



Winters City Council Meeting
City Council Chambers
318 First Street
Tuesday, November 19, 2019
6:30 p.m.
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, November 5, 2019 (pp. 4-9)

PRESENTATIONS

None

DISCUSSION ITEMS

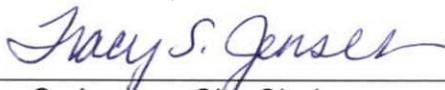
1. Resolution 2019-47, a Resolution of the City Council of the City of Winters Authorizing an Application for SB 2 Planning Grants Program Funds (pp. 10-13)

CITY MANAGER REPORT

INFORMATION ONLY

ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the November 19, 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 November 14, 2019, and made available to the public during normal business hours.



Tracy S. Jensen, City Clerk

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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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Minute of the Regular Meeting of the Winters City Council
Held on November 5, 2019

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

Present: Council Members Harold Anderson, Jesse Loren, Pierre Neu,
Mayor Bill Biasi
Absent: Mayor Pro Tem Wade Cowan
Staff: City Manager John W. Donlevy, Jr., City Attorney Ethan Walsh,
Director of Financial Management Shelly Gunby, Police Chief John
Miller, Management Analyst Kristine DeGuerre, Environmental
Services Manager Carol Scianna, Civic Spark Fellow Christopher
Flores, City Clerk Tracy Jensen.

Bill Sherbert led the Pledge of Allegiance.

Approval of Agenda: City Manager Donlevy requested that Consent Item F be pulled from the agenda and Consent Item J moved to Discussion Item #4. Motion by Council Member Neu, second by Council Member Loren to approve the agenda with said changes. Motion carried with the following vote:

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

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

PUBLIC COMMENTS: Chuck Pearse, Proprietor of Pizza Factory, 108 Main Street, requested the alleyway behind his business be repaired to meet ADA compliance in case of an emergency.

Kate Laddish, 400 Morgan, provided the last lap swim update for 2019 and said the lap swimmers, an enthusiastic and dedicated group, are looking forward to next year.

CONSENT CALENDAR

- A. Minutes of the Regular Meeting of the Winters City Council Held on Tuesday, October 15, 2019
- B. West Yost Influent Screen Project – Amendment No. 3 to Agreement 027-17
- C. Purchase of Storm Drain Pipe for Undersized and Failing System
- D. Re-Appointment of Garfield House, Representative for the City of Winters to the Sacramento-Yolo Mosquito and Vector Control District Board of Trustees
- E. Change Orders for City Parking Lot and Newt's Alley
- F. Resolution 2019-44, a Resolution of the City Council of the City of Winters Approving Newt's Alley Utility Undergrounding Easement **(Item F Removed from Agenda)**
- G. On-Call Contract with The Gumshoe Group, LLC
- H. Resolution 2019-45, a Resolution of the City Council of the City of Winters Approving Budget Adjustments for Fiscal Year 2019-2020
- I. Resolution 2019-46, a Resolution of the City Council of the City of Winters Approving a Budget Adjustment for Human Resources, Payroll and Scheduling Software
- J. SCADA System Software Replacement **(Moved to Discussion Item #4)**

Council Members Anderson and Neu both had a conflict of interest regarding Consent Item C due to the proximity of their properties in relation to the area where the replacement pipe will be installed. In order to maintain a quorum in Mayor Pro Tem Cowan's absence, walnuts were drawn to determine who would remain and who would leave the dais. Council Member Anderson drew a "GO" walnut and City Attorney Walsh said Council Member Anderson does not have to leave the dais by recusing himself, but may remain and not vote on this item.

City Manager Donlevy gave an overview and confirmed the \$18,000 increase in cost of the new HR/Payroll/Scheduling software would be allocated to all funds within the Cost Allocation Plan.

Council Member Anderson indicated he also had a conflict of interest with Consent Item E due to the proximity of his property to this item.

Motion by Council Member Loren, second by Council Member Neu to approve Consent Items A, B, D, G, H, and I. Motion carried with the following vote:

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

Motion by Council Member Loren, second by Council Member Neu to approve Consent Items C and E. Motion carried with the following vote:

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

Mayor Biasi expressed his gratitude to Gar House for serving on the board of the Sacramento-Yolo Mosquito Vector and Control District representing the City of Winters. Gar provides informative monthly reports and does a great job for us.

PRESENTATIONS

None

DISCUSSION ITEMS

1. Second Reading and Adoption of Ordinance 2019-02, an Ordinance of the City Council of the City of Winters Approving Proposed Amendments to Chapter 17.12, Planning Agency, and Chapter 17.52, Land Use Regulations: Zoning Matrix, and Adding Chapter 17.54, Vacation Rentals to Title 17 of the Municipal Code (Zoning Ordinance)

City Manager John Donlevy gave an overview and described the requirements under this ordinance, including a business license, the noticing of neighbors, and a fire and safety inspection. A conditional use permit will also be required for non-hosted properties. Mayor Biasi said a lot of work has gone into this ordinance and he is glad we've gotten to this point.

Motion by Council Member Loren, second by Council Member Neu to waive the second reading and adopt Ordinance 2019-02 approving proposed amendments to Chapter 17.12, Planning Agency, and Chapter 17.52, Land Use Regulations: Zoning Matrix, and Adding Chapter 17.54, Vacation Rentals to Title 17 of the Municipal Code. Motion carried with the following vote:

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

2. Second Reading and Adoption of Ordinance 2019-04, an Ordinance of the City Council of the City of Winters Amending the Winters Municipal Code to Add Chapter 13.20, Community Choice Aggregation Authorizing the Implementation of a Community Choice Aggregation Program (CCAP)

Council Member Anderson recused himself due to a possible conflict of interest due to ownership of PG&E stock and left the dais.

City Manager Donlevy gave a brief overview. Following many presentations and the introduction to this ordinance, the second reading and adoption of said ordinance will then be incorporated into the Winters Municipal Code. Council also previously adopted a resolution to become a full and associate member of Valley Clean Energy, which will be realized in 2021. On November 14th, City Manager Donlevy and Board representatives/Council Members Cowan and Loren will attend a VCE orientation meeting, followed by a VCE Board meeting.

Peter Meyer, 21 E. Abbey, inquired about the second part of the contract waiving certain environmental acts and referenced condors and power lines. He wants to make sure the environment is considered when moving forward. City Manager Donlevy said under CEQA guidelines, CCA is not considered a project, has no potential to result in a direct or indirect physical change to the environment or have a foreseeable impact on the environment. Mayor Biasi said two Council members will be attending all VCE Board meetings so all projects will be discussed.

Motion by Council Member Neu, second by Council Member Loren to waive the second reading and adopt Ordinance 2019-04 amending the Winters Municipal Code to Add Chapter 13.20, Community Choice Aggregation and authorizing the implementation of a Community Choice Aggregation Program (CCAP). Motion carried with the following vote:

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

Council Member Anderson returned to the dais.

3. Introduction of and Presentation by Christopher Flores, Civic Spark Climate Fellow, Establishing a Climate Action Committee

Environmental Services Manager Carol Scianna introduced Civic Spark Fellow Christopher Flores to Council, who gave a presentation entitled "Pathway to the Climate Action Plan" and said he was looking forward to the Climate Action Plan

(CAP) coming to fruition and merging with the City's Strategic Plan and General Plan. The working draft of the CAP is in need of updating before being finalized and adopted, and the framework for a Climate Action Committee is being created.

Council Member Loren welcomed Mr. Flores and said a lot of great work has been done and she's glad to see this item on the agenda. Council Member Loren inquired about the responsibilities of the committee regarding agendas, minutes, and recommendations to Council. Mr. Flores said he would assist staff with agendas and minutes and that the committee would appoint their own chairman to take agenda items to Council. Council Member Loren asked if the committee would be advisory or include a liaison. Mr. Flores said he envisioned advisory and suggested that liaison could replace advisory. Discussion followed about the policies of the CAP document and how the committee can outreach into the community to implement the plan. Council and staff discussed having 5 voting members and provide outreach to the high school for a 6th youth member, modeling the committee after the WPCCC (Winters Putah Creek Coordinating Committee.) Council Member Loren asked about a timeline to start appointing members and Mayor Biasi said forming a committee won't take as long as forming a commission with less formalities and shorter timelines. City Manager Donlevy said this item will come back to Council on 11/19 or 12/3 and staff will move forward with the application process.

Kate Laddish, 400 Morgan, thanked Mr. Flores and Ms. Scianna for bringing this item to Council and requested that Council consider this new body as a commission, not a committee, as voting members will be appointed by and answer to Council. Kate asked what the mission of this new body would be, would it be formalized by Council and how it would fit in. Kate requested the advisory members be re-termed liaisons and asked how they will be chosen and urged Council to make sure everything is in place before moving forward, find out what works best and what is most needed, and have a clear understanding of what we are embarking on.

Council Member Loren asked if staff could provide at the next Council meeting a mission statement or some type of introduction on what the committee would be doing and Mr. Flores said he would be willing to revise and outline the duties moving forward. Council Member Anderson suggested the members be selected like those on the WPCC (Winters Putah Creek Committee), where each Council Member appoints one person.

Mr. Flores concluded his presentation by saying he attended a climate symposium today and stressed the importance of climate conversation.

4. **SCADA System Software Replacement (Moved from Consent Item J)**

City Manager Donlevy gave an overview and said the current SCADA software will stop working at the end of the year. Staff received four proposals and is recommending the lowest proposal submitted by Telstar Instruments, which will integrate with the server system. If the system is not updated, the system will not know the date or time. Mayor Biasi asked if the estimated cost of \$38,119 to upgrade the system is a one-time charge. City Manager Donlevy said yes, and it includes support that will be good for 5-7 years. Staff will put together a capital expenditure report into a cloud-based system as software is no longer the way to go.

Motion by Council Member Loren, second by Council Member Anderson to approve the proposal from Telstar Instruments for software upgrades for water wells and sewer pump equipment estimated at \$38,119. Motion carried with the following vote:

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

CITY MANAGER REPORT: Staff will soon perform an active roll out for the new City of Winters App. Recently attended SACOG's Regional Futures Forum's "new vision for transportation." Following the Olive Grove meeting, the City Attorney sent a letter to the property owner. The Planning Project List will be coming back to Council soon. A grant application for SB2 money is being completed, which will come before Council as a resolution for adoption. Staff is moving toward a Climate Action Plan. Mayor Biasi thanked City Attorney Walsh for getting out the letter to Olive Grove.

ADJOURNMENT: Mayor Biasi adjourned the meeting at 8:06 p.m.

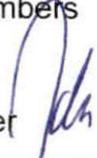
Bill Biasi, MAYOR

ATTEST:

Tracy S. Jensen, City Clerk



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Council Members
DATE: November 19, 2019
FROM: John W. Donlevy, Jr., City Manager 
SUBJECT: Consideration of SB 2 Planning Grants Program Grant Application, Resolution 2019-47

RECOMMENDATION:

Staff recommends that the City Council take the following actions: (1) receive the staff report; and (2) adopt Resolution No. 2019-47 approving a SB 2 Planning Grants Program Project Application in the amount of \$160,000 for the 2019 Planning Grants Program Notice of Funding Availability (NOFA) to the California State Department of Housing and Community Development.

BACKGROUND:

In 2017, Governor Brown signed a 15-bill housing package aimed at addressing the state's housing shortage and high housing costs. Specifically, it included the Building Homes and Jobs Act (SB 2, 2017) which established a \$75 recording fee on real estate documents to increase the supply of affordable homes in California.

In March of 2019, the California Department of Housing and Community Development released a Notice of Funding Availability (NOFA) for SB 2 Planning Grants. The purpose is to provide funding and technical assistance to all local governments in California to help cities and counties prepare, adopt, and implement plans and process improvements that streamline housing approvals and accelerate housing production.

Funding is intended to help cities and counties to:

- 1) Accelerate housing production
- 2) Streamline the approval of housing development affordable to owner and renter households at all income levels
- 3) Facilitate housing affordability, particularly for lower- and moderate-income

households

- 4) Promote development consistent with State Planning Priorities (Government Code Section 65041.1)
- 5) Ensure geographic equity in the distribution and expenditure of the funds

DISCUSSION:

Staff is in the process of developing a grant application which would provide funding for updates to the City's General Plan within conformance with the Priority Policy Areas of the SB 2 grant. The proposal (which is in development with consultation with SB 2 Staff) will work to implement key aspects of the Planning Work Program in regards to updating aspects of the City's General Plan. This will include:

- General Plan review for statutory, legal and consistency in conformance with State Guidelines.
- Community Outreach
- Development of a Programmatic Environmental Impact Report.
- Identification of zoning needs to come into compliance with the Regional Housing Needs Allocation.
- Review of densities and by right development opportunities to bring smart growth and a more modern approach to housing in the City.

Staff, in consultation with State HCD on the final details of the application.

FISCAL IMPACT:

The City would expend \$160,000 in SB 2 Planning Grants Program funding on eligible activities as required under SB 2 Planning Grants Program regulations.

ATTACHMENTS:

Resolution No. 2019-47

RESOLUTION NO. 2019 - 47

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS
AUTHORIZING APPLICATION FOR, AND RECEIPT OF, SB 2
PLANNING GRANTS PROGRAM FUNDS**

WHEREAS, The State of California, Department of Housing and Community Development (Department) has issued a Notice of Funding Availability (NOFA) dated March 28, 2019, for its Planning Grants Program (PGP); and

WHEREAS, the City Council of the City of Winters desires to submit a project application for the PGP program to accelerate the production of housing and will submit a 2019 PGP grant application as described in the Planning Grants Program NOFA and SB 2 Planning Grants Program Guidelines released by the Department for the PGP Program; and

WHEREAS, the Department is authorized to provide up to \$123 million under the SB 2 Planning Grants Program for the Building Homes and Jobs Trust Fund for assist Counties and Cities (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB 2)) related to the PGP Program.

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

SECTION 1. The Winters City Council is hereby authorized and directed to apply for and submit to the Department the 2019 Planning Grants Program application in the amount of \$160,000.

SECTION 2. In connection with the PGP grant, if the application is approved by the Department, the City Manager is authorized to enter into, execute, and deliver a State of California Agreement (Standard Agreement) for the amount of \$160,000, and any other documents required or deemed necessary or appropriate to evidence and secure the PGP grant, the City of Winters obligations related thereto, and all amendments thereto (collectively, the "PGP Grant Documents").

SECTION 3. The City of Winters shall be subject to the terms and conditions as specified in the Standard Agreement, the SB 2 Planning Grants Program Guidelines, and any applicable PGP guidelines published by the Department. Funds are to be used for allowable expenditures as specifically identified in the Standard Agreement. The application in full is incorporated as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the application will be enforceable through the executed Standard Agreement. The Winters City Council hereby agrees to use the funds for eligible uses in the manner presented in the application as approved by the Department and in accordance with the Planning Grants NOFA, the Planning Grants Program Guidelines, and the 2019 Planning Grants Program Application.

SETION 4. The City Manager is authorized to execute the City of Winters Planning Grants Program application, the PGP Grants Documents, and any amendments thereto, on behalf of the City of Winters as required by the Department for receipt of the PGP Grant.

PASSED AND ADOPTED by the City Council of the City of Winters, on this 19th day of November, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Bill Biasi, MAYOR

ATTEST:

Tracy Jensen, City Clerk