

CITY COUNCIL

Gary Hansen, Vice Mayor
Jeff Cobb, Council Member
Sandie Hobbs, Council Member
Vincent Holvik, Council Member
Jim Yoder, Council Member

CITY MANAGER
Steve Holsinger

CITY CLERK
Natalie Butler



201 North Lassen Street
Willows, CA 95988
(530) 934-7041
www.cityofwillows.org

CITY COUNCIL MEETING AGENDA

Tuesday, December 14, 2010

7:00 p.m.

1. Call to Order Willows City Council Regular Meeting 7:00 p.m.
2. Pledge of Allegiance
3. Roll Call
4. **Agenda Review: (Requested Changes by Council or Staff)**
 - a.) Consider acceptance, by motion, of City Council December 14, 2010, Agenda.
5. **Presentations & Proclamations:**
6. **Oral and Written Communications/Public Comment:** Persons wishing to speak on a matter *not on the agenda* may be heard at this time, however, no action will be taken unless placed on a future agenda. (*Oral communications are generally restricted to three minutes*).
7. **Consent Agenda:** Consent items are considered to be routine by the City Council and will be enacted in one motion. There will be no separate discussion on these items unless a Councilperson or citizen requests, in which event the item will be removed from the consent agenda.
 - a) Consider approval of General Check Register.
 - b) Consider approval of Payroll & Direct Deposit Check Registers.
 - c) Consider approval of the Minutes of the Regular Willows City Council Meeting held November 9, 2010.
 - d) Consider approval of the Minutes of the Regular Willows City Council Meeting held November 23, 2010.
 - e) Consider accepting a proposal to dispose of surplus vehicle by sealed bid method.
 - f) Consider approval of a proposed Non-Disposal Facilities Element (NDFE) for the County of Glenn, City of Orland and City of Willows.
8. **Public Hearings:** None
(Persons wishing to speak on a Public Hearing item are asked to approach the microphone to address the Council and limit comments to three minutes. It is also requested that you please state your name for the record)
9. **Ordinances:** None
10. **Items introduced by City Council or Administrative Staff for discussion purposes only:**

11. **New Business:**

- a) Consider adoption of a Resolution designating the City Manager as the Authorized Representative to act on behalf of the City in completing an application process for Financial Assistance with the State Water Resources Control Board for sewer line replacement.
- b) Consider adoption of a Resolution authorizing the City Manager to sign a Notice of Completion for work performed in conjunction with Phase I of the South Tehama Street Project.
- c) Consider adoption of a Resolution authorizing the City Manager to sign Notices of Completion for work performed in conjunction with the South Tehama Street Landscape Project, the South Tehama Street Phase II Project and the South Tehama Street Phase III Project.
- d) Consider acceptance of the General Plan Annual Progress Report and direct Staff to forward to the Governor's Office of Planning and Research and the State Department of Housing and Community Development.
- e) Consider improvements as satisfactorily completed in compliance with the Nuisance Abatement complaint against Mrs. Anna Francis at 429 N. Shasta Street (Glenn County Superior Court Case # 09SCV0115).
- f) Staff seeking Council direction on potential changes for the upcoming Weed Abatement Season and clarify what procedures to utilize for the City's Abatement program.
- g) Receive nominations, and by motion, appoint a Mayor and a Vice Mayor for 2011.
- h) Consider appointments to various committees, commissions, and/or panels for 2011.

12. **Council Member Reports:**

13. **Executive Session:** None

14. **Adjournment:**

CERTIFICATION:

Pursuant to Government Code §54954.2 (a), the agenda for this meeting was properly posted on or before December 9, 2010.

A complete agenda packet, including staff reports and back-up information, is available for public inspection during normal work hours at City Hall or the Willows Public Library at 201 North Lassen Street in Willows or on the City's website at www.cityofwillows.org.

In compliance with the Americans with Disabilities Act, the City of Willows will make available to members of the public any special assistance necessary to participate in this meeting. The public should contact the City Clerk's office at 934-7041 to make such a request. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

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MINUTES OF THE WILLOWS CITY COUNCIL MEETING HELD November 9, 2010

1. The meeting was called to order at 7:00 p.m. by Mayor Baker.
2. **PLEDGE OF ALLEGIANCE:** Council Member Holvik led the Pledge of Allegiance.
3. **ROLL CALL:**

Present: Holvik, Yoder, Hansen & Baker
Absent: Towne

4. **Agenda Review:** There were no recommended changes to the November 9, 2010, Agenda and it was **moved** by Council Member Yoder and **seconded** by Council Member Hansen to accept the November 9, 2010, Agenda as amended. The motion was unanimously passed.
5. **Presentations & Proclamations:** None
6. **Oral and Written Communications/Public Comment:** None
7. **Consent Agenda:**

It was **moved** by Council Member Yoder and **seconded** by Council Member Hansen to accept the Consent Agenda as presented. The motion unanimously passed and the following items were approved/adopted:

- a) Approval of General Check Register (22338-22425).
- b) Approval of Payroll & Direct Deposit Check Registers (Z02009-Z02043 & 30941-30971).
- c) Cancel the December 28, 2010, City Council Meeting.

8. **Public Hearings:** None
9. **Ordinances:** None
10. **Items introduced by City Council or Administrative Staff for discussion purposes only (Including Economic Development Updates, if any):**

The City Manager gave the Council an update on the status of the Wal-Mart Supercenter project, stating that the contract has been awarded and there will be a pre-construction meeting scheduled in the near future. Additionally, there will also be a ground-breaking ceremony taking place in the near future, with an exact date yet to be confirmed.

The City Manager also gave a brief update on the status of the Solar Power Generation project at the Waste Water Treatment Plant, stating that construction will be commencing in the very near future.

11. **New Business:**

- a) Discussion with Glenn County, Glenn Ride Transit Representative(s) concerning placement of temporary bus-stops/barricades, problems with specific locations on Wood and Humboldt, and the possible immediate removal of those stops from the circulator route.

This was an item that was placed on the agenda at the request of Council Member Towne at the October 26 City Council Meeting in which it was requested that staff contact somebody at the County to give an update on the status of the Glenn Ride's Willows City Circulator study that has been underway for some time. The City Manager said some of the specific items that Council Member Towne was interest in knowing were how long the evaluation will be continuing, where the stops and the permanent signs will be placed and what will the signs look like, when will the routes be final, why are temporary signs placed in front of residential garage doors, why are stops so close to the regular larger bus stops, why are the stops placed in red zones, and when will the paint on the streets and sidewalks marking the "temporary" stops be removed and who will be responsible for removing the paint?

Glenn County Public Works Director John Linhart addressed the Council, first explaining that Glenn Ride's Willows City Circulator study is not a project that is being operated by the County. It is being operated by the Glenn County Transportation Commission which is an independent agency consisting of representatives from the County and both the Cities of Willows and Orland. He was under the impression that most of these questions have been answered at the meetings of the Transportation Committee, of which the Willows City Council has two representatives on the board, and he couldn't speak to how the information is communicated or disseminated to the rest of the Council Members after the Transportation Committee Meetings take place. He explained that the Commission is about to finalize the actual placements of the stops in the near future and the temporary signs would be removed at the time and permanent signs would be placed in the ground which are similar to the current Glenn Ride Signs. As far as red-zones, Mr. Linhart stated that he believed it is a normal practice in most Cities that common carries such as school busses and public transportation vehicles could stop, load and unload in red zones, just as long as they are not parking in the red zone. Mayor Baker stated that she was less concerned with the vehicles stopping to load and unload, and more concerned about the people who are waiting for the busses and she asked if this has been addressed with Law Enforcement or Public Safety agencies. Mr. Linhart stated that all of the Transportation meetings are publicly noticed and that no members of Law Enforcement or Public Safety have attended the meetings and that he was under the assumption that the two City Representatives on the Transportation Board were communicating this information to the appropriate departments and would also be keeping the Council updated.

Council Member Yoder, who sits on the Transportation Commission, apologized, stating that he may not have been keeping the Council adequately updated on the outcome of the Transportation Meetings and he stated that if the Council is going to point fingers at the County for lack of communicating the specifics of the Circular study, that the Council should also point the finger at him and Council Member Hansen, who also sits on the Commission.

Council Member Holvik stated that it is his thinking that before a temporary easel would be placed in a red zone, instead of just noticing the meeting and hoping that the Police or Fire Chief would attend, he would expect somebody would have contacted the City and had some dialogue to be sure everything was in compliance before they just went out and did it. He believed there should have been some planning and coordination ahead of time. Mr. Linhart stated that other than noticing the City that they were going to be locating the temporary stops quite a while prior

to the meeting, and then subsequently painting the locations where the signs would be placed, he never had any contact by City Officials stating that those locations wouldn't work.

Police Chief Spears interjected, stating that he had never been contacted by any commission regarding this and that the last time he was contacted was when Council Member Yoder asked him if busses could stop at intersections adjacent to curb cuts. At that time Chief Spears conducted some research on this, including an inquiry with the California Highway Patrol, and the Highway Patrol explicitly stated that bus circulation systems in no means or matter were exempt from any section of the California Vehicle Code, and specifically that of red zones. Chief Spears thought it was unusual that no traffic impact study has been done for this project and wondered who would be liable if an incident were to occur, especially due to the fact that no study had ever been conducted. With that said, he stated that he is a bit disappointed that Public Safety has not been contacted to be more involved in the review of this study, as the City does have a Safety Committee that goes out and evaluates these sorts of things. He stated that he is certainly not against the idea of mass transit, but he strongly urged the Transportation Commission to think of the aspect of Public Safety. He stated that he is directly opposed to having any bus stops in any red zone on Humboldt Avenue because this is a street which is narrow and also heavily traveled by large commercial vehicles and semi trucks and if a bus stops even momentarily, there is not sufficient room for a car to safely pass the bus without crossing into the oncoming traffic lane, which is a huge safety issue and creates a greater risk for side-swipes or head-on collisions.

Fire Chief Peabody concurred with Chief Spears, but believes this is something that everybody can work together on. Mr. Linhart then explained that he was unaware that the City had a Safety Committee but he would be willing to get notices to the members of that committee to invite them to attend upcoming meetings. Mayor Baker asked Mr. Linhart if the notices could be in writing and Mr. Linhart agreed that he will prepare written notices to invite the Safety Committee. Council Member Hansen asked specifically that the Police and Fire Chiefs and Building Official be e-mailed agendas for all future meetings.

Mardy Thomas, Glenn County Senior Planner, presented the Council with Willows City Circulator Maps which showed all of the stops and also provided Willows City Circulator Ridership Data that has been recorded for all of the stops since May. Council Member Hansen stated that he was surprised at the amount of ridership and that he was impressed that the system appears to be successful. He also stated that he understands the safety concerns that the Chiefs have and he would like to see everybody work together to resolve those issues.

Mayor Baker pointed out to Mr. Linhart and Mr. Thomas that when the covered bus stops are ready to be designed they need to be within the parameters of the Historic Downtown and Wood Street Design Guidelines and that the Greater Willows Improvement League (GWIL) is a resource that could be used to assist with their design.

Discussion then ensued regarding whether or not to immediately remove the bus stop on Humboldt Avenue due to the safety factor. Mr. Thomas indicated that the stop could be removed, but it would take a few days in order to re-adjust the route schedule and to notice the public that the stop will no longer be located at that area. After lengthy discussion, although there was no general Council Consensus as to the removal of the sign on Humboldt, it was determined that the Safety Committee would meet with Transportation Commission representatives as soon as possible to look into some alternatives for this particular stop location.

- b Consider approval to apply for Grant Funds from the Northern California Cities Self Insurance Fund (NCCSIF) for Police Officer Mini-Cam Video Recorder devices and digital storage equipment in the amount of \$2800.

Finance Director Tim Sailsbery presented this item to the Council, explaining that the City of Willows belongs to the NCCSIF, a joint powers authority that provides liability and workers compensation coverage for the City. This is the second year that NCCSIF has offered grant funding for safety and ADA compliance activity. This year there is a total amount of \$4618 available to the City for fiscal year 2010-2011. The Police Department has requested that a portion of this year's grant be used for the purchase of uniform-mounted mini-cameras along with a media storage device to download data from individual cameras. These devices will be used to record contacts made by Willows Police Department personnel, with the recordings stored on an external media storage device. The amount being requested, \$2800, is based upon quotes provided by MPH Industries and Office Depot. However, prior to purchase commitment, WPD staff will seek additional quotes. Staff has communicated with the JPA administrator and confirmed that this request complies with the terms of the grant and staff is now seeking Council approval to allow \$2800 of the grant funds to be used for this purpose.

Brief Council discussion ensued and it was **moved** by Council Member Hansen and **seconded** by Council Member Yoder to approve the application for \$2800 in grant funds from the NCCSIF and appropriate said amount from Fund Number 355. The motion was unanimously passed.

12. Council Member Reports:

Council Member Holvik asked if the swearing-in of the newly elected Council Members would occur at the next Council Meeting. The City Manager stated that the next meeting will have an item on the agenda for the Council to Certify the results of the Election, and upon their certification, the City Clerk will then administer the Oath of Office to the newly elected members. Then at the first meeting in December the Council will appoint a new Mayor and Vice Mayor for 2011 and will re-organize the Committee Assignments.

Mayor Baker stated that she looks forward to becoming a citizen once again, but that she really enjoyed her four years serving on the Council and that she learned a lot about the City and its operations and that it was a pleasure to serve with her fellow Council Members and the Staff.

Council Member Hansen announced that the High School Volleyball team went undefeated in regular league play this season and are now in the playoffs.

13. Executive Session: None

14. Adjournment: Vice Mayor Hansen adjourned the meeting at 8:15 p.m.

Dated: November 9, 2010

NATALIE BUTLER

City Clerk

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MINUTES OF THE WILLOWS CITY COUNCIL MEETING HELD November 23, 2010

1. The meeting was called to order at 7:00 p.m. by Mayor Baker.
2. **PLEDGE OF ALLEGIANCE:** Police Chief Spears led the Pledge of Allegiance.

3. **ROLL CALL:**

Present: Holvik, Towne, Yoder, Hansen & Baker

Absent: None

4. **Agenda Review:** There were no recommended changes to the November 23, 2010, Agenda and it was **moved** by Council Member Yoder and **seconded** by Council Member Hansen to accept the November 23, 2010, Agenda as presented. The motion was unanimously passed.

5. **Oral and Written Communications/Public Comment:**

Rose Marie Thraillkill gave the Council an update on various past and upcoming community events and fundraisers. She also had some comments regarding the Strengths, Weaknesses, Opportunities and Threats (SWOT) Analysis workshops that the City Council had hosted over the past few months. Council Member Holvik addressed her comments on the SWOT Analysis.

6. **Consent Agenda:**

Mayor Baker asked that item 6(d) be removed from the Consent Agenda and voted on as a separate motion. It was **moved** by Council Member Yoder and **seconded** by Council Member Hansen to approve the Consent Agenda, minus item 6(d). It was **moved** by Council Member Yoder and **seconded** by Council Member Hansen to approve item 6(d) on the Consent agenda. The motion passed with 4 Ayes and Mayor Baker abstaining, and the following items were approved/adopted:

- a) Approval of General Check Register (22426-22467).
- b) Approval of Payroll & Direct Deposit Check Registers (Z02044-Z02083 & 30972-30988).
- c) Approval of the October 12, 2010, City Council Meeting Minutes.
- d) Approval of the October 26, 2010, City Council Meeting Minutes.
- e) Waiving second reading, except by title only, and adoption of an Ordinance entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS, REPEALING, REPLACING, AND/OR AMENDING CERTAIN SECTIONS OF CHAPTER 15 OF THE CITY OF WILLOWS MUNICIPAL CODE, TO ADOPT BY REFERENCE AND AMEND CERTAIN PORTIONS OF THE 2010 CALIFORNIA BUILDING STANDARDS CODES AND APPROVE THE LOCAL FINDINGS AS SET FORTH IN THE CODES WITH THE REMAINING SECTIONS CURRENTLY IN PLACE TO REMAIN UNCHANGED".
- f) Waiving second reading, except by title only, and adoption of an Ordinance entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS, REPEALING, REPLACING, AND/OR AMENDING CERTAIN SECTIONS OF CHAPTER 15.15 OF THE CITY OF WILLOWS MUNICIPAL CODE, TO

ADOPT BY REFERENCE AND AMEND CERTAIN PORTIONS OF THE 2010 CALIFORNIA FIRE CODES AND APPROVE THE LOCAL FINDINGS AS SET FORTH IN THE CODES WITH THE REMAINING SECTIONS CURRENTLY IN PLACE TO REMAIN UNCHANGED”.

7. **Public Hearings:** None
8. **Ordinances:** Action taken under items 6(e) and 6(f).
9. **Items introduced by City Council or Administrative Staff for discussion purposes only (Including Economic Development Updates, if any):** None
10. **New Business:** None

a) Consider adoption of a Resolution confirming canvass of returns and results of the November 2, 2010, Election.

The Glenn County Clerk has canvassed the returns of the election and has certified the ballots cast, which indicate that Sandie Hobbs and Jeff Cobb are the new members of the Willows City Council. It is now in order for the Council to confirm the results of the election by the adoption of a Resolution. It was then **moved** by Council Member Yoder and **seconded** by Council Member Holvik to adopt a Resolution of the City Council of the City of Willows Confirming Canvass of Returns and results of the Consolidated General Municipal Election held on Tuesday, November 2, 2010. The motion was unanimously passed.

b) The City Clerk administered the Oath of Office to newly-elected Council Members Sandie Hobbs and Jeff Cobb and the new members took their seats at the dais and outgoing Council Member Towne and Mayor Baker stepped down.

11. Presentations & Proclamations:

Vice Mayor Hansen, on behalf of the Council Members, Staff and Citizens of Willows, presented Mayor Heather Baker with a Plaque of Appreciation for her four years of service on the Council and her service as Mayor for the year 2010. He then presented Council Member Towne with a Plaque with an engraved Proclamation Honoring Council Member Towne’s dedicated service to the City and Citizens of Willows for over forty five years in his roles as a Planning Commissioner, Planning Chair, City Council Member and Mayor.

At 7:25, Vice Mayor Hansen called for a short recess and the meeting was then reconvened at 7:38.

12. Council Member Reports:

Council Member Yoder reported on the most recent Transit and Transportation Board Meetings. He indicated that members of City staff attended the meeting and expressed some of their concerns regarding the Glenn Ride Circulator Study and the temporary signs and the signs placed in red zones. Council Member Yoder stated that the signs in the red zones have been removed and the Circulator Study is near completion and more permanent signs will be placed in the future.

Vice Mayor Hansen also attended the Transit and Transportation Meetings and he stressed the importance of a continued line of communication between the Commissions and City Staff.

Newly seated Council Members Hobbs and Cobb both expressed their gratitude for being elected to the City Council, stating that they look forward to this opportunity and are anxious to work with their fellow Council Members, City Staff and for the Community.

12. **Executive Session:** None

15. **Adjournment:** Vice Mayor Hansen adjourned the meeting at 7:45 p.m.

Dated: November 23, 2010

NATALIE BUTLER

City Clerk

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AGENDA ITEM

TO: Willows City Council
FROM: Public Works Director
SUBJECT: Surplus Vehicle Disposal.

RECOMMENDATION

Accept proposal to dispose of surplus vehicle by sealed bid method or additional means as necessary.

SITUATION (or BACKGROUND)

Public Works has a 1981 Datsun Pickup that is ready to retire from our fleet and needs to be disposed of.

Staff recommends that the pickup be advertised for sale and sealed bids accepted for that purpose.

In case no bids are received, staff will contact a local vehicle disposal vendor to remove the vehicle.

RECOMMENDATION

. Accept proposal to dispose of surplus vehicle by sealed bid method or additional means as necessary.

Respectfully submitted,



Greg Tyhurst
Public Works Director

Approved by,



Steve Holsinger
City Manager

Attachments:

December 14, 2010

AGENDA ITEM

TO: Vice-Mayor Hansen and Members of City Council

FROM: Steve Holsinger, City Manager

SUBJECT: Council approval of the proposed NDFE (Non-Disposal Facilities Element) for the County of Glenn, City of Orland and City of Willows.

RECOMMENDATION

Staff recommends that the City Council approve the revised NDFE recently proposed and approved by the Waste Management Regional Agency Governing Board, Glenn County.

SITUATION

Recently Randy Murphy of Glenn County Planning & Public Works forwarded a request to the City of Willows for council approval of recent revisions to the NDFE in Glenn County. Our representatives on the Board of the Waste Management Regional Agency have already reviewed and approved the overall plan for additional composting activities within Glenn County. City of Willows staff reviewed the attached document and requested some moderate changes be incorporated into the final document. Glenn County representatives have agreed to make the requested changes and therefore staff in recommending the council approve the revised NDFE for the County of Glenn, City of Orland and City of Willows.

FINANCIAL CONSIDERATIONS:

There are no financial impacts anticipated as a result of this approval process.

ALTERNATE ACTIONS:

1. Staff recommends that the City Council approve the revised NDFE recently proposed and approved by the Waste Management Regional Agency Governing Board, Glenn County.
2. Provide alternate direction to staff.

RECOMMENDATION

Staff recommends that the City Council approve the revised NDFE recently proposed and approved by the Waste Management Regional Agency Governing Board, Glenn County.

Respectfully submitted,


Steve Holsinger, City Manager

Natalie Butler

From: Randy Murphy [RMurphy@countyofglenn.net]
Sent: Monday, December 06, 2010 8:48 AM
To: Steve Holsinger; 'Natalie Butler'
Cc: 'Greg Tyhurst'; 'VINCE HOLVIK'; 'gary hansen'
Subject: RE: NDFE
Follow Up Flag: Follow up
Due By: Tuesday, December 07, 2010 1:30 PM
Flag Status: Flagged

Steve – I will forward your amended version to our consultant and instruct him to make the document consistent with your comments. I will cc you on the corrected version once I get input from Orland and before it goes to the BOS. Thank you for your assistance. – RPM

From: Steve Holsinger [mailto:sholsinger@cityofwillows.org]
Sent: Monday, December 06, 2010 8:31 AM
To: Randy Murphy; 'Natalie Butler'
Cc: 'Greg Tyhurst'; 'VINCE HOLVIK'; 'gary hansen'
Subject: RE: NDFE

Randy: Attached is a redline version; including the comments the City of Willows would require be incorporated into the final document. Please review these minor corrections and let us know if you can make the corrections prior to BOS approval?? We plan to have this redlined version reviewed and approved by the City Council at the next mtg on December 14th....

Thanks
Steve

From: Randy Murphy [mailto:RMurphy@countyofglenn.net]
Sent: Wednesday, November 24, 2010 4:23 PM
To: Natalie Butler
Cc: Steve Holsinger
Subject: NDFE

Hi Natalie – I've attached a document that needs to be approved by your Council, ideally at their next meeting. Pls forward the Minute Order and any comments back to me at your earliest convenience so that I can include them with the Board package I will put together once both cities have processed it. This is simply a ministerial action and should not create any controversy. Pls note that the matter has already been heard and approved by the Local Task Force (LTF) of the County's Waste Management Regional Agency, of which Councilors Holvik and Hansen are members. The link to the CalRecycle regs is noted here for your reference: <http://www.calrecycle.ca.gov/LGCentral/Library/Policy/NDFEGuide.htm>. I can attend the meeting if necessary. Let me know and/or advise any questions/comments. Thanks! – RPM

PS – Have a happy and safe holiday!

Randy Murphy

Deputy Director - Operations & Maintenance
Glenn County Planning & Public Works
125 S. Murdock Av.

12/8/2010

PO Box 1070
Willows, CA 95988
O - 530-934-6541
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Non-Disposal Facilities Element (NDFE)

County of Glenn and the Cities of Orland and Willows

Revised:
11/24/2010

2010 Update of Original NDFE prepared by Solution Resources Incorporated, December, 1994

Update Prepared by:
Glenn County Department of Planning and Public Works
in Cooperation with Lawrence & Associates

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Figures (following text)

1. Facility Location Map

1.0 INTRODUCTION

California Public Resources Code (PRC), Sections 41730 *et. seq.* requires that every California city and county prepare and adopt a nondisposal Facility Element (NDFE) for all new nondisposal facilities, and/or expansion of existing nondisposal facilities needed or used by a County or City, for the implementation of its local Source Reduction and Recycling Element (SRRE).

A nondisposal facility (NDF) is defined as any solid waste facility that is required to obtain a state solid waste facility permit (SWFP) from the California Department of Recycling (Cal Recycle, formerly the California Integrated Waste Management Board or CIWMB), other than a disposal facility or a transformation facility (PRC Section 40151). NDFs primarily include solid waste transfer stations, material recovery facilities (MRFs), and composting facilities. In some cases, conversion or biofuel operations, recycling facilities, drop off centers, and household hazardous waste facilities can be described as NDFs. However, for the purposes of this NDF, only MRFs, transfer stations, and composting facilities that are of a size that requires a SWFP are considered NDFs. Facilities requiring a solid waste permit and removing at least 5 percent of the total volume of material received for either reuse or recycling are likewise classified as nondisposal facilities.

Section 3.0, New or Expanded Nondisposal Facilities, describes a planned regional composting facility which will be used in the Medium-Term Planning Period (described as 1996 to 2000 in the SRRE¹, generally assumed to mean, 2 to 6 years from the date of this revision) for implementation of new and expanded diversion programs. A description of the contribution that the planned nondisposal facility is expected to make towards achieving the overall diversion goals is provided in Appendix I of the SRRE.

Projections of diversion and tonnages for nondisposal facilities are based on estimates of materials generated in Glenn County, collected through local diversion activities or programs and transported to a nondisposal facility. The various existing and planned diversion programs that do not contribute to diversion achieved at a nondisposal facility are not mentioned in this Element, but may be found in the approved SRRE and subsequent Assembly Bill (AB) 2494 Adjustment Addendum.²

The County of Glenn and the Cities of Willows and Orland have jointly prepared this NDFE. The two cities will not prepare separate NDFEs, and their NDFs will be covered under this County-wide NDFE. A

Comment [A1]: I will check the file for our comments or document.

¹ Solution Resources, 1992, *Source Reduction and Recycling Element, County of Glenn, Cities of Orland and Willows*.

² Cited in the 1994 version of this document, a copy of the Adjusted Addendum has not been found.

draft copy of this NDFE will be provided to the Cities of Willows and Orland for their comment prior to submission of a final draft and presentation to the Board of Supervisors for adoption.

2.0 EXISTING CONDITIONS

The SRRE identified a several medium-term goals to improve waste diversion including (1) expanding leaf collection/pilot static composting for the Cities of Orland and Willows, (2) implementing a [wood and yard waste] drop-off/collection site for the Orland-Willows sphere, and (3) siting a regional compost facility in Orland. These goals have been partially implemented as described below. None of the existing facilities require a SWFP, and therefore, are not required by regulation to be addressed in this NDFE. For consistency and presentation of context, however, they are described below.

Currently, there are no permitted MRFs or transfer stations in Glenn County. There are two small composting facilities (Valley Gold Compost and Compost Solutions) that currently process only agricultural wastes. Presently they operate at the Notification Tier of permitting, meaning their volume is small enough that they need only notify the Local Enforcement Agency (LEA) of their operation. There are also numerous local collection centers for recyclables that are not described herein.

2.1 Leaf Collection – Mulching Program

The City of Willows and the City of Orland each currently operate leaf and yardwaste collection programs. In addition to these local programs, curbside yardwaste collection is an available option to subscribers of the local garbage service.

The City of Willows operates its program during the months of October, November, and December. Residents place leaves and green waste materials at the curb for collection every two weeks. The material is taken to the City's waste water treatment facility or stored at the City Corporation Yard and processed into mulch. Presently, a static pile composting system is used and the resulting compost is used locally. No additives are applied to the compost. Residents are offered the compost for use in their gardens. Wood chips from tree prunings are sent to a wood pellet manufacturer in a neighboring jurisdiction where they are used as fuel for wood stoves. Excess compost and/or wood chips are used by the City Parks Department and public landscaping for moisture control. Approximately 60 tons per year of green or woody waste are collected by the City of Willows (estimated 2007 volume).

Comment [A2]: Through the seasons mentioned above it is every day that we pick up leaves.

Comment [A3]: No waste is stored at the Corporation Yard.

Comment [A4]: I would estimate that between wood chips and leaves that the total may be closer to 300 tons per year.

The City of Orland carries out a similar program for the seasonal collection of yard waste and tree trimmings. The collected woodwaste, totaling 40 to 60 tons per year, is currently chipped during collection and deposited in 20 yard drop boxes. Caltrans picks these containers up and applies the chipped material for erosion and weed control on local roadways.

The materials collected through both of these programs ~~will be directed to the planned regional~~ composting facility described in this element when the facility goes into operation.

Comment [s5]: This must be changed to read: "may become available for re-direction."

2.2 Wood & Yard Waste Drop-off at County Solid Waste Site

The wood and yard waste drop-off described in the adopted SRRE has not developed entirely as planned. Although the landfill accepts sorted wood waste and green waste materials, they have not been diverted through a composting facility. Instead, the material is applied as alternative daily cover (ADC).

2.3 Regional Composting Facility

A regional composting facility or a regional transformation facility ideally would be able to accept roughly 700 to 1,000 tons per day.³ If both facilities were in operation, the volume would be far more than what is generated in Glenn County alone. Operators would be encouraged to make agricultural wastes a priority target, and contractors would be strongly advised to deliver wood waste and yard wastes to either a compost or transformation facility. Glenn County has not abandoned plans to site a compost facility and is in the process of permitting its first compost facility to require a full Solid Waste Facility Permit. Glenn County is also working with local developers to site a waste-to-energy facility that will include a MRF and large volume anaerobic digestion processes. Although this project is still at the "drawing board" stage, if it proceeds as planned its daily throughput will be in the range of 700 to 1,000 tons daily.

Table 3-1 summarizes the current and future composting facilities in Glenn County.

Currently, Valley Gold Compost and Compost Solutions, both located in the Orland Area (See Table 3-1) are Notification Tier facilities. That is, per Title 14, Section 17857.1, they do not store more than 12,500 cubic yards (cy) of feedstock, compost, or chipped and ground material at any time, and are only

³ These tonnage values were presented by KVB, Inc. as goals during the August 30, 2010 Board of Supervisors meeting.

required to notify the Local Enforcement Agency (LEA) of their operation. Above this quantity, the facility is required to obtain a Compostable Materials Handling Facility Permit from Cal Recycle, via the LEA.

The Valley Gold facility currently accepts only agricultural trimmings, rice hulls, and minor amounts of manure as "feed stock" to produce compost. The facility does not accept any residential or commercial yard waste or MSW. They currently produce no more than 4,000 cubic yards of finished compost annually.⁴ The Cal Recycle Solid Waste Information System (SWIS) number for the site is 11-AA-0019.

The Compost Solutions facility currently accepts, agricultural trimmings and other greenwaste, manure (as an additive), and other additives (such as fertilizer) to produce compost. The facility currently produces a maximum of 30,000 tons per year of finished compost.⁵ The facility currently only operates during the dry season. The SWIS number for the site is 11-AA-1119

The goal of developing a regional compost facility has not been attained to date, although, one of the regulatory tier facilities, Compost Solutions, is in the process of obtaining a SFWP and increasing their capacity to that of a regional composting facility. Section 3.0 of this NDFE describes the new compost facility.

2.4 Waste Tire Products

Waste Tire Products is a permitted waste tire recycler that collects tire from Glenn County and elsewhere in northern California. While they are not required to have a SFWP, their facility recycles over 5% of incoming tires, and therefore, their facility has been included in this NDFE. The facility is located at 3820 County Road 99W in Orland. The facility brings in used tires under a minor waste tire facility permit (11-TI-0560) and converts them to usable products such as paving mats, landscape bark, and silage cover. Residual tires are baled and beneficially used at the Glenn County landfill as waste cell partitions and for containment berms. The site is allowed to store up to 4,999 unprocessed tires. The facility also is a licensed electronic waste (E-waste) recycler and collector (CEWID 101162).

⁴ Dan West, 3-27-96, Notification of Intent to Compost.

⁵ Regional Water Quality Control Board, Waste Discharge Requirements, R5-2008-0088.

3.0 NEW OR EXPANDED NONDISPOSAL FACILITIES

The following new or expanded programs, called for by the adopted SRRE, will contribute recyclable materials to either a new composting facility or to a future waste-to-energy transformation facility.

3.1 Composting Facilities

The SRRE identified a several goals to improve waste diversion, of which only the medium-term goals of siting a regional compost facility in Orland was likely to require a solid waste facility permit.⁶ Since the preparation of the SRRE in 1992, composting has become more common place and is now practiced commonly on individual farms and at the two small Notification-Tier compost facilities. Table 3-1 summarizes the existing and proposed composting facilities in the Waste Management Regional Agency's jurisdiction.

Compost Solutions

One of the current Notification Tier compost facilities, Compost Solutions, has an application pending to become a permitted NDF, and therefore, fulfill the SRRE's goal of developing a regional compost facility. Compost Solutions proposes to compost up to 750 tons per day of green material, animal manure, biosolids, commercial fertilizers, agricultural waste, food waste, soiled paper and cardboard, drilling mud, gypsum, and biomass ash. This facility will have the permitted capacity to serve the Glenn County Waste Management Regional Agency's jurisdictions as well as nearby areas outside the jurisdiction.

At 750 tons per day, the operation has more than sufficient capacity to compost all of the greenwaste now being used as ADC at the landfill (less than 2 tons per day). The facility will draw heavily from agricultural wastes not presently being brought to the landfill.

Compost Solutions is located at 6900 County Road 27, Orland, CA 95963. The physical location is at Northwest corner of County Roads 27 and N (122° 09-31.01W; 39°40-57.06N). The facility occupies 28 acres. The Owner/Operators are Scott Foster, Gary Foster, and Brint Foster. Gary Foster is the General Manager, Scott Foster is the Operations Manager, and Brint Foster is the Sales & Consulting representative.

⁶ 1992 SRRE, Page 1-14.

Valley Gold Compost

Valley Gold compost is conforming, Notification Tier facility that composts up to 4,000 tons of agricultural waste and manure per year. The facility is located at 4398 County Road S, Orland, CA.

Hamilton City Greenwaste Collection Site

The Hamilton City Greenwaste collection site is a proposed project for a greenwaste collection site to be located on the corner of First Street and Walsh Avenue in Hamilton City (APN 0320112-001) on property currently owned by Southern Pacific Railroad. The project proponent is Hamilton City Community Services District. The facility will accept up to 4,000 tons of green waste per year that will be transported to one of the above compost facilities.

3.2 Conversion Technology

At the time the SRRE was developed, the technological aspects of recycling were in their infancy. Since that time, the available technology of separating recyclables from the waste stream and providing beneficial use has advanced and new technologies (such as anaerobic digestion, plasma arc technology, pyrolysis, and chemical treatments to produce biofuels or energy) have become available. Glenn County is actively encouraging the siting of such facilities in order to augment diversion, reduce overall landfilling, and promote green energy development. It is presently uncertain as to how much, if any, diversion credit will be allocated to facilities utilizing such technologies.

The County of Glenn has been working closely with KVB, Inc. (19985 Roser Road, Orland, CA 95963) to enable the funding and siting of an energy from waste facility in Orland, on Highway 32 near the Stony Creek Bridge. This project would divert all of the County's waste and potentially the City of Orland and Willows waste to the facility. The facility proponent has indicated that they will also actively seek waste streams from surrounding areas. The facility would utilize phased modules of development beginning with a "dirty" MRF. The MRF would include a sorting line used to remove recyclables and degradable materials from the waste stream. Recyclables would be baled and sold. Degradable wastes (food scraps, greenwaste, bits of paper too small to recover) would then be routed to an anaerobic digestion module, where the degradable waste would be composted and the resulting methane used to generate power. The compost would sell as a soil amendment. Later modules could include a pyrolysis device that could generate electricity from low temperature combustion of the waste. KVB has estimated that daily

NDFE FOR GLENN COUNTY, THE CITY OF ORLAND
AND THE CITY OF WILLOWS

throughput would be 750 tons per day, of which 15% to 40% will be post-process residual material to be disposed at Glenn County Landfill.

Glenn County has entered into an MOU with KVB, Inc. (selected pursuant to a Request for Qualifications in March 2010) with respect to its support for the project and the disposition of solid waste feedstocks generated in the county as of August 31, 2010.

The Glenn County Waste Management Regional Agency intends that conversion technologies supplying clean, green energy from waste be permitted and sited in the jurisdiction. Any such facility would remove reusable and recyclable materials prior to sending residuals to the conversion chambers. This would be necessary to conform to the State and County goals and guidelines with respect to the highest and best uses for solid waste streams. If for any reason this project is not developed, the Glenn County Waste Management Regional Agency nevertheless intends to include conversion technology as a goal in its overall solid waste management strategy.

Table 3-1

COMPOSTING, CONVERSION, AND RECYCLING FACILITIES

Name	Type	Material Type	Quantity	Expected Diversion Rate	Location	Contact
Valley Gold Compost	Notification Tier Compost Facility	agricultural wastes and animal manure	Up to 4,000 cubic yards per year of compost	Facility is processing material that is not usually landfilled in Glenn County. It does not accept any residential or commercial yard waste, MSW, or other material.	4398 County Road S, Orland, CA 95963	D. Weston, P.O. Box 836, Chico, CA 95927 916-865-5065
Compost Solutions	Regional Composting Facility ¹	Green material, animal manure, biosolids, commercial fertilizers, agricultural wastes, food waste, soiled paper and cardboard, non hazardous drilling mud, gypsum from wallboard, biomass ash	Up to 750 tons per day ²	25% of the food waste generated in the county.	6900 County Road 27, Orland, CA 95963. NE corner of County Roads 27 & N. 122°09-31.01W; 39°40-57.06N	Gary Foster, General Manager, 4446 County Road N, Orland 95963 530-521-1616
Hamilton City	Notification Tier Drop-Off Facility	Greenwaste	Up to 4,000 tons per year	Facility is processing material that is not usually landfilled in Glenn County.	Corner of First St, & Walsh Avenue	Hamilton City CSD 211 Main Street Hamilton City, CA 95951
Glenn County Solid Waste Conversion Facility	MRF with Conversion Facility	Nonhazardous municipal and industrial refuse, demolition debris, green and wood waste.	100% of the waste from Glenn County plus imported waste. Up to 750 tons per day	Project proponents state 60% to beginning with, improving over time to 85% , although not specific information has been submitted to support these values.	Highway 32 near the Stony Creek Bridge (3 Miles West of Hamilton City).	KVB, Inc., 19985 Roser Road, Orland 95963 530-864-8577
Waste Tire Products	Tire recycling facility	Used tires and E-waste	Up to 4,999 tires	Greater than 5%	3820 County Road 99W Orland, CA 95963	George Valentin P.O. Box 4563, Orland, CA 95963 (530) 865-4588

Notes: 1: Permit pending. 2: Currently 30,000 tons per year.

AGENDA ITEM

TO: Steve Holsinger, City Manager
FROM: Tim Sailsbery, Finance Director
SUBJECT: Financing Sewer Collection Line Replacement-Designation of Authorized Representative

RECOMMENDATION

Approve, by Resolution, the designation of the City Manager as the Authorized Representative to act on behalf of the City in completing the application process for Financial Assistance with the State Water Resources Control Board for sewer line replacement.

SITUATION (or BACKGROUND):

At the April 28, 2009 meeting, the City Council authorized City Staff to pursue loan financing for the replacement of existing sewer lines in an amount not to exceed \$1.85MM. At that time, ARRA funds were potentially available by the Federal Government via the California State Water Resources Control Board ("CSWRCB") for 0% loan financing. However, City Staff subsequently learned that the funding source had been exhausted in advance of processing the City's application for funding. At that time, Staff put the application process on hold pending other advantageous funding opportunities.

At this time, a new program has been developed by the Federal Government in association with the CSWRCB to provide up to 50% loan forgiveness. The City may be eligible to participate in this program, and now is the time to re-start the application process.

There are a number of items to be completed by City staff over the next several weeks to submit a full application. One of those items is to have an approved resolution naming an authorized representative to act on behalf of the City pertaining to this transaction. The attached resolution names the City Manager as the authorized representative.

The Staff Report from April 28, 2009 is also attached to provide history regarding the situation as well as the proposed funding capability of loan repayment. Under the current potential funding parameters, the City would be responsible for up to \$925,000

(50% of the \$1.85MM total) in loan funding over 20 years. While the interest rate is yet to be determined, it is assumed, at this time, that it will not exceed 3%. At this interest rate, the annual payment would be approximately \$62,200 per year.

FINANCIAL CONSIDERATIONS:

Naming an authorized representative does not, in and of itself, give rise to financial considerations.

NOTIFICATION

N/A

ALTERNATE ACTIONS

1. Approve as presented
2. Reject approval
3. Request additional information and postpone approval consideration to a future date.

RECOMMENDATION

Approve, by Resolution, the designation of the City Manager as the Authorized Representative to act on behalf of the City in completing the application process for Financial Assistance with the State Water Resources Control Board for sewer line replacement.

Respectfully submitted,



Tim Sailsbery
Finance Director

Attachments:

April 28, 2009 Staff Report
Resolution

AGENDA ITEM

TO: Steve Holsinger, City Manager
FROM: Tim Sailsbery, Finance Director
SUBJECT: Financing Sewer Collection System Replacement

RECOMMENDATION

Authorize, by Motion, proceeding with the loan application process for Clean Water State Revolving Fund (CWSRF) and the expenditure of Sewer Enterprise-Capital (318.7210.400) funds to cover costs associated with the loan application process and authorize the City Manager, Public Works Director, and/or Finance Director to act on the City's behalf in the financing process.

SITUATION (or BACKGROUND):

Council previously authorized staff to utilize Sewer Enterprise-Capital funds to prepare design and cost analysis documents regarding the sewer collection system in an effort to be prepared when/if Federal or State funding became available for infrastructure projects.

That work has progressed to the level where the City may seek such funds. As it stands at this point, it appears that infrastructure funds under the various economic revitalization programs will likely be in the form of low or no interest loans as it pertains to sewer collection renovation and replacement programs. City Staff is currently working with the State Water Resources Control Board to secure up to \$1.85MM in zero interest, 20 year financing for sewer collection pipe replacement in the City. This is projected to provide for the replacement of 5500 lineal feet of sewer pipe within the City.

The Public Works Director and City Engineer have worked to submit the initial application and have received notice to proceed to the next step in the process, which is to prepare documents for credit review by the SWRCB. Several of the steps to be completed involve the use of our City Attorney as well as outside Bond Counsel to provide opinions regarding the legality of the funding source as well as the City's ability to meet its existing as well as new debt obligations. As such, expenditures will be necessary to get through the next step in the process.

If the City were to take on this additional debt, assuming 0% interest, the annual debt service would be \$94,250 per year. However, the revenue structure established at the time of the USDA financing includes approximately \$225,000 per year in funds for sewer line replacement. It is assumed that less than this would be required if a large project is done all at once and that a portion of this funding would be used as the debt repayment component. Also, please note that the City is nearing the end of a Wastewater Treatment Plant Renovation from 1995, where \$38,000 per year debt payments will end in FY 2013/2014.

Based on this, it is Staff's desire to have the Council confirm the following:

- Conceptual willingness to accept \$1.85MM in debt for sewer line renovation
- Expenditure of Sewer Enterprise Capital Funds to carry out the loan application process

Please note that Council will have the opportunity to accept/decline the loan at a later date as there will be a resolution process prior to final loan approval and project funding.

Please further note that Staff continues to follow the progress of various information sources pertaining to economic recovery funds, and should grant funds become available during this process, will seek this funding as a priority over loan funding.

FINANCIAL CONSIDERATIONS:

No additional appropriation at this time. The request is to utilize an already appropriated funding source in a manner not presented at the time of original 2008-09 budget adoption.

NOTIFICATION

N/A

ALTERNATE ACTIONS

1. Authorize as presented
2. Reject authorization
3. Request additional information and postpone authorization consideration to a future date.

RECOMMENDATION

Authorize, by Motion, proceeding with the loan application process for Clean Water State Revolving Fund (CWSRF) and the expenditure of Sewer Enterprise-Capital (318.7210.400) funds to cover costs associated with the loan application process and authorize the City Manager, Public Works Director, and/or Finance Director to act on the City's behalf in the financing process.

Respectfully submitted,

COPY

Tim Sailsbery
Finance Director

**A Resolution of the City Council of the City of Willows Naming An
Authorized Representative for Purposes of Applying for Financial Assistance
with the California State Water Resources Control Board**

RESOLUTION NO. _____

BE IT RESOLVED by the City Council of the City of Willows that the City Manager is hereby authorized and directed to sign and file, for and on behalf of the City of Willows, a Financial Assistance Application for a financing agreement from the State Water Resources Control Board for the planning, design, and construction of the Sanitary Sewer Replacement Project; and

BE IT RESOLVED that the City of Willows hereby agrees and further does authorize the aforementioned representative or his/her designee to certify that the Agency has and will comply with all applicable state and federal statutory and regulatory requirements related to any financing or financial assistance received from the State Water Resources Control Board; and

BE IT FURTHER RESOLVED that the City Manager or his/her designee of the City of Willows is hereby authorized to negotiate and execute a financial assistance agreement from the State Water Resources Control Board and any amendments or change orders thereto and certify financing agreement disbursements on behalf of the City of Willows.

PASSED AND ADOPTED by the City Council of the City of Willows this 14th day of December, 2010, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

GARY HANSEN, Vice Mayor

ATTEST: _____
Natalie Butler, City Clerk

CERTIFICATION

I do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the City of Willows held on December 14, 2010.

Natalie Butler, City Clerk

AGENDA ITEM

TO: Willows City Council

FROM: Public Works Director

SUBJECT: Notice of Completion for South Tehama Street Project under ARRA funding completed by Granite Construction.

RECOMMENDATION

Accept by resolution the notice of completion for Phase I South Tehama Street Project. State Funding number ESPL 5062 (013)

SITUATION (or BACKGROUND)

Bids were sent out to pave a section of S. Tehama Street within the boundaries of County Road 57 to Fern Street.

Granite Construction was the low bidder and the contract was awarded on April 13, 2010 work began on June 18, 2010 and was completed October 10, 2010.

Staff has reviewed all of the work within the project limits and finds the work to be in compliance with the plans and specifications set forth by the City Engineer.

RECOMMENDATION

Accept by resolution the notice of completion for Phase I South Tehama Street Project. State Funding number ESPL 5062 (013)

Respectfully submitted,



Greg Tyhurst
Public Works Director

Approved by



Steve Hoisinger
City Manager

Attachments:

EXHIBIT A: Resolution

EXHIBIT A

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS AUTHORIZING THE CITY
MANAGER TO SIGN A NOTICE OF COMPLETION FOR WORK PERFORMED UNDER
AGREEMENT DATED April 13, 2010
(South Tehama Street Phase I Project)**

RESOLVED by the City Council of the City of Willows, State of California that it Finds, Determines, Orders and hereby declares THAT:

1. The City Manager is hereby authorized to sign the Notice of Completion for work performed under the Agreement, dated April 13, 2010 for the South Tehama Street Phase I Project.
2. The work described in this Agreement was satisfactorily completed on October 10, 2010.

NOW, THEREFORE, BE IT RESOLVED that the City accepts the work performed under the Agreement, dated April 13, 2010 South Tehama Street Phase I Project, Willows, CA and the City Manager for the City of Willows is hereby directed to sign and record the Notice of Completion.

PASSED AND ADOPTED by the City Council of the City of Willows at the meeting held on December 14, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

By: _____
Natalie Butler, City Clerk

Gary Hansen, Vice Mayor

RECORDING REQUESTED BY:
City of Willows
WHEN RECORDED MAIL TO:
City of Willows, Public Works Director
201 N. Lassen Street
Willows, California 95988

No Recording Fees Payable Pursuant to Government Code Section 27383

NOTICE OF COMPLETION

OWNER: City of Willows, 201 N. Lassen Street, Willows, CA 95988

PROJECT TITLE: South Tehama Street Phase I ESP- 5062(013)

PROJECT LOCATION & DESCRIPTION:

The project is located on South Tehama Street between County Road 53 and County Road 57 in the town of Willows, Glenn County.

Work for this project consisted of an asphalt overlay on the entire stretch of roadway with shoulder backing, traffic striping and reflective buttons.

CONTRACTOR: Granite Construction Company 4714 Pacific Heights Road Oroville, CA 95965-9239

COMPLETION/ACCEPTANCE DATE: December 15, 2010

NATURE OF OWNER'S INTEREST IS: Owner of real property and improvements thereon at the time of commencement of work of improvement.

Authorized representatives of the City and the Contractor have inspected the work performed under this contract and the Project is hereby declared to be completed/accepted on the above date.

On the above date, construction of improvements on the project has been sufficiently completed, in accordance with the contract documents and change orders if any, so that the City can occupy or utilize the project for the use for which it was intended.

The Contractor's one year warranty period begins as of the above-referenced completion date.

The City accepts the project as complete.

I declare under penalty of perjury of laws of the State of California that the foregoing is true and correct.

Steve Holsinger
City Manager

December 15, 2010
Date

AGENDA ITEM

TO: Willows City Council

FROM: Public Works Director

SUBJECT: Notice of Completion for all South Tehama Street related projects under ARRA funding completed by Knife River Construction.

RECOMMENDATION

Accept by resolution the notice of completion for all projects on South Tehama Street. State Funding numbers ESPL 5062 (014,015,016) completed by Knife River Construction.

SITUATION (or BACKGROUND)

Bids were sent out to pave a section of S. Tehama Street in two phases as well as complete landscaping enhancement work within the boundaries of Cedar Street to Fern Street and County Road 57 to the south City limits.

Knife River Construction was the low bidder and the contract was awarded on September 28, 2010, work began on October 18, 2010 and was completed November 18, 2010.

Staff has reviewed all of the work within the project limits and finds the work to be in compliance with the plans and specifications set forth by the City Engineer.

RECOMMENDATION

Accept by resolution the notice of completion for all projects on South Tehama Street. State Funding numbers ESPL 5062 (014,015,016) completed by Knife River Construction.

Respectfully submitted,



Greg Tyhurst
Public Works Director

Approved by



Steve Holsinger
City Manager

Attachments:

EXHIBIT A: Resolution

EXHIBIT A

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS AUTHORIZING THE CITY
MANAGER TO SIGN A NOTICE OF COMPLETION FOR WORK PERFORMED UNDER
AGREEMENT DATED September 28, 2010
(South Tehama Street Phase II, III & Landscape Project)**

RESOLVED by the City Council of the City of Willows, State of California that it Finds, Determines, Orders and hereby declares THAT:

1. The City Manager is hereby authorized to sign the Notice of Completion(s) for work performed under the Agreement, dated September 28, 2010 for the South Tehama Street Phase II, III & Landscape Project.
2. The work described in this Agreement was satisfactorily completed on October 18, 2010.

NOW, THEREFORE, BE IT RESOLVED that the City accepts the work performed under the Agreement, dated September 28, 2010 South Tehama Street Phase II, III & Landscape Project, Willows, CA and the City Manager for the City of Willows is hereby directed to sign and record the Notice of Completion.

PASSED AND ADOPTED by the City Council of the City of Willows at the meeting held on December 14, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

By: _____
Natalie Butler, City Clerk

Gary Hansen, Vice Mayor

RECORDING REQUESTED BY:
City of Willows
WHEN RECORDED MAIL TO:
City of Willows, Public Works Director
201 N. Lassen Street
Willows, California 95988

No Recording Fees Payable Pursuant to Government Code Section 27383

NOTICE OF COMPLETION

OWNER: City of Willows, 201 N. Lassen Street, Willows, CA 95988

PROJECT TITLE: South Tehama Street Landscape Proejct ESP- 5062(014)

PROJECT LOCATION & DESCRIPTION:

The project is located on South Tehama Street between County Road 53 and County Road 57 in the town of Willows, Glenn County.

Work for this project consisted of applying a weed fabric to both sides of South Tehama Street underneath the existing trees and spreading bark for water retention and beautification. In addition watering tubes were installed on the east side trees for irrigation purposes.

CONTRACTOR: Knife River Construction, 1764 Skyway, Chico, CA 95928

COMPLETION/ACCEPTANCE DATE: December 15, 2010

NATURE OF OWNER'S INTEREST IS: Owner of real property and improvements thereon at the time of commencement of work of improvement.

Authorized representatives of the City and the Contractor have inspected the work performed under this contract and the Project is hereby declared to be completed/accepted on the above date.

On the above date, construction of improvements on the project has been sufficiently completed, in accordance with the contract documents and change orders if any, so that the City can occupy or utilize the project for the use for which it was intended.

The Contractor's one year warranty period begins as of the above-referenced completion date.

The City accepts the project as complete.

I declare under penalty of perjury of laws of the State of California that the foregoing is true and correct.

Steve Holsinger
City Manager

December 15, 2010
Date

RECORDING REQUESTED BY:
City of Willows
WHEN RECORDED MAIL TO:
City of Willows, Public Works Director
201 N. Lassen Street
Willows, California 95988

No Recording Fees Payable Pursuant to Government Code Section 27383

NOTICE OF COMPLETION

OWNER: City of Willows, 201 N. Lassen Street, Willows, CA 95988

PROJECT TITLE: South Tehama Street Phase II ESP- 5062(015)

PROJECT LOCATION & DESCRIPTION:

The project is located on South Tehama Street between County Road 53 and Cedar Street in the town of Willows, Glenn County.

Work for this project consisted of an asphalt overlay on the entire stretch of roadway with shoulder backing, traffic striping, reflective buttons and curb and gutter replacement.

CONTRACTOR: Knife River Construction, 1764 Skyway, Chico, CA 95928

COMPLETION/ACCEPTANCE DATE: December 15, 2010

NATURE OF OWNER'S INTEREST IS: Owner of real property and improvements thereon at the time of commencement of work of improvement.

Authorized representatives of the City and the Contractor have inspected the work performed under this contract and the Project is hereby declared to be completed/accepted on the above date.

On the above date, construction of improvements on the project has been sufficiently completed, in accordance with the contract documents and change orders if any, so that the City can occupy or utilize the project for the use for which it was intended.

The Contractor's one year warranty period begins as of the above-referenced completion date.

The City accepts the project as complete.

I declare under penalty of perjury of laws of the State of California that the foregoing is true and correct.

Steve Holsinger
City Manager

December 15, 2010
Date

RECORDING REQUESTED BY:
City of Willows
WHEN RECORDED MAIL TO:
City of Willows, Public Works Director
201 N. Lassen Street
Willows, California 95988

No Recording Fees Payable Pursuant to Government Code Section 27383

NOTICE OF COMPLETION

OWNER: City of Willows, 201 N. Lassen Street, Willows, CA 95988

PROJECT TITLE: South Tehama Street Phase III ESP- 5062(016)

PROJECT LOCATION & DESCRIPTION:

The project is located on South Tehama Street between County Road 57 and the South City Limit in the town of Willows, Glenn County.

Work for this project consisted of an asphalt overlay on the entire stretch of roadway with shoulder backing, traffic striping, reflective buttons and curb and gutter replacement.

CONTRACTOR: Knife River Construction, 1764 Skyway, Chico, CA 95928

COMPLETION/ACCEPTANCE DATE: December 15, 2010

NATURE OF OWNER'S INTEREST IS: Owner of real property and improvements thereon at the time of commencement of work of improvement.

Authorized representatives of the City and the Contractor have inspected the work performed under this contract and the Project is hereby declared to be completed/accepted on the above date.

On the above date, construction of improvements on the project has been sufficiently completed, in accordance with the contract documents and change orders if any, so that the City can occupy or utilize the project for the use for which it was intended.

The Contractor's one year warranty period begins as of the above-referenced completion date.

The City accepts the project as complete.

I declare under penalty of perjury of laws of the State of California that the foregoing is true and correct.

Steve Holsinger
City Manager

December 15, 2010
Date

AGENDA ITEM

December 14, 2010

TO: Members of City Council**FROM:** Karen Mantele, Contract Planner**SUBJECT:** General Plan Annual Progress Report
City of Willows General Plan Year End Review for January 1, 2010 to October 30, 2010**RECOMMENDATION**

Review and accept the General Plan Annual Progress Report (with amendments from the Planning Commission) and direct Staff to forward to the Governor's Office of Planning and Research and the State Department of Housing and Community Development as required by Government Code Section 65400(b).

PROJECT DESCRIPTION:

Section 65400 of the State of California Code requires that cities evaluate and annually report to the Office of Planning and Research and the Department of Community Development, the status of the General Plan and progress in its implementation and the progress made towards meeting the City's share of regional housing needs, (which planning period covers from January 1, 2007 to June 30, 2014), and efforts within the Housing Element that remove governmental constraints to the maintenance, improvement, and development of housing.

Analysis:

The City adopted its General Plan in 1981 and has not updated the General Plan since, other than a major revision to the Land Use Element in 1987 with the annexation of land, and some revisions to the Element and Land Use Map in 2000, an updated Housing Element in 2005, and most recently the current 2009-2014 Housing Element Update. The 2009-2014 Housing Element was adopted by the City Council on June 8, 2010. The Element was certified as adequate by the State Department of Housing and Community Development (HCD) on September 9, 2010. The City now has an adopted and certified updated Housing Element which outlines the City's plan to meet the Regional Housing Needs Allocation for the anticipated future housing needs for all income groups.

Other General Plan Elements include Open Space (1981), Conservation (1981), Circulation (1981), Safety (1974), Seismic (1974), Noise (1974), and Scenic Highways (1974). The City Council in 2008 contemplated a General Plan Maintenance Fee which would have been assessed on all building permits, to set aside funds for a comprehensive update to the General Plan. However, with strong public opposition, the Council voted against implementing such a fee to each building permit. As such the City has no plans in the near future to update their General Plan.

Affordability levels for the City of Willows is based upon Glenn County income limit information (adjusted for household size) provided by HCD each year. In Glenn County, the 2010 income limits are based upon a median income of \$33,780 for a family of four. Willows' fair share housing allocation represents 37 percent of Glenn County's total housing allocation needs.

The attached housing unit report includes the unit count of new housing produced during the calendar years from 2007 to 2010 (those years within the RHNA Planning period) and provides a ten year over view of building permit issuance.

The Planning Commission at their November 17, 2010 meeting reviewed and discussed the General Plan Annual Progress Report and directed Staff to add information to the Report before forwarding to the City Council, regarding entitlements that the City has approved towards producing new residential units. This additional information is included in the attached report and is in italics. Additionally the Commission expressed that they would like to see the Senior Housing Survey done as soon as feasible, and prior to 2014, as this is one of the 2009-2014 General Plan policies as listed at the end of this Annual Report along with other policies to implement prior to 2014.

FINANCIAL CONSIDERATIONS

None

ALTERNATE ACTIONS

No alternatives are recommended.

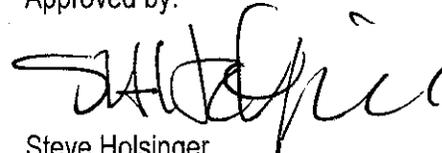
RECOMMENDATION

Respectfully submitted,



Karen Mantele
Contract Planner

Approved by:



Steve Holsinger
City Manager

Attachments:

*General Plan Annual Progress Report



City of Willows General Plan Year End Report, including Housing Need Production as required by Government Code Section 65400(b)

General Plan Year End Report

The City of Willows has not prepared a comprehensive update to their General Plan; only revisions to the Land Use Element in 1987 and again in 2000, and an update to the Housing Element in 2005, and most recently the 2009-2014 Housing Element Update. The 2009-2014 Housing Element was adopted by the City Council on June 8, 2010 and certified as adequate by the State Department of Housing and Community Development (HCD) on September 9, 2010.

Lack of a comprehensive updated General Plan could be looked at as an issue to be addressed; however with lack of funds to complete one, the City is left to implement its current General Plan in meeting future housing needs of the City.

The General Plan has Goals, Objectives, and Policies contained within the Land Use Element that addresses development, land use compatibility, community services, facilities and infrastructure, wastewater treatment capacity reserve, hazards, natural amenities, economic vitality, housing population growth, development opportunities and constraints, and special development areas. Recently a 448 unit subdivision housing project located within a special development area was approved in conjunction with the goals and policies laid out in the General Plan so that new residential development will contribute to not detract from, the character of the community. Subdivision regulation like zoning is a principle instrument in general plan implementation as all subdivisions must be consistent with the General Plan. This project will assist the City in meeting its future housing units needed per the RHNA figures.

Housing Needs Production Form

Organization: City of Willows, California
Address: 201 North Lassen Street, Willows, CA 95988
Contact: Karen Mantele, Project Planner
Phone: 530-934-7041

Progress Towards Achieving Housing Needs Allocation:

Accounting for residential activity since the start of the current planning period (2007) is an important step in determining the remaining balance of fair share housing units to be accommodated through the remainder of the planning period. In 2007, the City issued 7 building permits for the construction of new single family dwelling units, which are assumed to be available to above moderate-income households. The City issued 3 building permits for new residential construction in 2008 and 2009 and 1 building permit in 2010. There have not been any applications for second-units (a.k.a. granny units) within the City during the current planning period either.

The following table provides the prescribed number of housing units that must be planned for at varying levels of affordability between 2007 and 2014, and the unit count of housing produced within the 2007-2014 Regional Housing Needs Allocation (RHNA) cycle.

Unit Count of Housing Produced for the 2007-2014 Regional Housing Needs Allocation (RHNA) Cycle
Report Time Period: Calendar Years 2007 - 2010

Identified Affordability Categories Percent of Glenn County median income (AMI)	2007-2014 RHNA (New Construction Needed)	Units Added 2007	Units Added 2008	Units Added 2009	Units Added 2010	Deed Restricted (Y/N)	Total Units added 2007-2010	Housing Units Needed
Very Low (Up to 50% AMI)	52	0	0	3	0	N	3	49
Low (51% to 80 AMI)	52	0	0	3	0	N	3	49
Moderate (81% to 120%AMI)	82	0	0	0	0	N	0	82
Above Moderate (over 120% of AMI)	103	12	3	0	1	N	16	87
Total	487	12	3	6	1		22 (4.5% of RHNA needs)	465

Building Permit Issuance Tracking History:

The City of Willows like many other jurisdictions across California have experienced a decline in building in the past couple of years as the economic recession has slowed housing construction. Below is an over view of the past ten years of new single family building permits issued by the City of Willows:

- 2000 0 permits
- 2001 4 permits for SFD
- 2002 1 permit for SFD
- 2003 2 permits for SFD
- 2004 6 permits for SFD
- 2005 19 permits for SFD
- 2006 11 permits for SFD
- 2007 12 permits for SFD
- 2008 3 permits for SFD
- 2009 6 permits for MFD
- 2010 1 permit for SFD

*Based upon final certificate of occupancy being issued

This additional information was added to the report at the request of the Planning Commission after they reviewed the Annual Report at their November 17, 2010 meeting.

Entitlement Permits 2006-2010

<u>Lot Mergers</u>	2006	2 (1 merger gained 2 units but they cannot be counted under the current RHNA unit requirement)
	2007	1
	2009	1
	2010	2
<u>Use Permits</u>	2006	6
	2007	11
	2008	11
	2009	4
<u>Subdivisions</u>	2006	5 (4 were for housing projects which have not been constructed)
	2007	3 (1 was for a 12 lot subdivision not constructed)
	2008	1
	2009	4 (One was for Basin Street Residential project not yet constructed)
<u>Design Review</u> constructed)	2006	5 (One was for a 19 unit MF apartment complex never
	2007	6
	2008	5
	2009	7
	2010	2

Government Code Section 65400 mandates that cities include in their annual report the local efforts to remove governmental constraints to the development of housing, as defined in Government code Section 65583(c)(3) and 66584. The following policies, summarized below, are described within the newly certified Housing Element as the strategies the City's will implement in order to promote development of sufficient housing and remove governmental constraints to development of housing, especially housing affordable to extremely low-, very-low-, and low-income households.

Program#	Program Action	Timeframe
<p>HD-1.1.1</p>	<p>Amendments to the Zoning Ordinance and Land Use Element to include:</p> <ul style="list-style-type: none"> *Increase densities in the High Density Residential (R-3) zone from a max of 14 units per acre to 16-30 units per acre *Increase densities in the Multiple Residence-Office Professional (R-P) zone to allow up to 30 units per acre *Increase the density in the Two-Family Residential (R-2) zone to allow up to 15 units per acre *Allow for residential uses on all floors except the ground level as a permitted use in both the Central Commercial (CC) and General Commercial (CG) zones without a conditional use permit *Amend the Land Use Element to be in compliance with the Housing Element by incorporating a Medium Density Residential (MDR) designation which will allow 7-15 units per acre and increase the Multifamily Residential designation (MFR) to allow for 16-30 units per acre. *Rezone APN 001-330-017-to the R-3 zone, allowing exclusively residential uses and a minimum of 16 units per acre 	<p>Within one year of Certification of the Housing Element</p>
<p>HD-1.1.4</p>	<p>*Implement a second dwelling unit ordinance that follows the requirements of state law Government Code Section 65852.1</p>	<p>Within one year of certification of the Housing Element</p>
<p>HD-1.1.5</p>	<p>*Amend the Zoning Ordinance to allow for the development of manufactured housing in single family residential zones</p>	<p>Within one year of certification of the Housing Element</p>
<p>HD-1.4.1</p>	<p>*Amend the Zoning Ordinance to allow for residential development above commercial and mixed used by right without any discretionary review</p>	<p>Within one year of certification of the Housing Element</p>
<p>HD-1.5.1</p>	<p>*Annually apply for grant funds to include HOME and CDBG General Allocation funds</p>	<p>Apply for funds as NOFA's are released</p>

HD-1.5.3	*Expand homeownership opportunities for very low and low income and first time homebuyers	Apply for funds as NOFA's are released
HD-1.5.4	*Conduct a senior needs assessment to identify the existing and future housing needs of senior citizens to determine need for housing & care facilities for senior citizens	Utilize County survey results by December 2014; Offer incentives on an on-going basis as developers show interest in developing senior housing
RC-1.3.1	*Adopt provisions to approve residential care facilities by right in accordance with Health and Safety Code Section 1267.8, 1566.3, and 1568.08	Within one year of certification of the Housing Element
RC-1.3.2	*Develop and formalize a general process that will streamline the permit review process for a person with disabilities to make a reasonable accommodation request. *Amend the Zoning Ordinance definition of family to reflect occupancy standards for up to six unrelated persons	Within one year of certification of the Housing Element
RC-1.3.3	*Amend the Zoning Ordinance to allow emergency shelters as a permitted use in the General Commercial (CG) District *City will evaluate adopting development and managerial standards that will be consistent with Government Code Section 65583(a)(4)	Within one year of certification of the Housing Element
RD-1.3.4	*Update the Zoning Ordinance to include separate definitions of transitional and supportive housing as defined in Health and Safety Code Sections 50675.2 and 50675.14 , with both uses allowed as a permitted use in all residential zones subject to only the same restrictions on residential uses contained in the same type of structure	Within one year of certification of the Housing Element
RC-1.3.5	*Update the Zoning Ordinance to allow for the development of single-room occupancy units (a type of residential hotel offering one-room units for long-term occupancy	Within one year of certification of the Housing Element
RC-1.3.6	*Amend the Zoning Ordinance to include employee housing in the Agriculture General District as defined by Health and Safety Code Section 17021.6	Within one year of certification of the Housing Element

December 14, 2010

AGENDA ITEM

TO: Steve Holsinger, City Manager
FROM: Wayne Peabody, Fire Chief
Subject: Update on 429 N Shasta St, Glenn County Court case number 09SCV0115.

RECOMMENDATION

Staff recommends that the City Council consider improvements already completed and/or currently scheduled; as satisfactory compliance with the Nuisance Abatement complaint against Mrs. Anna Francis, at the property on 429 North Shasta Street; Glenn County Superior Court Case Number 09SCV0115.

SITUATION (or BACKGROUND):

Since May 2000 city staff has attempted to work with the property owner at 429 N Shasta to self-abate the public nuisance(s) that existed at this location. In May 2009 City Council authorized the city attorney to commence court action against Mrs. Francis. On November 5th 2010 the city was advised by the court to proceed with actions necessary to satisfy the requirements of the cleanup.

Since that time Mrs. Francis and family have continued to remove the nuisances from around her home. Upon our last inspection we found that only a few items were left to be removed. We were able to work with a local business and Mrs. Francis and the items are scheduled for removal in the near future.

At this time the Willows Fire Department has determined that the public nuisances have been removed or are scheduled for abatement/removal in the near future. Therefore staff declares the property owner has met or exceeded the requirements that were set out by Court Order and recommends City Council find this abatement action as satisfied.

Notification:

Mrs. Anna Francis
Gary Krup, City Attorney

ALTERNATE ACTIONS:

1. Request additional information from staff
 2. Reject staff recommendation and/or direct item to be returned.
-

RECOMMENDATION:

Staff recommends that the City Council consider improvements already completed and/or currently scheduled; as satisfactory compliance with the Nuisance Abatement complaint against Mrs. Anna Francis, at the property on 429 North Shasta Street; Glenn County Superior Court Case Number 09SCV0115.

Respectfully Submitted



Wayne Peabody
Fire Chief

Approved By:



Steve Holsinger,
City Manager

AGENDA ITEM

December 14, 2010

TO: Steve Holsinger, City Manager

FROM: Wayne Peabody, Fire Chief

SUBJECT: Discussion of possible Weed Abatement procedures

RECOMMENDATION:

Staff is seeking direction from City Council on potential changes for the upcoming Weed Abatement Season; clarifying what procedures to utilize for the City of Willows Abatement program.

SITUATION (or BACKGROUND):

Earlier this year following completion of the seasonal weed abatement processes, City Council directed staff to explore possible changes to the City of Willows Weed Abatement program and/or procedures. Staff has initiated a cursory review of some of the surrounding communities and their specific weed abatement programs. The following is a summary report of staff's finding on other agency weed abatement programs; as well as other possible alternatives. Staff is not recommending a specific change to the current city process or procedures; only providing for discussion purposes several available options the Council may wish to direct staff to utilize during the 2011 Weed Abatement Season or process. Once a preference on possible program alternatives has been identified, staff could complete a more comprehensive recommendation on specific policy and/or procedural changes to incorporate within the City of Willows Municipal Code. The following is a list of possible alternatives:

OPTIONS:

#1 Use the same or very similar program with some specific modifications to the current contract format and bidding/awarding process. Cities currently utilizing this format are identified below; with some specific comments attached as back-up materials.

(Chico, Gridley, Cloverdale, Morro Bay, Selma, & Suisun City)

#2 Move to a fine or citation type system similar to parking or traffic enforcement citation.

(Cal-Fire Tehama County, Butte County FD, Salinas & Torrance)

#3 Develop an In-house Program using Public Works or seasonal part-time employees; funded via special revenue enterprise fund.

(Corning, Orland, Red Bluff) – Corning is the only city using the Special Revenue Enterprise Account for funding purposes.

#4 Contract the Weed Abatement program out completely and/or create a citizens oversight committee to administer the program through July 1st each year and then come to City Council with a recommendation on assessments, fines, etc.

(City of Morgan Hill is the only contract example identified) the Ad Hoc advisory/admin committee does not have a specific example we are aware of, however provides for complete local residential control of program & processes; with exception only for confirming assessment/liens on property; which is authority only vested in the City Council.

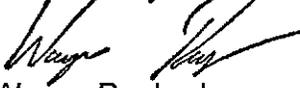
ALTERNATE ACTIONS:

- 1: Request additional information from staff
- 2: Reject staff recommendation and/or direct item to be returned.

RECOMMENDATION:

Staff is seeking direction from City Council on potential changes for the upcoming Weed Abatement Season; clarifying what procedures to utilize for the City of Willows Abatement program.

Respectfully Submitted


Wayne Peabody
Fire Chief

Approved By


Steve Holsinger
City Manager

EXHIBITS:

- A: City of Red Bluff (Correspondence)
- B: City of Suisun City
- C: City of Cloverdale (Cloverdale Fire Protection District)

- D: Morro Bay Fire Department (Correspondence)
- E. Tehama County Fire
- F. City of Morgan Hill
- G. City of Selma
- H. City of Lakeport
- I. City of Arcata
- J. City of Salinas
- K. City of Torrance

EXHIBIT A

Steve Holsinger

From: Mike Bachmeyer [MBachmeyer@rbfd.org]
Sent: Thursday, October 28, 2010 12:03 PM
To: Chief Wayne Peabody
Subject: RE: Weed Abatement

Wayne,

In the past we would issue non-compliant property owners a court citation. However, most of our non-compliant owners were not City residents, so they never had an opportunity to sign the citation promising to appear in court. With no promise to appear the courts had no mechanism to hold the property owner accountable for a failure to appear. This was a very frustrating process for both the courts and the City so we eliminated this procedure.

Until this year, I would assign one or two reserve (part-time) employees to the assignment of weed abatement. When a property owner was none compliant after the proper notifications as outlined in the City Code, these employee would access the property to perform the proper mitigation. Upon completion, we would bill the property owner for cost recovery. If the property owner did not pay the bill we would attach a lien on the property. Unfortunately, this year I had neither a budget, nor the personnel to conduct this weed abatement process.

I am considering an administrative citation process for this year's code adoption. I envision this to be similar to how parking citations are issued in our City with no court involvement.

Wish I could help more.

Michael J. Bachmeyer, Fire Chief
Red Bluff Fire Department
555 Washington Street
Red Bluff, CA. 96080
(530) 527-1126

"The City of Red Bluff is an equal opportunity provider"

From: Chief Wayne Peabody [mailto:wpeabody@cityofwillows.org]
Sent: Wednesday, October 27, 2010 4:11 PM
To: Mike Bachmeyer
Subject: Weed Abatement

Good afternoon Mike

Each spring we've conducted a typical weed abatement procedure; administered by our Dept. We identify parcels for abatement, hire a contract to complete the abatement and ultimately place a special assessment against the property. Our experience this past year was a significant increase in home foreclosures/vacancies and thus significant increase in abatement processing. Our (assessment) recovery rate is approximately forty percent each year. Our Council has directed staff to investigate alternative methods for abatement purposes. Thus if your city is utilizing some other methods for weed abatement, I'd appreciate if you could share your policy/procedures with us. Thank you!

12/8/2010

Chief Wayne Peabody
Willows Fire Department
Willows, CA
530-934-3323

EXHIBIT B**Natalie Butler**

From: Mike O'Brien [mobrien@suisun.com]
Sent: Tuesday, October 05, 2010 4:08 PM
To: Chief Wayne Peabody
Subject: RE: [Public_safety] Weed Abatement Policy

Here is the ordinances we use in Suisun city. The abandoned and distressed properties are treated as a separate issue from the usual public nuisance and weed problems. We register the abandoned (foreclosed) properties and track them separately.

Mike O'Brien, Fire Chief
Suisun City Fire Department
621 Pintail Drive
Suisun City, CA 94585
707-421-7205 FAX 707-421-7398
mobrien@suisun.com

From: public_safety-bounces@lists.cacities.org [mailto:public_safety-bounces@lists.cacities.org] **On**
Behalf Of Chief Wayne Peabody
Sent: Tuesday, October 05, 2010 1:15 PM
To: public_safety@lists.cacities.org
Subject: [Public_safety] Weed Abatement Policy

Dear Colleagues:

Each spring we've conducted a typical weed abatement procedure; administered by our Dept. We identify parcels for abatement, hire a contract to complete the abatement and ultimately place a special assessment against the property. Our experience this past year was a significant increase in home foreclosures/vacancies and thus significant increase in abatement processing. Our (assessment) recovery rate is approximately forty percent each year. Our Council has directed staff to investigate alternative methods for abatement purposes. Thus if your city is utilizing some other methods for weed abatement, we'd appreciate if you could share your policy/procedures with us. Thank you!

Sincerely

Chief Wayne Peabody
Willows Fire Department
Willows, CA
530-934-3323

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY, CALIFORNIA, AMENDING TITLE 8 (HEALTH & SAFETY) OF THE CITY OF SUISUN CITY MUNICIPAL CODE BY REPEALING CHAPTER 8.20 WEEDS AND RUBBISH AND REVISING CHAPTER 8.12 PUBLIC NUISANCES

WHEREAS, pursuant to the police power granted to the City of Suisun City ("City") under the California Constitution, the City may adopt rules and regulations to serve and protect the health, safety and welfare of the public; and

WHEREAS, the current estimates indicate that about 400 properties within the City at any time have existing public nuisances; and

WHEREAS, the lack of security and maintenance of such properties result in detrimental effects on the community including creating unsightly appearances of and blighted residential neighborhoods, contributes to lower property values, discourages potential buyers from purchasing homes in, adjacent to, or in the neighborhood with distressed residences, endangers children unprotected from unsecured pools and other attractive nuisances and endangers neighborhoods affected by the resulting squatting, vandalism, burglaries and other crimes; and

WHEREAS, the City Council finds that the City has a substantial interest in protecting its citizens and protecting the aesthetic attractiveness of the City and that the revision of Chapter 8.12 Public Nuisance is necessary to protect its residents from detrimental effects posing risks to the public peace, safety and welfare; and

WHEREAS, the City Council finds that the elements of Chapter 8.20 Weeds and Rubbish of the Suisun City Municipal Code should be incorporated into Chapter 8.12 Public Nuisances to insure a consistent approach to correction of these concerns; and

WHEREAS, pursuant to the City's police powers, authorized in Article XI, Section 7 of the California Constitution, as well as under the City of Suisun City Municipal Code and other provisions of California law, including, but not limited to California Government Code Section 38771, the City has the power through its City Council to declare action and activities that constitute a public nuisance; and

NOW, THEREFORE, the City Council of the City of Suisun City **DOES HEREBY ORDAIN** as follows:

SECTION 1. Amendment of Code: Title 8 (Health & Safety) of the City of Suisun City Municipal Code is hereby amended by repealing Chapter 8.20 Weeds and Rubbish, and revising Chapter 8.12, entitled "Public Nuisances" to read in its entirety as follows:

CHAPTER 8.12 PUBLIC NUISANCES

8.12.010 Purpose of Chapter.

A. It is the intent of the City of Suisun City Council in adopting this chapter to provide a comprehensive method for the identification and abatement of certain public nuisances within the city.

B. Provisions of this chapter are to be supplementary and complimentary to all of the provisions of the city code, state law and any law cognizable at common law or in equity, and nothing herein shall be read, interpreted or construed in any manner so as to limit any existing right or power of the city to abate any and all nuisances. (Ord. 588(part), 1991)

8.12.020 Application.

The provisions of this chapter shall apply generally to all property throughout the city, except for abandoned property as defined in Chapter 8.13, "Abandoned and Distressed Residential Properties Registration," wherein any of the conditions, hereinafter specified, are found to exist; provided that any condition which would constitute a violation of this chapter, but which is duly authorized under any city, state or federal law, shall not be deemed to violate this chapter. (Ord. 588(part), 1991)

8.12.030 Authority-Department Head Defined.

A. The head of any city department or the health officer of the county, hereinafter referred to as "department head," is authorized and directed to use the provisions of this chapter for the purpose of abating those nuisances which exist as the result of violation of those ordinances for which the department has primary enforcement responsibility.

B. As used in this chapter, the term "department head" shall include the authorized representative of such department head, including but not limited to the code enforcement specialist. (Ord. 588(part), 1991)

8.12.040 Right of Entry-Department Head To Inspect Premises.

A. Whenever necessary to make an inspection of any premises to enforce the provisions of this chapter, the department head may enter on such premises at all reasonable times to inspect the same or to perform any duty imposed upon the department head by this chapter, in such manner as allowed by law.

B. Whenever practicable, the department head shall contact the occupant of such premises and inform him of the reasons for such entry onto such property, and if the occupant is other than the owner, he shall, if practicable, contact the owner.

C. If entry onto any premises is interfered with by the owner or occupant of such premises, or by any third party, the department head shall have recourse to every remedy provided by law to secure his peaceable entry on such premises to perform the duties required by this code, including the obtaining of an inspection warrant pursuant to California Code of Civil Procedure Sections 1822.50-1822.60. (Ord. 588(part), 1991)

8.12.050 Responsibility for Property Maintenance.

A. Every owner of real property within the city is required to maintain such property in a manner so as not to violate the provisions of this chapter and such owner remains liable for violation thereof regardless of any contract or agreement with any third party regarding such property.

B. Every occupant, lessee or holder of any interest in property other than as owner thereof is required to maintain such property in the same manner as is required of the owner thereof, and the duty imposed by this section on the owner thereof shall in no instance relieve those persons herein referred to from the similar duty. (Ord. 588(part), 1991)

8.12.060 Appointment of Hearing Board for Appeals.

In order to hear appeals on a notice of violation given under this chapter, the city manager shall appoint one or more hearing examiners who shall serve at the pleasure of the city manager as the hearing board. (Ord. 588(part), 1991)

8.12.070 Generally-Definitions.

For the purposes of this chapter, the following words shall have the following specified meanings:

“Junk” means any cast-off, damaged, discarded, junked, obsolete, salvage, scrapped, unusable, worn-out or wrecked object, thing or material composed in whole or in part of asphalt, brick, carbon, cement, plastic or other synthetic substance, fiber, glass, metal, paper, plaster, plaster of paris, rubber, terra cotta, wool, cotton, cloth, canvas, organic matter or other substance.

“Junk yard” means any premises from or on which any junk is abandoned, bailed, bartered, bought, brought, bundled, disassembled, disposed of, exchanged, handled, packed, processed, shipped, sold, stored or transported, regardless of whether or not such activity is done for profit.

“Owner” means owner of record of real property, occupant, lessee, or interest holder in same, as the case may be.

“Premises” means any real property, or improvements thereon, as the case may be.

“Property” means premises. (Ord. 588(part), 1991)

8.12.080 Generally-Acts Declared to be Nuisances.

It is declared a public nuisance for any person owning, leasing, occupying or having a charge or possession of any premises in this city, whether commercial, industrial or residential, to maintain such premises in such a manner that any one, or more of the conditions or activities described in the following subsections are found to exist:

A. Lumber, junk, garbage, trash, debris, salvage materials visible from public or private property or otherwise in violation of this chapter. Junk consists of any cast-off, damaged, discarded, junked, obsolete, salvaged, scrapped, unusable, worn-out or wrecked object, thing or material composed in whole or in part of asphalt, brick, carbon, cement, plastic or other synthetic substance, fiber, glass, metal, paper, plaster, plaster of paris, rubber, terra cotta, wool, cotton, cloth, canvas, organic matter or other substance, except while excavation, construction or demolition is in progress at the site under a current city-issued building permit;

B. Abandoned, discarded or unused furniture, appliances, sinks, toilets, cabinets or other fixtures or equipment stored in a place visible from public or private property;

C. Construction equipment or machinery parked or stored on noncommercial property and readily visible to the general public, except while excavation, construction or demolition is in progress at the site under a current city-issued building permit;

D. Presence of abandoned, dismantled, wrecked or inoperable motor vehicles, motorcycles, recreational vehicles, trailers, campers, boats, conveyances or parts thereof (hereinafter "vehicles"), except:

1. When such vehicles are completely enclosed within a building in a lawful manner where they are not visible from the street or other public or private property, or
2. When stored or parked in a lawful manner on private property behind a fully screened fence in connection with the business of a licensed dismantler, licensed vehicle dealer, a junk dealer, or when such storage or parking is necessary to the operation of a lawfully conducted business or commercial enterprise;

E. Parking of a vehicle, trailer, camper or storage of other personal property on private property on other than a surface of asphalt, concrete or other similar all-weather material;

F. Obstruction or encroachment of any public property, including but not limited to any public street, highway, right-of-way, park or building;

G. An attractive nuisance to children, including but not limited to unprotected equipment, machinery, swimming pools whether full of liquid or drained, pools with water where the bottom or bottom drain can not be seen, ponds or excavations.;

H. A building or structure which, because of obsolescence, dilapidated condition, deterioration, damage, electrical wiring, gas connections or other cause, is in a condition as to constitute a fire hazard;

I. A building exterior, wall, fence, driveway, sidewalk or walkway which is so defective, unsightly or deteriorated that it causes depreciation of the value of surrounding properties, is otherwise materially detrimental to nearby properties, or poses a hazard;

J. A building or structure having dry rot, warping or termite infestation or an exterior surface which has become so deteriorated as to permit decay, excessive checking, cracking, peeling, chalking, dry rot, warping or termite or vermin infestation as to render the building or structure unsightly and in a state of disrepair;

K. A building or structure which is structurally unsafe, partially destroyed, in an unreasonable state of partial construction, a fire hazard or otherwise dangerous or not in compliance with current building codes. An "unreasonable state of partial construction" exists if the building has been under construction for more than one year and the appearance and other conditions substantially detract from the appearance of the immediate neighborhood or reduces the property values in the immediate neighborhood;

L. Building or structure that is marked or defaced with spray paint, dye or like substance in a manner commonly described as graffiti, visible from a public street, for an unreasonable period time;

M. Buildings which are abandoned, boarded up, partially destroyed, or left in a state of partial construction for an unreasonable period of time and such buildings which are unpainted or where the paint on the building exterior is worn off;

N. Dead, decayed, diseased or hazardous trees, weeds or tall grass more than eight inches tall, except ornamental grasses used as landscape or overgrown vegetation which is a fire hazard or is likely to harbor rats, vermin or other pests, constitutes an unsightly appearance, is detrimental to neighboring properties or property values, or protrudes over or across a city street or sidewalk so as to substantially obstruct the clear passage of vehicles or pedestrians.;

O. Maintenance of any premises in any manner which is unsightly or unsanitary because of the presence of animal excrement;

P. Vacant open land not maintained with weed control or firebreaks. In lieu of ordering complete abatement, the department head may order the preparation of firebreaks around parcels of property where combustible weeds or brush are present. The department head shall determine the width for the firebreak and the accessibility to the property for fire protection equipment.

Q. Burning Garbage, Non-Seasoned Wood, or Certain Materials

No person shall cause or allow any of the following materials to be burned in a wood burning device: garbage, treated wood, non-seasoned wood, used or contaminated wood pallets, plastic products, rubber products, waste petroleum products, paints and paint solvents, coal, animal carcasses, glossy or colored paper, salt water driftwood, particle board, and any material not intended by a manufacturer for use as a fuel in a wood burning device.

Visible smoke emissions are allowed from the startup of a new fire for a period of twenty (20) consecutive minutes in any consecutive four (4) hour period.

Approved wood burning devices include: installed fireplaces and wood stoves, bar-b-ques, small meat smokers, small wood fired ovens used for cooking, patio fire pits, rings, or chimineas. These wood burning devices must be equipped with a spark arrestor screen or lid to prevent the spread of burning embers.

Reference: Bay Area Air Quality Management District Regulation 6 - Particulate Matter and Visible Emissions Rule 3 - Wood-Burning Devices

R. Any condition recognized in law or in equity as constituting a public nuisance.
(Ord. 588(part), 1991)

8.12.90 Commencement Of Abatement Proceeding.

Whenever the department head has inspected or caused to be inspected any premises and has found and determined that such premises are in violation of this chapter, the

department head shall commence proceedings to cause abatement of the nuisance as provided herein. Residential and light commercial parcels shall have fifteen (15) days to comply with a violation notice and abatement order. Vacant lots and large field properties within city limits shall have thirty (30) days to comply with a violation notice and abatement order. One abatement order per property parcel in violation for each calendar year shall be posted and/or mailed. If a property owner or occupant fails to correct any violation within the time allotted, the fire official shall take all necessary steps to obtain an abatement order and such other orders necessary to enter upon the property and abate the property at owners' expense.

(Ord. 588(part), 1991)

8.12.100 Violation Notice.

A. Except as otherwise provided herein, the department head shall issue a violation notice to the owner and occupant of the premises. The notice shall contain:

1. The street address and such other description as is required to identify the premises;
2. A statement that the department head has found the premises to be a public nuisance, as specified in this chapter, with a specific citation to the applicable section hereof, and to other sections of the city code where applicable;
3. An order to abate the nuisance and a date for the abatement to be completed. The date for compliance shall be no less than fifteen (15) calendar days from the date of issuance for residential and light commercial parcels, and thirty (30) calendar days for vacant and large field properties;
4. A statement requesting the owner, within a specified number of calendar days determined by and at the discretion of the department head, to meet with or communicate with the department head to provide proof of abatement.

B. The violation notice shall be posted on the property and delivered by U.S. mail to the property owner listed on the county's tax roll. The failure of any owner to receive the violation notice shall not affect in any manner the validity of any proceeding thereafter taken. A follow-up inspection may be conducted by the department head to determine compliance with the violation notice. (Ord. 588(part), 1991)

8.12.110 Appeal of the Abatement Order.

A written appeal to an abatement order may be filed with the department head. The appeal must be received five business days prior to the abatement order hearing date. If an appeal is timely received, a hearing officer shall hear and consider all objections to the abatement order. All property owners and occupants shall be given the opportunity to have their objections heard and given due consideration. At the conclusion of the hearing, the hearing officer shall allow or overrule the proposed abatement order. If owners or occupants do not attend the appeal hearing, the hearing officer may order abatement of the property without further notice or proceeding.

If an owner or occupant is aggrieved by the hearing officer's decision concerning the appeal, a written appeal to the hearing officer's decision may be filed with the City Manager within five working days after the conclusion of the first appeal hearing. The City Manager shall hear and consider all objections to the abatement order. The property owner and occupants shall be given the opportunity to have their objections heard and

given due consideration. At the conclusion of the hearing, the City Manger shall allow or overrule the proposed abatement order. The City Manager's decision shall be final.

8.12.120 Contract Award

If an owner or occupant fails to comply with the abatement order, the department head shall have abatement work done under a contract let to a responsive and responsible bidder, as those terms are applied under the California Public Contract Code. A contract may include work on more than one parcel.

8.12.130 Abatement

Pursuant to California Code of Civil Procedure section 731, the City Attorney, shall pursue all legal means to obtain a civil or criminal judgment and order to abate that shall specifically indicate the time and manner of abatement.

8.12.140 Violation Penalties, Cost Assessments, and Fines.

Any person who causes or permits any weeds or rubbish to accumulate or remain on any property within city limits after the allotted days of the abatement notice, shall be guilty of an infraction and shall be liable for costs and expenses to abate the property..

8.12.150 Fines

Any person who is guilty of an infraction under this chapter shall incur fine(s) as follows:

1. All posting and mailing abatement notices shall incur a fifty (\$50.00) dollar fee.

If owners or occupants comply with the abatement order within the allotted days, the fifty (\$50.00) dollar fee shall be waived.

Every violation determined to be an infraction is punishable by (1) a fine not exceeding one hundred dollars (\$100) for a first violation; (2) a fine not exceeding two hundred dollars (\$200) for a second violation of the provisions of this ordinance within one year; (3) a fine not exceeding five hundred dollars (\$500) for each additional violation of this ordinance within one year. Notwithstanding any other provision of law, a violation of the City's building and safety codes determined to be an infraction is punishable by (1) a fine not exceeding one hundred dollars (\$100) for a first violation; (2) a fine not exceeding five hundred dollars (\$500) for a second violation of this ordinance within one year; (3) a fine not exceeding one thousand dollars (\$1,000) for each additional violation of this ordinance within one year of the first violation.

2. In addition to the penalties, any additional violation within the one (1) year period may be charged as a misdemeanor punishable as provided in Chapter 1.08 of this code.

8.12.160 Fire Suppression Costs

If there exists upon the lands of any person in violation of this chapter, a fire involving the burning of any vegetation or rubbish, the fire department shall go upon the lands and perform its regular duties to extinguish such fire or combustion. Any costs incurred by the fire department in fighting the fire and for the cost of providing rescue and emergency medical services shall be charged to the property owner.

8.12.170 Assessment of Costs-Entering on Tax Roll.

A certified copy of the report detailing the costs of abatement shall be filed with the county auditor and such parcels reported shall be described by their descriptions in the county assessor's map books for the current year, and it shall thereupon be the duty of the county auditor to enter each assessment as so reported on the county tax roll opposite the parcel of land. (Ord. 588(part), 1991)

8.12.180 Assessment of Costs-Collection.

The amount of the assessment shall be collected with, at the same time and in the same manner as ordinary municipal taxes, by the county tax collector, and if delinquent shall be subject to the same penalties and procedure of foreclosure and sale provided for ordinary municipal taxes. All laws relating to the levy, collection and enforcement of county taxes shall apply to such special assessment taxes. (Ord. 588(part), 1991)

8.12.190 Private Removal Unimpaired.

Nothing contained in this chapter shall be construed to prevent a property owner from removing a public nuisance before the date of abatement, or to pay to the city, the amount due on any assessment prior to the said assessment being delivered to the county auditor. (Ord. 588(part), 1991)

8.12.200 Recovery Of Attorney Fees For Nuisance Abatement Actions Or Proceedings.

In any action, administrative proceeding, or special proceeding initiated by the city to abate a nuisance, the prevailing party may recover attorneys' fees. Recovery of attorneys' fees by the prevailing party is limited to those individual actions or proceedings in which the city elects, at the initiation of that individual action or proceeding, to seek recovery of its own attorneys' fees. The award of attorneys' fees to the prevailing party shall in no circumstances exceed the amount of reasonable attorneys' fees incurred by the city in the action or proceeding. (Ord. 674 (part), 2004)

8.12.210 Recovery Of Treble Damages

Upon entry of a second or subsequent civil or criminal judgment within a two-year period finding that a property owner is responsible for a condition which may be abated as a nuisance, the court may order the property owner to pay treble (three times) the cost of abatement. This section shall not apply to conditions abated pursuant to section 17980 of the California Health and Safety Code. (Ord. 674 (part), 2004)

SECTION 2. Severability. Should any provision, section, paragraph, sentence or word of this Ordinance, or any part thereof, is for any reason found to be unconstitutional, invalid or beyond the authority of the City of Suisun City by a court of competent jurisdiction, such decisions shall not affect the validity or effectiveness of remaining portions of this Ordinance.

SECTION 3. In accordance with California Government Code § 36937, this Ordinance shall take effect and be in force on the thirty-first (31st) day after adoption.

SECTION 4. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance. The City Clerk shall post this Ordinance within the time and manner prescribed by law.

This Ordinance was introduced on _____, at a regular meeting of the City Council of the City of Suisun City.

Adopted as an Ordinance of the City of Suisun City at a regular meeting of the City Council held on _____, 2008.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2008.

AYES: **COUNCILMEMBERS:**
NOES: **COUNCILMEMBERS:**

ABSTAIN: **COUNCILMEMBERS:**

ABSENT: **COUNCILMEMBERS:**

Pete Sanchez, Mayor of the City of
Suisun City

ATTEST:

Linda Hobson, City Clerk
1173496.1

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY,
CALIFORNIA, AMENDING TITLE 8 (HEALTH & SAFETY) OF THE CITY OF
SUISUN CITY MUNICIPAL CODE BY ADDING CHAPTER 8.13
REGULATING ABANDONED AND DISTRESSED RESIDENTIAL
PROPERTIES WITHIN THE CITY AND ESTABLISHING A REGISTRATION
PROGRAM**

WHEREAS, pursuant to the police power granted to the City of Suisun City ("City") under the California Constitution, the City may adopt rules and regulations to serve and protect the health, safety and welfare of the public; and

WHEREAS, the current estimates indicate that about 380 residential properties within the City are currently in various stages of foreclosures; and

WHEREAS, abandoned and distressed residential properties pose risks to the public peace, safety and welfare of the City's residents in that the lack of security and maintenance of such properties result in detrimental effects on the community including creating unsightly appearances of and blighted residential neighborhoods, contributes to lower property values, discourages potential buyers from purchasing homes in, adjacent to, or in the neighborhood with abandoned and distressed residences, endangers children unprotected from unsecured pools and other attractive nuisances and endangers neighborhoods affected by the resulting squatting, vandalism, burglaries and other crimes; and

WHEREAS, the City Council finds that the City has a substantial interest in protecting its citizens and protecting the aesthetic attractiveness of the City and that the adoption of the abandoned and distressed residential property registration program is necessary to protect its residents from detrimental effects posing risks to the public peace, safety and welfare; and

WHEREAS, pursuant to the City's police powers, authorized in Article XI, Section 7 of the California Constitution, as well as under the City of Suisun City Municipal Code and other provisions of California law, including, but not limited to California Government Code Section 38771, the City has the power through its City Council to declare action and activities that constitute a public nuisance; and

WHEREAS, pursuant to California Civil Code Section 2929.3, the City is authorized to impose a civil penalty in an amount not to exceed \$1,000.00 per day for failure to maintain and secure a foreclosed property, following a notice required by Civil Code Section 2929.3; and

WHEREAS, the City Council finds that the City will incur additional costs in administering and implementing the abandoned and distressed residential properties registration program and that it is in the best interests of the public for the City to recover the said costs through imposition of a registration fee; and

NOW, THEREFORE, the City Council of the City of Suisun City **DOES HEREBY ORDAIN** as follows:

SECTION 1. **Amendment of Code:** Title 8 (Health & Safety) of the City of Suisun City Municipal Code is hereby amended by adding Chapter 8.13, entitled "Abandoned and Distressed Residential Properties Registration" to read in its entirety as follows:

"Chapter 8.13 ABANDONED AND DISTRESSED RESIDENTIAL PROPERTIES REGISTRATION"

8.13.010 Purpose and Findings.

It is the purpose and intent of the City Council of the City of Suisun City, through the adoption of this chapter, to establish an abandoned and distressed residential property registration program as a mechanism to protect residential neighborhoods from becoming blighted through the lack of adequate maintenance and security of abandoned properties and to establish uniform and reasonable regulations to prevent immediate risks and detrimental effects associated with abandoned and distressed properties.

The City Council of the City of Suisun City finds that abandoned and distressed residential properties pose risks to the public peace, health and safety of citizens in that the detrimental effects from the lack of security and maintenance of abandoned and distressed residential properties endangers children unprotected from unsecured pools and other attractive nuisances, leads to neighborhood decline, contributes to lower property values, discourages potential buyers from purchasing a home adjacent to or in the neighborhoods with abandoned and distressed residences, and further endangers neighborhoods affected by the resulting squatting, vandalism, burglaries and other crimes.

The City Council of the City of Suisun City further finds that the City will incur additional costs in administering and implementing the abandoned and distressed residential properties registration program and that it is in the best interests of the public for the City to recover the said costs through imposition of a registration fee.

8.13.020 Definitions.

The following terms and phrases, whenever used in this chapter, shall be construed as defined in this section:

A. **"Abandoned property"** means a residential property that is vacant and is under a current Notice of Default and/or Notice of Trustee's Sale, pending Tax Assessor's Lien Sale, or a residential property that has been the subject of a foreclosure sale where the title was retained by the beneficiary of a deed of trust involved in the foreclosure, or a residential property transferred under a deed in lieu of foreclosure/sale.

B. **"Accessible property"** means an abandoned property, and any structure or building on the abandoned property, that is accessible through a compromised, breached

or broken gate, fence, wall, window, door, and similar entry points and/or is unsecured in such way as to allow access to interior space by unauthorized person or trespasser.

C. **“Agreement of sale”** means any agreement or written instrument which provides that title to residential property shall be transferred or conveyed from one owner to another owner after the sale, trade, transfer or exchange.

D. **“Beneficiary”** means a lender under a note secured by a deed of trust. Beneficiary shall also include beneficiary's authorized agent, property management company or property manager.

E. **“Buyer”** means any person, partnership, co-partnership, association, corporation, fiduciary or any entity that agrees to transfer anything of value in consideration for property described in the agreement of sale, as defined in this chapter.

F. **“Days”** means consecutive calendar days.

G. **“Deed of trust”** means an instrument, describing the real property and by which title to real property is transferred to a third party trustee as security for repayment of a real property loan or an obligation. This definition applies to any and all subsequent deeds of trust, including but not limited to second trust deed, third trust deed, etc.

H. **“Deed in lieu of foreclosure/sale”** means a recorded document that transfers ownership of a property from the trustor to the holder of a deed of trust upon consent of the beneficiary of the deed of trust.

I. **“Default”** means the failure to fulfill a contractual obligation, whether monetary or conditional.

J. **“Distressed property”** means a residential property that is occupied by a person(s) having the right to use or having right of possession of the property and under a current Notice of Default and/or Notice of Trustee's Sale or pending Tax Assessor's Lien Sale or has been foreclosed upon by the trustee or has been conveyed to the beneficiary or trustee via Deed In Lieu of Foreclosure/Sale.

K. **“Evidence of vacancy”** means any condition that on its own, or combined with other conditions present, would lead a reasonable person to believe that the property is vacant. Such conditions include, but are not limited to, overgrown and/or dead vegetation, accumulation of newspapers, circulars, flyers and/or mail, past due utility notices and/or disconnected utilities, accumulation of trash, junk and/or debris, the absence of window coverings such as curtains, blinds and/or shutters, the absence of furnishings and/or personal items consistent with residential habitation, statements, based on observations by neighbors, passersby, delivery agents, government employees that the property is vacant.

L. **"Foreclosure"** means the process by which a property, placed as security for a real estate loan, is sold at an auction to satisfy the debt if the trustor (borrower) defaults.

M. **"Landscape"** includes, but is not limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod designed specifically for residential installation. Landscape does not include weeds, gravel, broken concrete, asphalt, decomposed granite, plastics sheeting, mulch, indoor-outdoor carpet or any similar material.

N. **"Landscape maintenance"** includes, but is not limited to, regular watering, irrigation, cutting, pruning, mowing and removal of all trimmings of required landscape.

O. **"Local"** means within 40 road/driving miles distance of the abandoned or distressed property.

P. **"Neighborhood standard"** means those conditions that are present on a simple majority of properties within a 300-foot radius of a distressed or abandoned property. The abandoned or distressed property that is the subject of a neighborhood standard comparison, or any other abandoned property within the 300-foot radius, shall not be counted toward the simple majority.

Q. **"Notice of default"** means a recorded notice that a default has occurred under a deed of trust and that the beneficiary intends to proceed with a trustee's sale.

R. **"Out-of-area"** means in excess of 40 road/driving miles distance of the subject property.

S. **"Owner"** means any person, partnership, co-partnership, association, corporation, fiduciary or any other legal entity having a legal or equitable title or any interest in the property.

T. **"Owner of record"** means the person, partnership, co-partnership, association, corporation, fiduciary or any other legal entity having recorded title to real property at any given point in time the record is provided by the Solano County Recorder's Office.

U. **"Residential property"** means any improved real property, or portion thereof, situated in the City of Suisun City, designed, built or permitted to be used for dwelling purposes, specifically including the buildings and structures located on such improved real property. This includes any real property being offered for sale, trade, transfer, or exchange as "residential" whether or not it is legally permitted or zoned for such use.

V. **"Responsible person"** shall also include beneficiary and trustee, as defined in this chapter.

W. **"Secured"** means treated with such measures as may be directed by City Manager or his/her designee that assist in rendering the abandoned property inaccessible to

unauthorized persons, squatters, trespassers, including, but not limited to, the closure, locking, pad-locking, chaining, repair and/or boarding of fence(s), wall(s), gate(s), window(s), door(s) (walk-through, sliding and/or garage), and/or other openings of such size that may allow a child access to the interior of the accessible property. In case of broken windows, secured includes the re-glazing or boarding of a window. Boarding shall be completed to a minimum of the current United States Department of Housing and Urban Development (HUD) securing standards at the time the boarding is completed or required, and shall additionally require painting the boards with an exterior grade paint that matches the color of the accessible property.

X. **“Trustee”** means the person, partnership, co-partnership, association, corporation, or fiduciary holding a deed of trust on a property. Trustee shall include any authorized agent, property management company or property manager of a trustee.

Y. **“Trustor”** means a borrower under a deed of trust, who deeds property to a trustee as security for the payment of a debt.

Z. **“Vacant”** means a building/structure that is not legally occupied.

8.13.030 Inspection, Registration and Fees.

A. **Inspection and Registration.** Any beneficiary or trustee, who holds a deed of trust on a property located within the City of Suisun City, shall perform an inspection of the property that is the security for the deed of trust, upon default by the trustor and prior to recording a notice of default with the Solano County Recorder’s Office.

1. If the property is found to be vacant or shows evidence of vacancy, it is, by this chapter, deemed abandoned and the beneficiary or trustee shall, within ten (10) days of the inspection or the date of vacancy, whichever is earliest, register the property with the City Manager or his/her designee on forms provided by the City.

2. If the property is occupied but remains in default, it shall be deemed distressed, and it shall be inspected by the beneficiary or trustee, every fifteen (15) days until either (1) the trustor or another party remedies the default; or (2) it is found to be vacant or shows evidence of vacancy, at which time it is deemed abandoned, and the trustee shall, within ten (10) days of that inspection or the date of vacancy, register the property with the City Manager or his/her designee on forms provided by the City.

B. **Contents of Registration.** The registration required under this chapter shall contain: 1) the name of the beneficiary/trustee (co-partnership, partnership, association, fiduciary, corporation, any legal entity or an individual); 2) the direct street/office mailing address of the beneficiary/trustee, excluding P.O. boxes; 3) a direct contact name and phone number for the beneficiary/trustee; and 4) in the case of a corporation or out-of-area beneficiary/trustee, the local property management company responsible for the security, maintenance and marketing of the property. Any change of the information in the registration required under this paragraph shall be reported within ten (10) days of the change.

C. **Registration Fee.** The fee for registering an abandoned residential property shall be set by resolution of the City Council. An annual registration fee shall accompany the registration form. The imposed fees may not be passed on to other than the holder of the Deed of Trust.

The abandoned residential properties registration fee will be used to finance the cost of inspection, administering and enforcement under this chapter. The fee and registration shall be valid for the calendar year, or remaining portion of the calendar year, in which the registration was initially required. Subsequent registrations are due January 1st of each year and must be received no later than January 31st of the year due. Properties subject to this chapter shall remain under the annual registration requirement, security and maintenance standards of this chapter as long as the properties remain vacant.

D. **Out-of-area Trustee/Beneficiary.** An out-of-area beneficiary or trustee shall retain a local representative for the holder of the Deed of Trust, which shall inspect the property as required by this chapter to determine whether the abandoned property is in compliance with the requirements of this chapter.

E. If any beneficiary or trustee fails to register the residential property, as required by this chapter, the City may register the residential property and impose the annual registration fee. Notice shall be provided pursuant to Section 8.13.090 except that notice shall be provided to: 1) beneficiary or trustee, prior to completion of foreclosure or deed in lieu of foreclosure/sale transaction; or 2) to owner or owner of record after completion of foreclosure or deed in lieu of foreclosure sale transaction, as the address appears on the recent tax assessor's records or as known to the City Manager or his/ her designee. The notice shall provide the amount due for the registration fee, shall state that the property has not been registered as required by this chapter and shall constitute enrollment in the City's abandoned residences registration program. The City may collect any unpaid registration fee by use of any method authorized by law.

8.13.040 Maintenance Requirements.

Abandoned property shall be maintained in a manner comparable to the neighborhood standard. The property must be ready to be appraised and sold. At minimum:

- A. Abandoned property shall be maintained so as to be kept free of evidence of vacancy;
- B. Abandoned property shall be maintained free of weeds, dry brush, dead vegetation, trash, junk, debris and excessive foliage growth that diminishes the value of surrounding properties;
- C. Abandoned property shall be maintained free of mosquito larvae from growing in standing water;
- D. Abandoned property shall be maintained free of any building materials, any accumulation of newspapers, circulars, flyers, notices (except those required by federal, state or local law), discarded personal items, including but not limited to furniture, clothing, large and small appliances, printed material or any other items that give the appearance that the property is abandoned;
- E. Abandoned property shall be maintained free of graffiti, tagging or similar markings by removal or painting over with an exterior grade paint that matches the color

of the exterior of the structure, following a notice pursuant to Section 8.13.090 or notice pursuant to California Civil Code Section 2929.3, whichever is applicable.

F. Maintenance of abandoned properties shall include landscape maintenance of visible front and side yards; and

G. Pools and spas shall either (a) be kept in working order so the water remains clear and free of pollutants and debris; or (b) drained and kept dry. In either case, properties with pools and/or spas must comply with the minimum security fencing requirements of the State of California.

Adherence to this section does not relieve the beneficiary/trustee or owner of any obligations set forth in any local, state or federal laws or any covenants, conditions and restrictions and/or homeowners' association rules and regulations which may apply to the property.

8.13.050 Security Requirements.

Any abandoned property shall be secured, as defined in this chapter. In addition, the abandoned property shall be secured in a manner that would prevent trespassers, squatters or unauthorized persons from entering and/or remaining on the property.

8.13.060 Declaration of Public Nuisance.

Pursuant to the City's police powers authorized in Article XI, Section 7 of the California Constitution, as well as under the City of Suisun City Municipal Code and other provisions of California law, including, but not limited to, California Government Code Section 38771, the City Council hereby declares that violation of this chapter, including but not limited to the maintenance and security requirements of this chapter shall constitute a public nuisance.

8.13.070 Additional authority.

In addition to any other remedies authorized by the City of Suisun City Municipal Code and/or any other enforcement remedies permitted under the law, the City Manager or his/her designee shall have the authority to require the beneficiary/trustee/owner and/or owner of record of any property affected by this section to implement additional maintenance and/or security measures including but not limited to securing any and all door(s), window(s) or other openings, installing additional security lighting, increasing on-site inspection frequency, employment of an on-site security guard or other measures as may be reasonably required to arrest the decline of the property.

8.13.080 Notice of Violation.

A. Whenever the City Manager, or his/her designee or enforcement officer finds that a provision of this chapter has been violated, he or she may issue the responsible person a Notice of Violation ("NOV"). If an NOV is issued, it shall be served on the responsible person in the manner described in subsection B of this section. The enforcement officer shall include the following information in the NOV:

1. The date and location of the violation, including the address or other description of the location where the violation occurred or is occurring and a brief description of the conditions observed that constitute a violation;
2. The name(s) of the responsible person(s), if known;
3. The chapter section(s) violated and a description of the section(s);
4. Actions required to correct, abate or mitigate the nuisance condition or code violation, and a period of time during which action(s) shall be commenced and completed;
5. A statement that the person upon whom the NOV is served may appeal the determination that there is/are violation(s) as alleged, that the person who was served with the NOV is the responsible person, or that the amount of any administrative fine or civil penalty imposed is warranted. The NOV will instruct the person being served as to the proper procedure and time frame for submitting an appeal;
6. If applicable, notice that failure to correct or abate the listed violations in the NOV within the time specified will subject the responsible person to a civil penalty pursuant to Section 8.13.100. If a penalty will be imposed, the NOV shall include the amount of the penalty; and
7. The signature of the citing enforcement officer and City contact information (address, telephone number) for additional information.

B. The NOV shall be served upon the responsible person personally or by United States mail, first-class postage prepaid, and if by such mail, it shall be sent to the last known address listed on the most recent tax assessor's records or as known to the City Manager or his/her designee. In the case of personal service, service shall be deemed complete at the time of such delivery. In the case of service by first-class mail, service shall be deemed complete at the time of deposit into the United States mail. Where service is by first-class mail, a copy of the NOV shall also be conspicuously posted at the affected property when reasonably practicable for a period of not less than three (3) calendar days prior to the first date that commencement of corrective action or abatement is to be undertaken. The failure to receive an NOV sent via first-class mail shall not affect the validity of any enforcement proceedings under this chapter.

C. Proof of service shall be certified by a written declaration under penalty of perjury executed by the person effecting service, declaring the date, time, and manner of service, and the date and place of posting, if applicable. The declaration shall be affixed to a copy of the NOV and retained by the enforcement officer.

D. The failure of an NOV to satisfy all of the requirements of this provision shall not affect the validity of any other enforcement proceedings under this code.

8.13.090 Civil Penalty Imposed.

A. Pursuant to California Civil Code Section 2929.3, the City of Suisun City, may impose a civil penalty in the amount not to exceed \$1,000.00 per day for failure to maintain and secure the abandoned property, as required by this chapter, provided that notice requirements of Civil Code Section 2929.3 are satisfied as follows:

1. The City first issues a NOV, as provided in Section 8.13.090, which also states that the City shall impose the civil penalty pursuant to this section if actions necessary to address the violation(s) at the abandoned property are not commenced within a period of not less than 14 days and completed within a period of not less than 30 days, from the date of mailing of NOV; and

2. In addition to requirements of Section 8.13.090, the NOV shall be mailed to the address provided in the deed of trust or other instrument specified in California Government Code Section 27321.5(a), or if none, to the return address provided on the deed or other instrument.

B. The City shall not impose a civil penalty pursuant to this section together with administrative citations or fines authorized by Chapter 8.12 of the City of Suisun City Municipal Code.

C. The civil penalty imposed by this section shall stay in effect until January 1, 2013, the expiration date of Section 2929.3 of California Civil Code, unless extended by the state legislature.

D. The civil penalty may not be passed on to other than the holder of the Deed of Trust.

8.13.100 Violation/penalty.

Violations of this chapter shall be treated as a strict liability offense regardless of intent.

8.13.110 Enforcement.

In addition to Section 8.13.100, violations of this chapter may be enforced in any combination as permitted by the City of Suisun City Municipal Code and any other enforcement and legal remedies available to the City under the law. However, in no event shall the City impose a civil fine pursuant to Section 8.13.100, together with administrative citations or fines authorized by Chapter 1.20 of the City of Suisun City Municipal Code.

8.13.120 Appeals.

Any person aggrieved by any of the requirements of this section may appeal insofar as such appeal is permitted under the applicable sections of Chapter 8.12 of the City of Suisun City Municipal Code. Any person aggrieved by the imposition of a civil penalty pursuant to Section 8.13.100 of this chapter, may appeal the penalty pursuant to procedures for an appeal of administrative citations, as provided in Sections 1.20.070 through 1.20.110 of Chapter 1.20 of the City of Suisun City Municipal Code.

SECTION 2. Severability. Should any provision, section, paragraph, sentence or word of this Ordinance, or any part thereof, is for any reason found to be unconstitutional, invalid or beyond the authority of the City of Suisun City by a court of competent jurisdiction, such decisions shall not affect the validity or effectiveness of remaining portions of this Ordinance.

SECTION 3. In accordance with California Government Code § 36937, this Ordinance shall take effect and be in force on the thirty-first (31st) day after adoption.

SECTION 4. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance. The City Clerk shall post this Ordinance within the time and manner prescribed by law.

This Ordinance was introduced on _____, at a regular meeting of the City Council of the City of Suisun City.

Adopted as an Ordinance of the City of Suisun City at a regular meeting of the City Council held on _____, 2008.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2008.

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:

Pete Sanchez, Mayor of the City of Suisun City

ATTEST:

Linda Hobson, City Clerk
1173496.1



City of Suisun City

Vacant and Distressed Property Registration

PLEASE PRINT

Property Address: _____ APN: _____

Registration Date Paid: _____ Amt Paid: \$ _____ (\$50.00)

Name: _____
(Owner/Beneficiary/Trustee (co-partnership, partnership, association, fiduciary, corporation, any legal entity or an individual))

Address: _____ Contact Name: _____

Not a P.O. Box

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Cell: _____

Agent for Owner of Record

Company: _____ Office: _____

Address: _____ Contact Name: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Cell: _____

Maintenance / Inspection / Local Property Management

Required for Owner/Beneficiary/ Trustees outside of 40 Road miles from the City of Suisun City

Company: _____ Office: _____

Address: _____ Contact Name: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Cell: _____

Property Description:

Owner Occupant: _____ Rental: _____

Electrical Service – Connected: ___Y___N Water Service – Connected: ___Y___N

Garbage Service: ___Y___N Gates, Doors, Windows Secured?: ___Y___N

Pool/Pond: ___Y___N Filled: ___Y___N Drained: ___Y___N

Property Maintained: Yards ___Y___N; Fencing Secure: ___Y___N

Registration is applicable to Residential Properties only.

Property must be maintained to the Neighborhood Standard.

Property must be inspected every FIFTEEN Days (15)

Registration is required every year on January 1, if property is still vacant.

Return to: City of Suisun City
701 Civic Center Blvd.
Suisun City, CA 94585
707-421-7300
FAX 707-421-736

Requires Check or Money Order.
Credit Card Payment Unavailable at this Time.

How does the city determine who is the legal owner of a property?

The city determines the property owner by searching the public records of the County of Sonoma Recorder of Deeds.

What happens if I sold the property but did not record the sale with the county?

The city does not recognize unrecorded deeds and will pursue the owner according to the public record. It is the owner's responsibility to ensure the recording of the new deed.

Does the county or bank take ownership of my property if I stop paying taxes or mortgage payments on it?

The fact that you stop paying taxes on your property does not mean any other party automatically takes ownership of it. The property could eventually be sold for back taxes, or non-payment, but this process can take up to a year or more from the date the payments became delinquent.

Who is legally responsible for my property if I stop payments?

You are legally responsible for the property until it is formally transferred to another party and the transaction is recorded with the County of Sonoma Recorder of Deeds.



On May 10, 2010, the Board of Directors of the Cloverdale Fire Protection District, will declare hazardous weeds a "Public Nuisance" and "Fire Hazard", pursuant to H&S Code Section 13879 and the Uniform Fire Code Section 1103.2.4. Abatement, other than voluntary, shall follow procedures set forth in the Health and Safety Code Sections 14875-14890.

Minimum Fire Safety Standards:

- Remove dead or dried vegetation.
- Low hanging trees are recommended to be trimmed up off the ground 3-4 feet or 3 times the height of the ground vegetation around it.
- Break up continuous vegetation.
- On properties exceeding one acre and in rural areas with limited development, a 10ft clearance shall be maintained around the property line and a 100ft clearance shall be maintained around any structure.

For more information about vegetation management around your house you can go to <http://www.firesafesonoma.org/> or you can get a Fire Safe Sonoma booklet at the Cloverdale Fire Protection District.



Cloverdale Fire Protection District
451 S. Cloverdale Blvd.
Cloverdale, CA 95425
Phone: 707 894-3545
Email: amichalek@cloverdalefiredistrict.com



City of Cloverdale
124 N. Cloverdale Blvd.
Cloverdale, CA 95425
Phone: 707 894-2521

CITY OF CLOVERDALE,
SONOMA COUNTY,
CALIFORNIA



"Weeds growing upon and adjacent to private property within the city, which are allowed by the owners thereof to flourish and grow in such a manner that they constitute a health, fire and safety menace to the citizens of the city, may constitute a nuisance which should be abated." - CMC 8.16.010



EXHIBIT C



CITY OF
CLOVERDALE

Weed Abatement

Annual Weed Abatement is conducted to protect the neighborhoods of the City of Cloverdale. The Cloverdale Fire Protection District conducts the inspection program beginning in April and continuing through the fire season. This program is important because high grass and weeds:

- Create a great potential for loss of life and property damage;
- Reduce adjacent property values and prevent neighbors from having full enjoyment of their property during the summer months;
- Attract vermin and insects which create a potential health hazard;
- Deduct from the overall beauty and desirability of the city.

The purpose of this brochure is to answer some frequently asked questions about annual weed abatement efforts.

How is the city made aware of high weeds on my property?

The Fire District conducts routine inspections that result in the majority of notification letters being issued to property owners pursuant to board action. A second way is through citizen complaints. After receiving a complaint, a property inspector will inspect the problem area to determine if there is a violation.

How is it determined that a property is in violation?

A Fire Inspector identifies properties that pose a weed abatement problem. A notification letter is sent to the property owners and a re-inspection is conducted to ensure compliance no later than June 15, 2010.

What happens if my property is in violation?

There are two types of notification letters issued: a notification letter and/or a Notice of Violation.

A notification letter is mailed by the fire district in April to all property owners of the properties identified as posing a possible weed abatement problem and properties turned in to the city and/or fire district by citizen complaint.

A Notice of Violation is mailed by the city to any property owner whose property is identified by the fire district as being in current violation. This notice allows seven days from the date of the notice to mow all high weeds on the property.

Both letters serve as a notice for the entire year. If the violation continues and/or subsequent violations are observed after receiving a Notice of Violation, the city will immediately proceed with obtaining a weed abatement order and assessment.

Will I be notified by letter every time my property is in violation?

No. A property owner will receive only one written notification letter per parcel of land. This serves as notice for the entire year.

What happens if I ignore the notification letter?

In the event that a weed violation is observed during the growth season and the property owner fails to comply with the notification letter, the City of Cloverdale City Council may proceed with obtaining a weed abatement order, declaring such weeds a public nuisance pursuant to CMC sections 8.16.030 and 8.16.040, and setting a date and time for a hearing on abating the weeds at which time the Council will take evidence from the property owner on a Notice to Destroy Weeds. If the city must abate weeds, the expenses incurred may be assessed and recovered by the city.

Additionally, the city may impose penalties for a Notice of Violation issued by any department: \$100 first violation; \$200 second violation; and \$500 for each subsequent violation within one year (violations considered to be a misdemeanor cannot exceed \$1,000 per violation.)

In addition and as a separate action, the Cloverdale Fire Protection District may follow abatement procedures set forth in Health and Safety Code Sections 14875-14890.

EXHIBIT D**Natalie Butler**

From: Tom Prows [TProws@morro-bay.ca.us]
Sent: Wednesday, October 13, 2010 8:38 AM
To: Chief Wayne Peabody
Subject: Re: [Public_safety] Weed Abatement Policy

Good Morning Chief,

I administer the weed abatement program for our city and I feel your pain. Please go to our website, www.morro-bay.ca.us, scroll to Fire Dept., Fire Prevention, and Weed Abatement, to see our process. While Morro Bay Municipal Code provides for the same process that you now use, we found it cumbersome. Relative to foreclosures, take a look at SB 1137, Chapter 69 of 2008 (Section 2929.3). I let the bank know they are on the hook and the potential of \$1000 per day civil fines is a tool we may use. Hope this helps.

Tom Prows
Fire Marshal, Morro Bay Fire Department

(805) 772-6242

>>> "Chief Wayne Peabody" <wpeabody@cityofwillows.org> 10/5/2010 1:14 PM >>>

Dear Colleagues:

Each spring we've conducted a typical weed abatement procedure; administered by our Dept. We identify parcels for abatement, hire a contract to complete the abatement and ultimately place a special assessment against the property. Our experience this past year was a significant increase in home foreclosures/vacancies and thus significant increase in abatement processing. Our (assessment) recovery rate is approximately forty percent each year. Our Council has directed staff to investigate alternative methods for abatement purposes. Thus if your city is utilizing some other methods for weed abatement, we'd appreciate if you could share your policy/procedures with us. Thank you!

Sincerely

Chief Wayne Peabody

Willows Fire Department

Willows, CA

530-934-3323

12/8/2010

EXHIBIT E

Natalie Butler

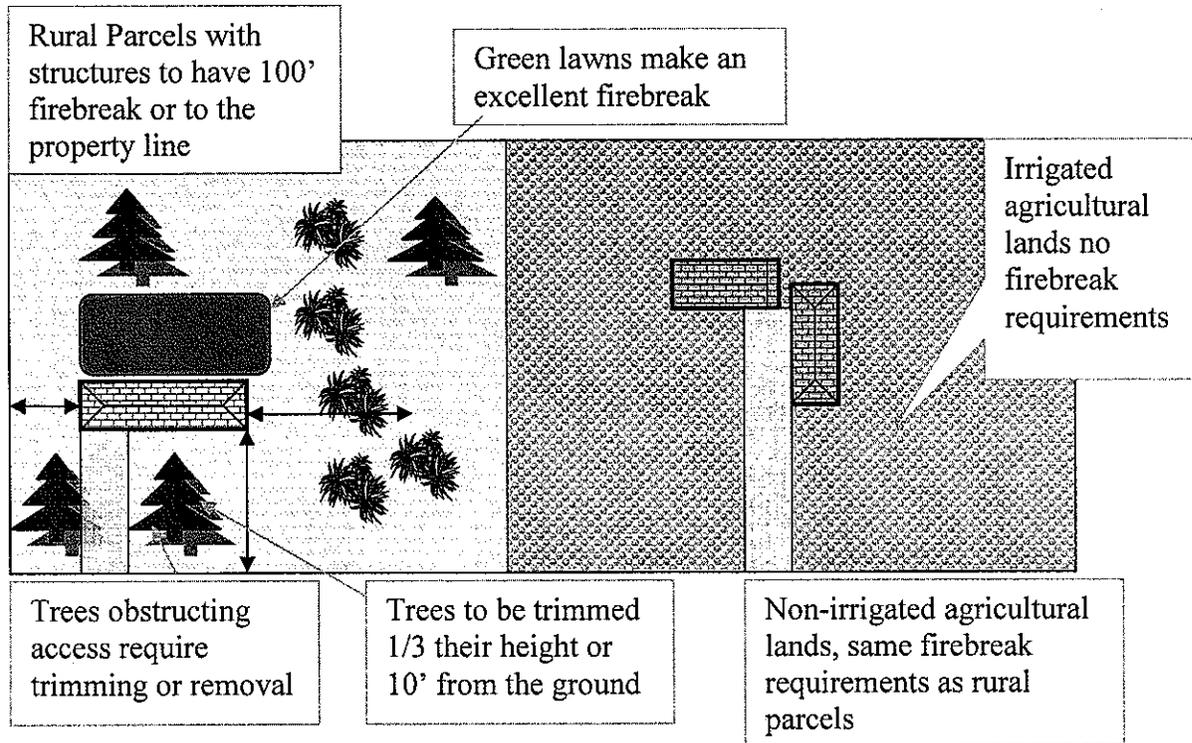
From: White, Dan [Dan.White@fire.ca.gov]
Sent: Wednesday, October 27, 2010 4:50 PM
To: wpeabody@cityofwillows.org
Subject: <http://www.tehamacountyfire.org/>
<http://www.tehamacountyfire.org/> here is the web site to find the ordinance, it is 9.05

Dan WHITE
Battalion Chief
CAL FIRE
Tehama- Glenn Unit
Law Enforcement/ Fire Prevention
(530) 528-5199 office
(530) 200-2520

CONFIDENTIALITY NOTICE: This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of this communication.

Firebreak Requirements

Parcels Zoned Rural and Agricultural



1. On parcels zoned rural lands improved with residences or other structures, a firebreak shall be required one-hundred (100) feet wide around all residences and other structures, or to the property line, whichever is nearer. Obstructions to be removed from all firebreaks.
2. On parcels zoned agricultural lands and are irrigated year round, firebreaks shall not be required. On non-irrigated agricultural lands that are improved with residences or other structures, a firebreak shall be required one-hundred (100) feet wide around all residences and other structures, or to the property line, whichever is nearer.

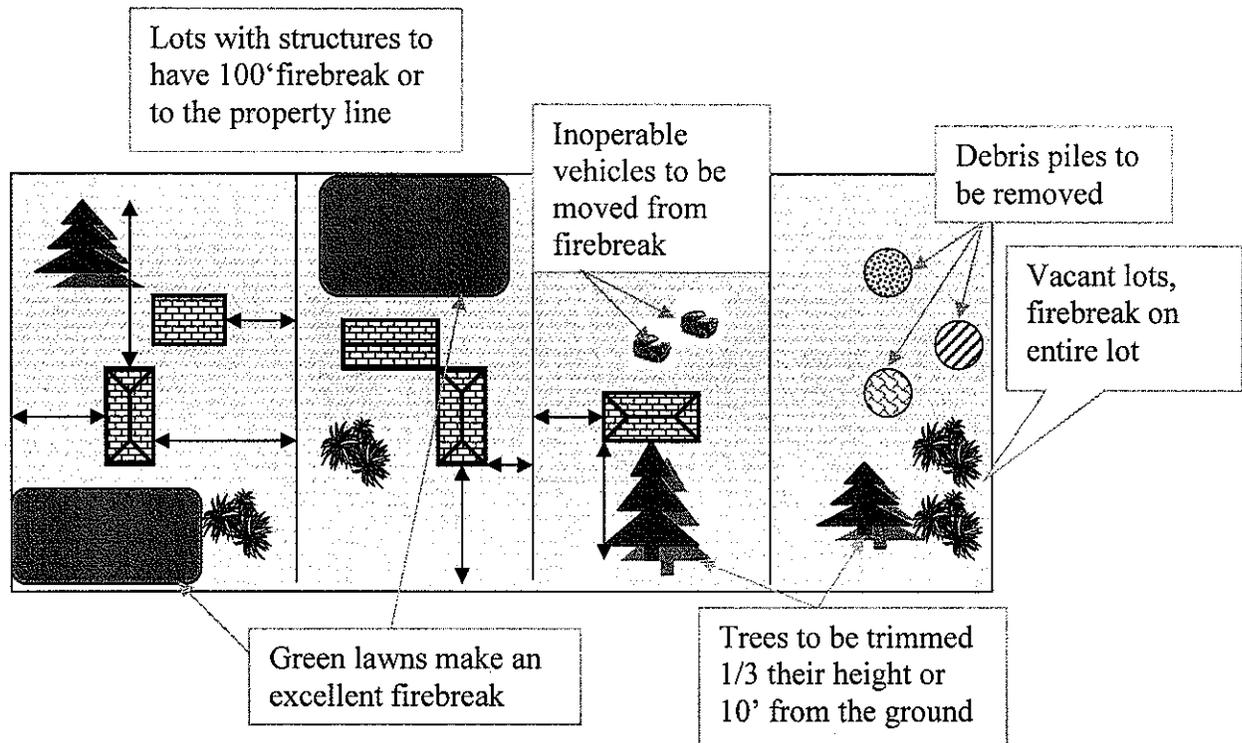
Required firebreaks shall be created by mowing, disking or removing all weeds, grass, rank growth, shrubs, trees and trimmings to a height of three (3) inches. Shrubs may be retained within firebreaks provided that they are spaced a distance equal to not less than three (3) times their widest diameter, and are not less than ten (10) feet from buildings and free of dead wood or litter. Trees may be retained within the firebreak provided that they are trimmed one-third their height or ten (10) feet up from the ground whichever is lesser. They must be free of dead wood and litter. Tree crowns shall not be interlaced with adjacent specimens as to constitute a medium for the rapid spread of fire.

Firebreaks may include fire resistive vegetation such as green lawns, ice plant, green ivy and other plants designated by the enforcing officer as being fire resistive.

Firebreak requirements may be reduced by the enforcing officer if slope and other characteristics of the terrain make the creation and maintenance of firebreaks infeasible or environmental concerns such as wildlife habitat, endangered species or vernal pools.

Firebreak Requirements

Lots Zoned Urban, 1.25 Acres or Less



1. On vacant parcels zoned urban lands that are one and one fourth (1.25) acre in size or smaller a firebreak shall be required over the entire area of the parcel. Obstructions to be removed from all firebreaks.
2. On parcels zoned urban lands that are improved with residences or other structures, a firebreak shall be required one-hundred (100) feet wide around all residences and other structures, or to the property line, whichever is nearer.

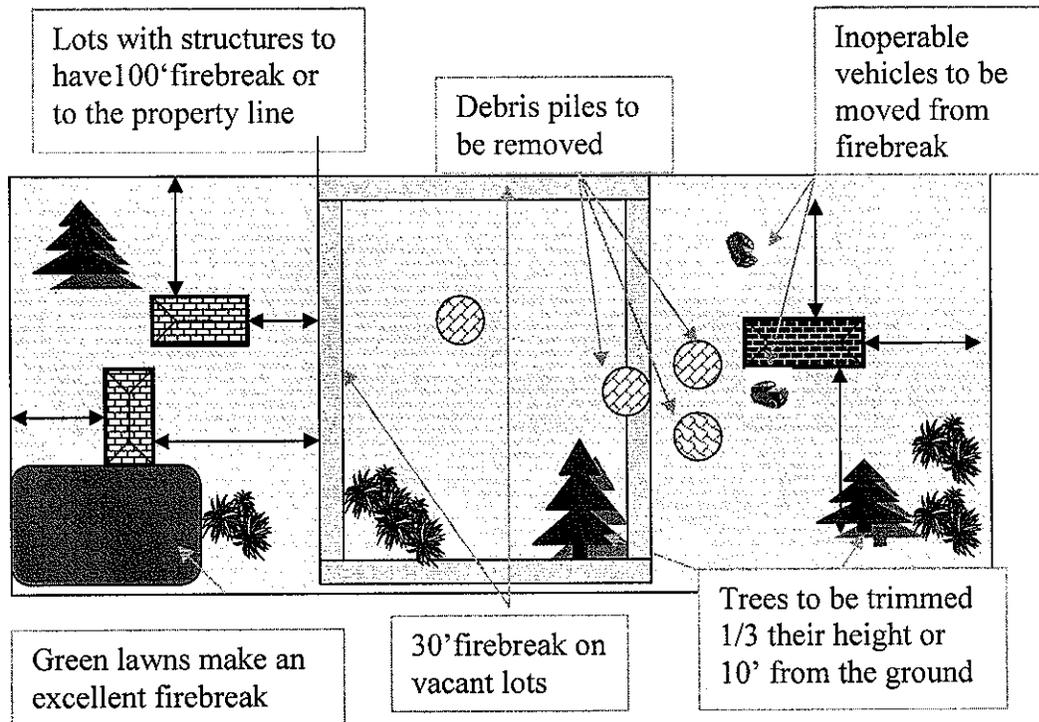
Required firebreaks shall be created by mowing, disking or removing all weeds, grass, rank growth, shrubs, trees and trimmings to a height of three (3) inches. Shrubs may be retained within firebreaks provided that they are spaced a distance equal to not less than three (3) times their widest diameter, and are not less than ten (10) feet from buildings and free of dead wood or litter. Trees may be retained within the fire break provided that they are trimmed one-third their height or ten (10) feet up from the ground whichever is lesser. They must be free of dead wood and litter. Tree crowns shall not be interlaced with adjacent specimens as to constitute a medium for the rapid spread of fire.

Firebreaks may include fire resistive vegetation such as green lawns, ice plant, green ivy and other plants designated by the enforcing officer as being fire resistive.

Firebreak requirements may be reduced by the enforcing officer if slope and other characteristics of the terrain make the creation and maintenance of firebreaks infeasible or environmental concerns such as wildlife habitat, endangered species or vernal pools.

Firebreak Requirements

Lots Zoned Urban, 1.25 Acres to 2 Acres



1. On vacant parcels zoned urban lands that are one and one fourth (1.25) to two (2) acres in size a thirty (30) foot firebreak shall be required within the parcel boundaries. Obstructions to be removed from all firebreaks.
2. On parcels zoned urban lands that are improved with residences or other structures, a firebreak shall be required one-hundred (100) feet wide around all residences and other structures, or to the property line, whichever is nearer.

Required firebreaks shall be created by mowing, disking or removing all weeds, grass, rank growth, shrubs, trees and trimmings to a height of three (3) inches. Shrubs may be retained within firebreaks provided that they are spaced a distance equal to not less than three (3) times their widest diameter, and are not less than ten (10) feet from buildings and free of dead wood or litter. Trees may be retained within the fire break provided that they are trimmed one-third their height or ten (10) feet up from the ground whichever is lesser. They must be free of dead wood and litter. Tree crowns shall not be interlaced with adjacent specimens as to constitute a medium for the rapid spread of fire.

Firebreaks may include fire resistive vegetation such as green lawns, ice plant, green ivy and other plants designated by the enforcing officer as being fire resistive.

Firebreak requirements may be reduced by the enforcing officer if slope and other characteristics of the terrain make the creation and maintenance of firebreaks infeasible or environmental concerns such as wildlife habitat, endangered species or vernal pools.

TEHAMA COUNTY COOPERATIVE FIRE PROTECTION



604 Antelope Blvd., Red Bluff, California, 96080 (530) 528-5199

Fire Hazard Inspection Form:

Owner / Occupant Name:

Contact Number:

Assessor's Parcel Number (APN):

Occupant Name:

Parcel Location/ Physical Address:

Inspection date:

Mailing Address:

Enforcing Officer / Inspector:

Inspection #:

1st 2nd 3rd

Re-inspection date on or after:

Battalion:

Citation Number and Date:

Comments:

Your property has been inspected for fire hazards as per Tehama County Code Chapter 9.05, CBC, and CFC.

No violations observed

The following violations were observed:

- 100' firebreak around all structures or to the property line by removing > Grass Brush Trees Shrubs
- Obstructions within the firebreak > Debris Pile Driveway Clearance In-op. Vehicles Other see comments
- Dead and dying woody surface fuels
- Remove portion of any tree that extends within 10 feet of the outlet of a chimney or stovepipe
- Maintain any tree adjacent to or overhanging a building free of dead or dying wood
- Urban Vacant Lots: Less than 1.25 acres needs firebreak on entire lot.
- Urban Vacant Lots: Greater than 1.25 acres less than 2 acres need 30' firebreak around interior parcel lines
- Provide and maintain at all times a screen (spark arrester) over the outlet of every chimney or stovepipe that is attached to a fireplace, stove, or other device that burns any solid fuel. The screen shall be constructed of heat and corrosion resistant material with openings of not more than one-half inch in size. 2007 CBC 2802.1

Fire Hazard Inspection Form Instructions

The Fire Hazard Inspection Form is utilized to document fire hazards in violation of the Tehama County Code and California Fire Code on all properties protected by the Tehama County Fire Department. Chapter 9.05 of the Tehama County Code pertaining to Fire Hazard Abatement is more restrictive and therefore takes precedent over Public Resource Code (PRC) 4291. This document replaces the LE-100 form previously used to enforce PRC 4291.

(Note: For defensible space violations within the State Responsibility Areas of Glenn County, document inspections as per PRC 4291 on the LE-100 Form.)

1. Owner / Occupant Name: Insert the name of the owner of the property. If the owner is the occupant leave the occupant name box blank.
2. Contact Number: Fill in a contact phone number including area code for the owner / occupant.
3. Assessor's Parcel Number (APN): Insert the assessor parcel number for the property inspected. Utilize the nine digit, 000-000-000 format.
4. Occupant Name: Insert the name of the occupant of the property if different from the property owner.
5. Parcel Location / Physical Address: Indicate the location of the property or physical address. As in 2nd parcel west of Gyle on Rawson or 12255 Rawson Road.
6. Inspection Date: Date the inspection was conducted.
7. Mailing Address: Mailing address for the Owner / Occupant.
8. Enforcing Officer / Inspector: Insert the name of who conducted the inspection.
9. Inspection #: Check the appropriate inspection box.
10. Re-inspection date on or after: Include the date in which a re-inspection may occur on or after.
11. Battalion: Include the battalion in which the inspection occurred.
12. Citation Number and Date: If a citation was issued, include the number of the citation and the date of issuance.
13. Comments: Any comments regarding the inspection; as in tall grass south of shed, guard dog on duty, additional mowing of dry grass west of the barn, great clearances keep up the good work!, etc.
14. No violations observed: Check the box if no violations were observed and no further action is necessary.
15. The following violations were observed: Check the appropriate box for the violations observed during the inspection. Several boxes may be checked. If additional information is necessary, utilize the comment box.

TEHAMA COUNTY COOPERATIVE FIRE PROTECTION



604 Antelope Blvd., Red Bluff, California, 96080 (530) 528-5199

Fire Hazard Inspection Form:

Owner / Occupant Name:

1 _____

Contact Number:

2 _____

Assessor's Parcel Number (APN):

3 _____

Occupant Name:

4 _____

Parcel Location/ Physical Address:

5 _____

Inspection date:

6 _____

Mailing Address:

7 _____

Enforcing Officer / Inspector:

8 _____

Inspection #:

9 1st 2nd 3rd

Re-inspection date on or after:

10 _____

Battalion:

11 _____

Citation Number and Date:

12 _____

Comments:

13 _____

Your property has been inspected for fire hazards as per Tehama County Code Chapter 9.05, CBC, and CFC.

No violations observed

14 _____

The following violations were observed:

- 15** 0' firebreak around all structures or to the property line by removing > Grass Brush Trees Shrubs
- Obstructions within the firebreak > Debris Pile Driveway Clearance In-op. Vehicles Other see comments
- Dead and dying woody surface fuels
- Remove portion of any tree that extends within 10 feet of the outlet of a chimney or stovepipe
- Maintain any tree adjacent to or overhanging a building free of dead or dying wood
- Urban Vacant Lots: Less than 1.25 acres needs firebreak on entire lot.
- Urban Vacant Lots: Greater than 1.25 acres less than 2 acres need 30' firebreak around interior parcel lines
- Provide and maintain at all times a screen (spark arrester) over the outlet of every chimney or stovepipe that is attached to a fireplace, stove, or other device that burns any solid fuel. The screen shall be constructed of heat and corrosion resistant material with openings of not more than one-half inch in size. 2007 CBC 2802.1

TEHAMA COUNTY COOPERATIVE FIRE PROTECTION



Office of Gary Durden, Fire Chief

604 Antelope Blvd., Red Bluff, California 96080 (530) 528-5199

Firebreak Requirements Tehama County Code Section 9.05.08

**(For all areas of Tehama County with exception of Red Bluff City and Corning City)
The following information is a synopsis of the county code.**

On September 30, 2008 the Tehama County Board of Supervisors adopted Chapter 9.05 of the Tehama County Code pertaining to fire hazard abatement. The code addresses fire hazards on improved and unimproved property which may be determined to be a public nuisance. The following information is provided to guide property owners as to what may be required in order to comply with the code.

Firebreaks shall be required one-hundred (100) feet wide around all residences and other structures or to the property line, whichever is nearer.

On vacant parcels of urban lands that are one and one fourth (1.25) acre in size or smaller a firebreak shall be required over the entire area of the parcel.

On vacant parcels of urban lands that are more than one and one fourth (1.25) acre in size but less than two (2) acres in size a firebreak shall be required adjacent to and along all parcel lines for a width of thirty (30) feet.

All required firebreaks shall be created and maintained by mowing all weeds, grass, rank growths, shrubs, trees, and trimmings therein to a maximum height of three (3) inches, or by disking or removing all weeds, grass, rank growths, shrubs, trees, and trimmings from the firebreak. All obstructions shall be removed from firebreaks.

Trees specimen may be retained within firebreaks provided that they are kept free of dead wood and litter and trimmed ten (10) feet from the ground or one-third (1/3) their height and crowns are not interlaced.

Specimen shrubs may be retained within firebreaks provided all specimens are kept free of dead wood and litter and they are spaced at a distance equal to not less than three (3) times their widest diameter, and are not less than ten (10) feet from other specimens or buildings.

Unless otherwise directed by the enforcing officer, firebreaks may include fire resistive vegetation such as green lawns, ice plant, green ivy, and other plants designated by the enforcing officer as being fire resistive. Any fire resistive plants must be maintained in a state so as to resist the spread of fire.

Property owners or occupants in violation of the code will be notified with a Notice to Abate the Fire Hazard. The owner or occupants will have 14 days to abate the hazard.

If the hazard continues to exist, the enforcing officer may abate the hazard and apply all costs of the abatement and any administrative costs to the property tax roles.

A misdemeanor citation may be issued and if convicted the property owner or occupant may be fined \$500 to \$1,000 and or imprisonment for a term not to exceed six months.

All permits, licenses or other entitlements will not be issued by any Tehama County department, commission or employee while the violation existed.

TEHAMA COUNTY COOPERATIVE FIRE PROTECTION



Office of Gary Durden, Fire Chief

604 Antelope Blvd., Red Bluff, California 96080 (530) 528-5199

Notice to Abate Fire Hazard

Owner / Occupant:

Assessor's Parcel Number (APN):

Occupant:

Address:

Parcel Location:

Enforcing Officer:

Inspection date:

Your property is in violation of Tehama County Code Chapter 9.05, Fire Hazard on Property. **This is an order to abate the fire hazard which has been declared a public nuisance within 14 days of the service of this notice. Failure to abate the fire hazard will result in a citation and or abatement by others in which the cost will be assessed to the property.** The fire hazard on the property and the firebreak required to abate it are indicated as follows:

- The flammable grass, weeds and rank growth on the entire parcel are a hazard, which must be abated by removing, disking, or mowing to maximum height of three (3) inches. Tree limbs are to be trimmed ten (10) feet from the ground or 1/3 their height. All obstructions are to be removed from the firebreak.
- The flammable grass, weeds and rank growth within **30** feet of property lines are a hazard, which must be abated by removing, disking, or mowing to maximum height of three (3) inches. Tree limbs are to be trimmed ten (10) feet from the ground or 1/3 their height. All obstructions are to be removed from the firebreak.
- All structures must have flammable grass, weeds and rank growth removed for a distance of 100 feet or to the property line and must be abated by removing, disking, or mowing to maximum height of three (3) inches. Tree limbs are to be trimmed ten (10) feet from the ground or 1/3 their height. All obstructions are to be removed from the firebreak.
- Other: _____

Re-inspection for abatement of fire hazard will be made on or after ____/____/____. If you cannot perform the required clearance by this date, or you feel this order has been sent to you in error, please call the Tehama County Fire Prevention Bureau at (530) 528-5199. See reverse of this sheet for important information about your rights and duties.

FIRE HAZARD ABATEMENT NOTICE INFORMATION

- ◆ If you believe no fire hazard exists, or this notice has been sent to you in error please call 528-5199.
- ◆ If you believe no fire hazard exists you may within ten (10) calendar days after the date the notice was served request in writing to the Clerk of the Board of Supervisors a hearing to appeal the determination of the enforcing officer that the conditions existing constitute a public nuisance, or to show other cause why those conditions should not be abated.
 1. The written request shall include a statement of all facts and evidence supporting the appeal.
 2. Upon timely receipt of a written request by the Clerk of the Board of Supervisors they shall set a hearing date not less than seven (7) days or more than thirty (30) days from the date the request was filed. The Clerk shall send written notice of the administrative review hearing date to the requesting party, to any other parties upon whom the Notice was served, and to the enforcing officer.
- ◆ If you fail to: 1) abate the fire hazard or 2) request an administrative review within a ten (10) day period the enforcing officer may take the following actions.
 1. Enter upon the property and abate the nuisance by County personnel, or by private contractor under the direction of the enforcing officer.
 2. Request that the County Counsel commence a civil action to redress, enjoin, and abate the public nuisance: and/or
 3. Issue a misdemeanor citation and refer the matter to the District Attorney for prosecution under Section 9.05.230 of the Tehama County Code.
- ◆ The enforcing officer shall keep an account of the cost of every abatement carried out and shall render a report in writing, itemized by parcel, to the Board of Supervisors showing the cost of abatement and the administrative costs for each parcel.
 1. Upon receipt of the account, the Clerk of the Board of Supervisors shall send a copy of the account pertaining to the property to the mailing address of each owner and include a notice informing the owner that, at a date and time not less than five (5) business days after the date of mailing of the notice, the Board of Supervisors will meet to review the account and that the owner may appear at said time and be heard.
 2. The Board of Supervisors may order that the cost of abating nuisances pursuant the Tehama County Code 9.05 and the administrative costs as confirmed by the Board be placed upon the County tax roll by the County Auditor as special assessments against the respective parcels of land, or placed on the unsecured roll, pursuant to Section 25845 of the Government Code; provided, however, that the cost of abatement and the cost of administration as finally determined shall not be placed on the tax roll if paid in full prior to entry of said costs on the tax roll. The Board of Supervisors may also cause notices of abatement lien to be recorded against the respective parcels of real property pursuant to Section 25845 of the Government Code.
- ◆ No department, commission or employee of the County of Tehama vested with the duty or authority to issue or approve permits, licenses or other entitlements shall do so when there is an outstanding failure to abate a fire hazard within fourteen (14) days of the date of service of the Notice to Abate Fire Hazard, unless timely appealed, or of the date that the decision of the Board of Supervisors requiring such abatement involving the real property to which the pending application pertains. All departments, commissions, and employees shall refuse to issue permits or licenses or entitlements involving the premises except those necessary to abate the violation.

EXHIBIT F

Natalie Butler

From: Anthony Eulo [Anthony.Eulo@morganhill.ca.gov]
Sent: Wednesday, September 22, 2010 7:45 PM
To: Steve Holsinger
Subject: RE: [City_managers] Weed Abatement Policy

We have an agreement with the County to provide these services. The charges resulting from these services get added to the property tax bill. Since property taxes are senior to loans, their collection rate is 100% or so.

From: city_managers-bounces@lists.cacities.org [mailto:city_managers-bounces@lists.cacities.org] **On Behalf Of** Steve Holsinger
Sent: Tuesday, September 21, 2010 1:32 PM
To: city_managers@lists.cacities.org
Subject: [City_managers] Weed Abatement Policy

Dear Colleagues:

Each spring we've conducted a typical weed abatement procedure; administered by our Fire Dept. We identify parcels for abatement, hire a contract to complete the abatement and ultimately place a special assessment against the property. Our experience this past year was a significant increase in home foreclosures/vacancies and thus significant increase in abatement processing. Our (assessment) recovery rate is approximately forty percent each year. Our Council has directed staff to investigate alternative methods for abatement purposes. Thus if your city is utilizing some other methods for weed abatement, we'd appreciate if you could share your policy/procedures with us. Thank you!

Sincerely
Steve Holsinger
City Manager

EXHIBIT G**Natalie Butler**

From: DB Heusser [DBH@cityofselma.com]
Sent: Wednesday, September 22, 2010 8:17 AM
To: Steve Holsinger
Subject: RE: [City_managers] Weed Abatement Policy

About what we have done, but in the past 10 years has dropped from 50 to 4

From: city_managers-bounces@lists.cacities.org [mailto:city_managers-bounces@lists.cacities.org] **On**
Behalf Of Steve Holsinger
Sent: Tuesday, September 21, 2010 1:32 PM
To: city_managers@lists.cacities.org
Subject: [City_managers] Weed Abatement Policy

Dear Colleagues:

Each spring we've conducted a typical weed abatement procedure; administered by our Fire Dept. We identify parcels for abatement, hire a contract to complete the abatement and ultimately place a special assessment against the property. Our experience this past year was a significant increase in home foreclosures/vacancies and thus significant increase in abatement processing. Our (assessment) recovery rate is approximately forty percent each year. Our Council has directed staff to investigate alternative methods for abatement purposes. Thus if your city is utilizing some other methods for weed abatement, we'd appreciate if you could share your policy/procedures with us. Thank you!

Sincerely
Steve Holsinger
City Manager

EXHIBIT H

Natalie Butler

From: Margaret Silveira [msilveira@cityoflakeport.com]
Sent: Tuesday, September 21, 2010 3:18 PM
To: Steve Holsinger
Subject: RE: [City_managers] Weed Abatement Policy

Thank You.

From: city_managers-bounces@lists.cacities.org [mailto:city_managers-bounces@lists.cacities.org] **On**
Behalf Of Steve Holsinger
Sent: Tuesday, September 21, 2010 1:32 PM
To: city_managers@lists.cacities.org
Subject: [City_managers] Weed Abatement Policy

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Sincerely
Steve Holsinger
City Manager

EXHIBIT I

Natalie Butler

From: Randy Mendosa [rmendosa@cityofarcata.org]
Sent: Tuesday, September 21, 2010 3:17 PM
To: sholsinger@cityofwillows.org
Cc: Karen Diemer; Cynthia Coronado; Larry Oetker
Subject: FW: [City_managers] Weed Abatement Policy

Hi Steve,

Our council will soon consider enacting a "Blight Ordinance" which is currently a staff work in progress. I copied some of our staff members to keep your contact information handy so we can send you the draft ordinance once it is completed.

Randy Mendosa

Randy Mendosa, City Manager
City of Arcata California
736 F Street
Arcata, CA 95521
Office Direct: 707.825.2100
FAX: 707.822.8018
rmendosa@cityofarcata.org

From: City Manager's Office
Sent: Tuesday, September 21, 2010 3:11 PM
To: Randy Mendosa; Karen Diemer
Subject: FW: [City_managers] Weed Abatement Policy

From: Steve Holsinger [mailto:sholsinger@cityofwillows.org]
Sent: Tuesday, September 21, 2010 1:32 PM
To: city_managers@lists.cacities.org
Subject: [City_managers] Weed Abatement Policy

Dear Colleagues:

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Sincerely
Steve Holsinger
City Manager

12/8/2010

EXHIBIT J**Natalie Butler**

From: Artie Fields [artief@ci.salinas.ca.us]
Sent: Tuesday, September 21, 2010 3:25 PM
To: Steve Holsinger
Cc: Irma Gowin
Subject: RE: [City_managers] Weed Abatement Policy

This was an issue in Salinas, so I directed staff to not to abate the nuisances, but instead send the owner of the property a citation. Our citations range from \$100 to \$500. Each time staff has to send a letter for non conformance, the citation is increased. We have seen a significant improvement in compliance. Please contact Irma Gowin, Code Enforcement Supervisor for more information.

Artie Fields
City Manager
City of Salinas
200 Lincoln Avenue
Salinas, CA 93901
831-758-7201 (office)
831-758-7368 (facsimile)
artief@ci.salinas.ca.us

From: city_managers-bounces@lists.cacities.org [mailto:city_managers-bounces@lists.cacities.org] **On Behalf Of** Steve Holsinger
Sent: Tuesday, September 21, 2010 1:32 PM
To: city_managers@lists.cacities.org
Subject: [City_managers] Weed Abatement Policy

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Sincerely
Steve Holsinger
City Manager

12/8/2010

EXHIBIT K

Natalie Butler

From: Jackson, LeRoy [LJACKSON@TorranceCA.gov]

Sent: Tuesday, September 21, 2010 3:30 PM

To: 'Steve Holsinger'

Subject: RE: [City_managers] Weed Abatement Policy

we moved from assessment to citation for unsafe fire conditions -- ljj

-----Original Message-----

From: city_managers-bounces@lists.cacities.org [mailto:city_managers-bounces@lists.cacities.org] **On Behalf Of** Steve Holsinger

Sent: Tuesday, September 21, 2010 1:32 PM

To: city_managers@lists.cacities.org

Subject: [City_managers] Weed Abatement Policy

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Sincerely

Steve Holsinger

City Manager

AGENDA ITEM

TO: Honorable Vice Mayor Gary Hansen and Members of the City Council
FROM: Natalie Butler, City Clerk
SUBJECT: Election of Mayor and Vice Mayor for 2011

RECOMMENDATION

Receive nominations and by motion, elect Mayor and Vice Mayor for 2011.

SITUATION

Administrative Procedure and Policy Number 1-7 of the City of Willows provides for an election of a Mayor and a Vice Mayor in December of each year. The terms of office for the newly selected Mayor and Vice Mayor will run from January 1, 2011, through December 31, 2011.

FINANCIAL CONSIDERATIONS

None

NOTIFICATION

None

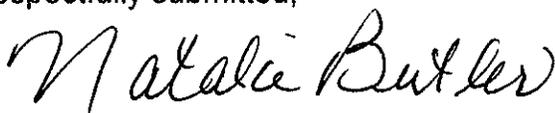
ALTERNATE ACTIONS

No alternatives are recommended

RECOMMENDATION

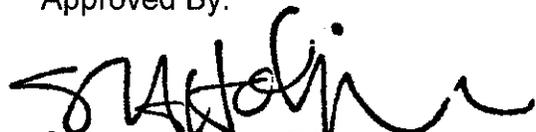
Receive nominations and by motion, elect Mayor and Vice Mayor for 2011.

Respectfully submitted,



Natalie Butler, City Clerk

Approved By:


Steve Holsinger, City Manager

December 14, 2010

AGENDA ITEM

TO: Honorable Vice Mayor Hansen and Members of the Council

FROM: Natalie Butler, City Clerk

SUBJECT: Council Committee Appointments

RECOMMENDATION:

Consider appointments to various committees / panels for 2011.

SITUATION:

Attached for Council's review and consideration is a list of the various committees on which Council members serve as City representatives. The appointments of the primary representative(s) and alternate(s) to specific committees are reviewed annually by the Council. Consistent with past practice, the Mayor, with the concurrence of Council, initiates recommendations for both continued and new appointments.

As indicated on the current list of committee representatives, a number of the positions are appointed for a specific period while others do not have term expiration dates. Several of the committee appointments are made through the City Select Committee on which the City has an appointed representative (the Mayor). The City alternates every other year with the City of Orland with respect to appointments on the Glenn County Transportation Commission and the Regional Transit Committee. During 2011, the City of Willows will have one member and one alternate member on the Transportation Commission and two members on the Transit Committee. Additionally, this year the City needs to appoint one member and one alternate member to the Lafco Commission.

Additionally, as noted on the attached Committee Representatives Roster from 2010, the CDBG Loan Committee was deleted on December 16, 2009, due to lack of activity. However, it has recently become necessary for the City to re-instate this Committee and therefore staff is requesting that the Council make two appointments to this Committee.

FINANCIAL CONSIDERATIONS:

None

December 14, 2010

NOTIFICATION:

County Clerk's Office

ALTERNATE ACTIONS:

None

RECOMMENDATION:

Consider appointments to various committees / panels for 2011.

Respectfully submitted by:



Natalie Butler,
City Clerk

Approved By:



Steve Holsinger,
City Manager

December 14, 2010

**WILLOWS CITY COUNCIL 2010 COMMITTEE REPRESENTATIVES
(Revised 12/16/2009)**

COMMITTEE	MEMBER(S)	WHEN APPT.	TERM EXP.
* Airport Land Use Committee	Baker Holvik (alt)	11/28/2006 12/09/2008	12/2013
* Glenn County Waste Management Regional Agency	Hansen Holvik Baker (alt)	12/09/2008 12/09/2008	12/2010
* Transit Committee	Yoder Hansen	11/28/2006 12/09/2008	12/2010
* Transportation Committee	Yoder Hansen	11/28/2006 12/09/2008	12/2010
* LAFCO	Baker	3/5/2007	12/2010
City Select Committee	Mayor	12/2004	12/2010
Countywide Mosquito & Vector Committee	Holvik	04/11/2006	
Finance Committee	Towne Hansen	11/28/2006 12/09/2008	12/2010
GCID Voting Delegate	Mayor	12/2000	12/2010
League Legislative Delegate	Mayor	12/2004	12/2010
Library Board	Towne	12/09/2008	12/2010
3CORE (Formerly known as Tri-Counties Economic Development Committee)	Baker Holvik (alt)	11/28/2006 12/09/2008	12/2010
* CDBG Loan Committee			

* The City Selection Committee makes the final selection to these Committees.

NOTES:

- The Willows City Council on December 11, 2007, by consensus, deleted the Community User Access Group, the Water Awareness Committee, the Central Sacramento Valley Resource Conservation Development Area, and the Cities/County Library Advisory Board due to these Committees no longer being active. The California Water Service Company Community Advisory Panel was added to the list. The Wastewater Treatment Plant Liaison was deleted from the Committee list at the City Council Meeting of December 9, 2008.
- The Willows City Council on June 23, 2009, adopted a Resolution that designated the Mayor in any given year to be the Voting Delegate for Glenn Colusa Irrigation District Elections.
- The Willows City Council on December 16, 2009, by consensus, deleted the California Water Service Company Community Advisory Panel and the CDBG Loan Committee due to lack of activity.