main St.
de Sot	15 Main st
VanDerpoel	19 Main St.
Elizabeth Ayala	23 Main St.
Dr. Wu	35 Main st
Maika	41 Main St.
Baldomero	43 Main St
Gutierrez	47 Main St.
Ketsayk	101 Main Street
Stocking	9 E. Main Street suite 5
Sullivan	208 railroad ave.
Vignolio	202 Russell St.

Earthquake Layout

- All ages beer garden
- Ages 12 and over will be marked with an X on the right hand
- Bracelets on **ONLY** 21 and over
- No cups outside the beer garden



Exclusive Handy Maps





**CITY COUNCIL
STAFF REPORT**

TO: Mayor and Councilmembers
DATE: August 20, 2019
FROM: David Dowswell, Contract Planner 
THROUGH: John Donlevy, Jr., City Manager
SUBJECT: Public Hearing and Consideration of proposed amendments to Chapter 17.12, Planning Agency and adding Chapter 17.54, Vacation Rentals to Title 17 (Zoning Ordinance).

RECOMMENDATION: Staff recommends the City Council take the following actions:

- 1) Find the proposed amendments to the Municipal Code Categorical Exempt from CEQA, Class 1 Section 15301 (Existing Facilities) and Class 4 Section 15304 (Minor Alterations to Land); and
- 2) Receive the staff report, conduct the public hearing, and introduce Ordinance 2019-02 amending Chapter 17.12, Planning Agency and adding Chapter 17.54, Vacation Rentals to Title 17 Title 17 (Zoning Ordinance) of the Municipal Code.

BACKGROUND: On June 25, 2019 the planning commission, at the continued public hearing, considered the proposed vacation rental ordinance. At the hearing Abby Vargas requested eliminating the restriction (Section 17.54.040F4) prohibiting using accessory dwelling units (ADU) as a vacation rental. At the conclusion of the hearing the commission voted 5 to 1, with commissioner Adams recusing himself do to a possible conflict and commissioner Contreras dissenting, to recommend the council adopt the proposed ordinance with the suggested amendments. Commissioner Contreras voted against the ordinance because it includes language prohibiting the use of an ADU as a vacation rental.

On August 6, 2019 the City Council considered Ordinance 2019-02 amending Chapter 17.12, Planning Agency and adding Chapter 17.54, Vacation Rentals to Title 17 Title 17

(Zoning Ordinance) of the Municipal Code. During the hearing the Council had several questions regarding the proposed ordinance, specifically the prohibition of using an Accessory Dwelling Unit (ADU) as a vacation rental and the possible application fee for hosted vacation rentals. At the conclusion of the discussion the City Council continued the hearing until August 20 and directed staff to investigate how other cities handle these two issues.

ANALYSIS: Staff contacted several cities that have vacation rental regulations. The table below shows the results of staff's research.

	Cities					
	Napa	Yountville	Cloverdale	Nevada City	Grass Valley	Winters
Allows Hosted Vacation Rentals	Yes	No	Yes	Yes	Yes, with a Minor Use Permit	Yes
Allows Non-hosted Vacation Rentals	Yes	No	Yes, with Use Permit	No	No	Yes
Allows ADUs as Vacation Rental	No	N/A	No	N/A	N/A	No
Hosted Fee	\$1,500 initial deposit	N/A	No Fee	No Fee	\$439	To be determined
Non-hosted Fee	\$1,500 initial deposit	N/A	\$1,455	N/A	N/A	\$1,820

The table above shows how the regulation of vacation rentals varies. One city (Yountville) prohibits them, while other cities (Yountville, Nevada City and Grass Valley) prohibit non-hosted rentals and the city of Napa allows both. Two cities (Napa and Cloverdale) specifically prohibit using ADUs as a vacation rental while the other cities (Nevada City and Grass Valley) do not. Two cities (Cloverdale and Nevada City) do not charge a fee for hosted rentals they simply require the host register with the city and pay the business license fee and transient occupancy tax. Grass Valley charges \$439 to process a hosted rental's Minor Use Permit (MUP). The City of Winters, should the Council decide to require a fee for a hosted rental, will need to have its fee consultant determine the fee. The City of Winters' fee should be similar to Grass Valley's fee as their MUP process is similar to Winters administrative review process.

The state of California severely restricts how cities can regulate ADUs and the fees cities can charge. The state does not prohibit an ADU from being used as a vacation rental. That decision is left up to an individual city. The state limits the amount of impact fees a city can charge for an ADU. Limiting the impact fees makes an ADU less expensive to build, making it more affordable when rented.

Recently the City issued a permit for 460 square foot ADU. The impact fees were \$7,581.52. For comparison an exact same size single-family dwelling would have paid \$21,696.03.

Annually the City submits a housing report to the Department of Housing and Community Development Department and the governor's Office, Planning and Research. ADU's are included in the report. They are considered as non-deed restricted low-income affordable housing.

ATTACHMENTS:

- A. August 6, 2019 City Council staff report



CITY COUNCIL
STAFF REPORT

TO: Mayor and Councilmembers
DATE: August 6, 2019
FROM: David Dowswell, Contract Planner 
THROUGH: John Donlevy, Jr., City Manager
SUBJECT: Public Hearing and Consideration of proposed amendments to Chapter 17.12, Planning Agency and adding Chapter 17.54, Vacation Rentals to Title 17 (Zoning Ordinance).

RECOMMENDATION: Staff recommends the City Council take the following actions:

- 1) Find the proposed amendments to the Municipal Code Categorically Exempt from CEQA, Class 1 Section 15301 (Existing Facilities) and Class 4 Section 15304 (Minor Alterations to Land); and
- 2) Receive the staff report, conduct the public hearing, and introduce Ordinance 2019-02 amending Chapter 17.12, Planning Agency and adding Chapter 17.54, Vacation Rentals to Title 17 Title 17 (Zoning Ordinance) of the Municipal Code.

BACKGROUND: In 2008, a new market was created that allows homeowners to rent out a room or their whole house to persons for the night or a short period of time. This new market allows people to use their home as a makeshift hotel. Airbnb is one of the most recognizable companies in this new market. This new market was small and inconsequential to cities and local governments for the first few years, but over the last five or so years, vacation rentals have become a large business, spanning the entire globe.

Currently, the City of Winters does not regulate vacation rentals. There are a number of vacation rental companies such as, Airbnb, Homeaway, HomeToGo and Vacation Rentals By Owners (VRBO). These internet-based companies allow people to rent out rooms or their entire house for a short time – essentially using the property like a hotel.

Presently there are 14 listings on Airbnb's site for rent in Winters, most are for full houses.

On July 24, 2018 the planning commission held a workshop where they discussed the vacation rentals and the possibility of regulating them. After the discussion staff was directed to do further research and prepare an ordinance. Since the meeting the city attorney's office has reached an agreement with Airbnb to voluntarily collect the City's Transient Occupancy Tax (TOT) and the County's Tourism Business Improvement District (TBID) assessment. The city has been receiving TOT from Airbnb. None of the other vacation rental companies have reached a similar agreement. City staff is compiling a list of those persons renting out their property using other sites. These persons will be contacted and told they have to pay the City's TOT.

On January 22, 2019 the planning commission held a study session where various issues were raised concerning vacation rentals and the drafting of an ordinance. The commission was given a copy of the City of Napa ordinance for discussion. Staff was given direction to incorporate a number of changes to the Napa ordinance in drafting a city ordinance.

On March 26, April 23, and May 28, 2019 the planning commission held study sessions where the proposed vacation rental ordinance was discussed. At the April meeting Sandy Vickrey spoke regarding the proposed ordinance and expressed some concern about certain elements in the ordinance. Also, Jose Banuelos spoke at the meeting about having to live next door to an existing vacation rental and often being disturbed by the guests.

Staff met with Sandy Vickrey on May 2 and May 22, 2019 to discuss the proposed ordinance. At the meeting we were able to identify some regulations which could be simplified or eliminated and others that needed clarifying. They included:

- Clarifying the fee an applicant pays for permitting a vacation rental is not a recurring fee. Only the business license fee is recurring.
- Eliminating in Section 17.54.010, Purpose and Intent, the wording which limits the total number of permits the city might issue for vacation rentals. Eliminating this wording was consistent with the commission's previous direction.
- Modifying the wording in Section 17.54.030.5 to require parking based on the number of guest vehicles and not the number of guests.
- Eliminate Section 17.54.030B10. This language is already a standard condition of approval in all city entitlements.
- Possibly delete Section 17.54.030G. This section requires staff to do something that is not required for any other entitlement. A person, if interested, can contact the city when a decision is made regarding a vacation rental application and can appeal either the zoning administrator's decision per Section 17.16.070 of the Zoning Ordinance.

- Delete most of Section 17.54.040C because the items mentioned that must be complied with are required by the current building and fire codes.

At the May 28, 2019 the planning commission meeting Benny Dippel and Abby Vargas commented on the draft ordinance. The commission encouraged the speakers to forward their comments to staff and if possible, meet with staff directly. At the conclusion of hearing the planning commission continued the public hearing to June 25, 2019.

On June 12, 2019 staff met with Abby Vargas to discuss the proposed ordinance. On June 13, 2019 staff also met with Benny Dippel (by phone) and Sandy Vickrey to discuss the proposed ordinance. Based on their comments a number of additional changes were suggested. They included:

- Amending Section 17.54.030B7 to require rental rules be posted or provided at the residence.
- Deleting the requirement in Section 17.54.040D1 that the prospective renter shall sign an agreement acknowledging the house rules.
- Eliminating the first sentence in Section 17.54.040E requiring the rental permit number is included in the advertisement for a vacation rental because this language is unnecessary.
- Simplifying the language in Section 17.54.040F1 and 2.
- Combining Sections 17.54.040I (formerly J)2 and 3 into one section.

On June 25, 2019 the planning commission, at the continued public hearing, considered the proposed vacation rental ordinance. At the hearing Abby Vargas requested eliminating the restriction (Section 17.54.040F4) prohibiting using accessory dwelling units (ADU) as a vacation rental. At the conclusion of the hearing the commission voted 5 to 1, with commissioner Adams recusing himself do to a possible conflict and commissioner Contreras dissenting, to recommend the council adopt the proposed ordinance with the suggested amendments (Attachment A). Commissioner Contreras voted against the ordinance because it includes language prohibiting the use of an ADU as a vacation rental (Attachment B).

ANALYSIS: The City of Winters has no regulations regarding vacation rentals. In reviewing other city ordinances and listening to comments from the commission and the community at the study sessions staff identified the following key elements the City should consider:

- Defining various terms associated with vacations rentals.
- Requiring a vacation rental permit must meet specific regulations.
- Distinguishing between non-hosted and hosted facilities.
- Possibly limiting how many days one can rent out a room or the entire house and the maximum number of persons who can stay in the vacation rental.
- Deciding who should issue a vacation rental permit, staff or the planning

commission.

- Establishing a new fee for hosted facilities.
- Insurance requirements.

Definitions

There are a number of new definitions included in the proposed ordinance which define a vacation rental and explain how it is different from a traditional hotel, motel, hostel, and bed and breakfast.

Requiring Vacation Rentals Meet Specific Regulations

Section 17.54.030 of the proposed ordinance lists a number of specific requirements all hosted and non-hosted vacation rentals will need to meet. They include: all rooms being slept in must meet the building and fire codes, location of on and off-street parking, name and phone number of owner or authorized agent for a non-hosted facility and obtaining a business license. Failure to comply with all of the requirements at any time could result in the vacation rental permit being revoked.

Vacation Rental Annual Review

The proposed ordinance does not require vacation rental permits be reviewed annually by the City because the commission felt doing so would be too burdensome. The proposed ordinance has language allowing for annual review by the City (community development department or the planning commission) if the vacation rental becomes a problem. Vacation rentals will have to renew their business license annually. All vacation rentals will be subject to building/fire inspection review as part of the application process. Future building/fire inspections would be on as need basis.

Hosted and Non-hosted Vacation Rentals and Limiting Their Numbers

During the application process applicants will need to indicate if the vacation rental will be hosted or non-hosted. The proposed ordinance does not limit the number of vacation rentals that can be allowed within the city. The ordinance can always be amended in the future if the city wants to establish limits on the number of vacation rentals.

Establishing Limits on How Many Days a Room or the Entire House Can be Rented and Maximum Number of Persons that Can Stay in a Vacation Rental.

The commission supported not placing in the ordinance a maximum number of days a vacation rental could be rented in a calendar year. Instead the city (community development department or the planning commission) would have the ability to limit the maximum number of days a vacation rental could be rented as part of the permit process. The commission supported requiring compliance with the ordinance if a room or the entire house is used as a vacation rental one or more days in a calendar year.

A majority of the commission felt allowing more than 10 guests in a vacation rental would be unfair to the neighbors who bought their house wanting not to be adversely impacted by such a use. At the May 23 planning commission meeting commissioner Contreras felt the number of guests for a non-hosted vacation rental should be

determined by the planning commission as part of the use permit process. At the June 25 planning commission meeting the commission supported adding language to Section 17.54.040D2 giving the planning commission the authority to allow more than 10 persons in a non-hosted vacation rental as part of the use permit process.

The proposed ordinance prohibits vacation rentals from being used for weddings, auctions, commercial functions or other similar event that is inconsistent with the use of the property for transient occupancy in a residential neighborhood.

Who Will Issue a Vacation Rental Permit

The proposed ordinance (Chapter 17.12.D.10) includes language allowing for the zoning administrator (staff) to approve hosted vacation rental permits, subject to a simplified public hearing process. Non-hosted facilities will require obtaining a use permit from the planning commission. Allowing staff to approve or deny a permit for hosted facilities will streamline the process making the application fee less costly. There are provisions in the City's Municipal Code where a decision of zoning administrator can be appealed to the planning commission and ultimately to the city council. The proposed ordinance will also allow the community development director to refer an application for a hosted facility to the planning commission if the vacation rental could adversely impact a neighborhood.

Establishing a Fee for a Permit and a Use Permit.

If the proposed ordinance is adopted the City will need to amend its fee schedule to include a fee for the processing of hosted vacation rental facility application. The existing fee for a use permit is \$1,820. Both fees would be one-time fees.

Insurance Requirements.

Staff was able to find under the "Terms Specific for Hosts" on the Airbnb website the following language, "7.1.8 Airbnb recommends that Hosts obtain appropriate insurance for their Host Services. Please review any respective insurance policy carefully, and in particular make sure that you are familiar with and understand any exclusions to, and any deductibles that may apply for, such insurance policy, including, but not limited to, whether or not your insurance policy will cover the actions or inactions of Guests (and the individuals the Guest has booked for, if applicable) while staying at your Accommodation or participating in your Experience, Event or other Host Service."

Changes resulting from meetings with Sandy Vickrey, Abigail Vargas and Benny Dippel

Most of the changes proposed as a result of the meetings with Sandy Vickrey, Abby Vargas and Benny Dippel were supported by the planning commission and have been incorporated into the proposed ordinance. The changes simplify and clarify the ordinance making it less cumbersome and easier to understand.

ATTACHMENTS:

- A. Vacation Rental Ordinance 2019-02 with planning commission recommended changes.
- B. June 25, 2019 planning commission minutes.

ORDINANCE NO. 2019-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WINTERS
AMENDING CHAPTER 17.12 (PLANNING AGENCY) AND CHAPTER 17.54 (VACATION RENTALS OF
THE WINTERS MUNICIPAL CODE

The City Council of the City of Winters, State of California, does hereby ordain as follows:

1. Purpose. The purpose of this ordinance is to amend various sections of the text in the Winters Municipal Code (the "Municipal Code") necessary to regulate Vacation Rentals.

2. Authority. The City of Winters has authority to adopt this ordinance pursuant to the general police power granted to cities by Article 11, Section 7 of the California Constitution.

3. Amendments to Title 17. The City hereby makes the following amendments to Title 17 of the Municipal Code:

- a. Chapter 17.12 of the Municipal Code is hereby amended to read as follows:

Chapter 17.12
PLANNING AGENCY

17.12.030 Powers and duties of the zoning administrator

D. Projects Subject to Zoning Administrator Review.

1. Minor Modifications and Extensions of Time of Planned Developments

- a. The zoning administrator may approve minor modifications of the detailed development plans or detailed development standards as well as time extensions in planned development (PD) overlay zones.

- b. Findings.

Such minor modifications may be approved only if consistent with required findings in Section

[17.4B.110](#) Time extensions may be approved if consistent with required findings in Section

[17.4B.100](#)

2. Home Occupations

- a. Approval Authorized. The zoning administrator may approve applications for home occupations in residential (R) zones.

- b. Findings. A home occupation shall be approved only if it is found to comply with the provisions of this section and Section [17.60.080](#) of this title. No public hearing shall be

required although notice of the application shall be provided to all contiguous property owners

3 Review and Approval of Projects Exempt from California Environmental Quality Act (CEQA)

a Approval Authorized The zoning administrator may review and approve projects (other than ministerial projects) which are exempt from CEQA. However, the zoning administrator may refer projects involving substantial development, such as large additions to existing structures, to the planning commission for review and approval.

b Findings Such projects shall be approved only if found to comply in all respects with the provisions of this title.

4 Lot Splits on Parcels Less than One-Half (1/2) Acre in Size

a Approval Authorized The zoning administrator may review and approve lot splits on parcels less than one-half (1/2) acre in size.

b Findings Such lot splits shall be approved only if found to comply in all respects with provisions of this title, applicable criteria of the city's subdivision regulations, environmental law and the State Subdivision Map Act.

5 Use Permits and Variances.

a Approval Authorized The zoning administrator may approve use permit and variance applications for certain projects as specified elsewhere in this title.

b Findings Use permit and variance applications shall only be approved if found to comply with the provisions of this section and with the required findings for approval of use permit and variance applications specified in Chapters 17.20 and 17.24, respectively.

6 Temporary Activity Permits

a Approval Authorized The zoning administrator may approve temporary activity permits for certain activities as specified in this title. The zoning administrator shall determine the appropriate level of noticing, if any, required for each application.

b Findings A temporary activity permit shall only be approved if found to comply in all respects with the provisions of this section and with the required findings in Chapter [17.32](#).

7 Exotic Animals

a. Approval Authorized. The zoning administrator may approve a permit for the keeping of exotic animals. While no public hearing is required, notice of the application shall be provided to all contiguous property owners.

b. Findings. The application may only be approved if the applicant can demonstrate that the keeping of such animal(s) will not create a general nuisance (such as excessive noise or odor) or pose a safety hazard to the general neighborhood and that appropriate approvals from regulatory state and/or federal agencies are first obtained.

8. Expansion of Nonconforming Structures

a. Approval Authorized. The zoning administrator may approve the expansion of nonconforming structures. While no public hearing is required, notice of the application shall be provided to all contiguous property owners.

b. Findings. The application may only be approved subject to compliance with this section and Chapter [17.104](#).

9. Sign Permit Review

a. Approved Authorized. The zoning administrator may approve certain sign permits pursuant to Chapter [17.80](#).

b. Findings. The application may only be approved subject to compliance with this section and Section [17.80.080](#)(D).

10. Vacation Rentals.

a. Approval Authorized. The zoning administrator may approve a permit for a "hosted accommodation" vacation rental. While no public hearing is required, notice of the application shall be provided to all property owners located within one hundred (100) feet of the proposed vacation rental.

b. Findings. The application may only be approved subject to compliance with this sections and Chapter 17.54.

b. Subdivision (B) of Section 17.54 of the Municipal Code is hereby amended to read as follows:

Chapter 17.54

VACATION RENTALS

Sections:

17.54.010 Purpose and intent

17.54.020	Definitions
17.54.030	Requirements for an application
17.54.040	Permit requirements
17.54.050	Enforcement

17.54.010 Purpose and intent.

The purpose of this chapter is to minimize the potential adverse impacts of transient occupancy uses in residential neighborhoods on traffic, noise and density, to ensure the health, safety and welfare of renters and guests patronizing vacation rentals in order to ensure the long term availability of housing stock in compliance with the Housing Element of the city of Winters General Plan.

17.54.020. Definitions.

"Advertise" means any communication that induces or encourages any person to rent for transient occupancy purposes, or provides information (to any person) that promotes the availability to rent for transient occupancy purposes, any building in the city of Winters.

"Applicant" is as defined in Section 17.04.140 of this code.

"Authorized agent" means the person specifically authorized by an owner to represent and act on behalf of the owner and to act as an operator, manager and contact person of a non-hosted accommodation, and to provide and receive any notices identified in this section on behalf of the owner, applicant, permittee, or authorized agent.

"Bedroom" means any habitable room with no less than seventy (70) square feet of floor area and no dimension less than seven (7) feet in a dwelling other than bathroom(s), kitchen, living and dining room. Unless specifically designed to exclude its use as a bedroom (e.g., no closet, enlarged entry ways without doors, no windows open to the exterior, etc.), any den, study or other room meeting the above definition of a bedroom shall be considered a bedroom for the purpose of meeting the standards of the code.

"Community development director" as defined in Section 17.04 of this code.

"Enforcement officer" means the community development director, building official, code enforcement officer, city department manager (to the extent responsible for enforcing provisions of this code), or any other city employee designated by the community development director or city manager to enforce this section.

"Guest" means an invitee of a renter or other person visiting a renter of a vacation rental unit who does not rent the unit.

"Hosted accommodation" means a vacation rental business for which the owner or sleeps on the property of the vacation rental unit while it is being rented for transient occupancy pursuant to this section.

"Non-hosted accommodation" means a vacation rental business for which the authorized agent is not required to reside at the vacation rental unit which is rented for transient occupancy pursuant to this section.

"Owner" is as defined in Section 17.04.140 of this code.

"Permittee" means the person to whom a vacation rental permit is issued pursuant to this section. To the extent this section identifies requirements of a permit, or obligations of the permittee, the owner and any identified authorized agent shall be jointly and severally liable (see Chapter 1.16.).

"Renter" means a person, not an owner, renting or occupying a vacation rental unit in accordance with the terms of this section.

"Reside," as used in this section, means the "domicile" of a person, as defined by California Elections Code Section 349, which generally means the place in which the person's habitation is fixed, wherein the person has the intention of remaining, and to which, whenever he or she is absent, the person has the intention of returning. At a given time, a person may have only one (1) domicile.

"Transient occupancy" means any person's use or possession, or right to use or possess, a building (or any portion thereof) for dwelling, lodging, or sleeping purposes, for a period of thirty (30) consecutive calendar days or less (counting portions of calendar days as full days).

"Vacation rental" means any transient occupancy use for which the city has issued a vacation rental permit pursuant to this section. The term "vacation rental" shall be used to include all vacation rental businesses, all hosted accommodation vacation rentals, and all non-hosted accommodation vacation rentals.

"Vacation rental permit" means a permit issued by the community development director or a use permit issued by the planning commission.

"Vacation rental unit" means the structure in which the vacation rental use is permitted to operate, pursuant to a permit issued in accordance with this section.

"Zoning administrator" means the office of the zoning administrator pursuant to Section 65900 of the Government Code of the state.

17.54.030 Requirements for an application

The community development director shall invite applications for vacation rental permits pursuant to this subsection

A. The community development director shall issue a written notice inviting applications for vacation rental permits in accordance with this section. Each written notice pursuant to this subsection shall be published in accordance with California Government Code Sections 6060 and 6061, and the community development director shall endeavor to use other reasonably available means of communications such as the city's Internet website.

B. Each application for a vacation rental permit shall include the following information, signed by the owner and the authorized agent for non-hosted accommodations:

1. Identify the owner of the real property on which the vacation rental is proposed (include the name, mailing address, email address, and telephone number).
2. Identify whether the application is for a hosted or a non-hosted accommodation.
 - a. If the vacation rental is proposed as a hosted accommodation, provide adequate documentation that establishes the owner will reside at the vacation rental unit.
 - b. If the vacation rental is proposed as a non-hosted accommodation, identify the owner's authorized agent (include the name, mailing address, email address, and telephone number). An authorized agent must be identified for each non-hosted accommodation; however, the authorized agent may be the owner, or a person other than the owner.
3. Identify the number of bedrooms and approximate square footage in the vacation rental unit, and the maximum number of overnight renters under the limitations imposed under subsection 17.54.040(D).

4. Insure all designated bedrooms meet current building and fire codes. An inspection by the City may be necessary to verify compliance.

5. Identify the number and location of designated on-site parking spaces, and the maximum number of vehicles allowed for overnight occupants. Each vacation rental must provide one (1) legal off-street parking space for each guest vehicle. On-street parking in front of the vacation rental may be counted towards meeting the parking requirements.

Commented [DD1]: Planning Commission recommended at their 6-25 meeting this language be added.

6. Acknowledge the owner and authorized agent for non-hosted accommodations has read all regulations pertaining to the operation of a vacation rental, including this section, the city's Transient Occupancy Tax Ordinance (Chapter 3.24) and the city's Business License Ordinance (Chapter 5.04) of this code, and any additional administrative regulations as determined by the community development director necessary to implement this section.

7. Post or provide a copy of the rental rules and regulations.

8. Provide any other information as the community development director deems reasonably necessary to administer this section.

9. Agree that any and all use of the property for vacation rental/transient occupancy purposes shall cease upon the revocation of the vacation rental permit pursuant to subsection 17.54.040(A).

10. Certify the accuracy of the information submitted and agree to comply with all conditions of the permit.

C. The community development director shall evaluate permit applications, and process the applications for review by the zoning administrator pursuant to Section 17.12.030(D.)10 or the planning commission pursuant to Chapter 17.20 of this code and subsection D. Each applicant shall provide the following supplemental submittal in a form acceptable to the community development director:

1. Payment of the application and processing fee established by city council resolution. The fee is paid when establishing the use and is non-recurring.

2. Public notice mailing labels for "non-hosted accommodation" (to notify neighboring property owners, pursuant to Section 17.16.040(C)).

3. Provide any other information as the community development director deems reasonably necessary to establish that the applicant will comply with all requirements of this section, as identified in the notice.

D. If the community development director determines an applicant has failed to satisfy the application requirements of subsection B or C of this section, the community development director shall provide written notice to the applicant of the determination.

E. If the community development director determines an applicant (hosted accommodation) has satisfied the application requirements of subsections B and C of this section, and the owner has borne the burden of proving the owner will adequately mitigate potential adverse impacts on the public health, safety, and welfare, the community development director shall schedule for a review by the zoning administrator pursuant to Section 17.12.030(D)10 of this code. The community development director, at his or her discretion, may refer an application for a hosted facility to the planning commission. The notice shall identify the date and time on which zoning administrator shall consider the permit application.

F. If the community development director determines an applicant (non-hosted accommodation) has satisfied the application requirements of subsections B and C of this

section, and the owner has borne the burden of proving the owner will adequately mitigate potential adverse impacts on the public health, safety, and welfare, the community development director shall schedule for a public hearing of the planning commission pursuant to Section 17.16.040 of this code.

17.54.040 Permit requirements

Each vacation rental permit issued pursuant to this section shall be subject to all of the following requirements:

- A. Each vacation rental permit issued under the authority of this section may be subject to an annual review by the community development department or planning commission.
- B. The owner shall comply with all requirements of the Transient Occupancy Tax Ordinance (Chapter 3.20) and the Business License Ordinance (Chapter 5.04 of this code for the vacation rental use.
- C. The owner shall comply with each of the requirements of this paragraph. The owner shall permit the enforcement officer to conduct an annual inspection of the vacation rental premises to confirm compliance with this chapter and with current building and fire codes.
- D. Each vacation rental permit will be subject to the house rules set forth in this paragraph. The permittee shall provide the community development director with a copy of the house rules prior to rental of the vacation rental unit, and shall promptly notify the community development director in writing identifying any changes to the house rules. Prior to each rental of a vacation rental unit a copy of the house rules shall be posted in a prominent location inside the vacation rental unit. Each vacation rental shall at a minimum comply with the following:

- 1. Each vacation rental must meet all current building and fire codes and shall comply with all applicable provisions and requirements of Title 17 of this code.
- 2. The permittee shall limit overnight occupancy of the vacation rental to the specific number of renters designated in the permit, with the number of renters not to exceed two (2) guests per bedroom, plus two (2) additional guests per vacation rental unit. In no case may more than ten (10) guests, not including the host family, be allowed to sleep in a vacation rental unit, this includes any property that has multiple habitable buildings.

The planning commission, as part of the use permit process, may allow more than ten (10) guests to sleep in a vacation rental unit.

- 3. The permittee shall limit the number overnight renters to the maximum number designated in the permit, and shall require overnight renters to utilize designated on-site parking spaces to the maximum extent possible.
- 4. The permittee shall provide access to the garage or carport if that area has been included in the determination of the number of available onsite spaces per this code.
- 5. The permittee shall provide appropriate refuse and recycling service for the vacation rental business. Property shall be free of debris both onsite and in the street. Trash cans shall be maintained in a clean and sanitary manner in conformance with Chapter 8.04 of this code. Trash cans shall not be placed on the street prior to twenty-four (24) hours before pick up day and shall be promptly removed from the street following service.
- 6. Guests of the vacation rental shall comply with the city's noise regulations in Chapter 8.20 and performance standards in Chapter 17.68. Quiet times shall be 9-00

Commented [DD2]: Planning Commission recommended at their 6-25 meeting adding this language to allow in rare circumstances the possibility of more than 10 guests staying in a vacation rental.

~~p.m. to 7:00 a.m. Sunday through Thursday evenings and 10:00 p.m. to 7:00 a.m. Friday and Saturday evenings.~~

Commented [DD3]: Planning Commission recommended at their 6-25 meeting revising language and combining with #9.

7. The permittee shall ensure the renters and/or guests of the vacation rental do not create unreasonable noise or disturbances, engage in disorderly conduct.

8. The permittee shall, upon notification that renters and/or guests of his or her vacation rental have violated any house rules promptly act to stop the violation and prevent a recurrence of the violation.

~~9. Pools and hot tubs shall be adequately screened from adjacent properties to minimize noise impacts and shall have the hours of operation clearly posted adjacent to the facility. Hours shall comply with paragraph (7) of this subsection.~~

Commented [DD4]: Combined with #6.

9. It is prohibited to use the vacation rental unit for any wedding, reception, auction, commercial function, or other similar event that is inconsistent with the use of the property for transient occupancy in a residential neighborhood.

10. Pets may be permitted by vacation rental business owner, however the pet must be attended to at all times.

E. No person shall advertise the use of a building in a residential or nonresidential zoning district of the city for a transient occupancy use unless: (a) the use is an approved hotel or bed and breakfast inn; or (b) the use is a vacation rental, which has been issued a vacation rental permit or a use permit pursuant to Chapter 17.20 of this code.

F. For each vacation rental use:

1. The owner or the authorized agent must be available by telephone at all times, twenty-four (24) hours per day, while the vacation rental is rented.

2. The owner or the authorized agent (non-hosted accommodation) must be on the premises of the vacation rental unit within one (1) ~~day~~ hour of being notified (by a renter, or enforcement officer) there is a need for the owner to address an issue of permit compliance or the health, safety, or welfare of the public or the renter.

Commented [DD5]: Planning Commission recommended at their 6-25 meeting changing to one day. One hour isn't reasonable. In most cases staff is available until the next day.

3. Only one (1) rental agreement per vacation rental unit shall be in effect at any one time.

4. It is a violation of this section for any accessory dwelling unit (as defined by Chapter 17.98 of this code) to be used for transient occupancy purposes.

G. Each vacation rental permit issued in accordance with this section shall be personal to the owner to whom the permit is issued (hereinafter "permitted owner"), and no person shall transfer, or attempt to transfer, the permit to any other person, unless the transfer is made in accordance with this subsection H. Any attempt to transfer a vacation rental permit, or use a transferred vacation rental permit, not transferred in accordance with this subsection shall be void, and shall constitute a violation of this code.

H. A use permit is transferrable to a purchaser of the real property on which the permitted vacation rental unit is located, subject to the conditions of approval in the use permit and set forth in this paragraph. No purchaser shall operate a vacation rental use under the permitted owner's vacation rental permit until after the community development director has approved the transfer of the permit. The permitted owner shall submit to the community development director a written notice of intent to transfer the permit to the purchaser.

I. Each vacation rental permit issued pursuant to this section ~~shall~~ ~~may~~ be subject to an annual permit review and building and fire inspection.

Commented [DD6]: Planning Commission recommended at their 6-25 meeting it be "may" because rental unit is inspected at the outset when permit is issued. Only would inspect if there is reason too.

1. If an inspection is required by the city the owner shall pay the annual inspection fee established by city council resolution. The owner shall document compliance with the requirements of subsection 17.54.040 (C) of this section.
 2. The owner shall document compliance with all requirements of the Transient Occupancy Tax Ordinance (Chapter 3.24) and Business License Ordinance (Chapter 5.04) of this code.
- J. Following an annual permit review (pursuant to subsection H of this section):
1. If the community development director determines the permittee is in compliance with all requirements of this section and the permit, the community development director shall provide written notice to the permittee.
 2. If the community development director determines the permittee has failed to comply with this section or the permit, the community development director shall notice a public hearing of the planning commission pursuant to Section 17.20.050 of this code.
 3. Upon revocation of any vacation rental permit, it shall be of no further force, validity or effect, and use of the property for transient occupancy purposes shall cease.
- K. At any time during the term of a vacation rental permit, the community development director is authorized to initiate proceedings to revoke or modify the permit (or pursue any other remedy set forth in Title 1 of this code), if the community development director determines in his or her discretion: (1) a vacation rental use is detrimental to the public health, safety, or welfare; (2) the permittee has provided materially false or misleading information in any submittal required under this section; or (3) the permittee is in violation of, or has failed to comply with, any requirements of this section or the permit.
1. Pursue any of the remedies set forth in Chapter 17.40 of this code; including, but not limited to notice a public hearing of the planning commission to consider a revocation of the use permit pursuant to Section 17.20.050 of this code.
 2. Pursue any of the remedies set forth in Chapter 1.16 of this code, including, but not limited to, issuance of an administrative citation in accordance with Chapter 1.24 of this code and subsection 17.54.050.

17.54.050 Enforcement

It is a violation of this code, subject to enforcement pursuant to Chapter 1.16 of this code, for any person to establish or operate a transient occupancy use in any residential or nonresidential zoning district unless: (1) the use is in compliance with a hotel use in a nonresidential zoning district approved by the city pursuant to Title 17; or (2) the use is in compliance with a vacation rental permit pursuant to this section; or (3) the use is in compliance with a use permit for a bed and breakfast inn pursuant to Chapter 17.20 of this code.

**MINUTES OF THE CITY OF WINTERS PLANNING COMMISSION MEETING HELD
JUNE 25, 2019**

DISCLAIMER: *These minutes represent the interpretation of statements made and questions raised by participants in the meeting. They are not presented as verbatim transcriptions of the statements and questions, but as summaries of the point of the statement or question as understood by the note taker.*

Chairman Myer called the meeting to order at 6:30 p.m.

PRESENT: Commissioners, Adams, Altamirano, Contreras, Riley, Schrupp, Vice Chair Baker, Chairman Myer

ABSENT: None.

STAFF: City Manager John Donlevy, Contract Planner Dave Dowswell, Management Analyst Dagoberto Fierros

Kate Laddish, led the pledge of allegiance.

CITIZEN INPUT: None.

CONSENT ITEM:

- A. Minutes of the April 23, 2019 regular Planning Commission meeting.
- B. Minutes of the May 28, 2019 regular Planning Commission meeting.

Commissioner Riley moved to approve minutes with minor corrections. Altamirano seconded.

STAFF/COMMISSION REPORTS:

None.

DISCUSSION ITEM:

- A. Public Hearing and Consideration of recommendation by the Planning Commission on proposed amendments to Title 17 (Zoning Ordinance) of the Municipal Code regarding regulation of vacation rentals operating within city limits.
 - 1. Find the proposed amendments to Title 17 (Categorically Exempt from CEQA, Class 1 Section 15301 (Existing Facilities) and Class 4 Section 15304 (Minor Alterations to Land); and
 - 2. Recommend the City Council adopt the proposed Ordinance 2019-02 amending Chapter 17.12, Planning Agency and adding Chapter 17.54, Vacation Rentals to Title 17 (Zoning Ordinance) of the Municipal Code.

Commissioner Adams abstained due to conflict.

Planner Dave Dowswell gave an update on the draft vacation rental ordinance. The purpose of the presentation was to simplify the previously proposed regulations.

PUBLIC COMMENTS:

Abigail Vargas, 1012 Taft Court, expressed displeasure with the proposed regulations. Vargas suggested that certain exemptions should be granted to "smaller" short term rentals. Vargas believed Accessory Dwelling Units (ADU) should be allowed to operate as a short term vacation rental.

**MINUTES OF THE CITY OF WINTERS PLANNING COMMISSION MEETING HELD
JUNE 25, 2019**

Benny Dippel, owner of 726 Lupine Way, shared his personal experience with short term vacation rentals. Dippel stated that the biggest issues brought up by the City were parking, noise, and revenue but believed the City should figure out what exactly it is trying to solve with the proposed regulations.

Sandy Vickrey, 305 Main Street, stated she had productive meetings with City staff to discuss the proposed regulations.

COMMISSIONER/STAFF COMMENTS:

Dave Adams recused himself due to a possible conflict of interest.

Vice Chair Baker stated that Accessory Dwelling Units (ADU) should not be utilized as a short term vacation rental because the purpose of ADU's are meant to create long term affordable housing. Therefore she would not support an ordinance that permits ADU's to be utilized as short term vacation rentals. Baker also believed that the fees and proposed regulations are reasonable.

Commissioner Contreras believed the cost of operating a short term vacation rental should not be considerably "high" in comparison to other communities. Contreras also stated that ADU's should not be restricted from being utilized as a short term vacation rental.

Planner Dowswell stated that permitting ADU's to operate as a short term vacation rental is up to each individual jurisdiction. There are some cities that do not prohibit ADU's from operating as short term vacation rentals and some that do.

Commissioner Riley stated that as a business owner you have to make tough business decision as to whether the cost to run a short term vacation rental is cost prohibitive to the business or not.

Commissioner Contreras moved to adopt the proposed regulations with the following updates/changes:

1. Removal of redundancies
2. Correction to the timing of the "quiet hours"
3. Removal of pool requirements
4. Removal of language that would prohibit ADU's to be used as short term vacation rental
5. Removal of required posting of rental agreement
6. Allowing on-street parking to be counted towards meeting the property's parking needs
7. Allowing the commission to vote on rentals that plan to have more than ten guests at any given time

The motion died due to lack of a second.

Vice Chair Baker moved to adopt the proposed regulations with updates mentioned by Commissioner Contreras with one change that would prohibit ADU's to operate as short term vacation rentals. Commissioner Riley seconded.

AYES: Commissioners Altamirano, Riley, Schrupp, Vice Chair Baker, Chairman Myer

NOES: Contreras

ABSTAIN: Adams

ABSENT: None.



**CITY COUNCIL
STAFF REPORT**

TO: Mayor and Councilmembers
DATE: August 20, 2019
FROM: Ethan Walsh, City Attorney
Heidi Tschudin, Contract City Planner
THROUGH: John Donlevy, Jr., City Manager
SUBJECT: Consideration of Resolution Replacing Council Resolution No. 2001-05, and Clarifying that the City Council Shall Consider Whether to Initiate Processing of any Development Entitlements for Projects Outside of the Urban Limit Line Set Forth in the City's General Plan

RECOMMENDATION: Staff recommends the City Council adopt Resolution No. 2019-35.

BACKGROUND: The City of Winters General Plan was adopted in 1992, and serves as the "constitution" for development in the City. The General Plan includes a planning area, and describes the contemplated land uses within that planning area as part of the General Plan. These areas include not only the properties anticipated for physical development, such as residential, commercial or industrial development, but also open space, parks, and recreational areas. The General Plan Land Use Map, which shows the land uses within the planning area is included at the end of this staff report. The General Plan includes an "Urban Limit Line," which encompasses all the property depicted on the Land Use Map. The General Plan declares that the Urban Limit Line delineates the area expected to be urbanized within the time frame of the General Plan.

In 2001, the City Council passed Resolution No. 2001-05, which directs that all applications for development projects which are located outside of the City's general plan area shall be brought before the Council for consideration prior to filing. After such consideration, the Council shall be asked whether (a) the application shall be processed or (b) the application shall be scheduled for denial. Any project located outside the

planning area would necessarily require an amendment to the City's General Plan, such a project would require a general plan amendment, along with other entitlements. A general plan amendment is a legislative decision of the Council, and the Council can decide at the outset of the project whether or not it is willing to undertake the process necessary to make such a change to the General Plan. This is an appropriate use of the City's police power.

In recent months, there has been a great deal of community discussion regarding a contemplated development on the northern boundary of the City. While an application has not yet been received for this property, Jeff Roberts, a representative of the property owners did send draft materials to the City that include a proposal for land use entitlements for 793 acres on the northern boundary of the City. The draft proposal included (1) land that is in the City limits and the General Plan planning area, (2) land that is outside the City limits but in the General Plan planning area, and (3) land that is outside both the City limits and the General Plan planning area. The draft proposal contemplated that a Specific Plan would be prepared for the entire 793-acre area.

In March 2019, the City informed Mr. Roberts that the contemplated development would not be subject to an initial review by the City Council under Resolution No. 2001-05 prior to processing of the application. This communication was based primarily on our misunderstanding of what Mr. Roberts was proposing. We understood that he was proposing to develop property that was entirely within the City's planning area, and that he was additionally proposing an amendment to the City's sphere of influence, but that property to be added to the City's sphere of influence would not be developed at this time. However, the draft proposal states that the entire 793-acre area would be included the proposed specific plan. Since part of the development would be located outside the City's planning area, it is our opinion that if the project described in Mr. Roberts' draft proposal were submitted to the City, it would be subject to review under Resolution No. 2001-05.

Nevertheless, the language of Resolution No. 2001-05 is not as clear as it could be, and at the last Council meeting, Mayor Biasi requested that the City Attorney provide a resolution that clarifies Resolution No. 2001-05 and the projects that would be subject to review by the Council prior to processing.

ANALYSIS: The proposed resolution clarifies Resolution No. 2001-05 in the following respects:

1. Resolution No. 2001-05 declares that it applies to any development projects located outside of the City's general plan area. The General Plan does not specifically define the "general plan area." The proposed resolution instead refers to the Urban Limit Line, since that is specifically defined within the General Plan. The proposed resolution also includes the General Plan Land Use Map as an attachment, to further clarify that any development proposals outside of that area will be subject to initial Council review.

2. The proposed resolution clarifies that any development or planning proposals that are located in whole or in part outside of the Urban Limit Line will be subject to initial review in accordance with the resolution. This clarifies that the initial review requirement will be required for proposals that include any property located outside of the Urban Limit line, and that it applies to requests for any planning entitlements outside the area, even if the proposal will not specifically develop property located outside of the Urban Limit Line (e.g., annexation without specific development plans, sphere of influence expansion, urban limit line expansion, etc.).

3. The proposed resolution adds clarifying language to make clear that the only decision to be considered by Council under this resolution is whether or not the City will process the application for the requested entitlements.

The proposed resolution is not intended to constitute a change to the City's approach with these projects. It is intended to reaffirm the City's intent to have the City Council undertake an initial consideration of any proposal for development outside of the area currently contemplated for development in the General Plan, and to clarify the scope of proposals that are subject to that review.

FISCAL IMPACT: There is no fiscal impact from the adoption of this resolution

ATTACHMENTS:

- A. Resolution No. 2019-35_
- B. General Plan Land Use Map

RESOLUTION NO. 2019-35

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS
REQUIRING CITY COUNCIL TO DETERMINE WHETHER TO
INITIATE PROCESSING OF DEVELOPMENT APPLICATIONS FOR
PROJECTS OUTSIDE OF THE URBAN LIMIT LINE SET FORTH IN
THE CITY'S GENERAL PLAN**

WHEREAS, the City of Winters' General Plan is a legal document, required by state law, which serves as the community's "constitution" for development and use of land within the City's planning area; and

WHEREAS, the General Plan includes an "Urban Limit Line," as depicted in Figure 1-2 of the General Plan, and in the Land Use Map prepared for the General Plan, which Land Use Map is attached hereto as Exhibit "A"; and

WHEREAS, the Urban Limit Line delineates the area expected to be urbanized within the time frame of the General Plan and is designed to accommodate a population of 12,500 by the year 2010; and

WHEREAS, the City may have occasion to receive planning applications for development projects that are located wholly or partially outside of the Urban Limit Line as established by the General Plan; and

WHEREAS, any application for development outside of the Urban Limit Line would necessarily require a General Plan amendment, as such development would be outside the area contemplated for development in the City's General Plan; and

WHEREAS, on March 6, 2001, the City Council of the City of Winters adopted Resolution No. 2001-05, which declared that all applications for development projects which are located outside of the City's general plan area shall be brought before the City Council for consideration prior to acceptance for filing, and that the City Council shall be asked to determine whether (a) the application shall be processed or (b) the application shall be scheduled for denial; and

WHEREAS, the City Council desires to reaffirm the intent of Resolution No. 2001-05 and clarify the scope of the Resolution to make clear that the City Council will consider whether to direct staff to process any application for planning or development entitlements for a project located in whole or in part outside of the Urban Limit Line prior to acceptance of the application for processing.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WINTERS
DOES HEREBY RESOLVE AND FIND AS FOLLOWS:**

Section 1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. The City Council hereby directs that all applications for development or planning entitlements for any project located in whole or in part outside of the Urban Limit Line, as depicted in Figure 1-2 in the General Plan, shall be brought before the City Council to consider whether the City should process the application for the requested entitlements. The applicant shall be required to submit a letter of intent to submit an application for the desired entitlements and a fee to be determined to cover the cost of the process set forth in this resolution. The City Council shall determine whether to (a) direct City staff to process an application in accordance with all applicable State law and City requirements and procedures; or (b) if the City Council does not direct staff to process the anticipated application as set forth in (a), should an application still be submitted, City staff would be directed to schedule the application for consideration of denial.

Section 3. The Urban Limit Line is coterminous with the boundaries of the City's General Plan Land Use Map, attached hereto and incorporated herein as Exhibit "A."

Section 4. This resolution shall supersede and replace City Council Resolution No. 2001-05 in its entirety.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the City Council of the City of Winters at a regular meeting held on the 20th day of August, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Bill Biasi, Mayor
City of Winters

ATTEST:

Tracy S. Jensen, City Clerk
City of Winters

EXHIBIT "A"

GENERAL PLAN LAND USE MAP

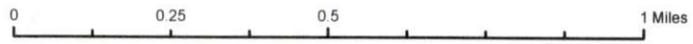
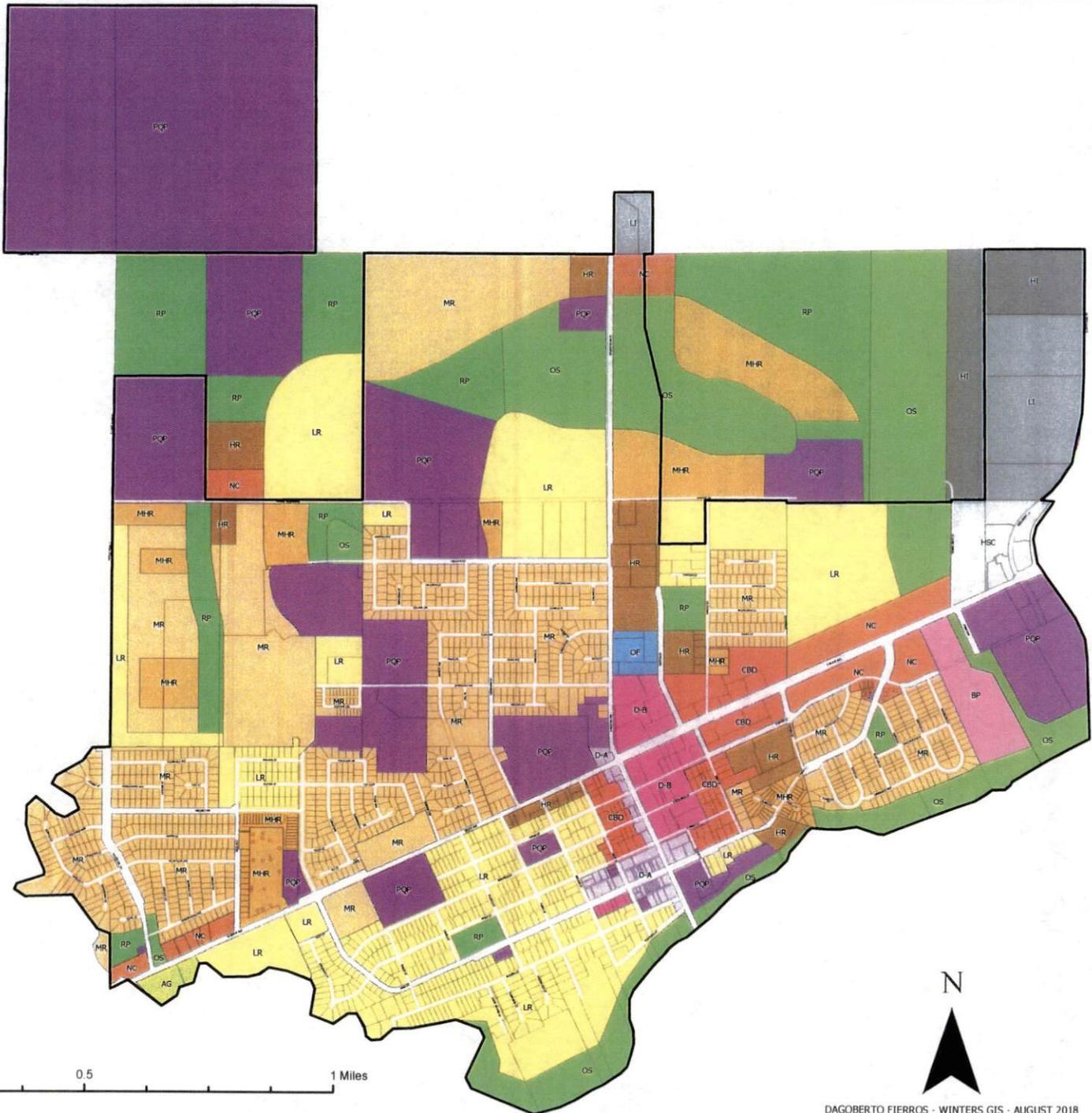
[Attached behind this cover page]

CITY OF WINTERS LAND USE MAP

General Plan Land Use Designations

- AG Agriculture
- BP Business/Industrial Park
- NC Neighborhood Commercial
- CBD Central Business District
- HSC Highway Service Commercial
- LI Light Industrial
- HI Heavy Industrial
- D-A Downtown A
- D-B Downtown B
- LR Low Density Residential
- MR Medium Density Residential
- MHR Medium/High Density Residential
- HR High Density Residential
- OF Office
- Public/Quasi-Public
- OS Open Space
- PR Parks and Recreation

CITY LIMITS





**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Councilmembers
DATE: August 20, 2019
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Dan Maguire, Economic Development and Housing Manager *DM*
SUBJECT: Authorize Sharing Agreement with Hotel Winters for use of City-Owned Buses

RECOMMENDATION:

Council approval of sharing agreement with Hotel Winters for City-owned buses for shuttle service for hotel guests to and from the PG&E Training Academy.

BACKGROUND:

In 2016, Yolo Bus donated two 16 passenger buses that were scheduled to be "retired" to the City of Winters. The busses were subsequently rebranded, with Discover Winters imagery replacing the standard Yolo Bus graphics. In the time since the busses were put into service, they have been utilized for transportation to a limited number of senior citizen events and for shuttle service to remote parking at various Winters' events. In spite of these utilizations, the busses are very much underutilized.

A contributing factor to this underutilization is access to qualified drivers, as operation of the busses requires at least a Class B license with a passenger endorsement.

DISCUSSION:

Under the terms of the proposed sharing agreement, the Hotel would be responsible for upgrading and maintaining the busses, provide documentation to the City that their drivers are properly licensed with proof of workers compensation insurance for the drivers, and sufficient liability insurance to satisfy the City's insurance requirements.

This sharing agreement would allow the hotel to provide shuttle service to and from the PG&E training academy, with Academy trainees encouraged to leave their vehicles at the training academy. The agreement would thus reduce the weekday downtown parking demand from those PG&E hotel guests. The sharing agreement would also reduce

greenhouse gas emissions.

The proposed agreement is for a twelve-month period beginning in September of 2019, with automatic 2 month renewals available. It can be cancelled by either party after the initial 12-month period, with a 60 day notice required for either side to cancel the agreement.

The City would still be able to utilize the busses for other community needs; but would need to coordinate those uses with the hotel.

FISCAL IMPACT:

To Be Determined; however, there are potential savings on maintenance costs that could be realized by the City. It is expected the City's costs would be limited to a small amount of staff time to oversee implementation of the agreement.

ATTACHMENT(S):

Bus Sharing Agreement between the City of Winters and Hotel Winters

**VEHICLE USE AGREEMENT
BETWEEN CITY OF WINTERS AND
HOTEL WINTERS, LLC**

This Vehicle Use Agreement (“Agreement”) is made and entered into this 1st day of September, 2019 (“Effective Date”) by and between the City of Winters (“City”) and Hotel Winters, LLC, a California limited liability company (“Hotel”). City and the Hotel are sometimes referred to herein individually as a “Party” and collectively as the “Parties.”

RECITALS

A. The City owns two buses: a 2007 Ford F-450 (License #1253491) and a Ford 240 Aerotech 2000 (License #1355014) (the “Vehicles”) that City uses on an occasional, as needed basis for City sponsored events, but does not use on a regular basis.

B. Hotel owns and operates a 73-room hotel located at 12 Abbey Street, Winters, CA (the “Hotel Site”) in downtown Winters, which is anticipated to open to the public for business on or around September, 2019.

C. At present, the Hotel has entered into a private agreement with Pacific Gas & Electric (“PG&E”) pursuant to which certain PG&E employees who are engaged in multi-day training at the PG&E Gas Operations Technical Training Facility (“Training Facility”) which is located at 1 PG&E Way, Winters, CA 95694, will stay at the Hotel.

D. The Hotel desires to use the Vehicles to shuttle PG&E trainees to and from the Training Facility and the Hotel Site Monday through Friday, 6 a.m. to 6 p.m. This shuttle service will allow trainees to leave their personal vehicles at the Training Facility, reducing vehicle miles traveled, traffic congestion on Highway 128 and in downtown Winters, and reduce parking impacts in downtown Winters.

E. The Hotel further desires to use the Vehicles on an ongoing basis to shuttle Hotel guests between other venues, including wedding and event venues located inside, around, and outside the City of Winters and the Hotel Site, reducing vehicle miles traveled, traffic congestion on Highway 128 and in downtown Winters, and parking impacts in downtown Winters.

F. The City finds and declares that allowing the Hotel to use the Vehicles will provide important health and safety benefits to the City, in that shuttling PG&E employees to and from the Training Facility, and allowing for the shuttling of Hotel patrons to and from other venues will reduce traffic impacts, parking impacts and congestion in downtown Winters, improving the quality of downtown experience for visitors and community members, and under the terms of this Agreement the City will have access to the Vehicles for its own events as needed at the City’s sole discretion, subject to the advance notice provisions of paragraph 4, below.

NOW, THEREFORE, in consideration of the mutually agreed upon terms and conditions contained in this Agreement, the Parties agree as follows

AGREEMENT

1. **Term.** The term of this Agreement shall commence on the Effective Date of this Agreement and shall continue for a period of one (1) year, unless earlier terminated as set forth herein or extended by mutual agreement of the Parties in writing.

2. **Delivery and Acceptance.** Upon the Effective Date of this Agreement, and after the Hotel has provided the City with evidence of insurance in accordance with Section 13 of this Agreement, the City shall cause the Vehicles to be available for receipt by the Hotel at a location that the Hotel may access, as needed to be agreed upon by the City and the Hotel.. Thereafter, the Vehicles shall be maintained, stored and used by the Hotel in accordance with this Agreement, except for such times that the Vehicles shall be available for City use as set forth in Section 4 of this Agreement. The Hotel shall accept the Vehicles by executing and delivering to the City a Certificate of Delivery, in the form provided in **Exhibit A**, attached hereto and incorporated by this reference. Each Vehicle's then existing mileage shall be recorded on the Certificate of Delivery.

3. **Hotel Use of Vehicles.** The Hotel hereby agrees and covenants that it shall use the Vehicles to shuttle PG&E trainees between the Training Facility and the Hotel Site, and to shuttle Hotel guests, employees, and licensees to and from other venues in and around the City and the Hotel Site, and for no other purpose. The Hotel further agrees and covenants that it shall not charge Hotel guests or any other users for such trips to or from the Hotel Site.

4. **City Use of Vehicles.** The City shall have the continuing right to use the Vehicles as needed or desired for City events during the full term of this Agreement, with notice to the Hotel as set forth herein. A schedule of events for which the City shall use the Vehicles, including whether the City will be using one or both Vehicles, is attached hereto and incorporated herein as **Exhibit B** (the "City Use Schedule"). The Hotel shall ensure that the Vehicles are available for receipt by the City at the Hotel Site at the dates and times as specified on the City Use Schedule, and the City shall return the Vehicles to the Hotel Site on the completion of each City event, at the dates and times as specified on the City Use Schedule. The City may, at its sole and absolute discretion, amend the City Use Schedule to add or remove events, provided that City shall provide not less than 20 days written notice prior to adding any event to the City Use Schedule. In the event the City adds an event to the City Use Schedule pursuant to the terms of this paragraph, and the Hotel has committed to providing shuttle services, the parties shall meet and confer to provide necessary alternative shuttle arrangements. City and Hotel shall record the mileage for each Vehicle at the time that the City receives the Vehicles for use at a City event, and the mileage at the time that the Vehicles are returned to the Hotel Site.

5. **Disclaimer and Warranties.** The Hotel acknowledges and agrees that the Vehicles are of a size, design and capacity approved by the Hotel and that the City is neither a manufacturer nor a vendor of such Vehicles. The Hotel expressly acknowledges and agrees that

the City has not made, and does not hereby make, any representation, warranty, or covenant, express or implied, with respect to the design, operation, fitness for use, or suitability of the Vehicles in any respect whatsoever or in connection with or for the purposes and uses of the Hotel. In no event shall the City be liable to the Hotel for any failure or defect of a Vehicle in connection with the Hotel's use and possession of said Vehicle, except for any failure or defect of a Vehicle caused by the City's negligence, or willful misconduct or failure by the City to disclose any known or reasonably ascertainable failure, defect, accident, incident, or damage to the Vehicle that occurs during the City's use of the Vehicles.

6. Assumption of Risk and Release of City. To the maximum extent permitted by law, the Hotel assumes any and all risk of loss, damage or injury of any kind to any person or property caused by the Vehicles or the Hotel's use of the Vehicles. The Hotel's assumption of risk shall include, without limitation, loss, casualty or damage caused by or arising out of the Vehicles or use of the Vehicle(s). To the maximum extent permitted by law, the Hotel hereby waives all claims and demands against the City and its respective officials, officers, employees, volunteers and agents for injury to persons, damage to property or any other interest of the Hotel sustained by the Hotel.

The Hotel has been advised by its legal counsel concerning the content and effect of California Civil Code Section 1542, which provides:

"A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor."

The Hotel hereby waives the benefits of Civil Code Section 1542 and all other state or federal statutes or judicial decisions of similar effect. The provisions of this Section shall survive the expiration or termination of this Agreement.

7. Vehicle Condition. The Hotel has had the opportunity to inspect the Vehicles and any maintenance records associated with such Vehicles, and by execution of this Agreement the Vehicles, in as-is condition, are deemed certified by the City as suitable for the uses set forth in this Agreement. The Parties therefore agree that the vehicles are in serviceable condition as of Delivery and Acceptance.

8. Use, Maintenance and Repairs. The Hotel shall use and store the Vehicles in a manner generally consistent with such activities, and shall comply with all laws, insurance policies and regulations relating to the possession, use, operation and maintenance of the Vehicles. The Hotel shall obtain, at its sole cost and expense, all licenses, permits, insurance and approvals required for the use or operation of the Vehicles by the Hotel. All Hotel employees that drive the Vehicles shall have valid California Class B drivers licenses. In the event of needed or required maintenance or repair to a Vehicle while in the Hotel's possession, the Hotel shall be responsible and liable for the full cost of any maintenance or repair performed on the Vehicles while in the Hotel's possession. The Hotel shall arrange for all necessary maintenance with the service provider used by the City, unless such maintenance is an emergency. The City shall be responsible and liable for the full cost of any maintenance or repair performed on the Vehicles as a result of City use, regardless of when such use occurred.

9. **Alterations.** The Hotel shall not make any aesthetic alterations, additions or improvements to the Vehicles without the City's prior written consent, which may be granted or withheld in the City's sole and absolute discretion. Mechanical alterations, additions or improvements performed by the designated service provider made by the Hotel in the course of maintaining the vehicles shall not constitute an alteration, addition or improvement under this section.

10. **Liens and Taxes.** The Hotel shall keep the Vehicles free and clear of all levies, liens and encumbrances except those created under this Agreement. During the term of this Agreement, the Hotel shall pay, when due, all charges and taxes (local, state and federal) which may now or hereafter be imposed upon the ownership, leasing, rental, sale, purchase, possession or use of the Vehicles, unless such charges or taxes come due within six (6) months following the Effective Date. If the Hotel fails to pay said charges or taxes when due, the City may, but need not, pay said charges or taxes and, in such event, the Hotel shall reimburse the City on demand, with interest at the maximum rate permitted by law from the date of such payment by the City to the date of reimbursement.

11. **Risk of Loss, Damage, Destruction.** The Hotel assumes all risk of loss of, damage to, or destruction of the Vehicles during the Hotel's possession of the same. The value of the Vehicles for purposes of this section shall be based on the highest and best fair market value of the Vehicles at the time of the loss, damage, or destruction. In the event of loss of, damage to, or destruction of the Vehicles, the Hotel shall immediately replace or place the same in good repair with the proceeds of any insurance recovery applied to the cost of such replacement or repair, when such replacement or repair is required by the City. In the event a Vehicle is damaged to the extent that repair is not feasible, as determined by the City in the City's reasonable discretion, Hotel shall immediately pay to City the value of the Vehicle, as provided in this Section. Any loss, damage or destruction caused by the City shall be excepted from this provision.

12. **Personal Property; No Transfer of Real Property.** The Vehicles are and shall remain personal property of the City and shall not be deemed to be affixed or attached to real estate or any building thereon. Nothing in this Agreement shall constitute the lease or conveyance of real property.

13. **Insurance.**

- a. Time for Compliance. The Hotel shall not use, operate or transport the Vehicles under this Agreement unless and until it has provided evidence satisfactory to the City that it has secured all insurance required under this section, or that it is self-insured for the same limits. In addition, the Hotel shall not allow any employee, agent or contractor to use, operate or transport any Vehicles unless and until it has provided evidence satisfactory to City that it has secured all insurance required under this section, or that it is self-insured for the same limits.
- b. Insurance Requirements. The Hotel shall, at its expense, procure and maintain for the duration of this Agreement insurance against claims for

injuries to persons or damages to property which may arise from or in connection with the possession, use, management, operation, repair, maintenance or control of the Vehicles by the Hotel and/or its officials, officers, employees, agents, or volunteers. The Hotel's insurance shall not be deemed to apply to City use of the Vehicles, as set forth in section 4, above.

- c. Minimum Scope of and Limits of Coverage. Coverage shall be at least as broad as the latest version of the following: General Liability - Insurance Services Office Commercial General Liability coverage (occurrence form CG 0001). The Hotel shall maintain Commercial General Liability Insurance with limits of no less than \$5,000,000 limit for each occurrence, medical expenses (any one person) \$10,000, Personal & Advertising Injury \$1,000,000, General Aggregate \$5,000,000; Business Auto Liability with limits of not less than \$5,000,000 single limit any one accident, covering all owned, non-owned or hired vehicles per the Code of Federal Regulations (CFR) 49, Subtitle B, Section 387.33, Financial responsibility, minimum levels. Business auto liability coverage shall not exclude passengers.; Workers' Compensation and Employer's Liability - Workers' Compensation limits as required by the California Labor Code and Employer Liability limits of \$1,000,000 per accident for bodily injury or disease. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this Agreement or the general aggregate limit shall be twice the required occurrence limit. A combination of primary and excess insurance policies can be used to satisfy insurance requirements.
- d. Additional Insured. Hotel's general liability insurance policy and automobile insurance policy shall name City, its officials, officers, employees, volunteers and agents as additional insureds during all periods covered by section 3, above. Additional Insured Endorsements shall be attached to the Certificates of Insurance.

14. Indemnification. The Hotel shall defend, indemnify and hold harmless the City, its officials, officers, employees, agents and volunteers, from any and all actual or alleged claims, demands, causes of action, liability, loss, damage, or injury, to property or persons, including wrongful death, whether imposed by a court of law or by administrative action of any federal, state, or local governmental body or agency, arising out of or incident to any acts, omissions, negligence, or willful misconduct of the Hotel, its personnel, employees, agents, contractors, or volunteers, in connection with or arising out of the Hotel's use of the Vehicles, except to the extent that any such actual or alleged claims, demands, causes of action, liability, loss, damage, or injury result from the gross negligence or willful misconduct of the City, its officials, officers, employees, agents and volunteers, or arising from the City's use of the Vehicles in accordance with section 4, above. This indemnification includes, without limitation, the payment of all penalties, fines, judgments, awards, decrees, attorney's fees, and related costs or expenses, and the reimbursement of the City, its officials, officers, employees, agents, or volunteers for all legal expenses and costs incurred by each of them. The Hotel's obligation

shall not be restricted to insurance or self-insurance proceeds, if any, received by the City, its elected officials, officers, employees, agents, or volunteers.

15. Non-Assignment or Sublease. Neither Party shall assign or transfer any rights or obligations under this Agreement without the consent of the other Party in writing. The Hotel shall not assign or sublease the Vehicles to another person or entity without the written consent of the City in writing, which may be granted or withheld in the City's sole and absolute discretion.

16. Termination of Agreement. Either Party may terminate this Agreement upon ninety (90) days' prior written notice to the other Party. Upon termination, all Vehicles shall be promptly returned to the City and any outstanding payment due the City shall be paid by the Hotel within twenty (20) business days of termination.

17. Notices. All notices to be given under this Agreement shall be made in writing to the other Party at its address or email address set forth below or at such address as the Party may provide in writing from time to time.

City: City of Winters
318 First Street
Winters, CA 95814
Attn: City Manager
jdonlevy@cityofwinters.org

Hotel: Guysell Geter
General Manager
12 Abbey Street
Winters, CA 95814

18. Relationship of the Parties. Nothing contained in this Agreement shall be construed as creating a joint venture, partnership, employment relationship, or any other similar arrangement between the Parties. Neither Party shall be deemed to be a representative, an agent or an employee of the other Party. Unless otherwise expressly specified in this Agreement, neither Party shall have any authority or right to assume or create any obligation of any kind or nature, express or implied, on behalf of, or in the name of any other Party, nor bind any other Party in any respect, without the specific prior written authorization of the other Party. The obligations of the Parties shall be several and not joint.

19. Section Headings. All section headings contained herein are for the convenience of reference only and are not intended to define or limit the scope of this Agreement.

20. Governing Law. This Agreement shall be construed in accordance with and governed by the laws of the State of the California. Venue shall be in Yolo County.

21. Related Documents. The Hotel shall execute or provide, as requested by the City, such other documents and information as may be reasonably necessary to carry out the purpose of this Agreement.

22. Entire Agreement; Amendment; Waiver. This Agreement constitutes the entire agreement between the Parties with respect to the lease of Vehicles, and this Agreement shall not be modified, amended, altered, or changed except with the written consent of both Parties. Any provision of this Agreement found to be prohibited by law shall be ineffective to the extent of such prohibition without invalidating the remainder of this Agreement. The waiver by either Party of any breach by the Authority of any term, covenant or condition hereof shall not operate as a waiver of any subsequent breach thereof.

23. Not a Project. This Agreement shall not constitute a project as defined in Public Resources Code section 21065.

24. Attorney Fees and Costs. If either Party commences an action against the other Party arising out of or in connection with this Agreement, the prevailing Party in such litigation or arbitration shall be entitled to recover from the losing Party reasonable attorneys' fees, court costs and related costs.

25. Authority. Each Party warrants that the individuals who have signed this Agreement have the legal power, right, and authority make this Agreement and bind each respective Party.

26. Incorporation of Recitals. The Recitals set forth above are incorporated herein and made an operative part of this Agreement.

[SIGNATURES ON FOLLOWING PAGE]

**SIGNATURE PAGE TO
VEHICLE USE AGREEMENT
BETWEEN CITY OF WINTERS AND
HOTEL WINTERS, LLC**

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date and year first-above written.

CITY OF WINTERS:

HOTEL WINTERS, LLC

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

By: _____
Michael Olivas
Hotel Winters LLC

Approved as to form:

By: _____
Ethan Walsh
City Attorney

By: _____
Stoel Rives LLP
Tim Taylor

Attest:

By: _____
Tracy Jensen
City Clerk

EXHIBIT A.1

CERTIFICATE OF DELIVERY (Vehicle 1)

Hotel Winters, LLC certifies that on this date of _____, it has inspected and accepted the following vehicle(s):

VEHICLE ACCEPTED:

[Description (model; make)/Vehicle ID #]

[Mileage]

_____	_____
_____	_____
_____	_____

NOTES:

HOTEL WINTERS, LLC:

By: _____

Its: _____

Date: _____

Upon Return of the Vehicle:

Vehicle/Mileage: _____

Date of Receipt: _____

Accepted By: _____

EXHIBIT A.2

CERTIFICATE OF DELIVERY (Vehicle 2)

Hotel Winters, LLC certifies that on this date of _____, it has inspected and accepted the following vehicle:

VEHICLE(S) ACCEPTED:

[Description (model; make)/Vehicle ID #]

[Mileage]

_____	_____
_____	_____
_____	_____

NOTES:

HOTEL WINTERS, LLC:

By: _____

Its: _____

Date: _____

Upon Return of the Vehicle:

Vehicle/Mileage: _____

Date of Receipt: _____

Accepted By: _____

EXHIBIT B
CITY USE SCHEDULE

[to be inserted]



**CITY COUNCIL
STAFF REPORT**

DATE: August 20, 2019
TO: Mayor and City Council
FROM: John W. Donlevy, Jr., City Manager
SUBJECT: Parking Master Plan Implementation Update

RECOMMENDATION:

That the City Council receive the updated Parking Master Plan Status Report and a Staff presentation on the implementation of the Plan.

BACKGROUND:

In September 2018, the City Council received and adopted the Winters Parking Master Plan. In July, the City Council requested an update on the Plan which is presented.

Staff will also provide a short verbal and visual presentation at the meeting.

FISCAL IMPACT: None by this action.

City of Winters

Parking Master Plan- Status Report

Topic	Lead Entity	Recommendations	Implementation Program/Status
Goal: Establish a management body to plan and manage parking in collaboration with the City. Management body will be to obtain funding from developers and map parking.			
Management Body	Downtown Property Owners and Businesses	Establish a management body (i.e. BID) to serve as a "Winters Business Association" to plan and manage parking in collaboration with the City. Management body will be to coordinate funding from businesses, property owners, developers and to map and manage parking. The Association will coordinate the formation of a Downtown Assessment/Parking District to finance improvements.	<ol style="list-style-type: none"> Solicitation from the business community for the formation of the Winters Business Association. Provision of legal guidance through researched examples of similar organizations. <p>Due Date: Fall, 2019</p>
Status: Preliminary formation discussions under way.			
Parking Benefit District	Downtown Property Owners and Businesses	Established through the Winters Business Association.	
Status: In preliminary formation discussions			
Goal II: Address employee parking within the Downtown core.			
Employee Parking	Winters Business Association	<ol style="list-style-type: none"> Establish employee parking locations and protocols. Develop enforcement policies to impose graduated violation fees, which increase with the number of offences. 	<ol style="list-style-type: none"> Implementation of Recommendations 1 and 2. <p>Due Date: Fall, 2019</p>
Status: Not completed.			

Topic	Lead Entity	Recommendations	Implementation Program/Status
Goal III: Create additional parking for major events and activity periods.			
Event, Overflow and Weekend Parking	Winters Business Association	<ol style="list-style-type: none"> 1. Establish remote parking locations at Winters High School (WHS and at suitable locations on other public and private parcels. 2. Provide shuttle service connecting them to downtown venues. Formal agreements with WJUSD and other private parties should be established. 3. Facilitate valet service and determine a designated valet lot. 4. Facilitate shuttle services for peak season and event parking. 	<ol style="list-style-type: none"> 1. Implementation of Recommendations 1-4 <p>Due Date: Fall, 2019</p>
Status: Not completed.			
Goal IV: Maximize on street parking			
On-Street Striping	City of Winters	<ol style="list-style-type: none"> 1. Establish a striping plan and annual budget to improve striping throughout the Winters Parking District within ¼ mile of Downtown. 2. As the Downtown Master Plan develops, consideration should be given to diagonal on-street parking which will provide more parking spaces closer to destinations (when compared to parallel parking). 	<ol style="list-style-type: none"> 1. Implementation of Recommendations 1 and 2. <p>Due Date:</p> <p>Recommendation 1- Summer, 2018 Recommendation 2- Fall, 2018</p>
Status: Comprehensive re-striping of the Downtown occurred in Fall, 2018. Following, 54 "new spaces" have been created on East Abbey, East Main and on Railroad Ave.			

Topic	Lead Entity	Recommendations	Implementation Program/Status
Goal V: Establish parking policies and standards within the Downtown core.			
Zoning and Development Standards	City of Winters	<p>Adopt clear and strategic guiding principles as formal policies for the operation and management of public parking.</p> <p>Define minimum parking requirements for the Downtown.</p>	<p>1. Evaluation of "shared" parking policy and establishment of parking standards for new construction and occupancies.</p> <p>Due date: Fall, 2019</p>
	City of Winters	<p>Require that all approved parking be made available to the public. This will encourage the sharing of the private parking supply. Private parking should still pay for public spaces through an in-lieu fee.</p>	<p>1. Evaluation of public parking policy and establishment of shared parking standards for new construction and occupancies.</p> <p>Due date: Fall, 2019</p>
	City of Winters	<p>Clarify parking requirements for reciprocal uses with shared parking facilities. Clarifying this code section will make it easier for reciprocal uses to apply for a shared parking permit.</p>	<p>1. Evaluation of public parking policy and establishment of shared parking standards for new construction and occupancies.</p> <p>Due date: Fall, 2019</p>
	City of Winters	<p>On-site and remote parking: Make it easier to provide remote parking which will enable multiple uses to share parking facilities and reduce the total demand for parking spaces.</p>	<p>1. City and WBA work to establish strategy on remote parking in Downtown.</p> <p>Due Date: Fall, 2019</p>
Status: Project to move forward in Fall, 2019.			
Shared Parking	City of Winters	<p>Establish policies and requirements for new and existing developments to share parking lots.</p>	

Topic	Lead Entity	Recommendations	Implementation Program/Status
Goal VI: Parking Enforcement			
Main Street	Winters Police Dept	Enforce time limits.	<ol style="list-style-type: none"> 1. Re-signage of Downtown time limits. 2. Begin Parking Enforcement. <p>Due Date: January, 2020</p>
Status: Signage completed in 2019 and Parking Enforcement in progress			
Goal VII: Improved lighting			
Urban Design	City of Winters/Winters Business Association	Improve lighting through implementation of a lighting plan in remote parking lots (Rotary Park, Railroad, Elliot/Abbey, etc.) and trim trees/hedges. Use City standards and consider LED lighting as well as decorative designs.	<ol style="list-style-type: none"> 1. Photometric survey of parking areas. 2. Establish lighting standards. 3. Map and grade parking lighting areas. 4. Establish capital program for the enhancement of Downtown lighting. 5. Purchase and installation as per capital program. <p>Due date: Summer, 2020</p>
	City of Winters	Implement art and landscape where pedestrians will walk or gather.	<ol style="list-style-type: none"> 1. City and WBA to establish Downtown Capital Improvement Program and financing plan for enhanced pedestrian and parking amenities. <p>Due Date: January, 2020</p>
Status: Not initiated.			
Goal VII: Improve access to parking areas and way finding.			
Signage and Wayfinding	Winters Business Association	Review existing signage and wayfinding to parking and businesses to determine effectiveness, ease of reading/understanding,	

Topic	Lead Entity	Recommendations	Implementation Program/Status
		consistency, etc. Signs should be easily read by motorists, pedestrians, and bicyclists.	
	Winters Business Association	Implement end-user technologies, such as a mobile-responsive website or text-message maps, to enhance wayfinding in the Downtown,	
Status: Not initiated			
Goal IX: Improve bike and pedestrian access and facilities within the Downtown core.			
Bike Facilities	City/Winters Business Association	Install and maintain bike parking throughout the Downtown	
	City/Winters Business Association	Bike parking should be part of the overall parking supply at up to 10% of all parking spaces.	
	City/Winters Business Association	Continuously monitor bike demand.	
	Winters Business Association	Establish a bike to car parking ratio.	
Status: Not initiated			
Pedestrian Facilities	City of Winters	Repair existing sidewalks throughout the Downtown.	
		:	
	City of Winters	Install new sidewalk at the following locations a. Abbey Street between 1 st Street and Railroad Avenue b. Railroad Avenue south of Abbey Street	Completed
	City of Winters	Install ADA compliant sidewalk and curb ramps throughout the City.	See ADA Transition Plan.

Topic	Lead Entity	Recommendations	Implementation Program/Status
	City of Winters	Consider restriping crosswalks at the following intersections: <ol style="list-style-type: none"> Abbey Street / 1st Street Abbey Street / Railroad Avenue Abbey Street / Elliott Street Edwards Street / 1st Street Edwards Street / Railroad Avenue Main Street / Elliott Street 	Completed
	Winters Business Association/City of Winters	Use warning signs or barriers to discourage jaywalking.	
	City of Winters	Provide pedestrian crosswalks at all legs of downtown intersections.	Ongoing
Goal X: Improve the sense of safety and security for late night employees.			
Employee Security	Winters Business Association	The Winters Business Association should evaluate and consider the hire a security firm for Downtown security, which is anticipated to provide security guards and video surveillance, if needed.	TBA
Goal XI: Improve accessible parking, parking zones and the expansion of parking lots			
Accessible Parking	City of Winters	A striping plan should be established for the Downtown area. ADA spaces should be installed and existing spaces should be re-striped where needed.	Due Date: Fall, 2019
Loading and Unloading Zones	Winters Business Association	Loading and unloading zones, alley delivery locations, and time of day delivery management should be communicated to local businesses and restaurants.	Not initiated

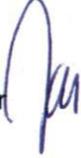
Topic	Lead Entity	Recommendations	Implementation Program/Status
Community Center Parking Lot	City of Winters	To improve parking lot access and circulation in the area, a new driveway with entrance and signage should be installed on Railroad Avenue.	Completed- June 2017
New and Expanded Parking Lots	Winters Business Association	Establish a Winters Parking Assessment District, develop a financing plan for purchase and maintenance of new parking, conduct PD advisory vote, and conduct PD final vote. File assessment. Expand downtown parking lots, Winters High School lot (WHS), and develop parking agreements with various private property owners having suitable parcels.	<ol style="list-style-type: none"> 1. City and WBA to establish Downtown Capital Improvement Program and financing plan for enhanced pedestrian and parking amenities. Due Date: January, 2020
New and Expanded Parking Lots	City of Winters	As new development is constructed and parking demand increases, additional parking spaces and solutions should be supplied. Review existing parking standards including re-evaluation of "shared parking" with review through the Winters Parking District Association and Planning Commission. Valet parking plan and remote lots will be established.	Due Date: Fall, 2019
Status- First Street Parking Lot in completion stages- Open in September, 2019			
Remote Parking Lots	Winters Business Association	Develop a plan (may include valet) and shuttle system for transportation to remote parking lot locations.	TBA

Topic	Lead Entity	Recommendations	Implementation Program/Status
Parking Structure	Winters Business Association	In the future, develop a plan and financing program for the construction and maintenance of a downtown parking structure. Advisory and final PD votes should be conducted and an assessment filed.	<ol style="list-style-type: none"> 1. City and WBA to establish Downtown Capital Improvement Program and financing plan for enhanced pedestrian and parking amenities. <p>Due Date: January, 2020</p>
Future Facilities and Planning	City/Winters Business Association	New parking structures should not impede circulation flows in Downtown. During the site selection process, the greater locational impacts of parking structures on vehicular circulation should be considered. Ensure that new parking structure is easily found close to arterials and highly visible with well-designed signage that can enhance the image of Downtown. Surface retail parking in new parking configurations should be located facing stores. This allows for easier customer access to stores and better serves retailers. Existing service and delivery access can be maintained by creating loading zones.	<ol style="list-style-type: none"> 1. City and WBA to establish Downtown Capital Improvement Program and financing plan for enhanced pedestrian and parking amenities. <p>Due Date: January, 2020</p>
Goal XII: Establish revenue strategies for parking improvements.			
Paid Parking	Winters Business Association	(Not recommended at this time.)It is not recommended to implement paid parking. However, parking management and payment of in-lieu fees should support the parking management plans.	Not Completed
Financing Mechanism	Winters Business Association	Develop fees or an assessment district to fund recommended improvements and maintenance	Not Completed

Topic	Lead Entity	Recommendations	Implementation Program/Status
		of parking through establishment of Downtown Parking District, developed financing plan, advisory and final PD votes, and filing of assessment.	
Goal XIII: Establish permitting and enhanced enforcement within the Downtown core.			
Residential and Commercial Conflicts	City of Winters	Issue parking permits, install signs in residential areas, establish parking zones, and assign timed parking an implementation plan, monitoring, and annual budget for maintenance.	Due Date: January, 2020
Street Parking Enforcement	City of Winters	Implement enhanced enforcement of time limits as outlined in attached mapping of Downtown core.	<ol style="list-style-type: none"> 1. Re-signage of Downtown time limits. 2. Begin Parking Enforcement. Due Date: January, 2019
	City of Winters	Ensure that parking time limit enforcement restrictions are consistent with signage.	<ol style="list-style-type: none"> 1. Re-signage of Downtown time limits. 2. Begin Parking Enforcement. Due Date: January, 2019
	City of Winters	Increase fines to the legal limits.	<ol style="list-style-type: none"> 1. Re-signage of Downtown time limits. 2. Begin Parking Enforcement. Due Date: January, 2019
Status- Signage and Parking enforcement initiated in Spring 2019 and in full effect.			
Goal XIV: Establish parking for alternative fuel vehicles.			
Electric Vehicle Parking	City/Winters Business Association	Implement electric vehicle charging stations.	Ongoing



CITY COUNCIL
STAFF REPORT

DATE: August 20, 2019
TO: Mayor and City Council
FROM: John W. Donlevy, Jr., City Manager 
SUBJECT: City Projects List

RECOMMENDATION:

That the City Council receive both the written and oral overviews of current City Departmental Projects.

BACKGROUND:

Staff will do a short presentation of certain projects being worked on within the City organization.

FISCAL IMPACT: None by this action.

Project	Description	Assignment	Comment
City Manager			
Planning Workshop	Development of workshops on key planning issues including General Plan, Housing, Climate Action Plan, Planning Grants	John, Heidi, Ethan and Dago	
RHNA Process	Monitor SACOG process and prepare for RHNA workshops.	John and Dan	
Housing Element RFP	Development of an RFP for the 2020 Housing Element Update Process and hire of consulting firm to assist the City.	John and Dan	
Grant Implementation	Development of projects for SB2, State Budget and SACOG Design Grants	John	
General Plan Refresh	Development of overall project outline to meet OPR goals for the update of formatting and presentation for General Plan Elements.	John and Heidi	
Blue Mountain Terrace	Construction of 63 Unit Senior Affordable Apartment Project.	John and Dan	
Senior Center Grant	CDBG Application for construction funding.	Dan	
Senior Center Earmark	State Infrastructure Grant toward Senior Center Project	John and Dan	
Climate Action Planning	Preparation of strategy for moving draft Climate Action Plan and Implementation Strategy Forward with assistance of Civic Spark Intern.	John and Carol	
Economic Development Report	Completion of recommendation overview, public input and take to City Council for direction.	John	
Succession Planning			
Housing	Working on overall strategy for the management of affordable housing projects, reporting and compliance.	John	
Public Works	Development of a staffing strategy for environmental services projects including compliance, solid waste, water, wastewater, landfill, groundwater and storm water.	John, Eric and Dago	
Planning	Development of a planning projects list for future recruitment.	John	

Project	Description	Assignment	Comment
Economic Development	Project list development	John	82
Engineering			
Winters Highlands (Stones Throw) Subdivision	Project includes completion of Phase 1 (74 Lots) and Phase 1A (48 Lots) infrastructure, start of Phase 2 (82 Lots) infrastructure, and completion of W Main SSPS and RA SDPS. Completion of Moody Slough and Road 88, and Well #8, are tied to Phase		
Callahan (Heartland) Subdivision	Project includes completion of 39 single family lots with 72 lots remaining for development.	Alan and Nellie	
Skreden (Farmstead) Subdivision	Tentative Map submittal for 211 single family lots, with office/retail and grocery market. Engineering review of infrastructure and preparation of Conditions of Approval. Alan Mitchell and Nellie Sperka are working on this project. Caltrans is reviewing too.	Alan, Nellie and Caltrans	
Creekside Estates Subdivision	Review of improvement plans and final map for proposed 40 lot subdivision. Improvement plans are completed and final map will come to council soon. Grading will commence soon. Caltrans is reviewing improvements along Grant Avenue.	Alan and Kevin	
Walnut 10	Tentative map submittal for 53 single family lots. Engineering review of infrastructure and preparation of conditions of approval.	Dave/Alan/Nellie	
Olive Grove Subdivision	Project includes completion of Phase 1 (5 Lots) and Phase 2 (16 Lots) infrastructure. Phase 1 work is past-due in accordance with Public Improvement Agreement, and we are working on legal remedy. Phase 2 work started but incomplete and waiting for re-start of work. No Agreement with this Phase, so working with City Attorney on any legal remedy to get work completed. The Phase 2 site was the issue with overland flows during recent winter.	Alan and Kevin	

Project	Description	Assignment	Comment
Housing/Economic			
Blue Mountain Terrace Senior Apartments	Construction of 63 unit multifamily senior affordable housing on E. Baker St.	Dan and YCH	Waiting for Infill Infrastructure Grant ("IIG") extension from the State
Senior Center	Construction of 6,000 square foot senior center on E. Baker St.	Dan	Full opening expected in September or October, Working with LSNC & YCH on a revision to original AHP proposal
Farmstead Housing Development (Mark Skreden)	Affordable Housing Plan for 206 lot subdivision (Grant Ave. east of IGA)	Dan, YCH and LSNC	
Trash Enclosure for Newt's Expressway businesses	Working with Downtown merchants and property owners on an implementation strategy for the infamous trash enclosure.	Dan and Carol	
Financial Management			
OPEB	Setting up a trust for the OPEB liability related to our health insurance	Shelly	
2018-19 Fiscal Year	Closing 2018-2019 fiscal year	Shelly	
Review CalGov EBA Plan FY 20-21 and 21-22 Budgets	Employee Benefit Program Budget Preparation		
18-19 Audit		Shelly	
Water and Sewer Rates	RFP for water and sewer rate study	Shelly	
Labor Relations	Ongoing negotiations with the Police	Crystal/Shelly	
Human Resources			
<u>POA MOU Negotiations</u>	Working with Chief Miller and Shelly Gunby on POA MOU negotiations.	Crystal/Shelly	
	Mandatory training for all employees.		
<u>Harassment Prevention Training</u>	Training will be provided by an attorney from BBK. Training scheduled for: July 18 th , 2019	Crystal/Stacy	
	Working with YCPARMIA on claims against the City		

Project	Description	Assignment	Comment
<u>Claims</u>	Working with YCPARMIA on recovery for damage to City property	Crystal	
<u>Benefits Fair</u>	<p>Collaborating with our Benefits Broker (Prospero Benefits) to schedule a Benefits Fair for our employees this Fall (aiming for 2nd week in September). We are working to get our benefits on a calendar year versus a July 1st start date so that all open enrollments are in line with CalPERS medical open enrollment.</p> <p>Dental, Vision, Life Insurance, AFLAC, CalGOVEBA, Nationwide (deferred comp), Valic (deferred comp), CalPERS, and our benefits broker will all be invited to attend our benefits fair.</p>	Crystal	
<u>Maintenance Worker I/II Recruitment</u>	<ul style="list-style-type: none"> • City is looking to fill 1 vacancy in the Public Works department for the position of Maintenance Worker I/II. • The application period on CalOpps closed on July 5th. I'm working with Eric Lucero to select candidates to interview. • Interviews will take place on July 22nd, 2019. Employees from neighboring cities will be invited to participate on interview panel. 	Crystal/Eric	
Fire			
Professional Development	Utilize and implement California State Fire Marshal (CSFM), National Fire Academy (NFA) and Center for Public Safety Excellence (CPSE) as a professional development model for career and volunteer staff.	Chief & Staff	
SWOT Analysis	<ul style="list-style-type: none"> • Conduct a SWOT analysis including staff, stake holders and community input. 	Chief & Staff	
Fire Strategic Plan	<ul style="list-style-type: none"> • Develop a Five Year Strategic Plan: Inclusion of stake holders and community. 	Chief	

Project	Description	Assignment	Comment
Fire Prevention	<ul style="list-style-type: none"> • Fire Prevention position reorganization to a 40hr work week position. 	Chief & Art	
Staffing	<ul style="list-style-type: none"> • Conduct a Community Risk Analysis to identify opportunities for minimizing risk, promote fire prevention education and providing for a safe, sustainable economy. • Plan for future career staffing needs. • Apply for AFG Safer Grant 2019 for three Engineer positions. Three year grant period, federal funding provides first and second year 75%, third year 35%. • Volunteer Program: Recruitment & Retention, explore county wide shared staffing model. • Analyze status of current fire apparatus and equipment and their life span/expectancy. 	Chief & Staff	
Apparatus Replacement Plan	<ul style="list-style-type: none"> • Develop and plan for the replacement of fire apparatus and equipment including fiscal projections and identify funding sources. 	Chief & Cheyne	
Succession Planning	<ul style="list-style-type: none"> • Proactive approach to ensure personnel hired, trained and promoted have the necessary skills to meet the challenges of tomorrow. • Implement Cross-Training between disciplines. • Revision and updating; positions, experience and qualifications. 	Chief	
Organizational Development Plan	<ul style="list-style-type: none"> • Establishes a guide and minimum requirements for professional development among all ranks in the department. 	Chief & Staff	
Report Management Software (RMS)	<ul style="list-style-type: none"> • RMS System Implementation: Currently implementing new RMS system to include CAD integration. 	Staff	
EMS Services	<ul style="list-style-type: none"> • Maintain ALS EMS services through contract, training and compliance through YEMSA and State of California Emergency Management Agency. • Provide EMS training in community. 	Chief & Cheyne	

Project	Description	Assignment	Comment
Regional Collaborations	<ul style="list-style-type: none"> Continue our regional partnerships with West Valley Regional Fire Training Consortium for training management and courses. 	Chief/Matt	
Police Department			
Records Management System (RMS)	Partner with Yolo County Sheriff's Department for a Records Management System (RMS) that integrates with YECA Computer Aided Dispatch (CAD) system.	Karla Ferguson, Sgt. McCoy, Chief Miller	
Police Commander recruitment	Recruit and conduct selection process for a Police Commander who will serve as second-in-command of the Police Department and prepare for succession planning of the Chief of Police position	Chief Miller, Crystal Zaragoza	
Yolo County Major Crime Task Force	Yolo law enforcement agencies are reorganizing YONET into a Major Crimes Task Force. Upon ratification of Task Force MOU, Winters PD has dedicated a .5 body to the Task Force (current Detective)	Chief Miller	
Axon Signal Sidearm technology	Winters PD will be purchasing Axon Signal Sidearm units. The Signal Sidearm is a redundant system that activates our Axon Body Cameras when the sidearm is removed from the holster in case of dynamic and evolving events when the officer was otherwise unable to manually activate the body camera.	Chief Miller	
Code Enforcement	Winters PD has requested to assume Code Enforcement. This will require updating our part-time CSO position to a full-time position, training, etc.	City Manager, Chief Miller	
Building Division			
Fairfield Inn by Marriott	72 room hotel, 45,794 Sq. Ft. BP NONR 1-18-4232 issued 12-7-18 No action on site noted	Gene	
Chevron Gas Station and Car Wash (Includes T I for store and Togo's)	Main Permit - BP NONR 5--17-3963 issued 9/27/17 Currently has frame and drywall inspections completed. (Moving slowly) anticipated final 2019	Gene	
Winters Healthcare 16,620 Sq. Ft. (moving at a fast pace)	BP NONR 3-18-4298 East side 1st floor frame completed 7/3/19 Anticipated final date Nov. 2019	Gene	

Project	Description	Assignment	Comment
Blue Mountain Terrace Senior Center 6,670 Sq. Ft.	BP NONR 2-19-4796 Plan check comments to applicant 3/14/19 Waiting on revised plan submittal I have contacted applicant multiple times	Gene	
Blue Mountain Terrace Apartments 54,411 Sq. Ft.	BP NONR 11-18-4711 Senior apartment housing Ready to issue since 3/26/19 applicant notified	Gene	
Winters Hotel 73,348 Sq. Ft	Main Permit NONR 12-15-3240 Anticipated Temp. Final July-Aug 2019	Gene	
Carboni's Restaurant at the Winters Hotel	BP NONR 6-19-4975 TI's in Review	Gene	
Public Works			
Newt's Expressway Rehabilitation	<ul style="list-style-type: none"> • Complete rehab of alley from First St to Railroad. Excavate, Grade, pour concrete curb and gutter, repave. • Vintage Paving is the successful bidder and general contractor for this project. • Project has been delayed because of pumping in the alley. Contractor had to excavate another 6" deeper for better compaction slowing progress down because of shallow utilities. 	Eric	Almost complete
First Street Parking Lot Project	<ul style="list-style-type: none"> • Design and build a public parking lot on First St and Abbey St. • Vintage Paving is the successful bidder and general contractor for this project. • Build a 38 stall parking lot for public use. Added nine new lights that will match the hotel lights, landscape, stubbed out conduit for electric charging stalls and stubbed out utilities for trash enclosure compactors. • Patch repair, crack seal and slurry seal approximately 200,000 sqft of city streets. 	Eric	Almost complete

Project	Description	Assignment	Comment
SB1-18-19	<ul style="list-style-type: none"> • Vintage Paving is the successful bidder and general contractor for this project. • Working off the engineers PCI report staff has developed a schedule of streets to be repaired with SB1 and Gas Tax funding combined. • Working with contractor to combine SB1 2018-19 with SB1 2019-20 to get more value out of our budget by doing both projects together. 	Eric/Dago	8
SB1-19-20	<ul style="list-style-type: none"> • Patch repair, crack seal and slurry seal approximately 200,000 sqft of city streets. • Vintage Paving is the successful bidder and general contractor for this project. • Working off the engineers PCI report staff has developed a schedule of streets to be repaired with SB1 and Gas Tax funding combined. • Working with contractor to combine SB1 2018-19 with SB1 2019-20 to get more value out of our budget by doing both projects together. • Removed top layer of alley and parking lot. 	Eric/Dago	
WWTP Bar Screen	<ul style="list-style-type: none"> • Construct a bar screen at the WWTP capable of processing our current and future flows. • Syblon Reid is the successful bidder and general contractor for this project. • Force mains have been installed. Valves have been installed. The concrete base of the vault has been poured. Walls have been formed and are ready to be poured. 	Eric/Carol	

Project	Description	Assignment	Comment
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Capital Projects

City Hall

Security and accessibility improvements

Eric/Shelly/John

Project	Assignment	Description	Funding Source
Housing Element Update			
2013 Summary	Dan Maguire	http://www.cityofwinters.org/wp-content/uploads/2015/11/HousingElement.pdf	General Fund
2021 Goals	Dan Maguire/John	Review and update from previous goals. Development of revised goals for 2021-29	General Fund
RHNA Implementation	Dan/Dago/Sam	Process of SACOG Regional Housing Needs Allocation.	General Fund
RFP for Housing Element Update	Sam	Generate Scope and a document for an update of the City's Housing Element	
Climate			
Climate Action Strategy Report	Carol	Development of an overall plan for the revision of the draft Climate Action Plan with the integration of the Climate Action Strategy Report and a process toward integration with the General Plan "Refresh".	TBD
Climate Committee	Carol/John	Establishment of Climate Committee to review draft Climate Action Plan and Strategy.	TBD
Climate Action Plan Tasks			
GHG Inventory Update	Consultant	Includes both updating inventory for 2018 or similar recent calendar year, and adjusting the original 2005 baseline to ensure two inventories are comparable.	SB2
Forecasts/Targets GHG	Consultant	Quantitative analysis of future GHG emissions under two scenarios (business as usual [BAU] and legislative-adjusted BAU) and quantification of GHG reduction targets/goals for (i.e., 2030, 2040 and 2050 per State guidance, specific years TBD). Forecasts could be aligned with SACOG 2020 MTP/SCS, general plan "refresh", housing element update, or all of the above.	SB2
GHG Quantification/Gap Analysis	Consultant	Quantitative analysis of GHG reduction potential of recommended strategies and actions in CAP Strategy Report, as well as other performance indicators, to ensure that GHG target for 2030 can be achieved; and, to demonstrate co-benefits in achieving City's sustainability goals (i.e., alignment with "EARTH" objectives and policy framework in general plan refresh/sustainability element).	SB2
CAP Document	Consultant	– Includes revisions to CAP document and any reformatting to incorporate results of all of the above. Includes all drafts (admin, screencheck, draft, admin final, screencheck final, final) through to adoption.	SB2
Vulnerability Assessment- Optional	Consultant	If desired, Ascent could perform a technical vulnerability assessment that builds on the Resilience Dialogues, followed by adaptation strategies. Goal would be to help City comply with SB 379 in preparation of the General Plan "refresh" effort. Ascent would use CA Adaptation Planning Guide and other relevant guidance from OPR.	SB2

Project	Assignment	Description	Funding Source
Environmental Review/Checklist- Optional	TBA	If the City decides to adopt CAP as a stand-alone document (Option A in the CAP Strategy Report) apart from general plan update, a separate environmental document would be required in order to provide CEQA coverage per CEQA guidelines Section 15183.5. Ascent's preliminary assumptions is that an Initial Study/Mitigated Neg Dec would be feasible for a CAP. However, if other options for the CAP are pursued, such as adopting the CAP concurrently with general plan or other planning actions, the CAP could be included in project description and covered under a broader program EIR, in which case the IS/MND portion of Task 6 would not be required. Ascent could also assist the City with development of a CAP Checklist to assist with project-level reviews for streamlining pursuant to CEQA Guidelines 15183.5.	SB2
Climate Resiliency Tool Box	Civic Spark Fellow	Review and update of the City's draft Climate Action Plan to incorporate the Yolo Climate Compact Climate Resiliency Tool Box within key documents and policies	
General Plan			
GP Adequacy Review	Heidi	1. Statutory update – all laws passed since last comprehensive update	TBD
	Heidi/Ethan	2. Legal update – all pertinent court cases since last comprehensive update	TBD
	Heidi	3. Factual Update – demographic info; statistics and background data; references; best available data/science; etc	TBD
	Heidi	4. Completeness -- compile and integrate all GPAs, policy interpretations, and relevant protocols since adoption; integrate as appropriate into text; designations; land use and circ diagrams	TBD
	Heidi	5. Horizon Year – long-term perspective is required; recommended horizon year of at least 10 years out – ideally 20 to 30	TBD
	Heidi	6. Policy Relevance -- review policies; modernize wording; relevancy to community (keep these non-substantive)	TBD
	Heidi	7. Planning Area -- consider adequacy of current "planning area"	TBD
	Heidi	8. Consistency -- verify consistency (vertical and horizontal), especially for Housing Element	TBD
	Heidi	9. Streamlining Implementation -- consider how to activate possible CEQA streamlining – uniformly applied development policies or standards; 15183; qualified GHG reduction strategy; etc	TBD
	Heidi	10. CEQA Clearance -- determine appropriate CEQA review	TBD
	Heidi	11. Follow up – are substantive updates necessary (see below)? Zoning; subdivision and other regulations; other focused plans; infrastructure master plans	TBD
GP Update Strategy	Heidi	Policy Review Workshop	TBD
		Goals and Policies into Standards and Benchmarks	TBD
		Online and Presentation Strategy	TBD
		Strategic Planning Framework	TBD
GP Refresh	John/Heidi/Dago	Establish scope and parameters for policy review, presentation and update of General Plan Policy Documents.	

Project	Assignment	Description	Funding Source
Planning Workshop Projects			
North Area	John	Provide monthly updates to Council on activity related to this project	TBD
	John	Maintain the informational website with current information regarding the project and application status.	TBD
	Heidi/Dago	Direct staff to inform Council of process and next steps at next meeting after an application is received.	TBD
Land Development Process	CC	Affirm the described land development application process for continued use with new applications	TBD
	John	Post the steps for a typical land development application process online as an informational tool	TBD
Status of the General Plan	Heidi/Dago	Undertake an adequacy review of General Plan to identify required and other strongly recommended changes, with preliminary budget and funding information for making such changes	TBD
	Heidi/Dago	Develop workplan for update of the Housing Element with preliminary budget and funding information	TBD
	Heidi/Dago	Adequacy review of the location and extent of the General Plan planning area	TBD
	John	Identify funding and prepare a workplan plan for adoption of a Climate Action Plan/Sustainability Strategy	TBD
	John	Report on the status and adequacy of the City's infrastructure master plans and major projects financing fee program	TBD
Parking			
<i>Zoning and Development Standards</i>	John	Define minimum parking requirements for the Downtown. Evaluation of "shared" parking policy and establishment of parking standards for new construction and occupancies.	TBD
<i>Zoning and Development Standards</i>	John	Clarify parking requirements for reciprocal uses with shared parking facilities. Clarifying this code section will make it easier for reciprocal uses to apply for a shared parking permit. Evaluation of public parking policy and establishment of shared parking standards for new construction and occupancies.	TBD
<i>Zoning and Development Standards</i>	John	On-site and remote parking: Make it easier to provide remote parking which will enable multiple uses to share parking facilities and reduce the total demand for parking spaces. City and WBA work to establish strategy on remote parking in Downtown.	TBD
<i>Shared Parking</i>	John	Establish policies and requirements for new and existing developments to share parking lots.	TBD