



Minutes of the Regular Meeting of the Winters City Council
Held via Teleconference on April 7, 2020

Mayor 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, Mayor Bill Biasi
Absent: None
Staff: City Manager John W. Donlevy, Jr., City Attorney Ethan Walsh,
Director of Financial Management Shelly Gunby, Police Chief John
Miller, Fire Chief Brad Lopez, Director of Financial Management
Shelly Gunby, Public Works Superintendent Eric Lucero,
Building Official Gene Ashdown, City Clerk Tracy Jensen

Mayor Pro Tem Cowan led the Pledge of Allegiance.

Approval of Agenda: Motion by Council Member Loren, second by Council
Member Neu to approve the agenda with no changes. 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: City Manager Donlevy reviewed the Zoom
instructions for public participation. Council provided verbal updates.

PUBLIC COMMENTS: Tina Lowden, 320 Niemann St., commented about
seeing broken orange construction fencing, litter and debris in the construction
area across the street from SRIS. City Manager Donlevy said City staff will
address her concerns with the construction contractor for that area. Also,
Census 2020 has been extended to August 20, 2020.

CONSENT CALENDAR

- A. Minutes of the Executive Session of the Winters City Council Held on Friday, March 13, 2020
- B. Minutes of the Regular Meeting of the Winters City Council Held on Tuesday, March 17, 2020
- C. Minutes of the Special Meeting of the Winters City Council Held on Tuesday, March 24, 2020
- D. Resolution 2020-17, a Resolution of the City Council of the City of Winters to Approve the Public Improvement Agreement with Crowne Communities Winters CA LLC and Approve Subdivision Final Map #4508 for Callahan Estates Phase 2
- E. Final Acceptance Wastewater Influent Screen Project
- F. Execute a Contract with Lowest Responsive Bidder for the SB1 2019-2020 Street Rehab Project
- G. Amendment No. 1 to Consultant Services Agreement for Design Services for the City Parking Lot Improvements and Newt's Alley Improvements
- H. Bureau Veritas Fee Schedule Update
- I. Claim Against the City of Winters - Valerie Garay

City Manager Donlevy gave an overview. Council Member Anderson recused himself from Item G due to a possible conflict of interest based on the location of his property in relation to this item. Motion by Council Member Loren, second by Council Member Neu to approve the Consent Calendar, minus Item G. 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 Council Member Neu to approve Item G. Motion carried with the following vote:

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

PRESENTATIONS: None

DISCUSSION ITEMS

1. Public Hearing and Consideration of the Amended Tentative Subdivision Map for the 395-Lot Stone's Throw (formerly Winters Highlands) Subdivision; Approval of Resolution 2020-12, a Resolution of the City Council of the City of Winters Approving the Amended Tentative Subdivision Map for the Stone's Throw Subdivision

Contract Planner Dave Dowswell gave an overview and said the applicant is requesting to amend the tentative map by subdividing seven single-family corner lots into fourteen duplex lots, which are in high demand. This change would trigger the need for one more affordable unit. The Planning Commission recommended this amendment at their February 25th meeting and Council Member Loren thanked Planning Commissioner Contreras for bringing up the question about an additional affordable unit. There are currently 411 lots and staff has the authority to go up to 413 lots. Council Member Loren said she would like to add the additional affordable unit.

Mayor Biasi asked how many single story and 2-story units were being planned. Contract Planner Dowswell said one side of the subdivision is single story and the other side of the subdivision is 2-story.

Mayor Biasi opened the public hearing at 6:53 p.m. Kate Laddish, 400 Morgan St., said she was in favor of increasing diversity of the housing stock by offering more duplexes, which are affordable by design and integrated into the community. It is important to have both single-story and two-story units that are both visitable and livable and include a bedroom downstairs.

Tina Lowden, 320 Niemann, asked if the single-story units will be wheelchair accessible and include ADA bathrooms. Contract Planner Dowswell said he will learn how the units are designed and respond to Ms. Laddish and Ms. Lowden.

Mayor Biasi closed the public hearing at 6:56 p.m.

Mayor Pro Tem Cowan said he was in favor of the duplex lots and increasing the number of lots and Mayor Biasi said he also likes the idea of duplexes.

Motion by Council Member Loren, second by Mayor Pro Tem Cowan to approve Resolution 2020-12, approving the amended tentative subdivision map, allow the builder to go up to 413 lots, and request the builder to consider including accessibility units. 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. Introduction of Ordinance 2020-01, an Ordinance of the City Council of the City of Winters for Various Zoning Text Amendments to Title 17 (Zoning Ordinance): Amending Chapter 17.04, Introductory Provisions and Definitions and Chapter 17.98, Accessory Dwelling Units (ADUs) of the Municipal Code Relating to Accessory Dwelling Units and Junior Accessory Dwelling Units (JADUs) Regarding Accessory Dwelling Units

Contract Planner Dowswell gave an overview and said this process began late last year, but state laws have since been passed regarding Accessory Dwelling Units (ADUs) and now the City falls under their direction. A draft ordinance went before the Planning Commission in February and includes the new key changes that are described in the staff report. The draft ordinance does not prohibit ADUs from being used as short-term vacation rentals.

Mayor Biasi opened the public hearing at 7:01 p.m. and closed the public hearing at 7:01 p.m. with no public comment. Mayor Biasi asked if there are pre-approved designs for the ADUs. Contract Planner Dowswell said some cities have them available and City Manager Donlevy said pre-approved designs with architectural aspects and exterior facades will be done through the SB2 process. Contract Planner Dowswell said the only issue is short-term rentals. He also said he will check to see if ADUs are to be counted in the housing element total and will check with SACOG regarding the RHNA numbers.

Motion by Mayor Pro Tem Cowan, second by Council Member Loren to introduce Ordinance 2020-01 approving the proposed amendments to Chapters 17.04 (Introductory Provisions and Definitions), 17.16 (Applications and Public Hearings), and 17.98 (Accessory Dwelling Units) of the Winters Municipal Code. 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. Urgency Ordinance 2020-02, an Ordinance of the City Council of the City of Winters Temporarily Suspending Sections 3.24.080 and 3.24.090 of the City of Winters Municipal Code Concerning Payment of Transient Occupancy Tax, and Declaring the Urgency Thereof

City Attorney Walsh said if adopted by a 4/5 vote, this emergency ordinance would take effect immediately. Local hotels and inns would benefit from this ordinance by suspending certain provisions of the Municipal Code to defer

collection of transient occupancy tax (TOT) and the levy of penalties for failure to pay. Mayor Biasi asked if this would also apply to vacation rentals as well as hotels and inns, and whether they would still be required to report the TOT revenue. City Attorney Walsh said this ordinance would also apply to vacation rentals and would give local hotels, inns, and vacation rentals the option to delay payment, but not to cancel their payment. They would also still be required to report the TOT revenue. Council Member Loren thanked City staff and Council for working together to come up with some relief for Hotel Winters and Abbey House Inn.

Motion by Council Member Loren, second by Mayor Pro Tem Cowan to adopt Urgency Ordinance 2020-02 temporarily suspending Sections 3.24.080 and 3.24.090 of the Winters Municipal Code concerning payment of Transient Occupancy Tax (TOT). Motion carried with the following vote:

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

City Attorney Walsh said the Governor has placed statewide protections in place to prevent residential evictions, which will protect the citizens of Winters. Commercial evictions can be an issue, as landlords are also concerned about having vacant properties. They will likely work together for a mutual resolution.

4. Urgency Ordinance 2020-03, an Ordinance of the City Council of the City of Winters Temporarily Suspending Sections 13.04.090 and 13.08.130(B) of the City of Winters Municipal Code Concerning Discontinuance of Water and Wastewater Service and Imposition of Penalties, and Declaring the Urgency Thereof

City Attorney Walsh said this urgency ordinance is being proposed in the same vein as the previous ordinance – to alleviate stress and the potential financial pain during this crisis. The City will continue to bill customers but will not charge late fees if customers are unable to pay and will not shut off service from any customers during the emergency. Any unpaid water or wastewater bills will continue to accrue and will have to be paid within three months following the lifting of the emergency. If any outstanding amounts are not paid within that time frame, staff will work with residents and businesses to work out a payment plan. If the balance remains unpaid, any past due amounts will be placed as liens on the properties of customers who failed to pay. This urgency ordinance also requires a 4/5 vote and will take effect immediately if adopted.

Motion by Council Member Neu, second by Council Member Loren to adopt Urgency Ordinance 2020-03 temporarily suspending Sections 13.04.090 and 13.08.130(B) of the City of Winters Municipal Code concerning discontinuance of water and wastewater service and imposition of penalties. Motion carried with the following roll call vote:

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

5. Succession Planning Update – Technology Initiatives

City Manager Donlevy gave an overview of the Succession Planning (Technology) Organization Chart and said everything is moving to the “cloud.” Mayor Biasi said there might be an added cost, but it might balance out in the long run. City Manager Donlevy said it will be functional from an efficiency standpoint. Council Member Loren asked about internet security with cloud-based record keeping. City Manager Donlevy said the City has its own server-based system and the City’s upgraded broadband provides a level of security. Moving into cloud-based systems will help with overall security and added most systems are more secure than what we have right now.

Kate Laddish, 400 Morgan St., asked how moving to a cloud-based computing system might impact City functioning during a public safety power shut-off where you may be able to access your individual computer but are unable to access the server. City Manager Donlevy said the Public Safety Facility and City Hall have back-up generation available, so as long as we have fuel, we have power. He added that the City does have excellent broadband into the facilities that will help support access.

Tina Lowden, 320 Niemann St., commented about conflicting Community Center and Public Works schedules and how this may have affected a Winters Senior Foundation event that had previously been cancelled.

6. Fiscal and Economic Impacts from COVID-19

City Manager Donlevy said this is a recurring item meant to give Council an idea of where we’re at during the 4th quarter of our fiscal year, which is normally a good time for us. Director of Financial Management Shelly Gunby said the City’s cash flow has been affected by two executive orders issued by the State, giving people who owe more than \$50K one year to pay it, from August 2020 to July 2021, and allowing the non-payment of sales tax until July for January through

March. The City will see a dramatic reduction in sales tax in the downtown. The reduction of gas prices and the lack of travel from people driving to and from work will be an additional reduction. City Manager Donlevy said the impacts on businesses may mean that some may not make it back. At least six storefronts are going empty. After recessionary influences hit, empty storefronts are not good. We need synergy from all businesses and we need to fill the storefronts. Council Member Loren said public health and safety are our #1 goals. We can work with some businesses to remain open and asked if the City has a plan to advertise that we're open for business.

Mayor Biasi said budget information will be coming before Council soon and sacrifices must be made. Council Member Anderson added that we have a global problem on our hands and there are no easy answers. Council Member Loren said given the gravity of what's going on, we must protect our resources and look toward our future. The health and safety of the Police and Fire Departments and City employees should be included as part of the budget.

Fire Chief Lopez said we are in very uncharted territory and the Fire Department is taking this very seriously by eliminating potential exposure. Safety is a priority, yet they are not responding any differently than they would normally, but are paying more attention to social distancing. The Fire Department continues to respond to calls and is available for services.

Mayor Pro Tem Cowan asked if the City might be getting access to programs that the State and Federal governments are talking about to help with cities to offset some of the losses that will be incurred. City Manager Donlevy said staff is monitoring, but doesn't expect a lot of relief for cities. We are having bottom line losses where revenues won't be coming in. The hit on the economy will be significant and backfill from the State is not expected. The people out of work need to be the focus and that's where the money will go. Director of Financial Management Shelly Gunby said through the National League of California Cities, some programs could be helpful but have already been targeted but will follow up regarding money for PPE for public safety. City Manager Donlevy said a lot of those things are done on a per capita basis and on a national level. Council Member Loren said as per the National League of California Cities, cities of 500,000 or larger will have access to funds. The League of California Cities is working with the Governor's office for a portal for smaller cities. Mayor Biasi said the hit to CalPERS will be huge and said he, as well as City Manager Donlevy and Director of Financial Management Gunby will be participating in a webinar tomorrow regarding the effects of COVID-19 on CalPERS down the line.

7. Sidewalk Saw Cutting Repair and Replacement Project

Public Works Superintendent Eric Lucero gave an overview and said these two projects that include two different ways of fixing sidewalks share a common goal

- making sidewalks safe. Director of Financial Management Shelly Gunby said the City has received more TDA funding to go toward the street rehab project, almost tripling the budget for street repair. City Manager Donlevy suggested utilizing some of this funding for sidewalks throughout the City. Public Works Superintendent Eric Lucero said staff usually completes between 75-100 saw cuttings annually and hopes to increase it up to 200 this year, with plans to begin next week. Mayor Biasi asked about grinding down the asphalt on existing curb cuts that had risen and Mr. Lucero said staff will be more cognitive to these types of issues. Staff will also work with a local contractor and try to push the funding further by notifying homeowners to cut their tree roots and have them removed by staff so the contractor can concentrate on the sidewalks. A resident asked about sharing the cost if they have a bad sidewalk and Mr. Lucero said staff will try to work something out to address the portion of public surface, excluding driveways. Mayor Pro Tem Cowan said we have a limited time to get extra funding and encouraged staff to continue to "get more bank out of our buck." Mayor Biasi requested staff to concentrate on the core area of town, or the downtown area. Council Member Loren said she has been contacted by residents requesting street repairs and improved sidewalks. Now if the time to get it done while people are in and she thanked Mr. Lucero to using their time wisely and getting this work done. Mr. Lucero said the job bid opening took place this afternoon, which includes slurry seal, grinding and paving, and is expected to be completed in mid-May.

Motion by Mayor Pro Tem Cowan, second by Council Member Loren to authorize the City Manager to hire outside local contractors to complete the 2019-2020 Sidewalk Repair/Replacement Projects. Motion carried with the following roll call vote:

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

Kate Laddish, 400 Morgan, thanked Eric and the public works team and expressed the importance of having sidewalk and street repairs and why it's important to complete the census. She asked staff to check the ramp at Elliot & Main where the yellow plastic bows down.

CITY MANAGER REPORT: Participated in two different phone calls to get updates regarding the COVID-19 pandemic, where discussions included health, public safety, and economic recovery. Continuing to work with the other City Managers and the League of California Cities to process all the information being brought forth.

INFORMATION ONLY:

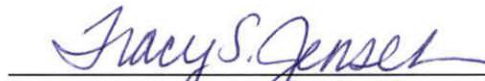
1. February 2020 Investment Report
2. February 2020 Treasurer Report

ADJOURNMENT: Mayor Biasi said on Tuesday, April 14th, a local Winters resident, Eleanor Kent, will be 100 years old. A party had been planned but instead, a parade is being organized to take place in front of 415 First Street between 11am – 12pm. Mayor Biasi asked local residents and the Police and Fire departments to drive by and wish Eleanor a happy birthday. Mayor Biasi then adjourned the meeting at 8:27 p.m.



Bill Biasi, MAYOR

ATTEST:



Tracy S. Jensen, City Clerk