CITY COUNCIL
Albert Vallecillo, Mayor
Bill Biasi, Mayor Pro-Tempore
Councilmembers: Richard Casavecchia,
Jesse Loren, and Carol Scianna

REGULAR CITY COUNCIL MEETING

City Hall, Council Chamber
318 First Street, Winters, CA 95695
September 2, 2025
6:30 PM

Meeting Information
Winters City Council meetings are conducted in person at City Hall Council Chambers accessible via the Abbey St. side entrance. As a courtesy, and technology permitting, members of the public may continue to participate virtually. However, the City cannot guarantee that the public's access to teleconferencing technology will be uninterrupted, and technical difficulties may occur from time to time. Unless required by the Brown Act, City Council meetings will continue despite technical difficulties for participants using the teleconferencing option.

Zoom: +16699006833 US Meeting ID: 850 2319 7139

Passcode: 405995

https://us02web.zoom.us/j/85023197139?pwd=U2xRNUg1U0V6T1ZqUlBGTlVZRlJjdz09

If you are joining the meeting via Zoom and wish to make a comment on an item, press the "raise a hand" button. If you are joining the meeting by phone, press *9 to indicate a desire to make a comment. The chair will call you by name or phone number when it is your turn to comment. Speakers will be limited to 3:00 minutes.

If you choose not to observe the City Council meeting but wish to make a comment on a specific agenda item, please submit your comment via email by 5:00 p.m. on the Monday prior to the City Council meeting. Please submit your comment to the City Clerk at cityclerk@cityofwinters.org. All public comments submitted to the City Clerk will be summarized and read into record but will not be read verbatim due to time limitations.

General Information: If you have questions about this agenda please call the City Clerk's office at 530-794-6702. View City Council meetings, obtain agendas and agenda packets on the internet: http://www.cityofwinters.org/city-council-meetings. City Council agenda packets and any attachments to the agenda that are not available online may be viewed at the City Clerk's Office at City Hall - 318 First Street.

Assistance: In compliance with the Americans with Disabilities Act, if you need special assistance, a disability-related modification or accommodation, agenda materials in an

alternative format, or auxiliary aids to participate in this meeting, please contact the Office of the City Clerk at 530-794-6702 or cityclerk@cityofwinters.org as soon as possible. Providing at least 72 hours notice will help ensure that reasonable arrangements can be made.

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA
The Mayor and Council may change the order of the Agenda or request discussion of a Consent Item.

SPECIAL PRESENTATIONS

Introduction and Swearing in of Ofc. Nicholas Morgan

1. PUBLIC COMMENT (Items not on the agenda)
This time is reserved for members of the public to address the City Council on items that are not on the Agenda and are within the subject matter jurisdiction of the City Council. Comments are limited to 3 minutes. Comments for items on the Open Session agenda will be taken when the item is called in Open Session. City Council is prohibited by law from taking any action on matters discussed that are not on the agenda, and no adverse conclusions should be drawn if the City Council does not respond to public comment at this time.

2. PUBLIC HEARINGS

3. CONSENT CALENDAR
All items listed under the Consent Calendar are considered and acted upon by one Motion.
Anyone may request an item be removed for separate consideration.

A. Minutes of the Regular City Council Meeting Held on August 5, 2025 Meeting
Minutes of the Regular City Council Meeting August 5, 2025 Meeting.docx
B. Minutes of the Special Council Meeting Held on August 14, 2025
Special Council Meeting Minutes Aug 14, 2025.docx
C. Street Closure Requests for Fall Events: September 26, 2025, Homecoming Rally, and October 24-25, 2025, Harvest Festival
Staff Report - Street Closures for Fall Events
Attachment 1 - WJUSD Homecoming.pdf
Attachment 2 - Harvest Festival.pdf
D. Resolution 2025-50 amending the City of Winters salary scale and the Deputy City Clerk / Executive Assistant Classification.
Staff Report - Deputy City Clerk Classification.doc
Attachment 1 - Resolution 2025-50 Amended Salary Schedule.docx
Attachment 2 - 2025 Salary Schedule.pdf
Attachment 3 - Deputy City Clerk . Executive Assistant Classification

4. DISCUSSION ITEMS

A. Discussion of Banning Safe and Sane Fireworks and July 3rd City Fireworks Show
Staff Report - Discussion Safe and Sane Fireworks.docx
Attachment 1 - Staff Report Fireworks Sales May 2023.pdf
Attachment 2 - Fireworks Letters

B. Paseo Park phasing and grant expenditure discussion.
Staff Report - Paseo Park Phase I Discussion.doc
Attachment 1, Exhibit 1 - Paseo Park pdf
Attachment 1, Exhibit 2 - Paseo Park .pdf
Attachment 2 - Paseo Park Construction Budget

C. Introduction of Ordinance Amending Chapter 13.12 of Title 13 of the Winters Municipal Code Pertaining to Cross-Connection Control
Staff Report - Cross Connection Control.doc
Attachment 1 - Cross Connection Control Ordinance.docx
Attachment 1, Exhibit A - Cross Connection Control Ordinance
Attachment 2 - Redline Changes to Chapter 13.12.docx

5. CITY MANAGER'S REPORT

6. COUNCIL COMMENTS-IDEAS, QUESTIONS, AB1234 REPORTS
This item is for information only and is not eligible for action at this time.

ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the regular meeting of the Winters City Council was posted on the public bulletin board at City Hall, 318 First Street and posted to the City of Winters website at cityofwinters.org.

Zorina Treat, Deputy City Clerk

Minutes of the Regular Council Meeting Held on August 5, 2025

Mayor Albert Vallecillo called the meeting to order at 6:30 PM

Present: Council Members Richard Casavecchia, Jesse Loren, Carol Scianna, Mayor Pro Tem Bill Biasi, Mayor Albert Vallecillo

Absent: None

Staff: City Manager Jeremy Craig, Assistant City Attorney Joanna Gin, Public Works Director of Operations & Maintenance Eric Lucero, Chief of Police John Miller, Fire Chief Jack Snyder, Deputy City Clerk Zorina Treat

PLEDGE OF ALLEGIANCE

Gar House led the Pledge of Allegiance.

APPROVAL OF THE AGENDA

Motion by Council Member Casavecchia, seconded by Council Member Scianna to move item 2025-47 Approving Contract with Flock Group, Inc. for $47,600 for Automatic License Plate Reader Technology for Use by the Winters Police Department" from the Consent Calendar to discussion portion of the agenda. Motion carried with the following vote:

AYES: Council Members Richard Casavecchia, Jesse Loren, Carol Scianna, Mayor Pro Tem Bill Biasi, Mayor Albert Vallecillo
NOES: None
ABSENT: None

SPECIAL PRESENTATIONS

Receive a Presentation on the City's Traffic Calming Policy from Alan Mitchell, City Engineer, and Eric Lucero, Director of Operations & Maintenance, Public Works Department

Alan Mitchell, Contract City Engineer, Ponticello Enterprises, presented a review of the City's 2003 Neighborhood Traffic Management and Calming Program, noting increased community concerns about speeding, cut-through traffic, and safety in the northwest area. He outlined current issues, the four levels of traffic calming, and challenges with enforcement, resources, and consistency in applying measures. Council discussion focused on effectiveness of speed humps, impacts on emergency response, liability, and interest in exploring updated standards and international best practices.

Police Chief Miller and Eric Lucero, the Director of Operations and Maintenance for Public Works, offered additional insights and clarification.

PUBLIC COMMENT (Items not on the agenda)

Tina Lowden, Gar House, Kate Laddish and Crystal Apilado provided public comment.

CONSENT CALENDAR

Warrant Register and Payment of Claims for the Month of May 2025

Resolution 2025-47 Approving Contract with Flock Group, Inc. for $47,600 for Automatic License Plate Reader Technology for Use by the Winters Police Department – MOVED TO DISCUSSION CALENDAR

Designation of a Voting Delegate and Alternates for the League of California Cities Annual Conference

Letter Agreement for a One-Year Extension of Joint Use Agreement with Winters Parent Nursery School

Minutes of the Regular City Council Meeting Held on July 15, 2025

Agreement with California Consulting, Inc. for Grant Writing Services in an Amount not to exceed $80,000.

Resolution 2025-48 approving First Amendment to the Professional Services Agreement with Mann, Urrutia, Nelson CPAs & Associates LLP to increase the total compensation by $133,600 for a total not to exceed amount of $259,100 and authorizing the City Manager to execute the amendment

Street Closure Request for Bicycle Criterium, August 23rd, 2025, from 6:00 am to 12:30 pm

Dale Somersill provided public comment on the consent calendar.

Motion by Council Member Scianna, seconded by Council Member Loren to approve the Consent Calendar as amended and excluding Resolution 2025-47 (contract with Flock Group, Inc. for $47,600 for Automatic License Plate Reader Technology). Motion carried with the following vote:

AYES: Council Members Richard Casavecchia, Jesse Loren, Carol Scianna, Mayor Pro Tem Bill Biasi, Mayor Albert Vallecillo
NOES: None
ABSENT: None

PUBLIC HEARINGS

None

DISCUSSION ITEMS

Discussion of Smoke-Free Outdoor Policy

City Manager Jeremy Craig introduced the item. Council reviewed options to expand outdoor smoke-free areas, heard input from youth, Chamber, police, and Yolo County, and directed staff to improve signage and return with a tailored approach focusing on parks, outdoor dining, and events, and specifically, the proposed entertainment district with the exception of alleys where employees may go on breaks.

Jaden Ciffton, Matt Baker, Steve Jensen and Kate Laddish provided public comment. Public comments were reopened and Janelle Madello provided public comment.

MOVED FROM CONSENT CALENDAR: Resolution 2025-47 Approving Contract with Flock Group, Inc. for $47,600 for Automatic License Plate Reader Technology for Use by the Winters Police Department

Police Chief Miller discussed a proposal to replace the City's outdated mobile ALPR system with fixed, solar-powered Flock cameras at four city entry and exit points under a two year lease totaling $47,600. He explained that the system includes full maintenance and technology upgrades, with data retained by Winters PD and shared only with California law enforcement agencies in compliance with state law.

Kate Laddish provide public comment.

Motion by Council Member Scianna, seconded by Council Member Loren to approve Resolution 2025-47, which approves a contract with Flock Group, Inc. for $47,600 for Automatic License Plate Reader Technology to be used by the Winters Police Department. Motion carried with the following vote:

AYES: Council Members Richard Casavecchia, Jesse Loren, Carol Scianna, Mayor Pro Tem Bill Biasi, Mayor Albert Vallecillo
NOES: None
ABSENT: None

CITY MANAGER'S REPORT

City Manager Jeremy Craig reported this was the final regular council meeting in August due to council recess. He also noted the start of the school year next week, with related shifts to city program hours and schedules, which have been shared through the City's notification list, website, and social media.

COUNCIL COMMENTS-IDEAS, QUESTIONS, AB1234 REPORTS

Verbal updates were provided by Council Members.

ADJOURNMENT

The meeting adjourned at 8:30 PM

_____

Albert Vallecillo, MAYOR

ATTEST:

_____

Zorina Treat, Deputy City Clerk

Mayor Pro Tem Biasi called the Meeting to order at 5:30 PM

Present: Council Members Richard Casavecchia, Jesse Loren, Mayor Pro Tem Bill Biasi, Mayor Albert Vallecillo (Participated by Zoom due to illness)

Absent: Council Member Carol Scianna

Staff: City Manager Jeremy Craig, Assistant City Attorney Joanna Gin (Zoom) Deputy City Clerk Zorina Treat

APPROVAL OF THE AGENDA

Motion by Council Member Loren, seconded by Council Member Casavecchia, to approve the agenda as presented. The motion carried by the following vote:

AYES: Council Members Richard Casavecchia, Jesse Loren, Mayor Pro Tem Bill Biasi, Mayor Albert Vallecillo

NOES: None

ABSENT: Carol Scianna

PUBLIC COMMENTS

No Public comment.

DISCUSSION ITEMS

4.1. RESOLUTION 2025-49 APPROVING THE ISSUANCE OF CALIFORNIA MUNICIPAL FINANCE AUTHORITY REVENUE BONDS (HEALTHCORE NORTHBAY PROPERTIES) IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $6,000,000 FOR THE PURPOSE OF FINANCING AND/OR REFINANCING CERTAIN COSTS OF THE ACQUISITION, CONSTRUCTION, EXPANSION, REMODELING, RENOVATION, FURNISHING, EQUIPPING AND/OR IMPROVEMENT OF HEALTH FACILITIES, INCLUDING REAL ESTATE, AND CERTAIN OTHER MATTERS RELATED THERETO

City Manager Jeremy Craig introduced the item, explaining the request from Health Corps Winters LLC to issue CMFA tax-exempt revenue bonds for the urgent care facility next to City Hall. He noted the City carries no fiscal or legal liability, with its role limited to approval of the bond process. A portion of issuance fees will support a charitable foundation and provide revenue to the City's general fund.

There was no public comment.

Motion by Council Member Loren, seconded by Council Member Casavecchia to approve Resolution 2025-49 approving the issuance of California Municipal Finance Authority Revenue

Bonds (Healthcore Northbay Properties) in an aggregate principal not to exceed $6,000,000 for the purpose of financing and/or refinancing certain costs of the acquisition, construction, expansion, remodeling, renovation, furnishing, equipping and/or improvement of health facilities, including real estate, and certain other matters related thereto.The motion carried by the following vote:

AYES: Council Members Richard Casavecchia, Jesse Loren, Mayor Pro Tem Bill Biasi, Mayor Albert Vallecillo

NOES: None

ABSENT: Carol Scianna

ADJOURNMENT

The Meeting adjourned at 5:35 PM

_____

Albert Vallecillo, MAYOR

ATTEST:

_____

Zorina Treat, Deputy City Clerk

CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers

DATE:September 2, 2025

FROM: Jeremy Craig, City Manager

SUBJECT: Street Closure Requests for Fall Events: September 26, 2025, Homecoming Rally, and October 24- 25, 2025, Harvest Festival

RECOMMENDATION:
By motion, approve the street closures for the fall events: the September 26, 2025, Homecoming Rally, and the October 24-25, 2025, Harvest Festival.

BACKGROUND:
The City has a vibrant downtown that is utilized periodically for events that require limited street closures. When those closures impact downtown streets, they are brought before the City Council for its review and approval pursuant to Winters Municipal Code section 12.04.020. The three fall events requesting street closures have been annual events for multiple years.

DISCUSSION:

September 26th WJUSD Homecoming Rally - The event includes approximately 400 students leaving the high school and walking to the event location for a sound-off from each high school class once the rally starts. The event coordinators would like to maintain the rally's location at First and Main as in years past. The request is to close Main St. and First St. on September 26, 2025, from 9:00 a.m. to 1:00 p.m. K-rail water barriers will be used for student protection, and WJUSD will have an identifiable adult onsite at the rally location throughout the duration to help monitor students and address any emergency needs as necessary.

Winters Downtown Business Association Harvest Festival (October 24th & 25th)—This two-day festival celebrates the end of harvest with music, food, and vendors. The closures will begin at 2:30 p.m. on Friday, October 24th, when Main St/First St to Main St./Railroad Ave. will be closed. That closure will continue until 11:00 p.m. on Saturday, the 25th, and include additional street closures from E. Main St. to Elliott St., including the intersection of Main St./Railroad Ave. and Railroad from Abbey St to the Alleyway between Main St and Russell St. from 6:00 a.m. to 11:00 p.m.

The city's Special Events Committee, which includes the City Manager, Chief of Police, Fire Chief, and Public Works Operations and Maintenance Director, has reviewed the applications for consistency with the prior year and proper safety precautions and approved them.

FISCAL IMPACT:

There is no fiscal impact to the City outside of administrative time to review the applications and bring them to the City Council for approval.

ATTACHMENTS:

Attachment 1 – Street Closure Request WJUSD Homecoming Rally
Attachment 2 – Street Closure Request Harvest Festival



HOMECOMING RALLY


FRIDAY, OCT. 24TH
EVENT TIME: 5-10PM
Railroad Ave
Elliott St
E Main St
Welding supply store
The Brick House
ZenTerra Spa
Recently viewed
Carboni's Ristorante
Italian
House Inn
4.8 (41)
3-star hotel
Hotel Winters
4.4 (158)
4-star hotel
Turkovich Family Wines
89
Winters Parks & Recreation
ROAD CLOSED
Rotary Park
Winters Collective
Main St
ROAD CLOSED
1st St
Pizza Factory Pizza
Russell St
Winters Museum
Google

Level 2


SATURDAY, OCTOBER 25TH
EVENT TIME: 10-3PM & 6-9PM
Edwards St
Railroad Av
ROAD CLOSED
The Brick House
ZenTerra Spa
Recently viewed
Carbonelli's Ristorante
Italian
Elliott St
E Main
E Main St
House Inn
4.8 (41)
3-star hotel
Hotel Winters
4.4 (158)
4-star hotel
Turkovich Family Wines
89
ROAD CLOSED
Elliott St
Winters Parks & Recreation
Rotary Park
Buckhorn Steakhouse
Winters Collective
Main St
ROAD CLOSED
ROAD CLOSED
Main St
1st St
Pizza Factory
Pizza
Russell St
Winters Museum
Google

CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers

DATE: September 2, 2025

FROM: Cathy Mathews, Director of Administrative Services

SUBJECT: Resolution 2025-50 amending the City of Winters salary scale and the Deputy City Clerk / Executive Assistant Classification.

RECOMMENDATION:
Approve Resolution 2025-50 Amending the City of Winters salary scale effective September 3, 2025 and Deputy City Clerk / Executive Assistant Classification.

BACKGROUND:
California Code of Regulations Title 2 Section 570.5 requires that a City have and maintain a publicly adopted and posted salary schedule. From time-to-time staff recommend changes to employee classifications and staffing to better meet the needs of the organization and the community. The City of Winters operates with a small staff of dedicated professionals. Within the constraints of the City's limited budgetary resources, staff must accomplish a variety of tasks in support of the community. It is important to review and evaluate whether the current arrangement of staff position classifications and duties is the most effective and efficient way to deliver city services to the residents of Winters. The Deputy City Clerk / Executive Assistant Classification has been amended to include added duties and required training to better respond to the needs of the City in the areas of records and Information Retention and Management, Elections, and Clerking. The proposed salary schedule reflects updates for the positions of Public Works Administrative Assistant and Housing Analyst authorized with Resolution 2025-44 and Deputy City Clerk/Executive Assistant Classification before you today.

FISCAL IMPACT:
The positions of Housing Analyst, Public Works Administrative Assistant, and Deputy City Clerk/Executive Assistant are included in the 2025-26 Budget approved with Resolution

2025-37. Re-alignment of the Deputy City Clerk/Executive Assistant scale will increase general fund expenses by $17,410.00.

ATTACHMENTS:

A. Resolution 2025-50
B. City of Winters Pay Scale adding the proposed effective September 3, 2025
C. Deputy City Clerk/Executive Assistant Classification

RESOLUTION 2025-50

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS AMENDING THE SALARY SCHEDULE EFFECTIVE SEPTEMBER 3, 2025 AND THE DEPUTY CITY CLERK/EXECUTIVE ASSISTANT CLASSIFICATION

WHEREAS, California Code of Regulations title 2 Section 570.5 (Requirement for a Publicly Available Pay Schedule) requires the City of Winters to make publicly available a current and accurate pay schedule for all positions authorized by the City Council; and

WHEREAS; the California Public Employees' Retirement Law requires the Salary Schedule to be updated to reflect changes that occur over time; and

WHEREAS, staff has proposed an amendment to the Deputy City Clerk/Executive Assistant Classification.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Winters does hereby approve amending the classification of Deputy City Clerk/Executive Assistant attached as Exhibit A and adopt the Salary Schedule effective September 3, 2025 attached as Exhibit B.

PASSED AND ADOPTED by the City Council, City of Winters, this 2nd day of September, 2025 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____
Albert Vallecillo, MAYOR

ATTEST:

_____
Jeremy Craig, CITY CLERK

Exhibit A
Classification of Deputy City Clerk/Executive Assistant

Exhibit B
Salary Schedule

City of Winters Salary Schedule Effective September 3, 2025

Position	A	B	C	D	E	Annual Salary	
Accountant	$5,293	$5,557	$5,835	$6,127	$6,433	$63,514	$77,193
Accounting Manager	$8,255	$8,667	$9,101	$9,556	$10,034	$99,060	$120,408
Administraive Assistance	$4,365	$4,583	$4,813	$5,053	$5,306	$52,379	$63,670
Administrative Coordinator Police Dept	$7,678	$8,062	$8,465	$8,888	$9,332	$92,131	$111,987
Building Official	$7,862	$8,255	$8,667	$9,101	$9,556	$94,344	$114,676
Captain-Fire	$7,674	$8,058	$8,462	$8,884	$9,328	$92,088	$111,938
Community Services Officer I	$3,731	$3,917	$4,113	$4,319	$4,534	$44,767	$54,405
Community Services Officer II	$4,571	$4,799	$5,039	$5,291	$5,555	$54,846	$66,663
Development Services Technician I	$3,982	$4,181	$4,390	$4,609	$4,840	$47,785	$58,077
Development Services Technician II	$4,390	$4,609	$4,840	$5,082	$5,336	$52,678	$64,033
Director of Administrative Services	$10,136	$10,643	$11,175	$11,734	$12,320	$121,629	$147,843
Director of Community Development	$10,136	$10,643	$11,175	$11,734	$12,320	$121,629	$147,843
Director of Finacial Management	$10,136	$10,643	$11,175	$11,734	$12,320	$121,629	$147,843
Director of Operations and Maintenace	$10,136	$10,643	$11,175	$11,734	$12,320	$121,632	$147,843
Engineer-Fire	$6,797	$7,138	$7,495	$7,869	$8,263	$81,568	$99,159
Environmental Services Manager	$7,862	$8,255	$8,667	$9,101	$9,556	$94,344	$114,676
Deputy City Clerk/Executive Assistant	$5,816	$6,107	$6,412	$6,733	$7,070	$69,792	$84,840
Facilities Manager-Field	$7,060	$7,413	$7,784	$8,172	$8,581	$84,720	$102,967
Facilities Manager-Sewer	$7,060	$7,413	$7,784	$8,172	$8,581	$84,720	$102,967
Facilities Manager-Water	$7,060	$7,413	$7,784	$8,172	$8,581	$84,720	$102,967
Fire Chief	$10,775	$11,314	$11,880	$12,474	$13,098	$129,302	$157,173
Firefighter	$6,519	$6,845	$7,187	$7,547	$7,925	$78,226	$95,095
Housing Analyst	$5,896	$6,191	$6,500	$6,826	$7,167	$70,752	$86,004
Associate Planner	$6,603	$6,932	$7,278	$7,643	$8,025	$79,231	$96,297
Senior Planner	$7,862	$8,255	$8,667	$9,101	$9,556	$94,344	$114,676
Human Resource Manger	$7,862	$8,255	$8,668	$9,101	$9,557	$94,347	$114,678
Human Resource Technician I	$4,102	$4,307	$4,522	$4,748	$4,985	$47,785	$58,077
Human Resource Technician II	$4,522	$4,748	$4,985	$5,234	$5,496	$52,678	$64,033

Position	A	B	C	D	E	Annual Salary	
Maintenance Woker IV-Field Supervisor	$5,894	$6,189	$6,499	$6,823	$7,165	$70,730	$85,979
Maintenance Worker I	$3,015	$3,167	$3,325	$3,491	$3,665	$36,183	$43,982
Maintenance Worker II	$3,987	$4,188	$4,396	$4,616	$4,847	$47,850	$58,167
Maintenance Worker III	$4,846	$5,088	$5,343	$5,610	$5,890	$58,154	$70,678
Management Analyst -Administration	$5,293	$5,557	$5,835	$6,127	$6,433	$63,514	$77,193
Management Analyst-Building	$5,293	$5,557	$5,835	$6,127	$6,433	$63,514	$77,193
Management Analyst-Community Development	$5,293	$5,557	$5,835	$6,127	$6,433	$63,514	$77,193
Permit Technician	$3,982	$4,181	$4,390	$4,609	$4,840	$47,785	$58,077
Public Works Administrative Assistant	$3,982	$4,181	$4,390	$4,609	$4,840	$47,785	$58,077
Police Chief	$10,775	$11,314	$11,880	$12,474	$13,098	$129,302	$157,173
Police Officer	$6,153	$6,461	$6,784	$7,123	$7,479	$73,841	$89,748
Records and Information Manger	$7,272	$7,635	$8,017	$8,417	$8,838	$87,262	$106,056
Records Clerk I	$3,102	$3,256	$3,419	$3,591	$3,770	$37,221	$45,241
Records Clerk II	$3,408	$3,579	$3,757	$3,945	$4,142	$40,894	$49,706
Recreation Coordinator	$3,105	$3,260	$3,423	$3,594	$3,773	$37,260	$45,280
Senior Accountant	$7,862	$8,255	$8,667	$9,101	$9,556	$94,344	$114,676
Sergeant	$7,197	$7,557	$7,935	$8,331	$8,748	$86,366	$104,974
Grant Writer	$5,452	$5,724	$6,010	$6,311	$6,626	$65,424	$79,512

EXECUTIVE ASSISTANT / DEPUTY CITY CLERK

DEFINITION

Under direct supervision from the City Manager, this position is an advanced level administrative support class, performing a variety of confidential, highly responsible, complex and advanced duties. In support of the City Manager, and City Council; performs a variety of functions associated with City Clerk duties; City records and information; clerking Council and Planning Commission meetings; administers and coordinates municipal elections; performs other duties as required.

SUPERVISION RECEIVED AND EXERCISED

Receives direct supervision from the City Manager and does not supervise other staff.

CLASS CHARACTERISTICS

The Deputy City Clerk / Executive Assistant position is a single position classification in the City Manager's Office. The incumbent reports directly to the City Manager.

EXAMPLES OF IMPORTANT/ESSENTIAL DUTIES

The following are typical illustrations of duties encompassed by the job class, not an all-inclusive or limiting list:

- Perform complex, confidential, and specialized administrative support and special project assistance for the City Manager, City Council, and Director of Administrative Services.
- Prepare drafts and publish legal and public notices in coordination with other departments.
- Compile agenda items for City Council and Planning Commission meetings; prepare and distribute agenda packets; summarize and publish agenda information for public meetings.
- Provide administrative support for City Council and Planning Commission meetings; and facilitate meeting audio visual / streaming technology.
- Perform follow-up activities resulting from Council meetings, including preparing drafts and distributing minutes, ensuring that resolutions and ordinances are in proper format and executed, monitoring agenda preparation and publication for various committees and commissions
- Ensures recording of required documents with the County Recorder
- Coordinate and track public records act requests and status of responses

- Update the City's website and social media postings.
- Serve as lead power user for the agenda management platform by creating meetings and agendas, monitoring staff workflow for agenda items, and closing / publishing meeting packets.
- Schedule use of City Hall facilities and Council Chambers; coordinate City Manager's calendar.
- Coordinates and maintains the City's centralized records management system, archives, and records retention program.
- Respond to requests from the City Council, City staff, and the public for research and information regarding City codes, ordinances, and established policies and procedures.
- Index and distribute, files, and certify copies of ordinances, resolutions, official minutes, and other public records.
- Coordinate updates to Winters Municipal Code.
- Provide administrative assistance to the Director of Administrative Services in the areas of human resources and risk management, as directed.
- Serves as election official; notices elections, issues nomination papers, reviews candidate statements, files documents with the County; serves as filing officer for fair Political Practices Commission forms, campaign statements for candidates, committees, and public officials; notifies of filing requirements; maintains records and provides assistance; assists with notification to Secretary of State and Registrar of Voters of citizen-generated initiative measures within the City's jurisdiction.
- Assist in the budget development and processes invoices and purchase orders for the City Manager's Office.
- Provide Notary Public services for City legal requirements.
- Answer phones, monitor public counters, and provide direct assistance to the public.
- Perform other duties as assigned.

JOB RELATED/ESSENTIAL QUALIFICATIONS

Knowledge of:

- Laws, regulations, procedures, and requirements of the City Clerk's office including the Brown Act, California Elections Code, California Government Code, and the State's Fair Political Practices Commission filing provisions.
- Organization and function of public agencies, including the role of an elected City Council and appointed boards and commissions.
- Proper grammar, spelling, vocabulary, and punctuation; business letter writing and the standard format for reports and correspondence.
- Office management procedures, including filing systems, operations of standard office equipment, and intermediate skills in Microsoft Office Suite products, including Outlook, Work, Excel and PowerPoint.

Ability to:

- Perform a wide variety of confidential, responsible, and difficult general administrative duties involving the use of independent judgement, personal initiative, and

resourcefullness; organize and prioritize a variety of projects and multiple tasks in an effective and timely manner; organize own work, set priorities, and meet critical time deadlines.

- Establish, maintain, and foster positive and effective working relationships with staff, elected and appointed officials and the public; effectively communicate in person, over the telephone, and in writing.
- Evaluate, recommend and implement goals, objectives, policies, improvements, and practices for providing effective and efficient services.
- Use tact, initiative, prudence, and independent judgment within general policy, procedural, and legal guidelines.
- Maintain confidentiality and be discreet in handling and processing confidential information and data.
- Locate and assemble data; interpret, organize, apply, explain, and ensure compliance with applicable Federal, State, and local laws, rules, regulations, policies, and procedures.
- Compose correspondence and reports independently or from brief instructions; operate office equipment and computer applications related to the work.

EDUCATION/EXPERIENCE

Any combination of education, training, and experience that would likely provide the required knowledge and abilities are qualifying. A typical way to obtain the knowledge and abilities would be:

Education: Bachelor's degree from an accredited college or university in public administration, business administration, or closely related field, preferred.

Experience: three (3) years of increasingly responsible executive administration or clerk's office experience; public sector experience highly desirable.

Licenses/Certificates

- Notary Public certification (or ability to obtained within six months of employment).
- Certified Municipal Clerk (CMC) designation (or ability to obtain certification within three (3) years)
- Possession of a valid California driver's license.

WORK ENVIRONMENT AND PHYSICAL DEMANDS

Physical and Sensory Requirements

- Mobility: frequent use of keyboard; frequent sitting for long periods of time; occasional bending or squatting.
- Lifting: frequently up to 10 pounds; occasionally up to 25 pounds.
- Vision: constant use of overall vision; frequent reading and close-up work; occasional color and depth vision.
- Dexterity: frequent repetitive motion; frequent writing; frequent grasping, holding, and reaching.

- Hearing/ Talking: frequent hearing and talking, in person and on the phone. (6) Emotional/Psychological: frequent decision-making and concentration; frequent public and/or coworker contact; occasional working alone.

Work Environment

- Employees work in an office environment with quiet to moderate noise levels, controlled temperature conditions, and no direct exposure to hazardous physical substances. Employees may interact with upset staff and/or public and private representatives in interpreting and enforcing departmental policies and procedures.
- Attending evening meetings is regularly required and may be required to travel out of the City to attend meetings, training, and conferences.

CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers

DATE: September 2, 2025

FROM: Jeremy Craig, City Manager

SUBJECT: Discussion of Banning Safe and Sane Fireworks and July 3rd City Fireworks Show

RECOMMENDATION:
City Council discusses the banning of safe and sane fireworks sales and use in the City of Winters and whether to continue the City's July 3rd professional fireworks show.

BACKGROUND:
At its July 15, 2025 regular city council meeting, the council received letters and comments from community members requesting the Council review and ban the sale and use of safe and sane fireworks. Some residents also asked the City to cancel its July 3rd professional fireworks show. After those requests, the Council approved a motion to bring the item back to discussion at a later meeting.

The City currently allows the sale and use of safe and sane fireworks in the City under Chapter 8.24 (Fireworks) of the Winters Municipal Code. Safe and sane fireworks can only be sold and discharged in the City between June 28, 12:00 noon and July 6, 12:00 noon each year. Only nonprofit organizations issued a permit can sell fireworks in the City. There is one fireworks stand in town that Little League Baseball operates for fundraising purposes. For more information about fireworks booth sales, see the staff report for the May 16, 2023 City Council meeting.

Under the California Health and Safety Code, "safe and sane" fireworks are a class of consumer fireworks approved by the United States Consumer Product Safety Commission and tested and determined by the State Fire Marshal (SFM) to be compliant with standards and regulations for safe and sane fireworks. These devices are limited to ground-based, non-aerial, and non-explosive items, such as fountains, sparklers, and ground spinners. The City of Winters currently prohibits the sale and use of fireworks that are not "safe and sane," and relies on the annual July 3rd professional fireworks display to provide a legal, safe celebration alternative.

The City contracts for a professional fireworks show, which takes place on July 3rd each year at the high school football field. The Contractor is licensed to perform such a show and does

so with the approval and coordination of the fire department. There have been no incidents arising from the firework show.

DISCUSSION:

Comparison to surrounding Cities:

CITY	SAFE/SANE STATUS	FIREWORKS SHOW
Davis	Ban	Yes
West Sacramento	Allowed	Yes
Woodland	Allowed	Yes
Dixon	Allowed	Yes
Vacaville	Ban	Yes

As you can see above, all local cities have an annual professional fireworks show, but the use and sale of safe and sane fireworks is allowed in three nearby cities and banned in two other local cities.

Arguments in Favor of Banning Safe and Sane Fireworks Sales and Use

Despite their classification, “safe and sane” fireworks are not without risk. They can still ignite fires — particularly in dry vegetation or near structures — and can cause injuries, especially to children. In recent years, the City and surrounding areas have experienced heightened wildfire danger due to prolonged drought conditions and increasing summer temperatures.

While “safe and sane” fireworks are designed to be less hazardous than aerial or explosive devices, they remain an ignition source capable of starting fires and causing injuries. CAL FIRE and U.S. Consumer Product Safety Commission reports note that these devices account for a measurable share of fireworks-related incidents each year. Sparklers, which burn at temperatures exceeding 1,200 degrees Fahrenheit, are among the most common causes of burns to children under five years of age.

For small jurisdictions such as Winters, each additional ignition source during the July 4th holiday period increases the likelihood of fires and places a strain on limited emergency resources. The City has also received input from residents expressing concerns over fire danger, noise, and debris from neighborhood fireworks activity.

Prohibiting “safe and sane” fireworks would align Winters with other small California cities located in high fire-risk areas that have moved to a complete consumer fireworks ban, relying instead on professionally managed public displays. Enforcement of such a ban would be coupled with public education campaigns in coordination with CAL FIRE, the Winters Fire Department, and the Winters Police Department.

Arguments Against Banning Safe and Sane Fireworks Sales and Use

Safe and sane fireworks are a decades-old tradition in the City, and their sales help fund children playing baseball and the city swim team. While cities all around us continue to sell them and allow their use, a ban will push sales to other communities, and residents will drive to those neighboring communities and bring them back to use. In addition, a total ban may

encourage the use of more explosive and dangerous fireworks that are already illegal. Still, if everything is prohibited, they may choose to use the more powerful items.

A ban on all fireworks would simplify enforcement; however, considering the limited staffing in both police and fire departments, are there adequate resources to enforce the ban? Likewise, the administrative time required to assess and collect fines, conduct appeal hearings, and address further litigation that arises from a challenge to the fine will place additional time demands on city staff.

July 3rd Fireworks Show

The City's fireworks show is performed by a professional licensed pyrotechnics company with the coordination of the fire department. Studies have shown that a professional fireworks show can reduce the amount of illegal, dangerous fireworks in a community. The show offers a chance to witness large fireworks in a safe and professional setting.

Potential Next Steps

Tonight's item is for discussion purposes only, so no action is being suggested. If the Council would like to pursue a ban on sales and use of safe and sane fireworks, staff would begin the ordinance amendment process, which includes public noticing and two council meetings. If the Council wishes to discontinue the July 3rd show, the City would not renew its current contract for services.

FISCAL IMPACT:

N/A – Discussion purposes only.

ATTACHMENTS:

Staff report for the May 16, 2023 City Council meeting

CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers

DATE:May 16, 2023

FROM: Kathleen Salguero Trepa, City Manager

SUBJECT: Fireworks Booth Sales

RECOMMENDATION:
Receive report and provide direction.

BACKGROUND:
At the April 18, 2023 City Council meeting, when Council was discussing the annual fireworks show, three councilmembers requested that the sale of Safe & Sane fireworks be brought back to the City Council for discussion. For years, Little League and the Winters' municipal swim team coordinated separate fireworks booths to sell legal fireworks prior to the 4th of July. The booths were run separately until the City began contracting with a third party to coordinate the summer swim team and provide recreational swim lessons. For the last two years, Little League has agreed to coordinate one double booth and split the proceeds with the City. Swim parents are requested to help volunteer at the booth.

Last year, fireworks sales netted approximately $17,000 for the City, which was placed in the Swim Team fund as has been done for years. This revenue continues to support aquatic programming by funding scholarships for School District youth who qualify for free or reduced lunches and to purchase equipment, such as kick boards, pop ups for the lifeguards, and tee shirts for this year's swim team. The current balance in the Swim Team fund is approximately $90,000.

DISCUSSION:
Fireworks allowed under State law are referred to as Safe & Sane fireworks, which are authorized in the Winters Municipal Code under Chapter 8.24 (Attachment 1). Per the Code, booth sales of Safe & Sane fireworks are allowed within the City; one booth per 4,500 residents, or fraction thereof, are permitted. Accordingly, two booths have been

permitted for years. Priority for booth permits is “given to local, non-profit organizations which provide youth-oriented recreational activities.” Traditionally, the booths have been managed by, or for the benefit of, Little League and the municipal swim team. Only Safe & Sane fireworks are allowed, and sales are permitted from noon on June 28 through noon on July 6. The Code stipulates various safety requirements for the booths, which are inspected by the Fire Department. For years, the booths have been located on private property adjacent to the Town and Country Market and Berryessa Sporting Goods store on Grant Avenue.

In 2022, the City Council amended Chapter 8.24 through the adoption of a Social Host Ordinance, which created administrative fines that can be levied against a property owner or resident for the discharge of illegal fireworks on their property or as a result of people visiting their property. Last year, five individuals were cited for illegal fireworks. The City also promoted the use of a platform for residents to forward information and video clips of people discharging illegal fireworks. Because the citations are administrative, Police Department, Fire Department and Code Compliance staff can follow up on these tips and issue administrative citations after the discharge if sufficient information is available to document the use of illegal fireworks. The goal is to reduce and over time eradicate the use of illegal fireworks, which are dangerous to users and can cause fires. Safe & Sane fireworks are not projected into the air and should not be confused with illegal fireworks which are brought in from out of state.

FISCAL IMPACT:
None associated with this report. Eliminating fireworks booth sales will result in a reduction of revenue used to support youth recreational programming without an alternative fundraising opportunity.

ATTACHMENT:
Winters Municipal Code Chapter 8.24 - Fireworks

Zorina Treat

From: Jeff Buchman <jeff.buchman@yahoo.com>
Sent: Wednesday, July 2, 2025 4:14 PM
To: Zorina Treat
Subject: Urgent Matter

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello Zorina,

In the aftermath of the catastrophic fireworks explosion near Esparto, our region is reeling. As of this writing, seven people remain missing—a sobering and heartbreaking reminder of just how dangerous and devastating this incident truly is. My thoughts—and I know the thoughts of many in Winters—are with the families holding their breath, the first responders tirelessly searching, and all those shaken by this tragedy.

This is not just a rural accident. It is a regional reckoning. The blast, the fire, and the widespread damage demand not only our compassion, but our collective responsibility to prevent such tragedies in the future.

We must begin to ask ourselves difficult but necessary questions: Is it time to transition away from fireworks? Can we honor our traditions and still choose safety? Can we protect our communities *and* support the nonprofit organizations that rely on fireworks sales to survive?

I believe the answer is yes. Let's begin exploring safe, modern alternatives—like drone light shows, laser displays, and family-oriented community events that don't carry the same risks of explosion or wildfire. And let's come together to create new fundraising pathways for our youth sports teams, service clubs,

and school programs, so they are not forced to choose between tradition and safety.

To honor the missing, the impacted, and the brave, we must let this moment matter. Let it change us—for the better.

Sincerely,

Jeffrey

Jeff Buchman
106 Russell Street
Winters, CA
916.532.5382

Get Outlook for iOS

Winters City Council
318 1st Street
Winters, Ca 95694

July 9, 2025

Dear Councilmembers,

My heart aches for the victims and their loved ones in the recent tragedy at the fireworks facility in Esparto. I hope this event will remind us all of the inherent dangers of fireworks.

There are no safe ones, especially for those of us living in wildfire country. I nearly started a wildfire just after I moved here, thinking that "safe and sane" sparklers would not ignite short, dry grass. We were lucky on that 4th of July, but we have not always been lucky. Indeed, the Monticello fire in 2014 was caused by fireworks at the Canyon Creek Resort. This fire burned for 8 days, consumed 6500 acres, and caused 5 injuries.

The chances of ignition increase with the number of people lighting fireworks. For that reason, I consider it irresponsible for the City of Winters to continue to host a fireworks sale stand every year. In addition to the risks from the irresponsible use of fireworks, their storage in shipping containers onsite poses a substantial risk of a catastrophic event like we just saw in Esparto. It might even be worse, given the location of those containers next to a busy highway, a gas station, and a grocery store, and close to a senior housing complex.

Although I do not live within City limits, I consider myself a member of the Winters community, and one thing I love about this town is how we take care of our neighbors. Fires from irresponsible firework handling are more likely to strike in the immediate vicinity of town, because that's where the celebrations are. I never want to see my in-town neighbors lose their homes, as we have experienced here on Positas Road.

I am not ignoring the benefits that come from the revenues generated from this stand, and I fully support those causes. But there are many alternate ways to raise money without the risks of fireworks. A short list of possibilities includes a charity dinner, a benefit concert, an online auction of donated goods, or even the traditional bake sales and car washes. Any of these would also serve as community-building events, unlike the fireworks stand. Just because we have previously raised money in one way does not mean we have to continue doing so. Let's be creative and move forward to safety together.

I request that the City Council agendize a discussion on this topic. Ideally, this meeting would include an accounting of the costs to the City of fire readiness and fire response around July 4th, the exact uses of the firework-stand revenues, and alternatives for fundraising that the City and the local community could support. I hope a constructive discussion will identify a way to support these organizations without putting any community members at risk of losing everything to a wildfire.

Sincerely,

Ken Britten
30100 Positas Rd.
Winters, CA 95694

Attn: Zorina Treat@cityofwinters.org

Please distribute this letter to all Council Members. We are requesting that it be read into the record at the Council Meeting.

++

10 July, 2025

We have lived within Winters for most of the last 40 years, on the south side of Russell St., along Dry Creek. Winters residents recently voted to tax ourselves to expand our Fire Department, a clear indication of our community's concern about wildfire danger, which is a growing problem for the city and our neighbors in rural Yolo and Solano counties. Thus, we are concerned about the continued use and sale of fireworks in Winters, especially in light of the deadly explosion of fireworks in an Esparto warehouse last week.

To address such concerns, Solano, Napa, and Yolo counties have expanded the areas where even "safe and sane" fireworks are banned. In Solano County, these include Vacaville, Fairfield, Benicia, and all of rural Solano County. In Napa County, included are St. Helena, Calistoga, Yountville, Napa, American Canyon and any unincorporated areas. In Yolo County, it is Davis and about the western third of our county, covering unincorporated areas that Cal Fire has zoned as Very High and High fire-hazard zones.

In line with these changes, we encourage the Winters City Council to promptly hold a discussion on whether it is in our community's best interests to continue to allow "safe and sane" fireworks (Winters Municipal Code 8.24.010, revised July 2022, passed December 6, 2022) and to sanction their use by permitting their sale in town. The foregoing decisions suggest we are running a bit late in taking up this discussion.

In particular, we request that this discussion include if Winters should continue to issue permits for the safe-and-sane fireworks stand that generates revenue to benefit the Swim Team and Little League. As both organizations are a big part of what we love about Winters, can the city and the community help them find funding to replace the fireworks stands? If we were planners—for the City or for either of these organizations—we would be figuring out how to replace that revenue stream with a truly safe and sane fundraiser.

Thank you,

Amy Gilreath and Paul Keyser
456 Russell St., Winters, CA 95694

July 15, 2025

Winters City Council
318 First St.
Winters, CA 95694

Dear Mayor Vallecillo, Mayor Pro Tem Biasi, and Councilmembers Loren, Scianna, and Casavecchia:

Due to dangers posed to people, pets, livestock and wildlife, the negative effect on air quality, and significant fire hazard, there is an increasing community desire to ban the use and sale of personal fireworks in Winters. I request that the City Council agendize having a discussion about whether to continue allowing the sale and use of personal fireworks within the City of Winters.

In the past, one of the hitches in having this discussion has been an understandable reluctance to affect a source of funds for the summer swim team and Little League, the two organizations that benefit from the Grant Avenue fireworks booth.

Having a discussion at an upcoming Council meeting could give an opportunity for Council to hear from these organizations about the revenue they bring in, how they use the funds, and what their needs are. For example, since the City contracts with DART-Solano for summer swim team, it could be useful to better understand how the independent summer swim team organization uses the money earned from the fireworks booth. Having an open discussion about this could give Council and the community as a whole an opportunity to come together with these groups to brainstorm how we can continue to support these worthy organizations without the sale of fireworks, should Council decide to ban the use and sale of personal fireworks.

Having a discussion would also be a chance to hear from Winters Fire Department, Police Department, and Public Works Department about effects, costs, and risks associated with use and sale of personal fireworks.

Because Winters is one of the lone jurisdictions that allows use of personal fireworks, people come from well outside of Winters to set off their own fireworks, both the “safe and sane” variety and the illegal rocket-style kind. This happens in streets and in other public spaces such as near the library and pool, in parking lots, on the brick sidewalks downtown and, especially alarmingly, in the Winters Putah Creek Nature Park. Council could discuss the pros and cons to the City and the community of choosing to remain a destination for people from other jurisdictions to set off fireworks.

I think the time is ripe to have this discussion, and I hope the conversation can start now rather than next spring or summer. I respectfully request Council agendize discussing whether to continue allowing the use and sale of personal fireworks within the City of Winters.

Sincerely,

Kate Laddish
Winters, Calif.

Revalee Hemken
3876 Putah Ridge Trail
Winters CA 95694

July 26, 2025

City of Winters City Council

RE: fireworks in the City limits

I am opposed to the sale of fireworks in the City of Winters. Our fire and police services must be able to focus their resources and energy on being prepared to confront natural emergencies rather than those caused by fireworks. The argument that nonprofit groups "need" to sell fireworks is ridiculous. There are many nonprofits in town that raise their money in ways that do not threaten our safety or cost the city money in stepped up surveillance and policing.

I am in favor of a city-wide ban on the use of fireworks by nonprofessionals, but I do understand that it will take time to educate our residents about the dangers of setting off fireworks and how much it costs the city to deal with their use. It will also take time to inform people who come from out of town to use fireworks on our streets and in parking lots, and to enforce any ban once it is in place.

I hope that Yolo County Supervisors will begin talks about a countywide ban on fireworks. Solano and Napa County are two neighbors that have banned fireworks. Fireworks are too dangerous for use just about everywhere in the west under our normal summer weather conditions.

Thank you for your consideration.

Revalee Hemken

August 1, 2025

Greg A Ferguson

Putah Creek road

Winters CA 95694

August 4, 2025

City Of Winters City Council

RE; Red Devil Fire Work Sales & use in City of Winters

I am writing to formally register my opposition to the sale and use of red devil fireworks allowed by the City of Winters. In addition, I would like to also express my disappointment with the City Council to allow these sales to continue for way too many years now.

Every Year I drive by the Winters Red Devil Stand prior to the 4th of July I just shake my head, and I wonder how much longer the city will so irresponsibly allow these sales to take place of what is essentially ignition sources sold under the moniker of safe and sane fireworks. Most proactive modern cities, towns and counties have banned fire work sales and use especially the ones located close to open spaces such as Solano and Napa County. City Council you need to bring your town into and up to 2025 and beyond standards and thinking. So, I challenge the council with the question, what public good do fireworks sales offer to the City of Winters?

- Extra revenue to the Fire – Police department after a fire is started?
- Add educational opportunities for our youth?
- Help keep our streets and rural areas clean and debris free?
- Help emergency rooms with additional funding for injuries sustained by Firework injuries?
- Help SPCA with funding for pets scared or lost trying to flee the loud noise and bright lights?

There is more but I think you see the point.

On the other side of the coin are a few examples of 4th of July activities that do give back to the community without selling ignition sources.

- Local robotics clubs have LED drone shows that mimic fireworks that clubs ask for donation (educational)

- Local associations sponsor laser light shows that mimic fireworks and ask for donations (educational)
- Local Clubs and organizations offer pet sitting services to help with scared pets while owners attend professional fireworks events ask for donations (educational sense of community)

There is more to this list. But these are examples that offer funding for the nonprofits, educational opportunities for our young folks and opportunity to give back and feel a sense of community.

No surprises, a lot of fireworks sold in Winters end up in Solano and Napa counties like Lake Solano, Lake Berryessa out in orchards or turn out at fishing access Putah Creek Road and hwy 128. As noted, above every red devil fire work from sparklers to snakes is an ignition source waiting to start the next wildfire.

Does anyone from the City Council know what the VHFHSZ stands for? It is an anachronym for Very High Fire Hazard Safety Zone. Most of Yolo Solano Napa Counties are located within it.

I urge the city to get familiar with SRA and VHFHSZ its real, serious, and should factor into if it's really a wise idea to be selling potential ignition sources for the next catastrophic wildfire IE Red Devil Fire Works=ignition sources. And additionally, and just as important lead your city in a modern and community responsible direction and outlaw the sales and use of safe sane red devil ignitions sources.

Sincerely

Greg A Ferguson

Zorina Treat

From: Penelope Herbert <penelopeannherbert@gmail.com>
Sent: Saturday, August 2, 2025 8:54 PM
To: cityclerk
Subject: Fireworks July 4th Putah Creek
Attachments: IMG_1550.heic

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

To Whom It May Concern ,
Like many in Winters I applaud and enjoy the town's formal fireworks display on July 3rd. I have deep concerns however regarding fireworks sold to individuals and do not support private use due to safety concerns for our broader community.
Attached please find a photo of the used fireworks (and a sampling of alcohol vessels) that were released/consumed at the bottom of our property just after midnight July 4th.
> While we live on Canal Lane, these fireworks set off on Putah Creek were shot over our properties and are very dangerous for us given the fire risk .
> Each year it's the same worry .
> Thank you for any attention you can draw to this issue and please include this letter in the 8/5 meeting.
> Respectfully,
> Penny Herbert

>
> Sent from my iPhone

From:	Dennis Revell
To:	Albert Vallecillo; Bill Biasi; Jesse Loren; Richard Casavecchia; Carol Scianna
Cc:	Jeremy Craig; Zorina Treat; Jack Snyder; tips; John Castilone; Cindy Dronberger
Subject:	Discussion Item — Keep Winters' State-Approved "Safe & Sane" Program; Maintain the July 3 Professional Show; Adopt a Right-Sized Enforcement Package Targeting Illegal Fireworks
Date:	Thursday, August 28, 2025 7:06:37 AM
Attachments:	If You Are Not Part of the Solution - You Are Part of the Problem 2025 (00057305xB1573).pdf Clearing the Air. How State-Approved Fireworks Protect Your Community and Nonprofits (00057248xB1573).pdf How Can TNT Fireworks Help You with YOUR Illegal Fireworks Issue (00057247xB1573).pdf 1 Rationale for Administrative Fines for digital toolkit (00057296xB1573).pdf 2 Rationale for a Fireworks Social Host Ordinance for digital toolkit (00057297xB1573).pdf 3 Rationale for Stacking of Illegal Fireworks Violations and Fines for digital tool kit (00057299xB1573).pdf 5 Rationale for Response Costs Recovery Ordinance Provision Digital Toolkit (00057300xB1573).pdf 4 Rationale for Local Jurisdictions to Utilize AB 1403 for digital toolkit (00057298xB1573).pdf What Happens in Nevada---Should Stay in Nevada!!! 2023 (00052018xB1573).pdf
Importance:	High

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REVELL
COMMUNICATIONS
Public Relations & Public Affairs

August 28, 2025

Honorable Mayor Vallecillo
and Members of the City Council
City of Winters
318 First Street
Winters, CA 95694

Our Client: TNT Fireworks

Re: Discussion Item — Keep Winters' State-Approved "Safe & Sane" Program; Maintain the July 3 Professional Show; Adopt a Right-Sized Enforcement Package Targeting Illegal Fireworks

Dear Mayor Vallecillo and Honorable Councilmembers,

I'm writing on behalf of **TNT Fireworks** and the Winters nonprofit we proudly support regarding your **September 2, 2025,** discussion on the sale of **State Fire Marshal-Approved Safe & Sane fireworks**, enforcement against **illegal** fireworks and maintaining the July 3 Professional Show.

Since 1989 Revell Communications has served as the public relations/public affairs representative for TNT Fireworks, the state's leading wholesale distributor of State Fire Marshal-Approved Fireworks. We assist TNT Fireworks with its community liaison activities as well as with the development and implementation of both local and statewide Fireworks Safety & Education Programs that it coordinates and/or underwrites in conjunction with local and state fire departments and law enforcement agencies. We also assist our client as well as the State of California and many local communities with the collection, tabulation and analysis of local fire and injury data as it relates to illegal, state-approved and unknown fireworks and act as a resource library for those same entities on emerging enforcement and public education techniques throughout the country as we all battle with the growing menacing problem of illegal fireworks. (For further general information please see the attached "If You Are Not Part of the Solution, You Are Part of the Problem!!").

We appreciate Winters' continued efforts to address public safety concerns related to fireworks. As California's largest provider of **State Fire Marshal-Approved Fireworks**, TNT Fireworks shares your commitment to community safety and responsible celebrations. However, **we urge you to focus on the true source of the problem: the unchecked flow of illegal, high-powered, aerial fireworks and explosives from Nevada into California.**

To provide additional context on this growing crisis, we have attached a copy of ***"Clearing the Air: Separating Fact from Fiction in California's Fireworks Debate"*** and *"What Happens in Nevada---Should Stay in Nevada!!".* These documents outline the **real source of illegal fireworks in our state**—the **thirteen Nevada fireworks superstores** just across the border—and offers **real solutions that California communities like Winters can advocate for at the state level.**

The Real Threat: Illegal Fireworks from Out of State

Each year, hundreds of **thousands of pounds of illegal fireworks flood into California**—not from communities like Winters that allow State-Approved Fireworks, but **from just across the Nevada border, where powerful aerial fireworks and explosives are sold to California residents with virtually no restriction on them transporting them into California.**

Independent studies estimate that the **thirteen brick-and-mortar stores operating immediately across the Nevada border** account for **at least 60-70% of the illegal fireworks** that end up on California's streets. This is not speculation — it's a well-documented pipeline that continues to fuel dangerous and unlawful activity in our communities.

The consequences of this unregulated flow have been severe. One of the most devastating examples was the **June 30, 2021, detonation of a Los Angeles Police Department bomb containment vessel**, which was overloaded with illegal fireworks seized from a home in South Los Angeles. The **bulk of those illegal fireworks were traced directly to a Nevada fireworks store just across the California border.** This catastrophic explosion, resulting in damage to 17 homes, occurred in a city that **has never allowed the sale or use of State-Approved Fireworks—underscoring that prohibiting legal fireworks does not stop illegal ones.**

The Urgent Need for State Action: A California-Nevada Interstate Approach

California's growing illegal fireworks crisis demands bold, coordinated action. Leaders in the **State-Approved Fireworks** industry, in partnership with local governments and public safety officials, strongly support a **State Fire Marshal-endorsed initiative** to:

- Establish a **California-Nevada Joint Task Force** to address cross-border fireworks trafficking.
- Seek **federal and state collaboration** to strengthen enforcement at the border.
- Pursue an **Interstate Compact** to regulate the sale of fireworks in Nevada's border stores, helping to curb their illegal transport into California.

Without meaningful action at the **state level**, California's cities—regardless of their local fireworks policies—**will continue to be inundated with dangerous, illegal fireworks that are neither manufactured, sold, nor permitted under California law.**

The Role of Community Engagement and Enforcement

A critical distinction between cities that allow **State-Approved Fireworks** and those that do not is the level of **proactive enforcement and education** to combat illegal fireworks. Many cities that permit State-Approved Fireworks have successfully implemented strategies such as:

- **Higher administrative fines** for illegal fireworks violations to deter unlawful sales and usage. Some cities exceeding over two and a half million dollars in annual fines.
- **Social host, citing by device (stacking) and cost-recovery ordinances** to hold individuals accountable for illegal fireworks activity on their property.
- **Dedicated public safety patrols and community outreach initiatives**, funded in part by local fees on legal fireworks sales.

These efforts were further reinforced in **2023** by the passage of **AB 1403**, which empowers cities that permit **State-Approved Fireworks** to impose fees of **up to 7% of gross sales** to fund public education and enforcement programs targeting illegal fireworks.

However, **even the best local enforcement strategies cannot address the root cause of this crisis: the unchecked flow of illegal fireworks from Nevada into California.** The Winters City Council has the opportunity to play a leadership role in pressing **Governor Newsom and state leaders** to take meaningful action—whether by supporting a **California-Nevada Joint Task Force, strengthening border enforcement, or advocating for an Interstate Compact to regulate the sale of fireworks in Nevada stores that are supplying California's illegal fireworks market.**

Without the commitment from the **state**, California cities—regardless of their fireworks policies—will continue to struggle with the growing dangers posed by **high-powered, dangerous illegal aerial fireworks and explosives trafficked across our border.** We urge you to **join us in pushing for solutions that will truly make a difference.**

Keep Winters' "Safe & Sane" Program and Adopt a Right-Sized Enforcement Plan (Built for a Smaller City)

Why keep Winters' program?

- **It funds kids—full stop.** Winters authorizes one nonprofit stand. As your 2023 staff report noted, sales **netted ~$17,000 for youth aquatics in a single season and another $17,000 supporting the Little League and maintaining and repairing city-owned ball fields.** Each year, the City receives **half of the net proceeds** from fireworks sales for the competitive swim team—effectively the **entire competitive swim-team's annual budget**—and the City has had **no reported incidents** tied to State-Approved Firework items. (Illegal fireworks are the cited problem in past enforcement and appear to be the items residents were recently complaining about in their correspondence and comments before the City Council.)

- **The program is legal, narrow, and time-limited.** Winters Muni Code **Chapter 8.24** allows **State Fire Marshal-approved** ("Safe & Sane") items only, from **June 28 (noon) to July 6 (noon)**, sold by permitted nonprofits in temporary stands and inspected by the Fire Department.

- **Winters is not mapped as "Very High" in town.** CAL FIRE's hazard-zone materials and Yolo County's planning documents show **Very High Fire Hazard Severity Zones west of Winters**, but not within the city core. Local areas near the hills carry higher hazard, but the **incorporated area is not designated "Very High."**

- **"Sparklers" are not a California State-approved Firework!** California limits sales to items on the **OSFM-approved list** (mostly **ground-based fountains and a few handheld sparkling devices**). National CPSC injury figures often cite long, metal-wire sparklers widely sold elsewhere; **those aren't in Winters' permitted product mix**. In fact, wire core and wooden core sparklers have not been legal in California since 1991 when TNT Fireworks led the effort to have them remove from the list of items that could be sold or used in the state.

A ban would defund longstanding and cherished community programs and would require the Council to tap the City's General Fund. Ending sales would **zero-out the swim-team annual budget** and **remove dollars for ball-field maintenance, gear, and scholarships**—or force the City to backfill from the General Fund.

A practical Winters plan (low-cost, enforceable, and focused on illegal fireworks)

1) Keep the nonprofit stand & professional show; tighten the calendar, not the tradition.
Maintain the **single, permitted stand** and the **July 3 professional show** (with Fire's

existing safety oversight).

- If desired, **narrow the sales window** to end on **July 4 at 9:00 p.m.** rather than July 6 (noon) to reduce neighborhood activity without eliminating the fundraiser.

2) Use the enforcement tools Winters has already adopted—more efficiently.

- Winters' **Fireworks Social Host** provisions (added in 2022) allow **administrative citations up to $1,000** for **illegal** fireworks. Reaffirm strict, **after-the-fact** enforcement (cite by evidence: photos/video, officer observation, debris) so two patrol officers aren't pulled into risky pursuit at peak times.
- **Stack citations** where appropriate (e.g., multiple illegal aerial launches = multiple citations) and add **cost-recovery** when illegal fireworks trigger a public-safety response.

3) Add "eyes," not sworn headcount.

- Authorize seasonal **City "Fireworks Observers"** (limited-term staff) or a **licensed private security** contractor strictly for **observation and documentation** (no enforcement authority). Their job: time-stamped video, location notes, witness declarations—**handed to the Police Department or Code Enforcement** for administrative citations under the Social Host rules.

4) Keep the admin work light.

- Designate **one staff lead** (Code Enforcement or Police) to batch-review evidence the week after July 4 and mail citations. Hold **one appeal date** 30–45 days later. Use **FTB Intercept** for unpaid fines at year-end.

5) Fund the plan without touching the General Fund.

- Enact the **AB 1403 cost-share** (up to **7% of gross Safe & Sane sales**) dedicated to **illegal-fireworks enforcement, safety messaging, and post-event cleanup.** This is expressly authorized in statute.
- Keep the current **nonprofit revenue split** intact so the **Competitive Swim Team** and **Little League** and **the City's ball fields** are protected.

6) Focus the messaging (do less, but better).

- One flier: "**Know the Law. Know the Time.**" (What's legal, where/when to use, water-at-hand requirement, illegal fireworks= $1,000+ admin citation per device.)
- Require the stand to post the flier at each sale window on the stand; mirror it on the City website and utility bill insert (one cycle).

7) Keep data simple & transparent.

- Publish a **one-page July 4 After-Action**: number of illegal-fireworks complaints, citations mailed, fires (if any) by **device type where known** (illegal vs. Safe & Sane), and cleanup notes. This keeps focus on **illegal activity** without vilifying the nonprofit

program.

Support broader state action that Winters can help lead

Winters can be a constructive voice pressing state leaders to tackle cross-border trafficking by supporting:

- A **California–Nevada Joint Task Force** on illegal fireworks.
- Strengthened **border interdiction and data-sharing**.
- An **Interstate Compact** to regulate Nevada border-store sales that feed California's illegal market.

Our commitment

TNT will continue to:

1. fund/distribute updated safety brochures, classroom videos, and digital content;
2. support Winter's point-of-sale rule messaging and deterrence; and
3. assist staff with sample ordinance language (stacked fines, evidence-based citations, cost-recovery).

Respectfully submitted,

REVELL COMMUNICATIONS



Dennis C. Revell
President/CEO

Office--916-443-3816
Cell - --916-952-5351

Attachments:
A. "If You Are Not Part of the Solution, You Are Part of the Problem!!"
B. *"Clearing the Air: Separating Fact from Fiction in California's Fireworks Debate."*
C. How TNT Fireworks Can Help You with YOUR Illegal Fireworks Issue?
D. Rationale for Adopting Administrative Fine Procedure for Illegal Fireworks
E. Rationale for Fireworks Social Host Ordinance (FSHO)
F. Rationale for Stacking of Illegal Fireworks Violations and Fines
G. Rationale for Response Cost
H. Rationale for AB 1403
I. "*What Happens in Nevada—Should Stay in Nevada!!"*

Clearing the Air:

How State-Approved Fireworks Protect Your Community and Nonprofits

Separating Fact from Fiction

California communities have long been divided on State-Approved Fireworks. While some fire officials contend these products encourage illegal use, evidence overwhelmingly supports their benefit as a legal, safe alternative that supports local nonprofits and reduces risks. This brochure clarifies the myths and realities surrounding State-Approved Fireworks, underscoring their vital role in community safety and support.

The Escalating Threat of Illegal Fireworks



Twenty years ago, the most notorious illegal fireworks included M-80s and cherry bombs—federally banned explosives capable of **causing severe injuries, permanent disabilities, and even fatalities**. These highly dangerous devices are still in circulation today, but now they are being overshadowed by an even greater threat: **illegally imported, over-loaded aerial shells**.

According to the California State Fire Marshal, these illegal aerial shells can **rival or exceed** the power of professional fireworks used in public displays. When detonated, they **launch burning embers over rooftops, dry brush, and densely populated neighborhoods, creating an extreme fire hazard**. They are also **highly unstable and unpredictable**, frequently causing catastrophic injuries, including **severe burns, traumatic amputations, and death—even to experienced users**.

The growing flood of these illegal devices into California demands urgent action to protect lives, property, and public safety.

State-Approved Fireworks



State-Approved Fireworks consist of primarily static ground-based fountains, some handheld items, a few spinners and novelty items. All of these undergo extensive testing by the State Fire Marshal and must meet the most stringent construction, performance, labeling and safety requirements to be approved.

LA County Fireworks Fire Loss Summary 2011-2023

For a pdf of the summary scan the QR code above.

Myths vs. Facts

Myth #1: State-Approved Fireworks Cause More Fireworks-Related Incidents.

Fact: State-Approved Fireworks adhere to strict regulations. A 13-year analysis by the Los Angeles County Fire Department shows no fire losses or injuries involving state-approved fireworks. Illegal fireworks, often brought across the Nevada border, are the real culprit. *(See QR code link below)*

Myth #2: Legal Fireworks "Provide Cover" for Illegal Ones.

Fact: No direct correlation exists between legal sales and illegal use. The 2023-2024 San Francisco Grand Jury report clarified that loud explosions and aerial displays in cities that ban all fireworks are caused by illegal products, not legal State-Approved Fireworks.

"Uncontrolled Burn: Dimming the Spark of Illegal Fireworks in San Francisco", May 28, 2024
CITY AND COUNTY OF SAN FRANCISCO 2023–2024 CIVIL GRAND JURY
Page 22

"Some people wrongly assume that a big part of the problem with so many fireworks being launched into the San Francisco sky or causing the window-rattling explosions is neighboring cities such as Pacifica, permitting the sale of the California approved "Safe and Sane" fireworks. However, one can see from the type of fireworks permitted for sale and use in some California cities that these sorts of fireworks are not the kind that launch into the air or could make such loud explosions. The San Francisco firework explosions booming around the city are more likely from fireworks that are illegal in California, but which are for sale in the neighboring state of Nevada."

Myth #3: Illegal Fireworks Use Increases Where Legal Sales are Allowed.

Fact: Jurisdictions that allow State-Approved Fireworks, have documented declines in illegal fireworks use. This reduction aligns with community outreach, public education, dedicated enforcement, and stronger local fireworks ordinances with higher administrative fines to continue to reduce illegal fireworks use and offset enforcement costs.

Myth #4: Revenues from State-Approved Fireworks Don't Cover the Public Safety Costs They Create.

Fact: In jurisdictions that permit State-Approved Fireworks, a range of new financial resources supports public safety, education, and enforcement efforts, specifically targeting the illegal fireworks problem. Unlike communities that ban all fireworks, cities that allow State-Approved Fireworks benefit from several funding sources:

- **Revenue from Administrative Fines** for possession, sales, and use violations, along with fines from violations of social host and cost-recovery ordinances, directly funds local enforcement.
- **Local Fees** such as application, license, permit, and inspection fees, as well as the local share of state sales tax, bring additional support for city resources.
- **AB 1403**, signed by Governor Newsom in 2024, empowers cities that allow State-Approved Fireworks to impose fees on sales. These fees fund public awareness campaigns, promote the responsible use of fireworks, and directly support enforcement measures.

These financial resources have bolstered local law enforcement and fire departments, allowing them to combat illegal fireworks more effectively. Importantly, these sources of funding—except for administrative fines—are only available to jurisdictions that permit State-Approved Fireworks.

Minimum Estimated Statewide Revenue and Enforcement Examples

The following estimates highlight the financial benefits to the 297 local jurisdictions that allow State-Approved Fireworks and demonstrate enforcement successes in key communities:

Revenue Estimates for July 4th Sales (2024 and Beyond)

LOCAL JURISDICTIONS' SHARE OF SALES TAX REVENUE	**$1.4 Million+**
LOCAL FEES COLLECTED (APPLICATION, LICENSE, PERMIT, INSPECTIONS, ETC.)	**$2 Million+**
ADMINISTRATIVE FINES COLLECTED (POSSESSION, USE, SALE VIOLATIONS, SOCIAL HOST, COST RECOVERY)	**$2.5 Million+**
STATE SALES TAX REVENUE	**$7.9 Million+**

The Urgent Need for State Action: An Interstate Approach

Today's illegal fireworks challenge calls for bolder measures. California residents continue to have easy access to illegal fireworks just across the Nevada border. Most informed estimates suggest that the thirteen stores immediately across the border account for at least 60 to 70 percent of the illegal fireworks used in California. Leaders in the State-Approved Fireworks industry support a State Fire Marshal-endorsed initiative for a **California-Nevada Joint Task Force** to address cross-border issues, seek federal and state collaboration on enforcement, and ultimately establish an **Interstate Compact** to regulate the sale of fireworks in these 13 Nevada brick-and-mortar stores—curbing their illegal transport into California.



This is a portion of the 16 tons of illegal fireworks seized at a home by the Los Angeles Police Dept., on 6/30/21, the bulk of which was purchased at a Nevada fireworks store immediately across the California border.

Recent Enforcement Successes

Communities across California have issued significant fines for illegal fireworks violations, reflecting the impact of these enhanced resources:

- **City of Elk Grove** – $240,000 in fines for 19 citations; one citation alone was $34,000.
- **City of Woodland** – $230,000 in fines for 33 citations; one citation was for $100,000.
- **City of Salinas** – $322,500 in fines for 110 citations; one citation was $37,500.
- **City of Visalia** – $140,000 in fines for 67 citations.
- **City of Porterville** – $60,000 in fines for 24 citations.
- **City of Lawndale** – $260,000 in fines for 104 citations.
- **City of Lakewood** – $48,000 in fines for 39 citations.
- **City of Bellflower** – $264,000 in fines for 132 citations.

"Nail 'em"™

California

The Choice is Clear: Permit State-Approved Fireworks and Support Your Non-Profits.

Supporting community nonprofits isn't just a Fourth of July tradition; it's a proactive solution to protect the social fabric of our cities. State-Approved Fireworks empower communities, reduce illegal activity, and secure funding that sustains vital community services. Together, we can ensure safe celebrations and preserve California's values.

Strengthening Your Nonprofit Safety Net

The looming strain on federal programs, like Social Security and Medicare, puts local communities at risk. California nonprofits, who provide essential services for vulnerable populations, rely on community-based fundraising, including State-Approved Fireworks sales, to sustain their operations. Here's why this is essential:

- **A Solution to Shrinking Resources: State-Approved Fireworks sales help thousands of nonprofits in over 297 communities generate funds that directly support services for schools, seniors, veterans, youth, unsheltered and more.**
- **Increased Demand for Local Services: As federal programs face funding challenges; nonprofits play an increasingly vital role in meeting community needs. The need for the services that many of these nonprofits provide is at an all-time high.**
- **A Proven Path to Safer Celebrations: Allowing State-Approved Fireworks sales not only reduces illegal use, but also provides essential funding to nonprofits, offsetting the costs for city and county services.**

Our Commitment to Responsible Celebrations

State-Approved Fireworks industry leaders work alongside over 2,500 nonprofits in California to promote responsible fireworks use through these ongoing efforts:

1. **Public Education:** Digital, television, and point-of-sale materials educate the public on the safe use and disposal of State-Approved Fireworks and the dangers of illegal fireworks.
2. **Legislative Advocacy:**
   - **SB 839** – Allows local agencies to retain fine revenue from illegal fireworks for enforcement.
   - **AB 1403** – Increases fines for illegal fireworks and funds public awareness and enforcement efforts in communities permitting State-Approved Fireworks.
3. **"Nail'em" Reporting App:** A real-time illegal fireworks reporting tool that aids law enforcement.
4. **Community Collaboration:** Partnerships with local organizations to combat illegal fireworks.
5. **California/Nevada Joint Illegal Fireworks Task Force & Interstate Compact Initiative:** A coordinated effort to prevent **illegal fireworks purchased in Nevada from being brought into California."**



Rationale for a Fireworks Social Host Ordinance

Due to the increasingly high use of illegal fireworks on or about the 4th of July and New Year's Eve each year, and jurisdictions across the state being unsuccessful in holding users and possessors fully accountable for the possession and/or use of these dangerous illegal fireworks; an increasing number of cities, counties and fire districts are adopting "Fireworks Social Host Ordinances" in order to make owners, renters, leasees, and/or those that have possession of a residence or other property ("Responsible Person"), responsible for dangerous illegal fireworks possession and/or use on that property. Law enforcement and fire authorities in a jurisdiction only need to verify on what property the fireworks were launched or used. Once that is verified, the jurisdiction may pursue the "Responsible Person" for that jurisdiction's fine. In most instances it is the maximum fine of $1,000.

Both fire and police representatives will tell you that while the discharge of illegal fireworks can be tied to a particular residence or property, it is often difficult to tell who at the residence or property discharged the illegal fireworks. The owner or tenant of the premises is often in the best position to control and knows or should know of the possession, manufacture, storage, sale, handling and use of illegal fireworks on his/her residence or commercial premises. Many of these jurisdictions who have adopted social hosts ordinances have concluded that those persons who have possession or control of private property where dangerous illegal fireworks are being stored, sold or used, have failed to ensure that this activity is not taking place on their property.

In addition, many police and fire agencies are reluctant to send their personnel into an environment, particularly in the case of only one or two officers on the scene, that would pose a serious threat to that officer's safety given the participants in the illegal activity and the violator's level of intoxication or other impaired behavior. Thus, the ability to cite the "Responsible Person" without subjecting that officer to potential threat or harm, is a preferable, safer response to handling the situation.

Local jurisdictions should adopt a Fireworks Social Host Ordinance and, like the vast majority of those who have Fireworks Social Host Ordinances, include a provision in the ordinance that, in addition to the Administrative Fine levied against the illegal fireworks violator, local jurisdictions could also recover reasonable "Response Costs".



Property

- **Property**

  Shall mean:

  - private property,
  - rented residential premises, or
  - rented commercial residences;

  including but not limited to a:

  - home,
  - yard or
  - field,

  whether occupied on a temporary or permanent basis, whether or not occupied as a dwelling and whether owned, leased, rented, or used with or without compensation.

Responsible Party

- Responsible Party

  Includes but is not limited to:

  - The person(s) who owns, rents, leases, or otherwise has possession of the residence or other private property;
  - The person(s) in immediate control of the residence or other private property; and
  - The person(s) who organizes, supervises, sponsors, conducts, allows, controls, or controls access to the illegal discharge or illegal storage of fireworks.

Residence or other private property

- Residence or other private property

  Means a home, yard, apartment, condominium, hotel or motel room, or other dwelling unit, a hall or meeting room, or commercial property, whether occupied on a temporary or permanent basis, whether occupied as a dwelling, party or other social function, and whether owned, leased, rented, or used with or without compensation.

Violations

- Any person who allows, permits, aids, or abets any discharge of fireworks
- Any person who stores fireworks in violation of local and state law.

Violations

- Upon identification of an unpermitted discharge of fireworks law they may also issue a written notice to all other identifiable responsible persons not present at the unpermitted discharge of fireworks that a violation of the fireworks ordinance has occurred and that further violations may result in the assessment of response costs.

Violations

- Nothing in this chapter shall be intended to limit any of the penalties provided for under the CA H&S Code or Penal Code with regard the sale, use, possession, delivery, storage, and/or transportation of dangerous fireworks.


Partial List of Jurisdictions Who Have Adopted An Administrative Fine, Fireworks Social Host and/or Response Cost Recovery Ordinance
Bakersfield
Ceres
Citrus Heights
Desert Hot Springs
Elk Grove
Gilroy
Kern County
Lawndale
Madera County
Manteca
Modesto
Pacifica
Patterson
Ripon
Roseville
Sacramento City
Salinas
Santa Clara County
Santa Maria
Seaside
Visalia

Rationale for Response Costs Recovery Ordinance Provision

Despite its mandatory duty to pick up illegal fireworks withing 90 days of when a local jurisdiction had seized them, the State Fire Marshal, until the last two years, was not picking up any of those warehoused illegal fireworks and were telling local jurisdictions it was their responsibility to dispose of them at a cost of as much as $23.00 per pound. As a result, in part because of TNT Fireworks' advocacy on the issue on behalf of local governments across the state, we were able to convince the Governor's Office and the State Legislature to appropriate additional money each year to take care of the backlog of seized illegal fireworks across the state as well as those that were seized each year.

Since the 2019/20 state budget Governor Gavin Newsom has included an on-going $3.6 million for fireworks enforcement, education and disposal. As you may know, the funding for fireworks enforcement and disposal has varied over the decades with no long-term solution. This general fund proposal will begin to resolve the long-standing issue of disposal of illegal and dangerous fireworks that are seized and stockpiled throughout the state. It will hopefully provide a stable, long-term funding source to support the increasing demands for fireworks education, enforcement, and disposal. The proposal will fund four positions withing CAL FIRE-Office of the State Fire Marshal to assist in the enforcement and disposal efforts. The State Fire Marshal's goal is to not only collect local confiscated fireworks in a timely manner, but to provide enforcement and disposal efforts. The State Fire Marshal also plans to expand its public outreach campaign and provide local agencies with additional tools and resources to educate the public on the hazards of illegal fireworks.

Despite the recent funding and the budget line item, local jurisdictions should adopt a "Response Costs Recovery Ordinance Provision" as a safety net to allow local jurisdictions to seize illegal fireworks and minimize its exposure of being stuck with costly transportation, storage and disposal costs associated with the state's failure to pick them up and dispose of them, as well as to recoup other reasonable costs associate with each citation.



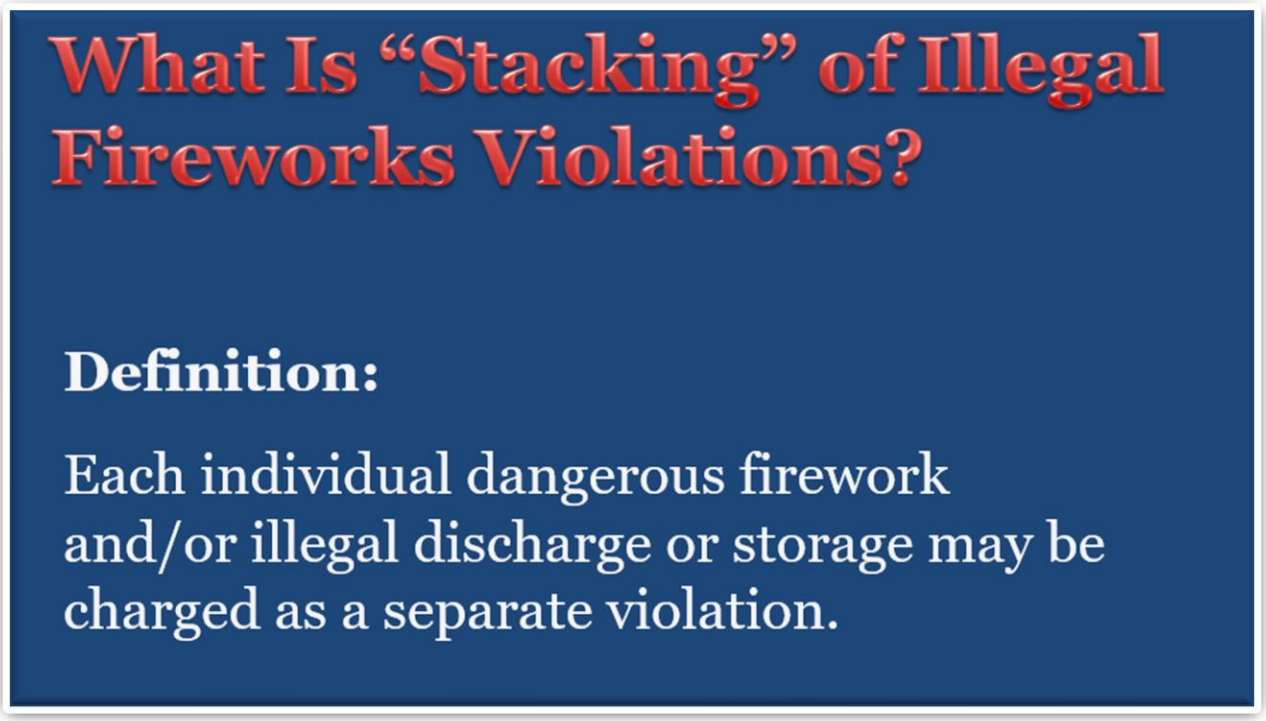
Rationale for Stacking of Illegal Fireworks Violations and Fines

"Stacking" refers to the practice of issuing **multiple citations or fines for each separate violation** related to illegal fireworks activity, rather than limiting enforcement to a single, all-encompassing citation. This approach recognizes that illegal fireworks incidents often involve numerous distinct offenses that should be treated and penalized individually, just as they would be in other areas of law enforcement.

For example, if a person possesses different types of banned fireworks, each type (e.g., aerial shells, M-80s, mortar kits) can be cited as a **separate offense**. If a violation includes both possession and unlawful discharge, both actions can be cited **independently**. Additionally, when illegal fireworks are stored or used near minors, or in fire-prone areas, **enhanced penalties** can be added.

The rationale behind stacking includes:

- **Deterrence**: When violators know they could face thousands (not hundreds) of dollars in cumulative fines, it creates a stronger incentive to avoid illegal fireworks altogether.
- **Accountability**: Stacking allows for proportional penalties that reflect the severity and scope of the offense.
- **Consistency**: Law enforcement and fire personnel can apply a more structured and replicable approach to illegal fireworks enforcement.
- **Cost Recovery**: Multiple citations can help offset the high public safety costs associated with illegal fireworks response and damage.



Why Use It?

- 🔥 **Stronger Deterrent** – Risk of *multiple fines* discourages use and possession
- 📏 **Proportional Penalties** – Bigger violations = *bigger consequences*
- 🧰 **Enforcement Tool** – Empowers police/fire to act decisively
- 💰 **Helps Cost Recovery** – Offsets response costs with higher fine totals
- 🔁 **Consistency** – Clear standard for all violators

Rationale for Local Jurisdictions to Utilize AB 1403 to Fund Public Education and Enforcement Efforts

On October 7, 2023, Governor Gavin Newsom signed Assembly Bill 1403 (AB 1403), landmark legislation co-drafted and sponsored by TNT Fireworks. The primary goal of AB 1403 was to address the mounting problem of illegal fireworks trafficking, particularly the widespread transport of large quantities of dangerous fireworks from Nevada into California. The bill sought to provide stronger penalties for illegal fireworks violations, a more data-driven foundation for statewide enforcement, and meaningful financial support for local and state agencies engaged in combating the problem.

While the enacted version of AB 1403 included substantial penalty increases for possession and distribution of dangerous fireworks and gave local jurisdictions new cost-recovery tools to fund public education and enforcement, the bill was significantly narrowed during its journey through the Legislature. Key provisions—such as a mechanism to generate dedicated state-level funding for interdiction, education, and enforcement efforts—were removed at the insistence of policy committee consultants in the Assembly. These consultants expressed skepticism about the State Fire Marshal's capacity to effectively deploy new resources against illegal fireworks activity and consequently opposed any statewide fee mechanism.

As a result, AB 1403 shifted more of the responsibility for public safety to local governments, giving them explicit authority to recover reasonable costs through fees of up to 7% of gross state-approved fireworks sales within their jurisdiction. These funds can be used for:

- Fireworks permit processing and inspections,
- Community education about safe and responsible use,
- Enforcement against illegal fireworks,
- Fire suppression efforts linked to fireworks activity.

By adopting a local ordinance or resolution under the authority of AB 1403, cities, counties, and fire protection districts that allow the sale of State Fire Marshal-Approved Safe and Sane Fireworks can take meaningful steps to protect their communities and offset costs—without drawing on general fund dollars. Local jurisdictions can now develop sustainable, self-contained programs to educate the public, reduce illegal fireworks usage, and ensure a safer Fourth of July for all residents.

At the same time, the amended definition of "safe and sane fireworks" in AB 1403—now explicitly tied to both federal and California safety standards—adds another layer of assurance to local leaders and residents that the fireworks being sold legally are extensively tested, safer, and distinguishable from illegal fireworks.

Looking forward, TNT Fireworks continues to work toward developing an interstate enforcement strategy and the creation of a Joint California/Nevada Illegal Fireworks Task Force. This approach is essential to stem the tide of illegal fireworks flowing into California from across the Nevada border—where products banned in California are openly sold and trafficked back into the state. However, until that vision is realized, local governments must utilize the full authority granted to them under AB 1403 to fund the programs and personnel needed to confront illegal fireworks at the community level.

Key Takeaways – AB 1403 Implementation for Local Jurisdictions

- **AB 1403 became law on January 1, 2024.** It increases fines for the possession and distribution of dangerous (illegal) fireworks and allows local jurisdictions to recover fireworks-related costs.
- **Local governments may now impose a fee of up to 7% of gross fireworks sales** from State-Approved Fireworks booths to cover public safety and education costs tied to fireworks season.

Key Takeaways – AB 1403 Implementation for Local Jurisdictions

- **Permitted uses of the recovered funds include:**
  - ✓ Fireworks permit processing and booth inspections,
  - ✓ Public education campaigns,
  - ✓ Targeted enforcement of municipal codes,
  - ✓ Cleanup and extra staffing related to fireworks activity,
  - ✓ Fire suppression efforts during fireworks season.



Sample Ordinance Language – Local Implementation of AB 1403

Nonprofit organization fee and surcharge.

A. Pursuant to California Health and Safety Code Sections 12599 and 12635.5, the City may, through adoption of a resolution by the City Council, require each applicant receiving a permit to pay a fee to the City of a pro rata portion of the actual and reasonable costs the City incurs that is related to any of the following:

1. Processing and issuing permits.
2. Inspection of fireworks stands.
3. Public education and awareness campaigns regarding the safe and responsible use of safe and sane fireworks, and the dangers and risks posed by the use of illegal fireworks.
4. Enforcing the provisions of the municipal code of the City with respect to the sale and use of safe and sane fireworks, including extra personnel time and cleanup of the fireworks trash and debris. "Extra personnel time" means employee or contracted employee time that the City would not otherwise incur but for the sale and use of safe and sane fireworks.
5. Fire operation and suppression efforts that are directly related to safe and sane fireworks.

B. The pro rata share of the costs shall be specified in the resolution and calculated using gross sales as shown on each permittee's sales and use tax return for the applicable period. The pro rata share of costs shall not exceed seven (7) percent of the gross sales of the fireworks sold in the City during the applicable period.

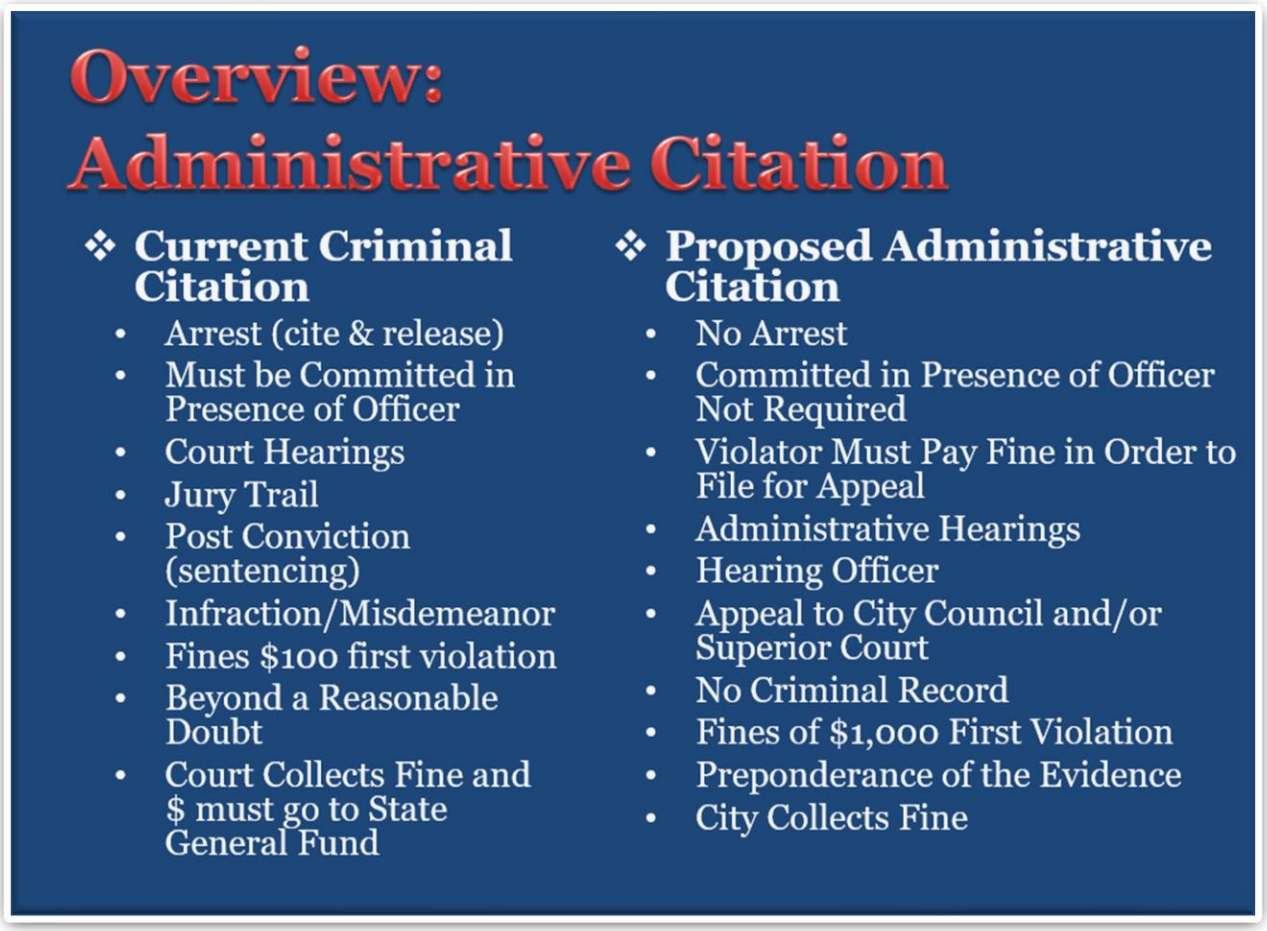
C. All nonprofit retail booth locations in the City may assess a surcharge up to seven (7) percent on all retail sales of state-approved fireworks that occur in the City in order to pay the above fee to the City. In no event may the City, or any of its departments, agencies and/or contracted organizations, impose a fee or charge to the nonprofits for their sale of fireworks other than those listed above.

D. Each nonprofit organization must pay its pro rata share of the costs to the City Clerk within thirty (30) days of the City Council adopting the resolution discussed in this section.

Rationale for Adopting Administrative Fine Procedure for Illegal Fireworks

Until about seventeen years ago, local jurisdictions, in most instances, were relegated to criminally citing those in possession of or using illegal fireworks utilizing provisions of the California Health and Safety Code. As a result of state legislation (SB 839) which the Office of the State Fire Marshal and TNT Fireworks sponsored, was signed into law on October 12, 2007 and became effective January 1, 2008, local jurisdictions are now allowed to utilize an Administrative Citation and Fine Process for possession and/or use of less than 25 pounds of illegal fireworks.

The following slide sequence will explain why we recommend that local jurisdictions adopt an Administrative Citation process for the sale, possession and/or use of under 25 pounds of illegal fireworks.



Staff Requirement

Current Criminal vs. Proposed Administrative

❖ **Current Criminal Case**

- Court Provides Staff and Judge
- District Attorney Prosecutes
- City Provides Witnesses

❖ **Proposed Administrative Case**

- City Provides Staff and Hearing Officer
- Staff Prosecutes
- City Provides Witnesses and Evidence

Citation Process

Current Criminal vs. **Proposed Administrative**

❖ **Current Criminal Citation**

- The crime or violation must be committed in the presence of the enforcement officer

❖ **Proposed Administrative Civil Citation**

- The violation does not have to be committed in the presence of enforcement officer

Hearing Process

Current Criminal vs. Proposed Administrative

- **Current Criminal: "Beyond a Reasonable Doubt"**
  - Means proof that leaves you with an abiding conviction that the charge is true. The evidence may not need to eliminate all possible doubt.
    - Strict rules of evidence
    - Formal hearing
- **Proposed Administrative: "Preponderance of the Evidence"**
  - Means proof of just enough evidence to make it more likely than not that the fact the claimant seeks to prove is true.
    - Less strict rules of evidence
    - Informal hearing

Post Conviction

Current Criminal vs. Proposed Administrative

Current Criminal Case

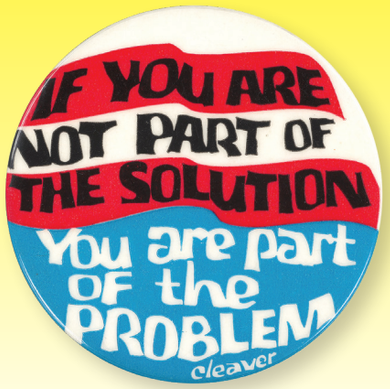
- Infraction/Misdemeanor
- $100 First Violation
- Court collects the Fine
- Court of Appeal

Proposed Administrative Case

- No criminal record
- Administrative Fine $1,000 for First Violation
- City Collects Fine
- Appeal to Superior Court

A person who sees a problem is human; a person who finds a solution is a visionary; the person who goes out and does something about it is significant!

TNT Fireworks is the state's leading wholesale distributor of State Fire Marshal-Approved Fireworks. It is known for its commitment and service to the 2,700+ nonprofit organizations who serve as its retail partners in California and it supports the critical needs and services that these nonprofits provide in their respective local communities. Since entering the California market in 1989, TNT Fireworks has distinguished itself throughout the state, and more particularly, in each of the 296 California communities it serves, as a company that is "Committed to Safety, Quality and Service".



"We are in the business of helping nonprofit organizations raise money to fund positive impacts on the youth, seniors, disadvantaged, veterans, sports and school programs in your community!" *— Carson Anderson, President, TNT Fireworks*

Whether it is:

- Helping to develop and implement statewide as well as local fireworks safety and education efforts. (The State Fire Marshal Fireworks Safety & Education Program is funded and implemented 100% by TNT Fireworks).
- Worked to remove wire core sparklers from the market in 1991. The State Board of Fire Services called it, "The boldest move in the history of the fire service."
- Co-sponsoring, along with Cal Fire, SB 839 which became law on January 1, 2008, allowing local jurisdictions to impose administrative fines for the possession and use of illegal fireworks up to 25 pounds gross weight and recover enforcement costs from the violator.
- Developing and deploying a free smartphone app (Nail 'em) that allows California residents to take pictures of the sale and/or use of illegal fireworks in their community and email these photos, along with the GPS coordinates of the alleged illegal activity, to their jurisdiction's law enforcement or fire department, so that they can immediately investigate, confiscate, cite and/or arrest those responsible.
- Constantly working to develop and deploy new, innovative public education and outreach materials on the safe and responsible use of State-Approved Fireworks as well as the dangers and risks of illegal fireworks.
- Embracing, supporting, and working with local anti-illegal fireworks constituencies throughout California to help local communities with their illegal fireworks problem.
- Strengthening local fireworks ordinances with higher Administrative Fines, Enforcement Cost Recovery and Fireworks Social Host.

TNT Fireworks has worked and continues to work with the Office of the State Fire Marshal, Cal Fire, Cal Chiefs, California Police Chiefs Association, the League of California Cities, California Contract Cities Association, Southern California Association of Governments, local governments, their public safety agencies, and the Newson Administration to find reasonable, cost-effective solutions to the problems that state and local jurisdictions face with the sale, use and ultimate confiscation and disposal of illegal fireworks in California.

— TNT Fireworks has established safety, not only as a responsibility, but as a high priority which it enthusiastically embraces.

The State Fire Marshal Fireworks Safety & Education Program

About SB 839

About the Nail 'em Smartphone App

How TNT Fireworks Can Help You

Use AB 1403 Fees to Fund Enforcement

How can TNT Fireworks Help You with YOUR Illegal Fireworks Issue?

Since entering the California market over 28 years ago, TNT Fireworks has distinguished itself throughout the state as a company that is committed to safety, quality and service, as well as supporting public safety agencies' efforts in those communities to combat the sale and use of illegal fireworks.

Recognizing that local jurisdictions have not only become the **"first line of defense"** but regrettably the **"only line of defense"** against illegal fireworks, TNT Fireworks has been partnering with cities throughout California in a joint effort to curb illegal fireworks. (Click here to see why illegal fireworks problems keep getting worse.)



TNT Fireworks has developed several tools, that when used in conjunction with each other will have an impact on your community's illegal fireworks problem.

ADMINISTRATIVE FINE CITATIONS

Until January 1, 2008, local jurisdictions in most instances were relegated to criminally citing those in possession or using illegal fireworks utilizing provisions of the California Health and Safety Code. As a result of the state legislation (SB 839) which was signed into law on October 12, 2007 and became effective January 1, 2008, local jurisdictions are now allowed to utilize an Administrative Citation and Fine Process for possession and/or use of less than 25 pounds of illegal fireworks with the bulk of that fine revenue remaining in your jurisdiction.

(Click here for rationale for and sample Administrative Fine Ordinance.)

FIREWORKS SOCIAL HOST ORDINANCE

An increasing number of cities, counties and fire districts are adopting "Fireworks Social Host Ordinances" in order to make owners, renters, leasees, and/or those that have possession of a residence or other property ("Responsible Person"), responsible for dangerous illegal fireworks possession and use on that property. Law enforcement and fire authorities in a jurisdiction only need to verify on what property the fireworks were launched or used. Once that is verified, the jurisdiction may pursue the "Responsible Person" for that jurisdiction's fine. In most instances, in general law cities, it is the maximum fine of $1,000.



(Click here for rationale for and samples of Social Host Ordinances.)

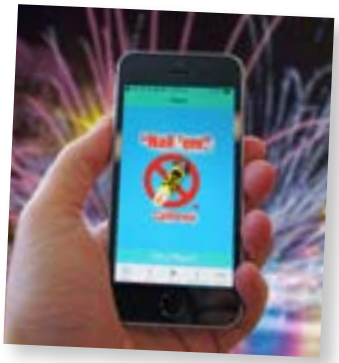
RESPONSE COST RECOVERY ORDINANCE

Response Cost Recovery Provision is a safety net to allow you to seize illegal fireworks and minimize your exposure of being stuck with the costly disposal costs associated with them if the State fails to pick them up. (Click here for rationale for and a sample Response Cost Recovery Ordinance.)



ILLEGAL FIREWORKS REPORTING SMARTPHONE APP – "NAIL'EM"

This new, unique smartphone app, appropriately named **"Nail'em"**, places the power of illegal fireworks enforcement in the palm of your residents' hands. It allows them to easily report the possession, sale and use of illegal fireworks in your community along with photos and GPS locations. When your jurisdiction fully participates with **"Nail'em",** the citizen's complaint is automatically routed to the correct law enforcement and/or fire personnel. Your jurisdiction can then follow up using their Social Host / Administrative Fine / Response Cost Recovery Ordinances.



Using this tool in conjunction with the others listed above will allow your jurisdiction to issue more cititations/fines resulting in fewer people choosing to use and/or sell in illegal fireworks next year.

(Click here for more information on this amazing new free app and how you can get it for your jurisdiction.)

What Happens in Nevada—Should Stay in Nevada!!!!

While having made great strides in improving illegal fireworks enforcement strategies, local jurisdictions across our state are still plagued by an ever-growing illegal importation of these dangerous, illegal items into California. Regrettably, not enough is being done at the state and federal level to stop this now year-round flow of these illegal fireworks into California, and, as a result, local jurisdictions have become not only the **"first line of defense"**, they have become the **"only line of defense"** against illegal fireworks.

Currently, there are six fireworks stores in Southern Nevada in the city of Pahrump and seven store immediately northeast of Reno in the cities of Schurz, Battle Mountain, and Pyramid Lake. These stores sell the full range of CPSC 1.4 G, federally approved fireworks that are illegal in California.

Most informed estimates suggest that these thirteen stores account for at least 60 to 70 percent of the illegal fireworks used in California (To see the list of stores, their locations and websites click on this link: Listing of Nevada Fireworks Stores.

One of these stores (Area 51 Fireworks), according to press reports and prosecutorial records was the retailer for both the massive amounts of federally approved, but California illegal fireworks, found or involved in the massive explosions and busts in Ontario and the City of Los Angeles in 2021.

Everyone agrees that the sale and use of illegal fireworks in California has reached epidemic proportions. While 2020 was bad, everyone believes 2021 proved to be substantially worse, ***especially in communities where no fireworks are allowed.*** One need only reflect on two striking and tragic examples of this escalation in illegal fireworks issues: the death of two people in a massive explosion in Ontario, CA (Ontario); and the injuries to 17 people and the destruction of the LAPD Bomb containment truck and multiple homes and businesses in the vicinity in Los Angeles (Los Angeles in 2021); to understand what has so many people concerned.

The suspect in the Los Angeles bust, according to media reports and prosecutorial records (see material from the United State Attorney's Office for the Central District of California at the following link: https://www.justice.gov), made up to five trips in a large rental truck to the Area 51 Fireworks' store in Pahrump and purchased massive amounts of illegal fireworks, loaded them into this rental truck and brought them back to Los Angeles where he stored them at his residence along with handmade explosives he claimed he bought from someone in AREA 51 Fireworks' parking lot. It is the universal general policy of most, if not all of these stores to:

- Require the purchaser to show their driver's license, and the store scans and saves it;
- Sign a form that they will not use these fireworks in the town where they were purchased and will only take them somewhere where their possession and use are legal, or buy a "shooter's permit"; and
- State that they are buying these for personal use only.

Area 51 Fireworks had to know that both the defendant in the Los Angeles incident and the deceased individuals in the Ontario explosion were violating California criminal statutes and regulations by buying massive quantities of fireworks illegal in CA and bringing them back into CA. Given the volumes purchased and the frequency of those purchases, AREA 51 Fireworks was on actual notice that these fireworks were not for personal use but for resale in a location where they were illegal to possess, use or sell without a proper California license from the State Fire Marshal.

As further evidence of how AREA 51 Fireworks in Pahrump, Nevada facilitates large bulk sales to California residents, we would draw your attention to the below link for a You Tube video posted by someone who claims to be a "frequent buyer" at the Pahrump fireworks stores and most notably AREA 51 Fireworks. He explains the layout of the front of the building which is for "Retail Sales" with its individual items and assortments and then takes you in the back for what are designated "Wholesale Sales" with its required "Purchase by the Case" and the products you buy in bulk and how to do it. The buyer's name and identification is captured as part of that bulk sales process. No doubt Mr. Arturo Ceja's reported five trips with a rental truck to AREA 51 Fireworks between June 20, 2021 and June 29, 2021 were purchases from the "Wholesale Sales" department of AREA 51 Fireworks.

https://www.youtube.com

Now lest you think using the term "Wholesale" means you must have some sort of wholesaler's license or be a licensed retailer, it is merely a camouflage for large bulk sales to people who will then, in large part, illegally remarket the products at a substantial markup in locations where they are illegal, like California.

No Attorney General, since January 1, 2008, when the mandate in CA Health & Safety Code Section 12704 took effect, has taken the threat and scale of this criminal activity seriously and ever put anyone on notice as the statute mandates.

The reality is, the only reason to have a fireworks store in Pahrump, NV is to sell illegal fireworks to California residents. Otherwise, it would mean that every man, woman, and child in this highly remote desert town of 38,390 people, immediately adjacent to the California border, would each have to buy thousands of dollars of fireworks that by Nye County ordinance they are not allowed to set off in Pahrump.

Lest you doubt these rough sales dollars estimates, in a letter to the Chair and Members of the Nevada Senate Committee on Government Affairs, dated 3/28/21, from Douglas Burda, CEO of Red Apple Fireworks in Pahrump, Mr. Burda states the following:

> "We, on average, pay nearly $1,000,000 a year in state and local taxes and fees."

The state and local tax rate in Pahrump, NV is 7.6% ! **That would mean, by Mr. Burda's own admission, "on average", the Red Apple Fireworks store in Pahrump sold almost $14 million of fireworks every year and it's safe to assume the vast amount of those annual sales were knowingly made to California residents. And that's only one store out of thirteen.**

CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers

DATE: September 2, 2025

FROM: Jeremy Craig, City Manager

SUBJECT: Paseo Park phasing and grant expenditure discussion.

RECOMMENDATION:
Discuss and take possible action on a phasing plan and grant expenditures for Paseo Park

BACKGROUND:
Paseo Park is a pass-through in the central downtown core. The City has desired to develop the space into a more usable park space with the addition of amenities. After several years of discussion, the City Council appointed a subcommittee of the Council (two members) to focus on preparing a final plan for the Park and identify funding opportunities to complete those amenities.

In 2023, the City received a Sacramento Area Council of Governments (SACOG) grant for $100,000 towards the development of the Paseo Park into a downtown park amenity. The grant only needs to be spent towards the creation of a park use. The City expended $28,000 of the funding in 2023 to complete preliminary hardscape improvements to the park; however, $72,000 of the grant remains and needs to be spent within the next seven months.

In January 2024, the Council approved a professional services agreement with Super Extra Fancy, LLC, to work with the subcommittee on completing a design for the space, considering the years of input provided by various members of the public.

At its meeting on December 11, 2024, the Council reviewed and discussed the design proposals. Staff then passed the design to Psomas Engineers, who provided some preliminary construction cost estimates for the design.

DISCUSSION:

The Paseo Park Council subcommittee met with the City Manager and the Public Works Director of Operations & Maintenance, and reviewed the cost estimates prepared by Psomas. They also discussed those estimates with the design consultant from Super Extra Fancy. The design consultant felt that some of the cost estimates were too low and would be significantly higher when bid out under public purchasing, specifically for brickwork and gravel paving. He is recommending the grant funds be used to purchase raw materials to stockpile for when funds are made available for a first phase of the project, which he recommends be all central hardscape (gravel, brick), softscape (dirt, planting), lighting, irrigation, shade sails, and the bench seat wall.

The staff's initial thought was that the funds could be used to prepare all irrigation and plantings in the park, allowing the greenscape to be established first, and then the hardscape could follow. City Staff could perform the irrigation work to reduce the costs of implementation.

Staff is seeking input from the Council this evening on the priority for staging the park phases and where the focus should be for the available grant dollars. The park will need to be performed in phases as grant funds and other funding sources are identified, since there are no budgeted funds in the City's budget to complete the project at once.

FISCAL IMPACT:
The SACOG grant funds must be expended within the next six months, or they will no longer be available.

ATTACHMENTS:

1. Paseo Park Draft Designs
2. Paseo Park Construction Cost Estimates

31 Main St.
Ace Hardware

Community Library
Picnic & Events Area
Movable Seating
Games Area

Ex. Tree
Shade Sails
(N) PLANTING AREA
Ex. Electrical Transformers
New Tree Alley
Ex. Concrete Pathway with Brick Borders

Public Sidewalk

LOADING ALLEY

Ex. Tree
Public Works Storage Shed

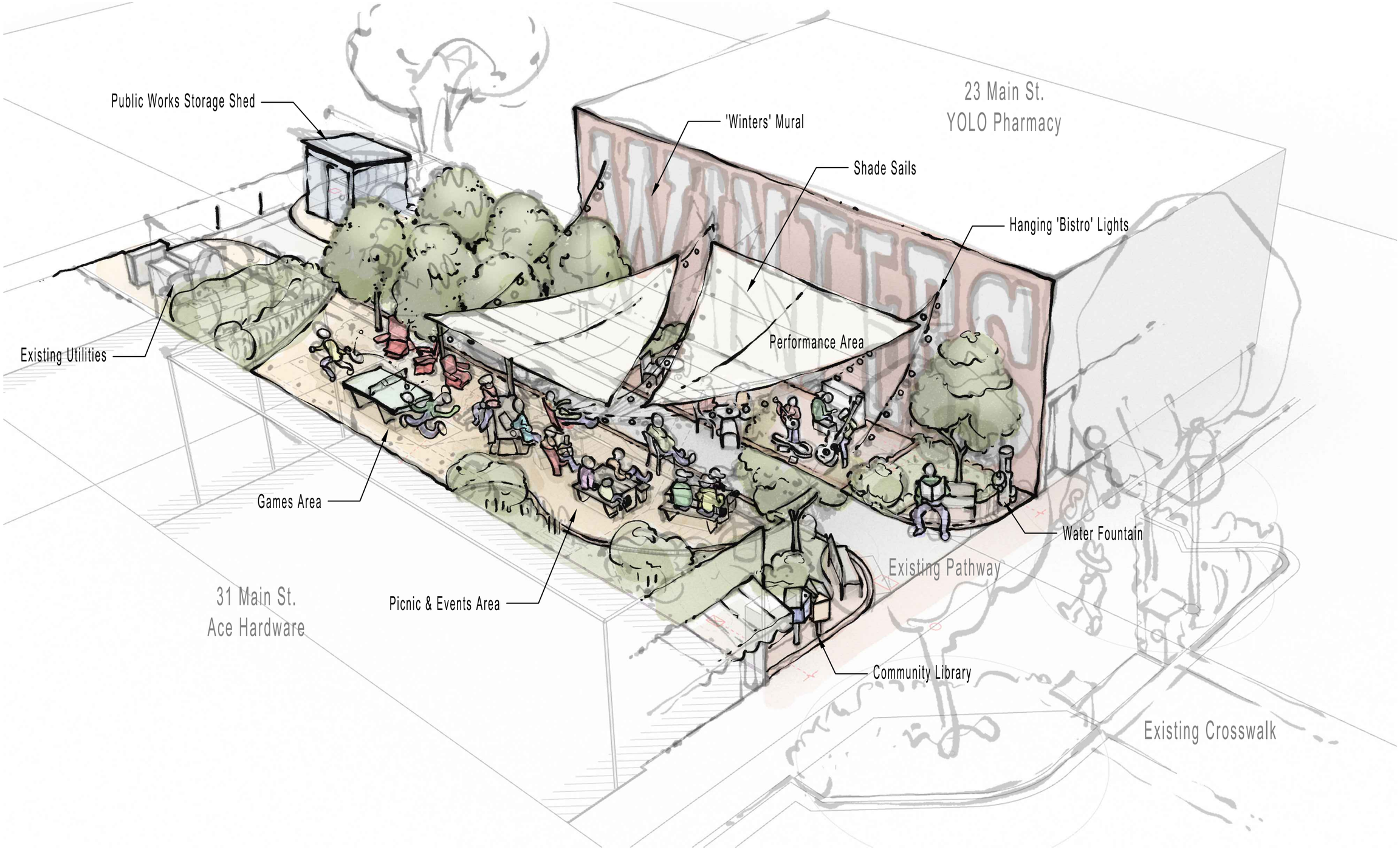
Water Fountain
Brick Performance Area
Bistro Tables & Chairs
Brick Patio

23 Main St.
YOLO Pharmacy

Parking Lot

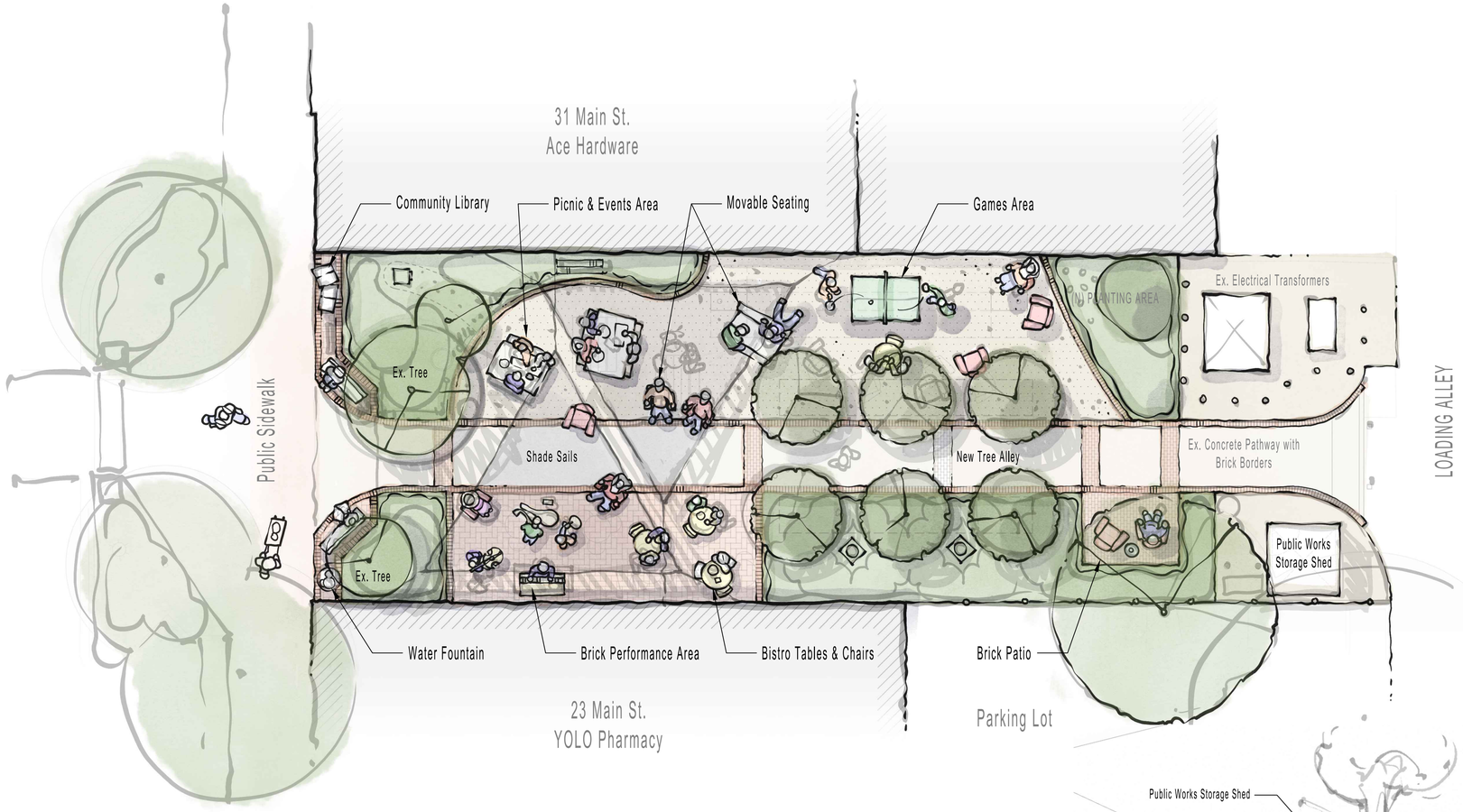
MAIN ST. PARK - LANDSCAPE PLAN

Not-to-Scale
Reference Only



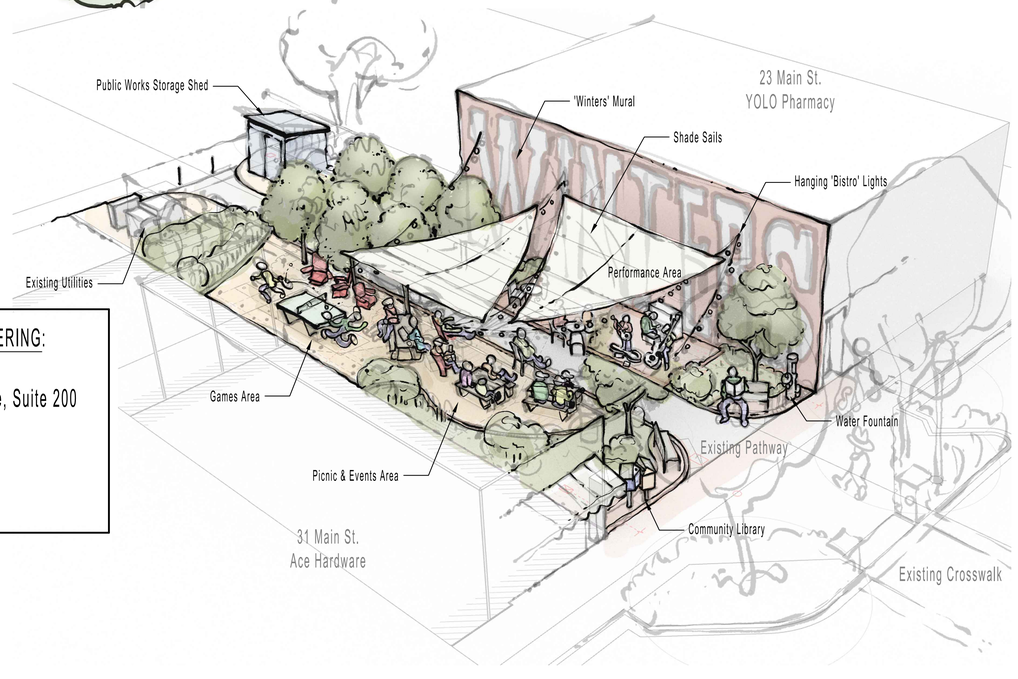
MAIN ST. PARK - LANDSCAPE VIEW

Not-to-Scale
Reference Only



SHEET INDEX

L-0.0	LANDSCAPE PLAN & TITLE SHEET
L-0.1	SITE SURVEY & EX. INFRASTRUCTURE
L-0.2	SITE POTHOLING PLAN
L-1.0	LANDSCAPE PLAN
L-1.1	LIGHTING & ELECTRICAL PLAN
L-1.2	UNDERGROUND PLAN
L-2.0	PROGRAM OPPORTUNITIES
L-3.1	PROGRAM CONCEPT IMAGERY
L-3.0	SECTIONS
L-3.1	HARDSCAPE & FLATWORK
L-3.2	CARPENTRY
L-3.3	AMENITIES
L-4.0	IRRIGATION COORDINATION PLAN
L-4.1	IRRIGATION DETAILS
L-5.0	PLANTING COORDINATION PLAN
L-5.1	PLANTING DETAILS



PROJECT TEAM

■ CITY OF WINTERS:
Jeremy Craig, City Manager
318 1st Street
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Email: jeremy.craig@cityofwinters.org
Phone: 530-795-4910

■ LANDSCAPE DESIGNER / PROJECT COORDINATOR:
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■ LANDSCAPE ARCHITECT:
122 West Landscape Architecture, Inc.
Christian Macke, PLA #6220
Email: CMacke@122westdesign.com
Phone: 707-242-1939

GENERAL ENGINEERING:
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11661 Blocker Drive, Suite 200
Auburn, CA 95603
800-400-7072

GENERAL NOTES

1. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY COORDINATION WITH OWNER / LANDSCAPE ARCHITECT AND SUBCONTRACTORS AS REQUIRED TO ACCOMPLISH LANDSCAPE CONSTRUCTION, IRRIGATION AND PLANTING OPERATIONS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING HIMSELF FAMILIAR WITH ALL UNDERGROUND UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL TAKE SOLE RESPONSIBILITY FOR ANY COST INCURRED DUE TO DAMAGE OF SAID UTILITIES OR STRUCTURES.
3. EXISTING TO REMAIN HARDSCAPE AND WALLS TO BE PROTECTED IN PLACE. CONTRACTOR IS RESPONSIBLE TO REPAIR ANY DAMAGE TO EXISTING HARDSCAPE OR WALLS. REPAIRS TO MATCH EXISTING HARDSCAPE AND WALLS.

DRAWINGS NOT TO SCALE
FOR REFERENCE ONLY

NOTES
1. SITE PLAN INFORMATION DERIVED FROM SURVEY PLANS DRAWN BY PSOMAS. DATE OF GROUND SURVEY 11-09-2022

SXF
Cole Skaggs
139 Porter Street
San Francisco, CA 94110
415.786.4650
cole@sxf.art

Landscape Plans
"Main St. Park"
Winters, CA 95694

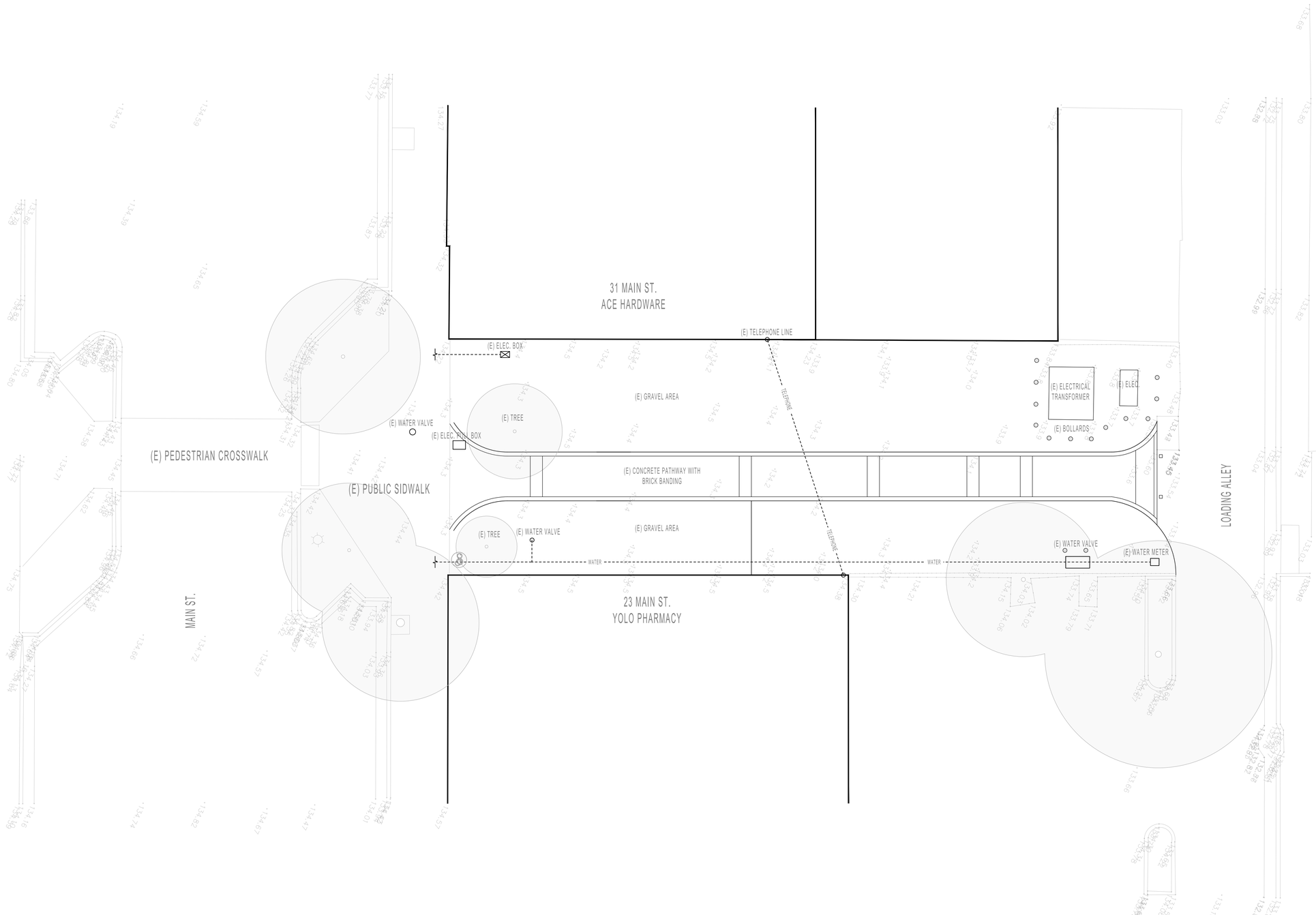
Revision/ Issue Schedule

No.	Description	Date

LANDSCAPE PLAN & TITLE SHEET

Revision	0
Date	6/28/2024
Scale	

L-0.0



NOTES
1. SITE PLAN INFORMATION DERIVED FROM SURVEY PLANS DRAWN BY PSOMAS. DATE OF GROUND SURVEY 11-09-2022

4' 8' 16'
SCALE: 1" = 8'-0"

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SITE SURVEY & EXISTING INFRASTRUC-TURE PLAN

Revision	0
Date	6/28/2024
Scale	1/8" = 1'-0"

L-0.1

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Landscape Plans
"Main St. Park"
Winters, CA 95694

Existing Brick Building

Existing Building

Electrical Box / Outlets

Proposed Planting Area

Existing Crape Myrtles

Proposed Crushed Gravel / Decomposed Granite Flex Space

Proposed Planting Area

Utility Area

Electrical Transformer

El. Tr.

Bollards

POTHOLE 30" DEPTH FOR TREE LOCATION

4'-0"

12'-0"

2'-6"

Proposed Trees

CONFIRM LOCATION OF TELEPHONE LINE

Existing Path

Existing Path

Crosswalk

Existing Brick Sidewalk

Rear Alley

22'-6"

4'-0"

10'-0"

CONFIRM LOCATION OF WATER LINE

Proposed Brick Paving

Proposed Planting Area

POTHOLE 30" DEPTH FOR TREE LOCATIONS

Proposed Storage Shed Location

Water Main

Water V.

12'-0"

POINT-OF-BEGINNING
MEASUREMENTS TAKEN FROM CORNER OF BUILDING

POTHOLE 18" DEPTH ALONG FOUNDATION

Existing Brick Building

Existing Parking Lot

Main St.

NOTE: SEE POTHOLING REPORT COMPLETED ON 8-5-2024 BY PSOMAS & 2M ENGINEERING

0' 4' 8' 16'
SCALE: 3/16" = 1'-0"

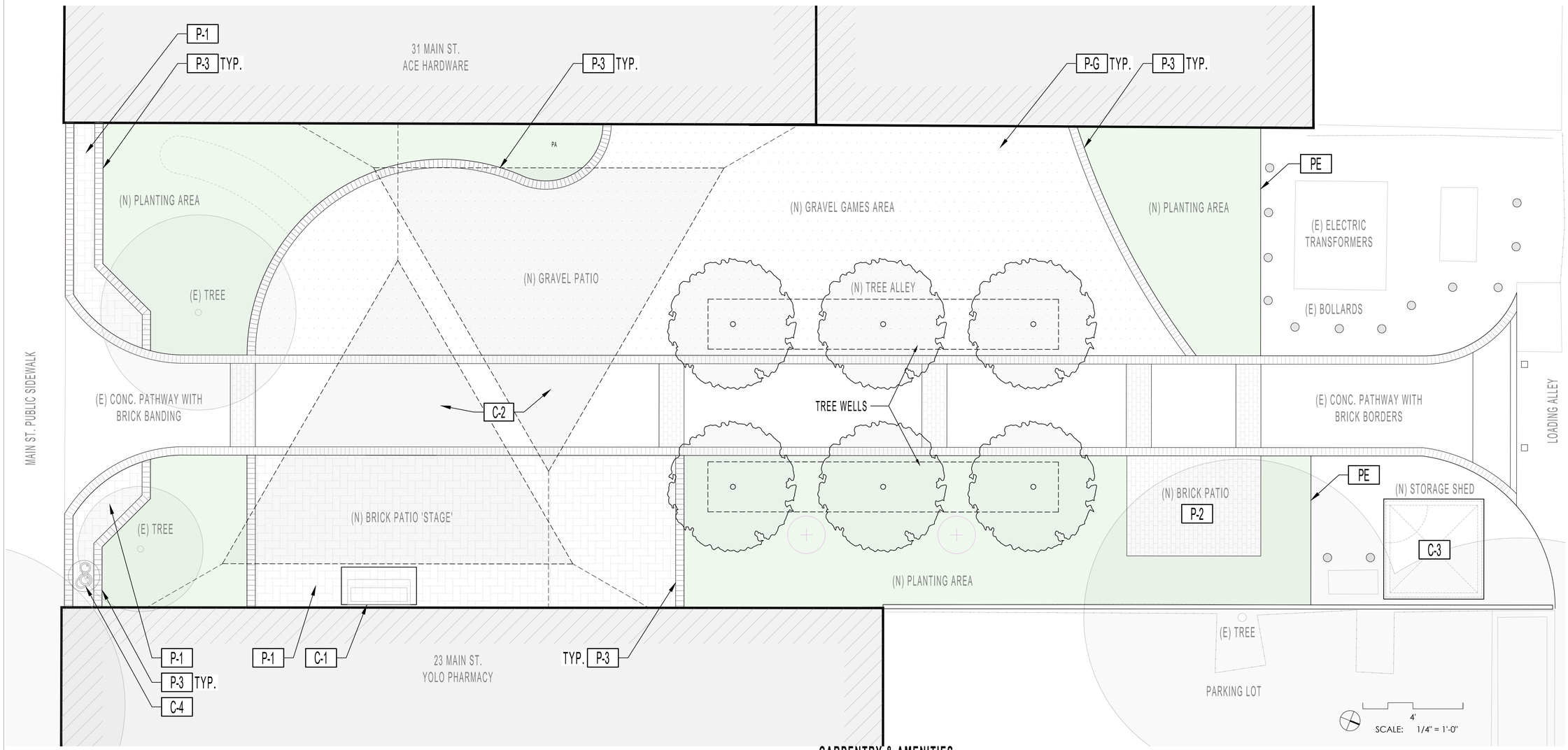
Revision/ Issue Schedule

No.	Description	Date

POTHOLING PLAN

Revision	0
Date	6/27/2024
Scale	3/16" = 1'-0"

L-0.2



PAVING

SYMBOL	DETAIL REFERENCE	QTY.	DESCRIPTION	MATERIAL / MANUFACTURER / COLOR / FINISH	NOTES
P-G	PHASE 2	1200 SF	GRAVEL PAVING	SURFACE: 3/8" CRUSHED ROCK - 'SIERRA TAN' DG LAYER: GOLD, WITH FINES STABILIZED ADA COMPLIANT CONFIRM MATERIALS WITH PHYSICAL SAMPLES	1/2" LAYER 3/8" CRUSHED ROCK ROLLED INTO 1-1/2" LAYER DECOMPOSED GRANITE, OVER PREPARED SUB-BASE & BASE ROCK. WITH METAL EDGE 'P-2'.
P-E	PHASE 2	30 LF	METAL EDGING	1/8" x 6" STEEL, UNCOATED / NATURAL FINISH	STAKED EVERY 2' AND ALL ENDS, CORNERS. 1' SPACING AT CURVES AS REQUIRED TO MAINTAIN SMOOTH ARCS.
P-1	PHASE 2	520 SF	BRICK-HERRINGBONE	MATCH EXISTING BRICK (COORDINATE WITH PUBLIC WORKS) HERRINGBONE PATTERN	MORTAR SET ON CONCRETE SLAB (4" MIN)
P-2	PHASE 2	100 SF	BRICK - RUNNING BOND	MATCH EXISTING BRICK (COORDINATE WITH PUBLIC WORKS) HERRINGBONE PATTERN	MORTAR SET ON CONCRETE SLAB (4" MIN)
P-3	PHASE 2	150 LF	BRICK BAND	MATCH EXISTING BRICK (COORDINATE WITH PUBLIC WORKS). SOLDIER COURSE BAND	MORTAR SET ON CONCRETE HAUNCH (4" MIN)

NOTES:
1. CONTRACTOR TO PROVIDE PHYSICAL SAMPLES OF SPECIFIED MATERIAL FOR REVIEW AND FINAL SELECTION BY LANDSCAPE ARCHITECT AND OWNER.

CARPENTRY & AMENITIES

SYMBOL	DETAIL REFERENCE	DESCRIPTION	COLOR / FINISH / NOTES	NOTES
C-1	PHASE 2	PIANO ENCLOSURE	REDWOOD STRUCTURE WITH SLOPED ROOF TO PROTECT OUTDOOR PIANO FROM WEATHER. EXACT DESIGN TBD.	COORDINATE WITH WINTERS ART COMISSION
C-2	PHASE 2	SHADE SAILS	28' TRIANGULAR SHADE SAILS ATTACHED TO ADJACENT BUILDINGS.	COORDINATE WITH ENGINEER & ADJACENT BUILDING OWNERS
C-3	PHASE 2	STORAGE SHED / CONC. PAD	STORAGE SHED ON CONCRETE PAD. STORAGE FOR REMOVABLE BOLLARDS	COORDINATE WITH PUBLIC WORKS FOR STORAGE REQUIREMENTS
C-4	PHASE 2	WATER FOUNTAIN	WATER FOUNTAIN WITH BOTTLE FILLER. DOG OPTION.	SUPPLY WATER STUB-UP

NOTES:
1. SEE SHEET L-2.0 / 2.1 FOR SITE FURNISHING PLAN & SCHEDULE.
2. SEE SHEET L-1.2 / 5.2 FOR TREE WELL DET & SPEC.

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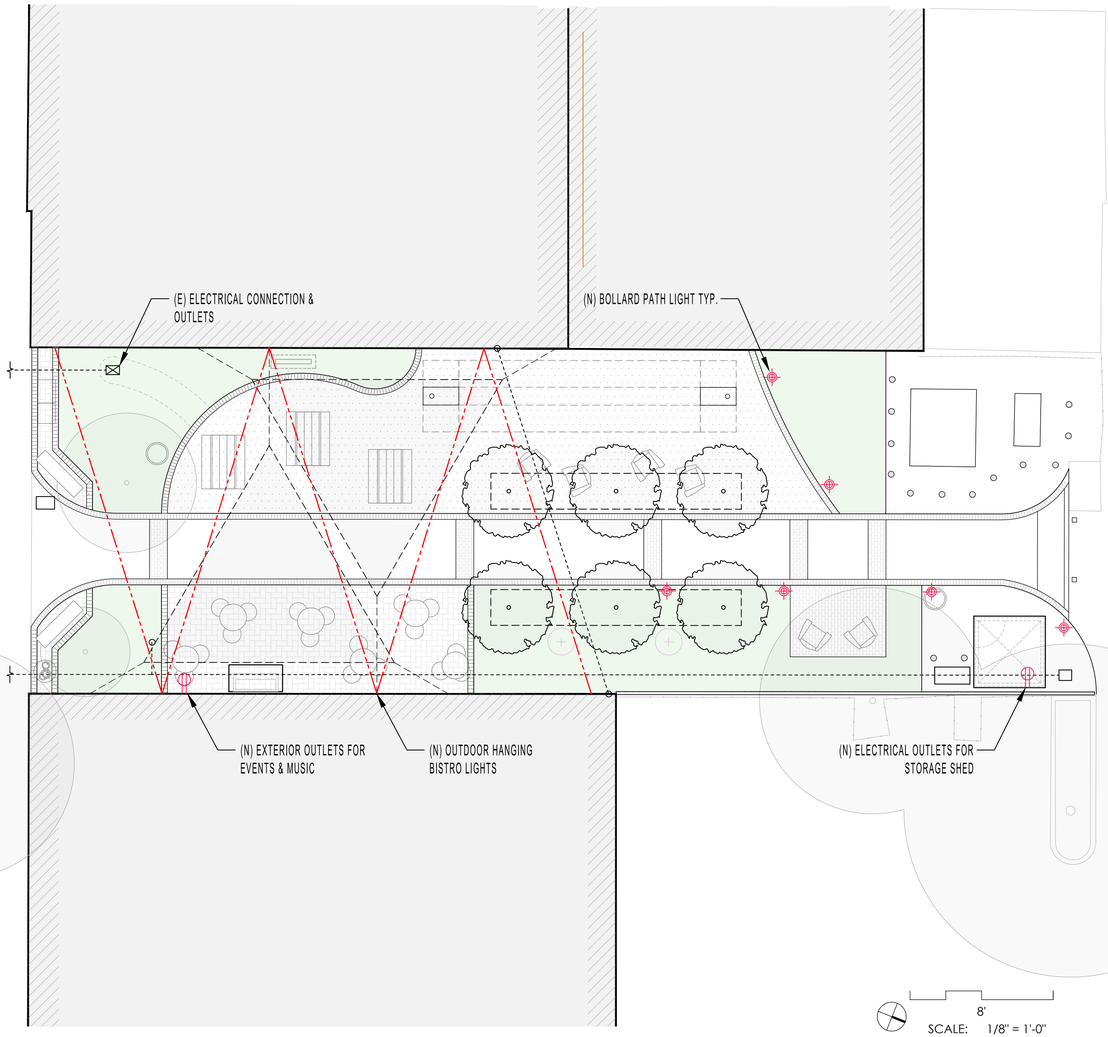
LANDSCAPE CONSTRUCTION PLAN & SCHEDULE

Revision	0
Date	6/28/2024
Scale	

L-1.0

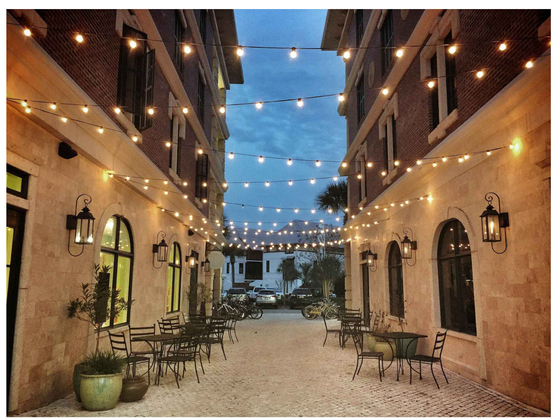


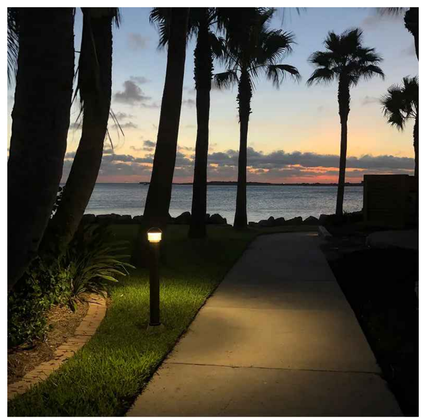
LIGHTING SCHEDULE

SYMBOL	VOLTS	QTY	DESCRIPTION	MFGR	MODEL	COLOR/FINISH	LUMENS	SPECIFICATION	NOTES
	120V	3	BISTRO STRING LIGHTS 50' LENGTHS	TBD	TBD	-	-	TBD	INSTALLED WITH WALL ANCHORS & STAINLESS STEEL GUIDE CABLE
	120V	6	BOLLARD PATH LIGHT	TBD	TBD	-	-	TBD	SET 9" FROM EDGE, TYPICAL
	120V	2	EXTERIOR OUTLETS	TBD	TBD	-	-	TBD	WALL MOUNTED WATERPROOF WITH LOCKABLE COVER PER CODE

LIGHTING NOTES

1. LIGHTING SYSTEM TO EMPLOY A SINGLE LIGHTING TRANSFORMER WITH INTERNET APPLICATION-BASED CONTROL SYSTEM ('LUXOR' BY FX LUMINAIRE).
2. LIGHTING AND ELECTRICAL FIXTURE LOCATIONS TO BE CONFIRMED IN FIELD PRIOR TO INSTALLATION.
3. NIGHT LIGHTING REVIEW TO BE PERFORMED PRIOR TO FINAL INSTALLATION.
4. ALL FIXTURES TO USE DIRECT-BURIAL WIRING.
5. LIGHT FIXTURES TO EMPLOY 2700K WARM-HUED LED BULBS, UNLESS SPECIFIED.





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Winters, CA 95694

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LIGHTING & ELECTRICAL PLAN

Revision	0
Date	6/28/2024
Scale	AS NOTED

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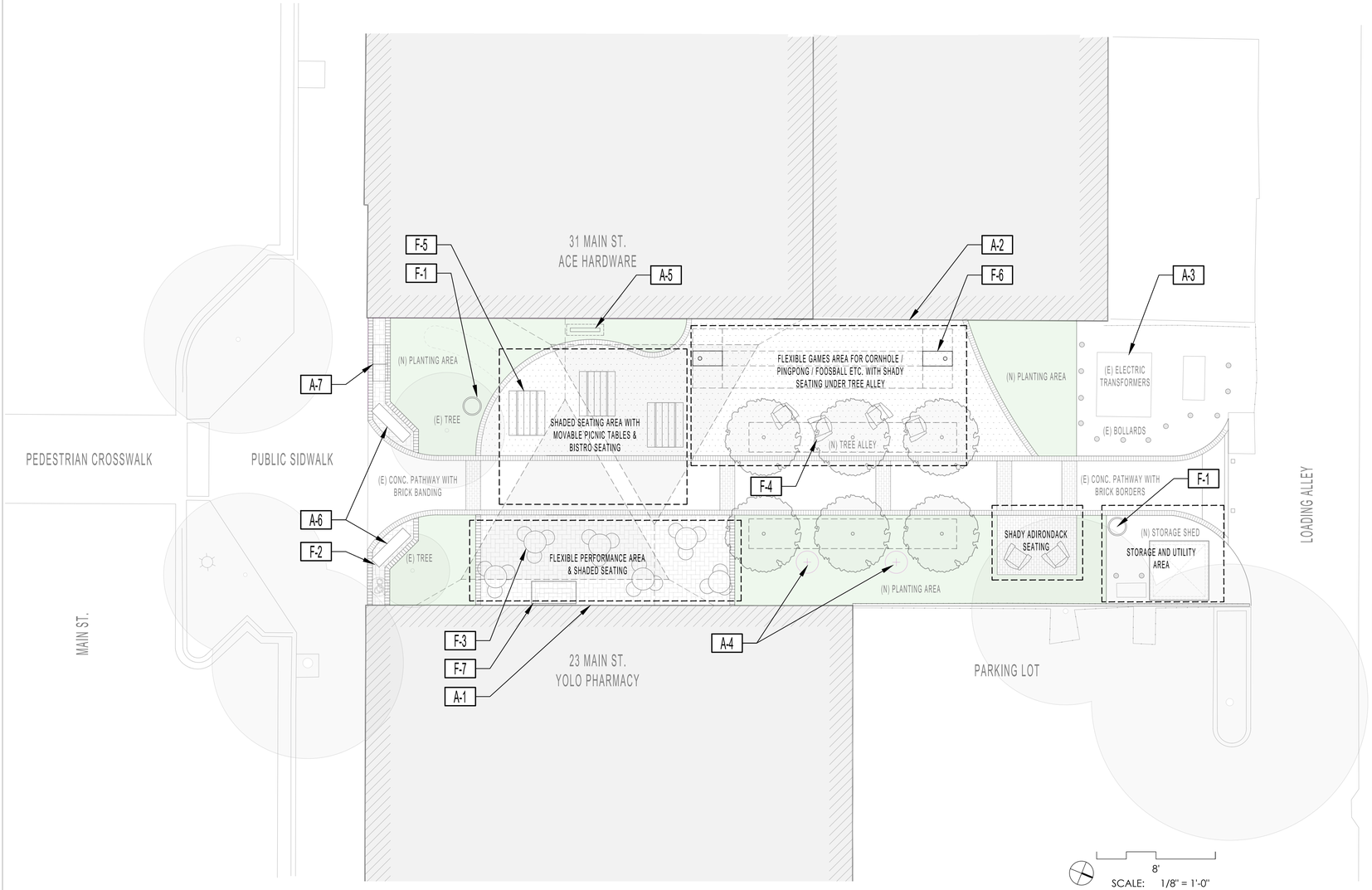















SITE FURNITURE SCHEDULE

SYMBOL	DETAIL REF.	QTY.	DESCRIPTION	MATERIAL / MANUFACTURER / COLOR / FINISH	NOTES
F-1	PHASE 2	1 NEW (1 EXISTING)	WASTE RECEPTACLE	MATCH EXISTING CITY WASTE RECEPTACLES	RE-LOCATE EXISTING WASTE RECEPTACLE, ADDITIONAL WASTE RECEPTACLE.
F-2	PHASE 2	1	WATER FOUNTAIN	TBD	WATER FOUNTAIN WITH BOTTLE FILLER
F-3	PHASE 2	6 (18)	BISTRO TABLES (& CHAIRS)	TBD	ASSORTED COLORS
F-4	PHASE 2	6	ADIRONDACK CHAIRS	TBD	ASSORTED COLORS
F-5	PHASE 2	3	MOVABLE PICNIC TABLES	TBD	-
F-6	PHASE 2	2	GAME	EXACT GAME TBD. OPTIONS INCLUDE: CORNHOLE, PINGPONG, OR FOOSBALL	-
F-7	PHASE 2	1	PIANO ENCLOSURE	REDWOOD STRUCTURE WITH SLOPED ROOF TO PROTECT OUTDOOR PIANO FROM WEATHER. EXACT DESIGN TBD.	TO BE COORDINATED WITH WINTERS ART COMMISSION (PHASE 2)

NOTES:

1. CONTRACTOR TO PROVIDE PHYSICAL SAMPLES OF SPECIFIED MATERIAL FOR REVIEW AND FINAL SELECTION BY LANDSCAPE ARCHITECT AND OWNER.

ART OPPORTUNITY SCHEDULE

SYMBOL	DETAIL REF.	QTY.	DESCRIPTION	MATERIAL / MANUFACTURER / COLOR / FINISH	NOTES
A-1	PHASE 2	1	FEATURE MURAL	WINTERS HARVEST MURAL OVER BRICK WALL. OPTION FOR PROJECTION AREA FOR 'MOVIE NIGHTS'	TO BE COORDINATED WITH WINTERS ART COMMISSION (PHASE 2)
A-2	PHASE 2	1	MURAL	MURAL OPPORTUNITY TO COVER CORRUGATED GRAY STEEL BUILDING.	
A-3	PHASE 2	1	ELECTRICAL BOXES MURAL	MURAL OPPORTUNITY TO COVER GREEN ELECTRICAL BOXES. ART TO MAINTAIN STICKERS AND WARNING LABELS.	
A-4	PHASE 2	2	GARDEN SCULTPTURES	GARDEN SCULPTURE OPPORTUNITY ALONG TREE ALLEY.	
A-5	PHASE 2	1	ART DISPLAY / COMMUNITY SIGNBOARD	WEATHER PROTECTED DISPLAY CASE TO FEATURE LOCAL ART AND COMMUNITY EVENTS / BULLETINS	
A-6	PHASE 2	2	MEMORIAL BENCHES	RE-USE EXISTING OR REPLACE TWO MEMORIAL BENCHES WITH PLAQUES SITUATED AT THE GARDEN ENTRY.	
A-7	PHASE 2	1	LITTLE FREE LIBRARY	FIXUP & RE-USE EXISTING OR REPLACE WITH NEW LITTLE FREE LIBRARY	

NOTES:

1. CONTRACTOR TO PROVIDE PHYSICAL SAMPLES OF SPECIFIED MATERIAL FOR REVIEW AND FINAL SELECTION BY LANDSCAPE ARCHITECT AND OWNER.

SXF
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cole@sxf.art

Landscape Plans
"Main St. Park"
Winters, CA 95694

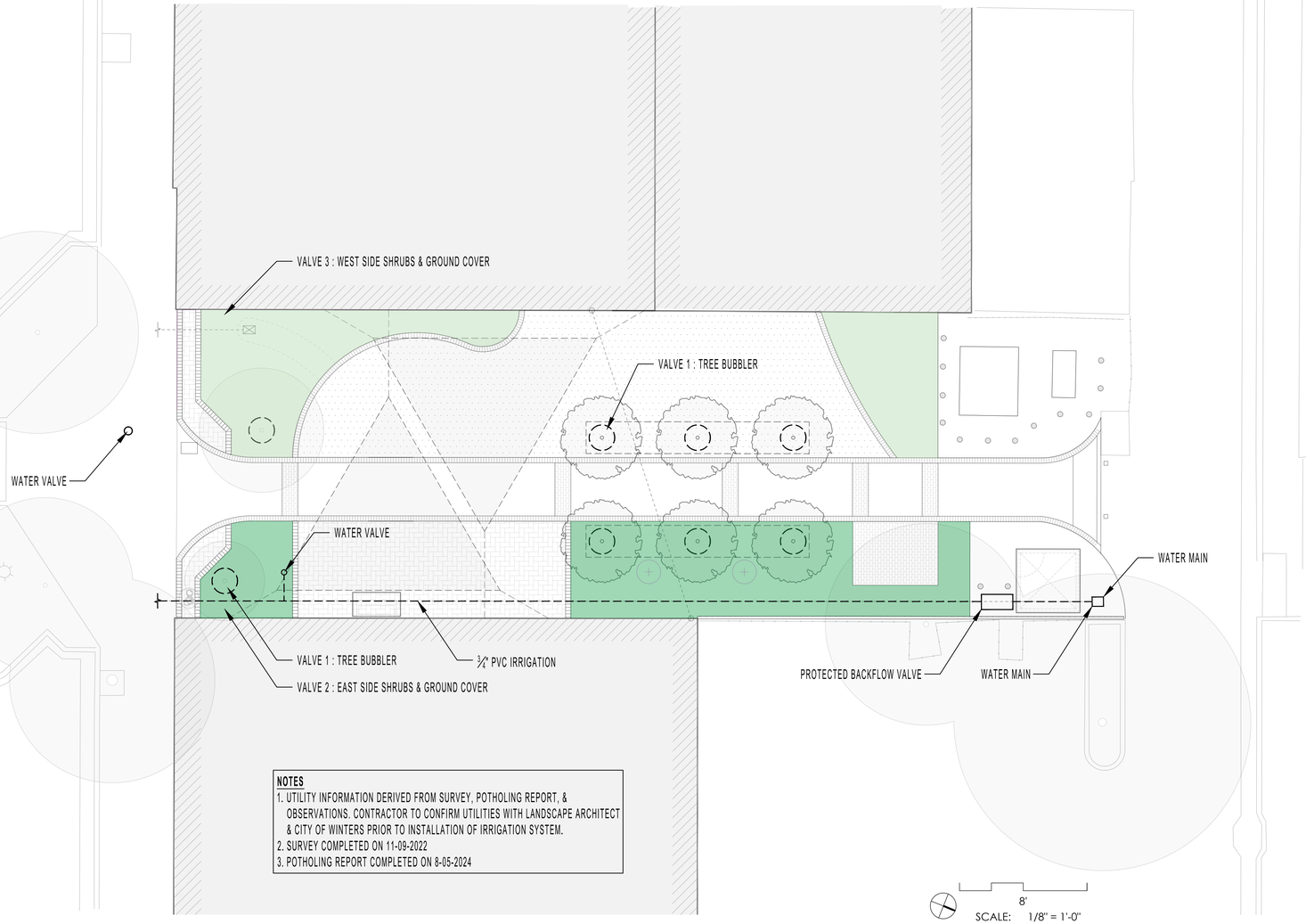
Revision/ Issue Schedule

No.	Description	Date

PROGRAM OPPORTUNITY PLAN

Revision	0
Date	6/28/2024
Scale	AS NOTED

L-2.0



IRRIGATION NOTES

1. RETROFIT IRRIGATION IRRIGATED AREAS ARE ASSUMED TO HAVE AN EXISTING FUNCTIONING IRRIGATION SYSTEM THAT IS TO BE CONVERTED TO A POINT-SOURCE DRIP IRRIGATION SYSTEM. SPRAY VALVES ARE TO BE REPLACED WITH NEW DRIP VALVES AND SPRAY HEADS ARE TO BE RETROFITTED WITH DRIP TUBING (SOLID FOR DISTRIBUTION) AND IN-LINE DRIP AROUND PLANTS. TREES ARE PLACED ON DEDICATED VALVES THROUGHOUT THE SITE. TREE ZONES / VALVES ARE GROUPED APPROXIMATELY AS SHOWN ON THE PLANS. SEE ADDITIONAL IRRIGATION NOTES BELOW.

2. POINT-SOURCE DRIP IRRIGATED AREAS USE 1/2" MAINLINE FOR DISTRIBUTION TO 1/4" IN-LINE DRIP TUBING WITH EMITTERS SPACED 6", WRAPPED AROUND INDIVIDUAL PLANTS. MAINLINE TO BE ROUTED SO THAT IT IS AS CLOSE TO EACH INDIVIDUAL PLANT AS POSSIBLE. IF PLANT IS OVER 24" AWAY FROM THE MAINLINE, USE A 1/4" SOLID LATERAL LINE TO CONNECT THE 1/4" IN-LINE DRIP TUBING TO THE 1/2" MAINLINE. WRAP PLANT ONCE WITH IN-LINE DRIP TUBING AROUND ROOTBALL PER THE FOLLOWING:

3. IN-LINE DRIP IRRIGATED AREAS USE 1/2" MAINLINE FOR DISTRIBUTION TO 1/4" IN-LINE DRIP TUBING WITH EMITTERS SPACED 6", TO COMPLETELY COVER THE DESIGNATED PLANTING AREA. SPACE DRIP TUBING TO COVER ENTIRE PLANTING AREA AS SHOWN IN THE STANDARD IN-LINE DRIP LAYOUT DETAIL.

4. MP ROTATORS IRRIGATED AREAS USE 1/2" MAINLINE FOR DISTRIBUTION TO HIGH-EFFICIENCY POP-UP ROTATING JET STREAM EMITTERS, SPACED TO ENSURE HEAD-TO-HEAD COVERAGE WITHIN DESIGNATED PLANTING AREAS. ALL EMITTERS TO BE 6" AWAY FROM HARDSCAPE EDGE TO AVOID OVER-SPRAY.

CONTAINER SIZE	**IN-LINE DRIP TUBING PLACEMENT** (FROM CENTER OF PLANT)
#1	3"
#5	4"
#15	5"
24" BOX	5" AND 10" (2 LOOPS)

HYDROZONE LEGEND

ZONE #	SYMBOL	DESCRIPTION	AREA	VALVE QTY	IRRIGATION EMITTER TYPE
1		TREE VALVE	-	1	POINT-SOURCE, TREE BUBBLERS
2		EAST SIDE SHRUBS & GROUND COVER	650 SF	1	IN-LINE DRIP, SEE NOTE 3
3		WEST SIDE SHRUBS & GROUND COVER	575 SF	1	POINT-SOURCE DRIP, SEE NOTE 2

MINIMUM TOTAL NEW VALVES (3)

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Landscape Plans
"Main St. Park"
Winters, CA 95694

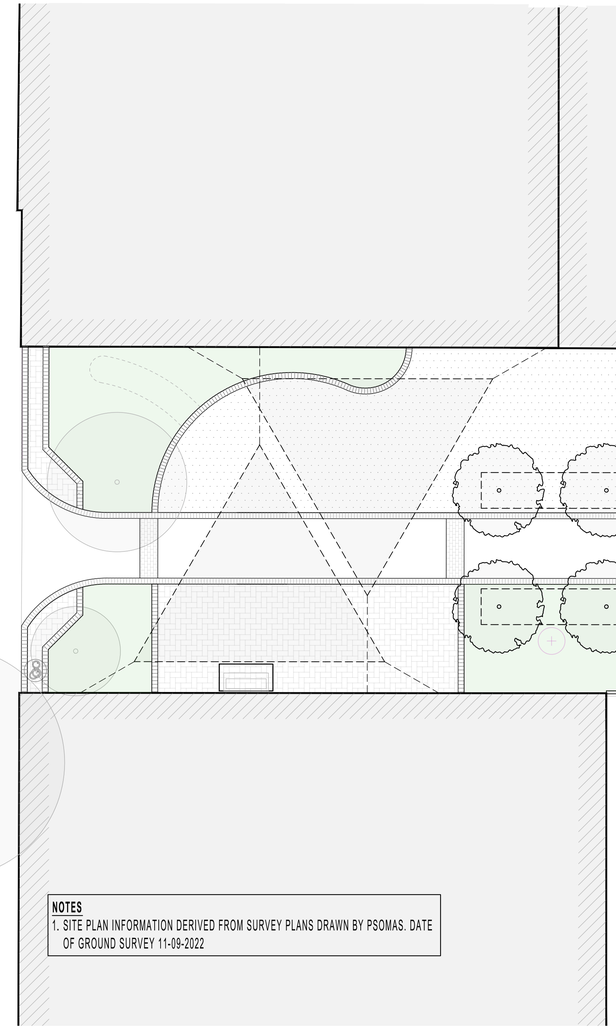
Revision/ Issue Schedule

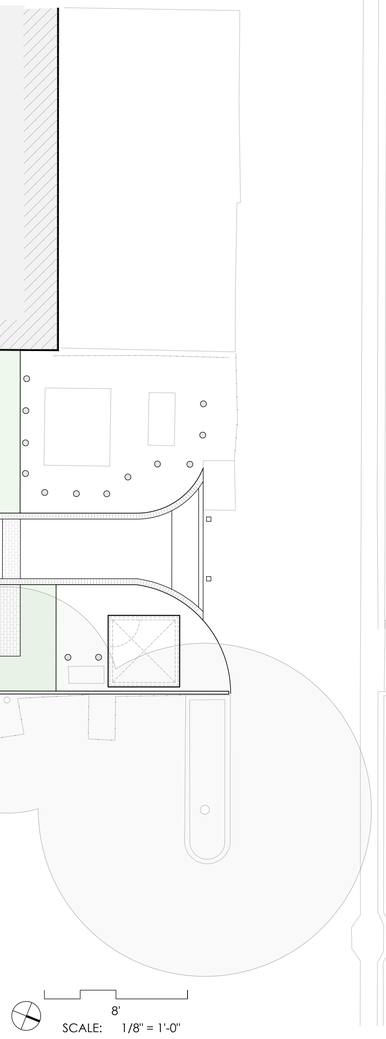
No.	Description	Date

IRRIGATION COORDINATION PLAN

Revision	0
Date	6/28/2024
Scale	3/16" = 1'-0"

L-4.0







PLANTING INSPIRATION

SYMBOL	DESCRIPTION	AREA	APPLICATION	QTY
	SHRUBS AND PERRENIALS - SHRUBS, PERENNIALS, GRASSES, GROUNDCOVER - 50% INFILL	1250 SF	# PER 100 SF 10 #1 3 #5 1 #15	120 #1 36 #5 12 #15
	NEW TREE		24" BOX	6
	EXISTING TREE TO REMAIN			

PLANTING NOTES

1.UNLESS OTHERWISE NOTED, PLANTING AREAS TO RECEIVE 3" LAYER COMPOSTED BARK MULCH (50% 'GARDEN MULCH' + 50% 'FOREST FLOOR BARK' BY: AMERICAN SOIL & STONE) CONTRACTOR TO SUBMIT SAMPLES FOR REVIEW AND APPROVAL.
2. EXISTING PLANTING & MULCH CONDITION SHALL BE ASSESSED & REPLACED AS DIRECTED BY LANDSCAPE ARCHITECT.
3. "GOPHER WIRE" - 1/2" SQUARE HARDWARE CLOTH TO COVER ENTIRE AREA AS SHOWN, OVERLAP 6" AND SECURE IN PLACE WITH METAL STAKES.



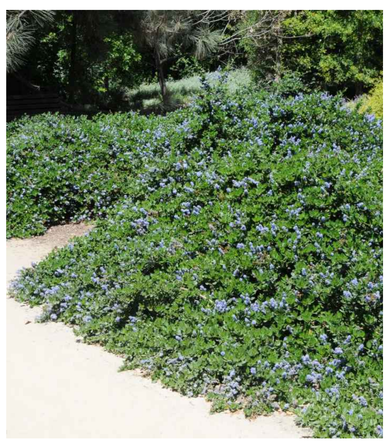
TREE ALLEY



SHADE TREE



DROUGHT TOLERANT PLANTING & GRAVEL



NATIVE PLANTING

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Landscape Plans
"Main St. Park"
Winters, CA 95694

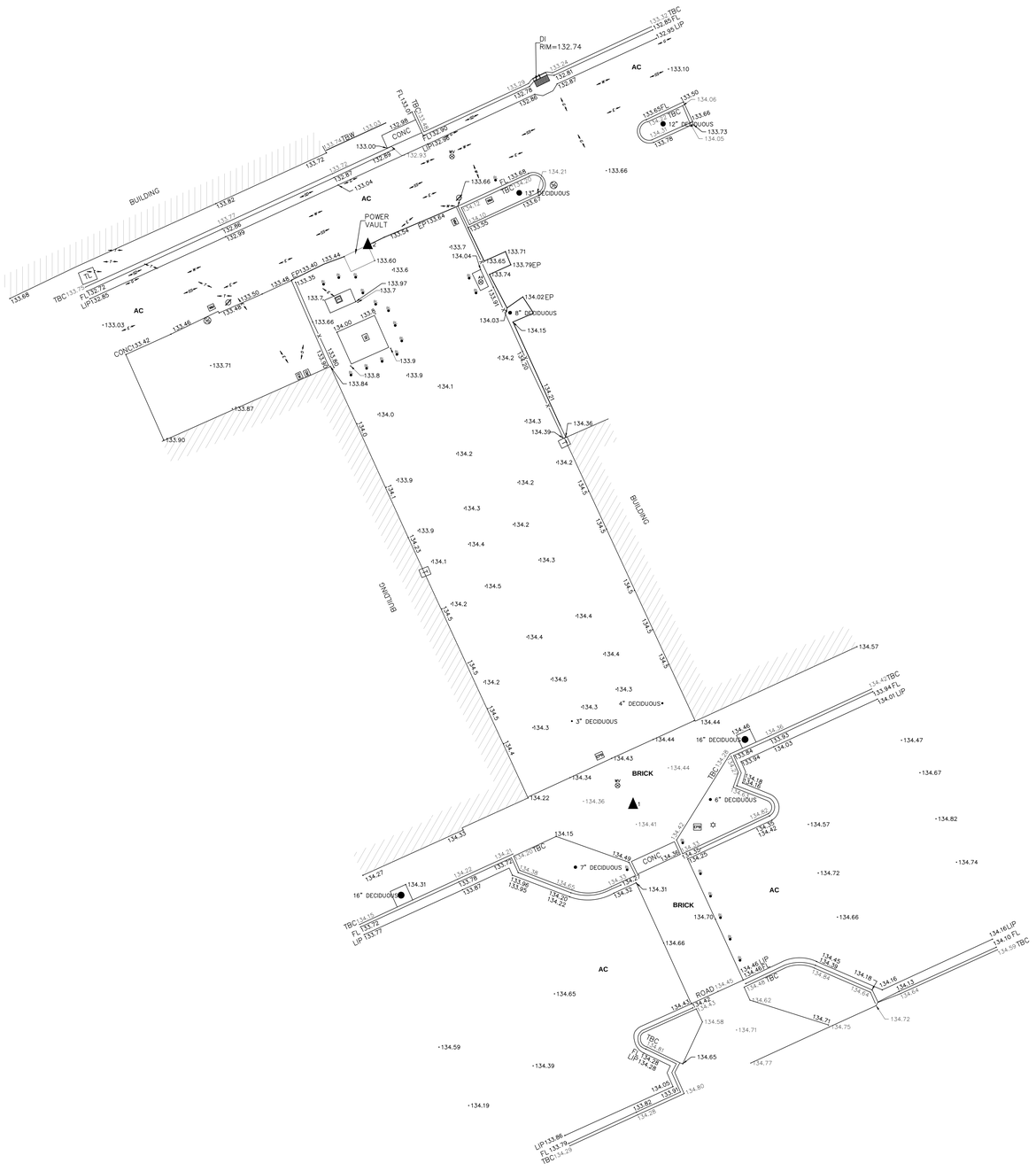
Revision/ Issue Schedule

No.	Description	Date

PLANTING COORDINATION PLAN

Revision	0
Date	6/28/2024
Scale	

L-5.0



LEGEND:

- BOLLARD
- COMMUNICATIONS BOX
- COMMUNICATIONS PAINT MARK (UNDERGROUND)
- ELECTRIC METER
- ELECTRIC PULL BOX
- ELECTRICAL TRANSFORMER
- GAS METER
- GAS PAINT MARK
- GATE VALVE
- JOINT UTILITY POLE
- LIGHT
- MANHOLE (UNKNOWN)
- POWER PAINT MARK
- POWER POLE
- SEWER CLEANOUT
- SEWER PAINT MARK (UNDERGROUND)
- SIGN
- STORM DRAIN INLET
- STORM DRAIN PAINT MARK (UNDERGROUND)
- TELEPHONE BOX
- TELEPHONE CABINET
- TELEPHONE PAINT MARK (UNDERGROUND)
- TREE AS NOTED
- WATER METER
- WATER PAINT MARK (UNDERGROUND)
- WATER VALVE

AC	ASPHALT
CONC	EDGE OF CONCRETE
LIP	LIP OF GUTTER
FL	FLOW LINE
TBC	TOP BACK OF CURB
EP	EDGE OF PAVEMENT

- FENCE
- BUILDING

SCALE: 1"=10'

0 5 10 20 30

TOPOGRAPHIC SURVEY
ART PARK
A PORTION OF
PORTION DE LOS PUTAS, T.8 N., R.1 W., M.D.B.&M.
YOLO COUNTY, CALIFORNIA
SCALE 1"=10' NOVEMBER 15, 2022

PSOMAS
11661 Blocker Drive, Suite 200
Auburn, Ca. 95603
(800) 400-7572

PREPARED AT THE REQUEST OF:
CITY OF WINTERS

DATE OF GROUND SURVEY:
11/09/2022
TOPOGRAPHIC SURVEY COMPILED AT 1"=10' L

HORIZONTAL DATUM:
CALIFORNIA STATE PLANE ZONE II
NAD83 (2010.0) HPGN BASED ON VRS OBSERVATIONS

VERTICAL DATUM:
NAVD88 BASED ON VRS OBSERVATIONS



PASEO PARK, CITY OF WINTERS
PHASE 1 CONSTRUCTION BUDGET

SITE PREP:		INCLUDE DEMO, SITE PREP, GRADING, TREE PROTECTION, MATERIAL & DG STOCKPILING, SOIL REMOVAL, PORTA JOHN, ETC.	**SITE PREP TOTAL:**	**$0.00**
PAVING: REFER TO L-1.0				
SYMBOL:	ITEM:	NOTES:	QTY:	PRICE:
PG	GRAVEL PAVING	RECLAIM & REINSTALL EXISTING	1200 SF	$1,560.00
PE	METAL EDGING	MATERIALS & INSTALLATION	30 LF	$1,200.00
P-1	HERRINGBONE BRICK	INSTALLATION ONLY	520 SF	$1,440.00
P-2	BRICK RUNNING BOND	MATERIALS & INSTALLATION	100 SF	$2,100.00
P-3	BRICK BAND	MATERIALS & INSTALLATION	150LF	$2,250.00
			PAVING TOTAL:	**$8,550.00**
CARPENTRY & AMENITIES: REFER TO L-1.0				
SYMBOL:	ITEM:	NOTES:	QTY:	PRICE:
C-1	PIANO ENCLOSURE	SEPARATE CONTRACT	1 PC	PHASE 2
C-2	SHADE SAILS	PURCHASE & INSTALLATION	2 PC	$1,240.00
C-3	STORAGE SHED SLAB	MATERIALS & INSTALLATION	120 SF	$2,800.00
C-3	STORAGE SHED	SEPARATE CONTRACT	1 PC	PHASE 2
C-4	WATER FOUNTAIN	PURCHASE & INSTALLATION	1 PC	$5,900.00
C-5	BENCH SEAT WALL	MATERIALS & INSTALLATION	25 LF	$3,100.00
			CARPENTRY & AMENITIES TOTAL:	**$13,040.00**
LIGHTING & ELECTRIC:		PER LIGHTING PLAN (L-1.1)	**LIGHTING TOTAL:**	**$6,300.00**
IRRIGATION:		PER IRRIGATION PLAN (L-4.0)	**IRRIGATION TOTAL:**	**$2,800.00**
PLANTING:		PER PLANTING PLAN (L-5.0)	**PLANTING TOTAL:**	**$11,350.00**
CONTINGENCY:			**CONTINGENCY TOTAL:**	**$5,000.00**

		PHASE 1 TOTAL CONSTRUCTION BUDGET:		**$47,040.00**

PASEO PARK, CITY OF WINTERS
PHASE 2 CONSTRUCTION BUDGET

SITE FURNISHINGS:				
SYMBOL:	ITEM:	NOTES:	QTY:	PRICE:
F-1	WASTE RECEPTACLE	SEPARATE CONTRACT	1 PC	$1,200.00
F-3	BISTRO TABLES (& CHAIRS)	SEPARATE CONTRACT	6(18) PCS	$2,100.00
F-4	ADIRONDACK CHAIRS	SEPARATE CONTRACT	6 PCS	$2,150.00
F-5	MOVABLE PICNIC TABLES	SEPARATE CONTRACT	3PCS	$5,300.00
F-6	CONCRETE PING PONG TABLE	SEPARATE CONTRACT	1 PC	$9,500.00
F-7	PIANO ENCLOSURE	SEPARATE CONTRACT	1 PC	$3,350.00
F-8	BIKE RACK	SEPARATE CONTRACT	2 PC	$2,000.00
			SITE FURNISHINGS TOTAL:	**$25,600.00**

ART OPORTUNITIES:				
SYMBOL:	ITEM:	NOTES:	QTY:	PRICE:
A-1	FEATURE MURAL	SEPARATE CONTRACT	1200 SF	$50,400.00
A-2	MURAL	SEPARATE CONTRACT	800 SF	$33,600.00
A-3	ELECTRICAL BOXES MURAL	SEPARATE CONTRACT	160 SF	$13,120.00
A-4	GARDEN SCULPTURES	SEPARATE CONTRACT	2PCS	$4,000.00
A-5	COMMUNITY SIGNBOARD	SEPARATE CONTRACT	1 PC	$2,100.00
A-6	BENCHES	SEPARATE CONTRACT	2 PCS	$500.00
A-7	LITTLE LIBRARIES	SEPARATE CONTRACT	2 PCS	$1,100.00
			ART OPPORTUNITIES TOTAL:	**$104,820.00**

PHASE 2 TOTAL CONSTRUCTION BUDGET: $130,420.00

CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers

DATE: September 2, 2025

THROUGH: Jeremy Craig, City Manager

FROM: Kristine DeGuerre, Environmental Services Manager

SUBJECT: Introduce and Waive First Reading of an Ordinance of the City Council of the City of Winters, California, Amending Chapter 13.12 of Title 13 of the Winters Municipal Code Pertaining to Cross-Connection Control

RECOMMENDATION:
Staff recommends that the City Council:

Introduce and waive the first reading of an Ordinance of the City Council of the City of Winters, California, Amending Chapter 13.12 of Title 13 of the Winters Municipal Code Pertaining to Cross-Connection Control

BACKGROUND:

The City of Winters ("City") is committed to providing clean, safe drinking water to its residents and businesses. In response to recent changes in regulations governing cross-connection control in public water systems, the City is required to amend its cross-connection control ordinance codified in Chapter 13.12 of Title 13 of the Winters Municipal Code ("Cross-Connection Control Ordinance").

Pursuant to requirements imposed by AB 1671, the California State Water Resources Control Board adopted an amended Cross Connection Control Policy Handbook ("CCCPH") on December 19, 2023, with an effective date of July 1, 2024. This CCCPH replaces the previous cross-connection control and backflow regulations found in Title 17 of the California Code of Regulations.

This CCCPH states that all Public Water Systems must complete and submit a Cross-Connection Control Plan to the State Water Resources Control Board by July 1, 2025. The Cross-Connection Control Plan is an official document that details how a Public Water System will implement a Cross-Connection Control Program consistent with CCCPH mandates. After developing its Cross-Connection Control Plan with consultation with legal counsel, the City submitted its Cross-Connection Control Plan to the State Water Resources Control Board's Division of Drinking Water on June 25, 2025.

The proposed amendments to the City's Cross-Connection Ordinance ensure that the City has sufficient legal authority to implement its Cross-Connection Control Plan and Program.

DISCUSSION:

What is Backflow?

Backflow is the unwanted reversal of water flow, which can contaminate a public water system. This issue arises when water, liquids, gases, or other substances flow backward into the water supply, potentially impairing its quality or posing health risks.

What is a Cross-Connection?

A cross-connection is any link or arrangement between the public water system and a non-approved source, such as other liquids or gases. This can occur in private premises or through any system connected to the public water supply.

Public Water Systems are responsible for implementing and enforcing a Cross-Connection Control Program. The purpose of a Cross-Connection Control Program is to prevent the backflow of water into the public water distribution system, which could result in cross-contamination or pollution entering the system. An effective Cross-Connection Control Program is achieved through the proper installation and maintenance of backflow prevention assemblies, devices, or methods that protect against the threat posed by any condition found on a user's premises. Selecting the correct type of backflow protection and ensuring it is properly installed is both important and required by the new CCCPH. The use of approved backflow prevention assemblies safeguards the public water supply against all known or potential cross-connections.

To effectively enforce the program, the CCCPH requires Public Water Systems to establish operating rules, ordinances, bylaws, or resolutions and possess the legal authority to take corrective action when a user fails to comply.

This authority must include at least one of the following:

1. Denial or discontinuation of water service;

2. Installation, inspection, field-testing, or maintenance of a backflow prevention

assembly at the user's premises; or

3. Prompt resolution of any issue to ensure compliance with the program.

The City's current Cross-Connection Ordinance authorizes the City to discontinue service when a customer fails to install, test, or maintain an approved backflow prevention assembly. The proposed amendments (Attachment 1) authorize the City to discontinue service for customers if they refuse to allow City representatives to inspect their properties. Alternatively, the City may require the customer to install a backflow prevention assembly.

The proposed amendments ensure compliance with the CCCPH in other ways. The proposed changes update references to the CCCPH and incorporate CCCPH definitions to ensure consistency and reduce ambiguity. The proposed amendments also establish new testing and notice requirements, and clarifies the City's right to inspect customer's premises at reasonable times.

ALTERNATIVES

1. The City Council may decline to proceed with the proposed ordinance and not amend Chapter 13.12 of Title 13 of the Municipal Code Pertaining to Cross-Connection Control

ENVIRONMENTAL ANALYSIS:

Adoption of the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15358 of the State CEQA Guidelines because the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment. The action is also exempt 15061(b)(3) because there exists no possibility that the activity will have a significant adverse effect on the environment.

FISCAL IMPACT:

None.

ATTACHMENTS:

1. An Ordinance of the City Council of the City of Winters, California, Amending Chapter 13.12 of Title 13 of the Winters Municipal Code Pertaining to Cross-Connection Control
    a. Exhibit A (Proposed Changes to Chapter 13.12)
2. Redline of Changes to Chapter 13.12 of the Winters Municipal Code

ORDINANCE NO. 2025-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WINTERS, CALIFORNIA, AMENDING CHAPTER 13.12 OF TITLE 13 OF THE WINTERS MUNICIPAL CODE PERTAINING TO CROSS-CONNECTION CONTROL

WHEREAS, the City Council finds and declares safe and reliable drinking water is necessary for the City of Winter's ("City") public health, fire protection, economic development, and the overall quality of life; and

WHEREAS, cross-connections and backflow between non-potable water and/or other liquids, gases, or other substances and the City's potable water supply pose a threat to safety and reliability of its public water system; and

WHEREAS, the State Water Resources Control Board ("State Water Board") adopted its Cross-Connection Control Policy Handbook ("CCCPH") pursuant to Assembly Bill 1671 and Assembly Bill 1180; and

WHEREAS, the CCCPH rendered previous backflow protection and cross-connection control standards inoperative and established new, enforceable standards applicable to the City's public water system; and

WHEREAS, the CCCPH requires the City updates its cross-connection control program and develop a Cross-Connection Control Plan to ensure the protection of the City's potable water supply against actual or potential cross-connections and backflow events; and

WHEREAS, this ordinance enables the City to meet CCCPH standards and implement its Cross-Connection Plan; and

WHEREAS, the City hereby determines it necessary to amend its cross-connection control ordinance, as set forth in Chapter 13.12 of Title 13 of the Municipal Code.

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

Section 1 **Recitals**. The recitals above are true and correct and are hereby incorporated herein by this reference.

Section 2 **Amendments to Chapter 13.12**. Chapter 13.12 of Title 13 of the Municipal Code is hereby amended in its entirety as set forth in **Exhibit A** attached hereto and by this reference made an operative part of this Ordinance.

Section 3 **Severability**. If any section, subsection, subdivision, sentence, clause, or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional, invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council hereby declares that it would have adopted each section irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, or phrases be declared unconstitutional, invalid or ineffective.

Section 4 **CEQA**. The City Council finds that adoption of this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15358 (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Moreover, the City Council finds that this Ordinance is also exempt under CEQA pursuant to Guidelines Section 15061(b)(3) (there exists no possibility that the activity will have a significant adverse effect on the environment).

Section 5 **Effective Date and Publication**. The City Clerk shall certify to the adoption of this Ordinance, and the City Clerk shall cause this Ordinance to be posted or published as prescribed by law. This Ordinance shall take effect thirty (30) days following its adoption.

INTRODUCED on the _____ day of _____, 2025, and **PASSED AND ADOPTED** by the City Council of the City of Winters on this ____ day of _____, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

CITY OF WINTERS

_____
Albert Vallecillo, Mayor

ATTEST:

_____
Jeremy Craig, City Clerk

Chapter 13.12

BACKFLOW AND CROSS CONNECTION CONTROL*

Sections:

13.12.010 Purpose.
13.12.020 Responsibility.
13.12.030 Cross-connection protection requirements.
13.12.040 Backflow prevention assemblies.
13.12.050 Administration.
13.12.060 Water service termination.
13.12.070 Installation.

13.12.010 Purpose.

The purpose of this chapter is to protect the public water supply system from contamination due to potential and actual cross-connections. This shall be accomplished by the establishment of a cross-connection control program as required by State regulations. The ordinance codified in this chapter is adopted pursuant to the State Water Resources Control Board's Cross-Connection Control Policy Handbook ("CCCPH").

13.12.020 Responsibility.

The director of public works or designee shall be responsible for implementing and enforcing the cross-connection control program. A backflow prevention assembly acceptable to the director of public works shall be installed by and at the expense of the water user at each user connection where required to prevent backflow from the water user's premises to the domestic water system. It shall be the water user's responsibility to comply with the city's requirements.

13.12.030 Cross-connection protection requirements.

The type of protection that shall be provided to prevent backflow into the public water supply system shall be commensurate with the degree of hazard, actual or potential, that exists on the water user's premises. Unprotected cross-connections with the public water supply are prohibited. The type of backflow prevention assembly that may be required (listed in decreasing level of protection) includes: air-gap separation (AG), reduced pressure principle backflow prevention assembly (RP), and a double check valve assembly (DC). The water user may choose a higher level of protection than required by the water supplier. The minimum type of backflow protection required to protect shall be consistent with the CCCPH. Situations which are not covered in the CCCPH shall be evaluated on a case-by-case basis and the appropriate backflow protection shall be determined by the water supplier or Yolo County environmental health department.

13.12.040 Backflow prevention assemblies.

Only backflow prevention assemblies which have been approved by the city shall be acceptable for installation by a water user. A list of approved backflow prevention assemblies will be provided upon request to any affected customer. Backflow prevention assemblies shall be installed in a manner prescribed in Article 3 of the CCCPH. Location of the assemblies shall be as close as practical to the user's connection. The city shall have the final authority in determining the required type, size, and location of a backflow prevention assembly. Ownership of all required backflow prevention assemblies shall vest solely with the water user.

Testing of backflow assemblies shall be conducted only by AWWA certified testers approved by the director of pub1ic works and testing will be the responsibility of the water user. Backflow prevention assemblies must be tested at least annually and immediately after installation, relocation or repair. More frequent testing may be required if deemed necessary by the City. Results of the test shall be supplied to the director of public works within three (3) days testing. No assembly shall be placed back in service unless it is functioning as required. Assemblies shall be serviced, overhauled, or replaced within thirty days (30) of a failed test and all costs of testing, repair, and maintenance shall be borne by the water user.

Whenever a backflow prevention assembly tester observes a backflow incident or an unprotected cross-connection at a backflow prevention assembly or prior to water user's premises, the backflow prevention assembly tester shall

notify the director of public works or designee within twenty-four (24) hours. The City shall immediately terminate water service pursuant to Section 13.12.060 and conduct an investigation.

Approval must be obtained from the director of public works prior to removing, relocating or replacing a backflow prevention assembly.

13.12.050 Administration.
The cross-connection control program shall be administered by the director of public works or designee/cross-connection control specialist. The director of public works will establish and maintain a list of approved backflow prevention assemblies. The director of public works or designee shall conduct necessary hazard assessments and on-premises inspections of water user premises to evaluate the degree or potential health hazards. The director of public works shall notify user when an assembly needs to be tested or air-gap inspected. The notice shall contain the date when the test must be completed.

13.12.060 Water service termination.
When the director of public works encounters water uses that represent a clear and immediate hazard to the potable water supply that cannot be immediately abated, the procedure for terminating water service shall be instituted immediately. Other conditions or water uses that create a basis for water service termination shall include, but are not limited to, the following:

1. Refusal to install or to test a backflow prevention assembly, or to repair or replace a faulty backflow prevention assembly;

2. Refusal to allow City representatives or agents to conduct on-premise inspections.

3. Direct or indirect connection between the public water system and a sewer line;

4. Unprotected direct or indirect connection between the public water system and a system or equipment containing contaminants;

5. Unprotected direct or indirect connection between the public water system and an auxiliary water system.

For condition 1 and 2, the director of public works will terminate service to a water user's premises after proper notification has been sent. If no action is taken within the allowed time period water service shall be terminated.

For conditions 3, 4, or 5, the director of public works shall take the following steps:

1. Make reasonable effort to advise the water user of the intention to terminate water service;

2. Terminate water service and lock service valve. The water service shall remain inactive until correction of violations has been approved by the director of public works.

13.12.070 Installation.
The director of public works shall notify, in writing, a water user who is required to install an backflow prevention assembly in accordance with this chapter .Within forty-five (45) days of the notice, the user shall install and test an approved backflow presentation assembly at the water user's expense. Failure, refusal or inability to comply with this requirement shall result in termination of service as outlined in Section 13.12.060. The director of public works may require a water user to install a backflow prevention assembly for failure or refusal to allow City representatives to conduct on-premise inspections.

13.12.090 Entry and Inspection.
All water users systems and premises shall be readily accessible inspection at all reasonable times to authorized representatives of the City to enable the City to ascertain the existence of cross-connections or other structural or sanitary hazards, including violations of the cross-connection rules and regulations in this Policy. Failure to allow a City representative on premises is a violation of this chapter.

Chapter 13.12

BACKFLOW AND CROSS CONNECTION CONTROL*

Sections:

13.12.010 Purpose.
13.12.020 Responsibility.
13.12.030 Cross-connection protection requirements.
13.12.040 Backflow prevention assemblies.
13.12.050 Administration.
13.12.060 Water service termination.
13.12.070 Installation.

13.12.010 Purpose.

The purpose of this chapter is to protect the public water supply system from contamination due to potential and actual cross-connections. This shall be accomplished by the establishment of a cross-connection control program as required by State regulations. The ordinance codified in this chapter is adopted pursuant to ~~Title 17, Sections 7583 through 7605, inclusive, of the California Code of Regulations, entitled "Regulations Relating To Cross Connections."~~the State Water Resources Control Board's Cross-Connection Control Policy Handbook ("CCCPH").

13.12.020 Responsibility.

The director of public works or designee shall be responsible for implementing and enforcing the cross-connection control program. A backflow prevention assembly acceptable to the director of public works shall be installed by and at the expense of the water user at each user connection where required to prevent backflow from the water user's premises to the domestic water system. It shall be the water user's responsibility to comply with the city's requirements.

13.12.030 Cross-connection protection requirements.

The type of protection that shall be provided to prevent backflow into the public water supply system shall be commensurate with the degree of hazard, actual or potential, that exists on the water user's premises. Unprotected cross-connections with the public water supply are prohibited. The type of backflow prevention assembly that may be required (listed in decreasing level of protection) includes: air-gap separation (AG), reduced pressure principle backflow prevention assembly (RP), and a double check valve assembly (DC). The water user may choose a higher level of protection than required by the water supplier. The minimum type of backflow protection required to protect ~~the approved water supply at the user's water connection to premises with varying degrees of hazard are listed in Table 1 of Section 7604, Title 17 California Code of Regulations~~shall be consistent with the CCCPH. Situations which are not covered in ~~Table 1~~the CCCPH shall be evaluated on a case-by-case basis and the appropriate backflow protection shall be determined by the water supplier or Yolo County environmental health department.

13.12.040 Backflow prevention assemblies.

Only backflow prevention assemblies which have been approved by the city shall be acceptable for installation by a water user. A list of approved backflow prevention assemblies will be provided upon request to any affected customer. Backflow prevention assemblies shall be installed in a manner prescribed in ~~Section 7603, Title 17~~Article 3 of the ~~California Code of Regulations~~CCCPH. Location of the assemblies shall be as close as practical to the user's connection. The city shall have the final authority in determining the required type, size, and location of a backflow prevention assembly. Ownership of all required backflow prevention assemblies shall vest solely with the water user.

Testing of backflow assemblies shall be conducted only by AWWA certified testers approved by the director of pub1ic works and testing will be the responsibility of the water user. Backflow prevention assemblies must be tested at least annually and immediately after installation, relocation or repair. More frequent testing may be required if deemed necessary by the ~~city~~City. Results of the test shall be supplied to the director of public works within three (3) days testing. No assembly shall be placed back in service unless it is functioning as required. ~~These~~

~~assemblies~~Assemblies shall be serviced, overhauled, or replaced ~~whenever they are found to be defective~~within thirty days (30) of a failed test and all costs of testing, repair, and maintenance shall be borne by the water user.

Whenever a backflow prevention assembly tester observes a backflow incident or an unprotected cross-connection at a backflow prevention assembly or prior to water user's premises, the backflow prevention assembly tester shall notify the director of public works or designee within twenty-four (24) hours. The City shall immediately terminate water service pursuant to Section 13.12.060 and conduct an investigation.

Approval must be obtained from the director of public works prior to removing, relocating or replacing a backflow prevention assembly.

13.12.050 Administration.

The cross-connection control program shall be administered by the director of public works or designee/cross-connection control specialist. The director of public works will establish and maintain a list of approved backflow prevention assemblies. The director of public works or designee shall conduct necessary ~~surveys~~hazard assessments and on-premises inspections of water user premises to evaluate the degree or potential health hazards. The director of public works shall notify user when an assembly needs to be tested or air-gap inspected. The notice shall contain the date when the test must be completed. ~~Results of the test shall be supplied to the director of public works within thirty (30) days of the required test.~~

13.12.060 Water service termination.

When the director of public works encounters water uses that represent a clear and immediate hazard to the potable water supply that cannot be immediately abated, the procedure for terminating water service shall be instituted~~. Conditions~~ immediately. Other conditions or water uses that create a basis for water service termination shall include, but are not limited to, the following:

1. Refusal to install or to test a backflow prevention assembly, or to repair or replace a faulty backflow prevention assembly;

2. Refusal to allow City representatives or agents to conduct on-premise inspections.

~~2~~3. Direct or indirect connection between the public water system and a sewer line;

~~3~~4. Unprotected direct or indirect connection between the public water system and a system or equipment containing contaminants;

~~4~~5. Unprotected direct or indirect connection between the public water system and an auxiliary water system.

For condition 1 and 2, the director of public works will terminate service to a water user's premises after proper notification has been sent. If no action is taken within the allowed time period water service shall be terminated.

For conditions ~~2,~~ 3, ~~or~~ 4, or 5, the director of public works shall take the following steps:

1. Make reasonable effort to advise the water user of the intention to terminate water service;

2. Terminate water service and lock service valve. The water service shall remain inactive until correction of violations has been approved by the director of public works.

13.12.070 Installation.

~~Upon adoption of the ordinance codified in this chapter, the~~The director of public works shall notify, in writing, ~~all~~a water ~~users whose service represents a hazard under this~~user who is required to install an backflow prevention assembly in accordance with this chapter .Within forty-five (45) days of the notice, the user shall ~~either eliminate the hazard to the satisfaction of the director of public works or~~ install and test an approved ~~protective device on their service~~backflow presentation assembly at the water user's expense. Failure, refusal or inability to comply with this requirement shall result in ~~immediate~~ termination of service as outlined in Section 13.12.060. The director of public works may require a water user to install a backflow prevention assembly for failure or refusal to allow City representatives to conduct on-premise inspections.

13.12.090 Entry and Inspection.

All water users systems and premises shall be readily accessible inspection at all reasonable times to authorized representatives of the City to enable the City to ascertain the existence of cross-connections or other structural or sanitary hazards, including violations of the cross-connection rules and regulations in this Policy. Failure to allow a City representative on premises is a violation of this chapter.