CITY COUNCIL

Heather Baker, Mayor
Gary Hansen, Vice Mayor
Vincent Holvik, Council Member
Peter Towne, Council Member
Jim Yoder, Council Member

CITY MANAGER
Steve Holsinger

CITY CLERK
Natalie Butler

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CITY COUNCIL MEETING AGENDA

Tuesday, November 23, 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 November 23, 2010, Agenda.

5. **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).***

6. **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 October 12, 2010.

   d) Consider approval of the Minutes of the Regular Willows City Council Meeting held October 26, 2010.

   e) Consider waiving second reading, except by title only, and adopt 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) Consider waiving second reading, except by title only, and adopt 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

(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)

8. **Ordinances:** Action taken under items 6(e) and 6(f).

9. **Items introduced by City Council or Administrative Staff for discussion purposes only:**

10. **New Business:**

a) Consider approval of a Resolution Confirming Canvass of Returns and Results of Election Held November 2, 2010, and authorize the City Clerk to administer the Oath of Office to Elected Officials.

b) City Clerk will administer the Oath of Office to newly-elected Council Members Sandie Hobbs and Jeff Cobb and the new members will take their seats at the dais.

11. **Presentations & Proclamations:**

a) Presentations will be made by the City Council to outgoing Mayor Heather Baker and Council Member Peter Towne, followed by a brief recess.

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 November 18, 2010.

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

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 October 12, 2010

1. The meeting was called to order at 7:03 p.m. by Mayor Baker.

2. **PLEDGE OF ALLEGIANCE:** Council Member Holvik led the Pledge of Allegiance.

3. **ROLL CALL:**

Present: Holvik, Towne, Yoder, Hansen & Baker
Absent: None

4. **Agenda Review:** It was **moved** by Council Member Yoder and **seconded** by Council Member Hansen to accept the October 12, 2010, Agenda as presented. The motion was unanimously passed.

5. **Presentations & Proclamations:** None

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

a) Margaret Albiston announced that on October 18, 2010, at 6:00 p.m., the Willows Elks Lodge will be hosting a Candidates' Night for the candidates running for election to the Willows City Council and Willows Unified School Board.

b) Rose Marie Thrailkill announced that the Candidates' Night scheduled to be put on by the Willows Chamber of Commerce on today's date had been cancelled due to there being a conflict with the Willows City Council Meeting. She also reported on various past and upcoming community events and fundraisers.

7. **Consent Agenda:**

Mayor Baker requested that item 7(d), "Approval of the September 28, 2010, City Council meeting", be pulled from the Consent Agenda and voted on as a separate item, as she was not in attendance at that meeting. It was **moved** by Council Member Holvik and **seconded** by Council Member Yoder to approve the Consent Agenda, minus item 7(d). The motion unanimously passed will all Ayes. It was then **moved** by Council Member Holvik and **seconded** by Council Member Yoder to approve item 7(d) on the Consent Agenda. The motion passed with four Ayes and Mayor Baker abstaining, and the following items were adopted/approved:

a) Approval of General Check Register (22200-22292).

b) Approval of Payroll & Direct Deposit Check Registers (Z01935-Z01969 & 30901-30923).

c) Approval of the City Council Meeting Minutes of September 14, 2010.

d) Approval of the City Council Meeting Minutes of September 28, 2010.

8. **Public Hearings:**

a) Consider approval of the proposed allocation of 2010/2011 Supplemental Law Enforcement Service Funds (SLESF):

Police Chief Bill Spears introduced the Staff Report to the Council explaining that as of the time of creating the report the proposed State Budget contains a continuation of the allocation of the

SLESF program with a minimum allocation of $100,000 per agency. Government Code requires that the Police Chief submit a spending plan to the City Council for approval after a public hearing that must be conducted each year. This year's proposal is to provide full cost of the part time CSO position ($19,875), and the majority of the cost of maintaining the SRO position ($19,875) and the remaining $4705 will be utilized for special projects, supplemental material and training for the SRO position, as well as for overtime. The City of Willows is the recipient of $100,000 from the State of California for the SLESF grant and Chief Spears is requesting that the Council conduct a Public Hearing to receive input and consider approving the use of such funds to accept the grant.

Mayor Baker opened the Public Hearing at 7:18 p.m., and receiving no comments, closed the Public Hearing at 7:18 p.m. It was then **moved** by Council Member Yoder and **seconded** by Council Member Hansen to approve the proposed allocation of the 2010/2011 Supplemental Law Enforcement Service Funds. The motion was unanimously approved.

b) Consider adoption of a Resolution to overturn the Planning Commission decision of September 29, 2010, to deny a Tentative Map for Basin Street Properties:

Prior to hearing this item, City Manager Steve Holsinger stated that there was a request from the Representatives from Basin Street for Mayor Baker to recuse herself from hearing and acting on this appeal due to the fact that she participated actively in the review of the project before the Planning Commission, including significant negative commentary on the traffic and circulation elements of the project that are at the heart of the appeal. Mayor Baker stated that she would be recusing herself, but expressed that she did not really want to do so. Mayor Baker exited the Council Chambers at 7:18 p.m., and Vice Mayor Hansen took over to chair the Public Hearing.

City Manager Steve Holsinger briefly introduced the Staff Report for this item explaining that this is an item being brought before the Council to either uphold or overturn the Planning Commission's denial of a Tentative Map for Basin Street Properties. This is strictly to look at the findings which the Planning Commission based their denial on and to determine whether the findings were applicable and are legally defensible. The basis for the Planning Commission's denial findings were based upon three General Plan Development Policy Statements: DPS-6, DPS-15, DPS-17, and an excerpt from a single Police Department memo dated April 6, 2010.

Vice Mayor Hansen opened the Public Hearing at 7:19 p.m. He then read a letter into the record that was received by Willows resident Robert Rist, who indicated that he was strongly in favor of the proposed development, but he is opposed to the construction of a bridge over the Glenn Colusa Irrigation District Canal onto South Merrill Avenue due to the significant amount of additional traffic it will generate.

Willows resident Barry Duncan addressed the Council and stated that he too is in favor of development but he also objects to a bridge over the canal connecting to Merrill Avenue. He proposed that the bridge be moved to the east and that a road should be built down the center of Jensen Park and connect to Lassen Street rather than Merrill.

Business Owner Rick Thomas spoke in favor of the project in its entirety stating that housing is the start to the City's economic success and that the City needs to grow in order to survive. He spoke briefly on the conditions of denial and it is his opinion that the conditions were not applicable and he strongly encouraged the Council to overturn the Planning Commission's denial of the project.

Willows resident Richard Ramsey also spoke completely in favor of the project and urged the Council to overturn the Planning Commission's denial.

Willows resident Jeff Williams stated that he opposes the bridge but not the project itself and he believes the bridge should only be used for emergency access in and out of the development.

Willows Resident Margaret Albiston spoke in favor of the project, stating that if the Council upholds the denial of the project by the Planning Commission, Willows will not only die, but it would also send a message to other future prospective developers to not even request to develop in Willows because the City would be viewed as anti-growth.

Larry Domenighini, Planning Commission Chair and Willows Resident, addressed the Council regarding his opposition to the project and the reasons the Planning Commission denied it.

Having no additional requests to speak by the public, Vice Mayor Hansen closed the Public Hearing at 8:02 p.m.

The City Manager once again addressed the Council and reiterated that the purpose of this Public Hearing is for the Council to either uphold or overturn the Planning Commission's denial of the project and it is not a re-examination or a re-evaluation of the project. The Planning Commission did a very good job of extensively reviewing the project, however, staff has looked at the findings for denial and has concluded that the findings are not applicable and are not legally defensible to reject the proposed project. The City Manager then spoke of the alleged safety issues due to potential impacts created by the increased traffic during peak and off-peak hours on Merrill. He then provided a visual demonstration by walking 55 feet across the Council Chambers and 55 feet back and had plenty of time to do so in the time frame estimated to elapse between cars traveling on Merrill, according to the traffic study. It was noted that Merrill Street is 52 feet wide. His demonstration was to point out that that a person could quite comfortably cross the street with little to no safety concerns due to increased traffic. He also noted that the Developer will be required to post a bond and monitor the traffic at all intersections where traffic from this development could potentially be affected. Finally, he stated that there would be one other alternative that could possibly alleviate the concerns over the increased traffic on Merrill Avenue, and that would be to make the four blocks of South Merrill Avenue between Elm and Laurel Streets a South-bound only, one-way street, thus disallowing any traffic coming over the bridge to continue down Merrill. He is recommending that the Council overturn the Planning Commission's denial of the project.

Police Chief Bill Spears and Fire Chief Wayne Peabody also addressed the Council and assured the Council that they are confident that there will be no significant issues regarding health and safety issues with the new development and that they are in support of the project from a Public Safety standpoint. Both Chiefs also recommended that the Council overturn the Planning Commission's denial.

Once Staff concluded their comments, Council discussion ensued. Although the Council understood the concerns of the citizens on Merrill Avenue, it was mainly an issue of weighing the pros and cons of the project and they all indicated that the project is good and responsible development and it gives an opportunity for growth to the City. They thanked the Planning Commission for their service and for all of their time in reviewing the project, however, after hearing testimony from staff regarding the findings for denial, they concurred with Staff that the findings were not applicable or legally defensible. It was then **moved** by Council Member

Holvik and **seconded** by Council Member Towne to approve a Resolution adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the South Willows Residential Neighborhood Project and approving Tentative Map (TM09-02), Use Permit (UP09-04), and Planned Development (PD09-12) on appeal for property located in the Southern portion of the City of Willows, South of Glenn Colusa Irrigation Canal, East of Interstate 5, and West of Tehama Street (Route 99), specifically Assessor's Parcel Numbers 001-091-012, 001-101-003, 001-102-014, 017-170-011 & 017-170-017. A roll call vote was called with the motion passing unanimously 4 – 0 (with Mayor Baker absent due to recusal).

At this time Vice Mayor Hansen announced that there would be a short break.

The meeting reconvened at 8:57 p.m. whereupon Mayor Baker returned to the Council Chambers and Chaired the remainder of the meeting.

9. <u>Ordinances:</u> None

10. <u>Items introduced by City Council or Administrative Staff for discussion purposes only:</u>

The City Manager informed the Council that some time back the Council directed him to survey other Cities to determine how they operate their Weed Abatement programs and their success rates. He has posed this question on the League of California Cities Listserv and has received very limited responses and is still hoping to receive more. He just wanted to inform the Council that this topic has not slipped off the radar and he is still in the process of collecting responses and he will bring the information before them in the future.

The City Manager also reminded the Council that the joint Cities/County meeting is scheduled to take place next Thursday, October 21 at the Berry Patch in Orland and if any Council Member planned to attend they should let the City Clerk know by Monday, October 18.

Police Chief Spears reminded the Council that the Police Department's presentation of a Meth workshop will be held tomorrow night at 7:00 p.m. He also announced that the "Cans for Cops" and "Toys for Tots" donation programs will be getting underway in the near future.

11. <u>New Business:</u>

a) Consider adoption of a Resolution awarding a construction contract for the Sanitary Sewer Replacement Phase 1 Project to R & R Horn, Inc.:

City Engineer John Wanger briefly presented that Staff report and stated that the City recently went out to bid on Phase 1 of a sanitary sewer main replacement project. This is one of many future sewer repair projects that will be occurring over the next several years to replace aging sewer infrastructure and cut down the inflow and infiltration from groundwater getting into leaky sewer lines. Seven bids were received for the project ranging from $186,437 to $301,626. The low bid was received from R & R Horn, Inc. Per the specs of the project, the contract is to be awarded based on the lowest base bid. Because the base bid was so low, there are sufficient funds to include all additive alternative work within the project. Additive alternates ranged in price from $72,940 to $101,871. The bid alternative submitted by R&R Horn was $99,681. This brings the overall amount to be awarded to the lowest base bidder at $286,118. Staff has reviewed R & R Horn's bid and determined that it satisfies the bidding requirements for this project.

It was **moved** by Council Member Holvik and **seconded** by Council Member Hansen to Adopt the Resolution awarding a construction contract for the Sanitary Sewer Replacement Phase 1 Project to R & R Horn, Inc. in the amount of $286,118 and that an overall budget of $353,730 be established for this project. The motion was unanimously passed.

b) Consider, by consensus, allowing the Recreation Department to continue fundraising efforts for the 2011 City Pool Swim Season:

Recreation Director Carol Lemenager presented this item to the Council stating that she is seeking Council direction on whether the Recreation Department should continue fundraising efforts in order to open the City Pool for the 2011 swim season. In March of 2010, Council authorized a committee consisting of interest citizens to form to help raise money to open the City pool for the 2010 swim season. The committee in turn formed a fundraising slogan, named the "Keep Our Pool Afloat" campaign. As the general public became aware of the campaign and fundraising efforts to keep the pool open, donations started coming in and additional ideas and opportunities of fundraising became available. The total Revenues generated for the pool during the 2010 swim season were $27,308.80, of which, $12,654.91 was straight monetary donations, $3,850.00 was from Free Swim Day sponsorships, $6685.20 was from the Willows Hydrojets for pool rental and $4,118.69 was from pool admissions and swim lesson fees. Total expenditures for the pool were $30,837.97 for wages, personnel and administrative costs, operational supplies, advertising, utilities, insurance, operation permit and various maintenance costs. With that, the Recreation Director is requesting direction from the Council whether to continue fundraising efforts and soliciting donations for the 2011 swim season.

Council discussion ensued and the Council thanked the Recreation Director for her hard work in putting together various fundraisers and seeking donations so the pool was able to operate during the 2010 season and it was the consensus of the Council to continue to host fundraisers and collect donations. It was noted by Council Member Yoder however, that the Council can't make any promises or guarantees that the pool will always remain open. He stated that we will have to see where the City is financially at the next budget cycle and if we are at a critical stage, the Council may need to make adjustments accordingly.

12. Council Member Reports:

Mayor Baker announced that this Friday was the High School Homecoming and she encouraged everybody to attend.

13. Executive Session: None

14. Adjournment: Vice Mayor Baker adjourned the meeting at 7:12 p.m.

Dated: October 12, 2010

NATALIE BUTLER

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City Clerk

The City of Willows is an Equal Opportunity Provider

MINUTES OF THE WILLOWS CITY COUNCIL MEETING HELD October 26, 2010

1. The meeting was called to order at 7:03 p.m. by Vice Mayor Hansen.

2. **PLEDGE OF ALLEGIANCE:** Council Member Holvik led the Pledge of Allegiance.

3. **ROLL CALL:**

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

4. **Agenda Review:** City Manager Steve Holsinger informed the Council that Police Chief Bill Spears would be making two presentations under agenda item #5. Council Member Towne also indicated that he will be adding an item to discuss Glenn Ride under agenda item #10. It was then **moved** by Council Member Yoder and **seconded** by Council Member Towne to accept the October 26, 2010, Agenda as amended. The motion was unanimously passed.

5. **Presentations & Proclamations:**

Chief Spears presented a Certificate of Appreciation to Rick Reynolds, owner of the Old Hwy 99 Steakhouse, for offering his restaurant to host the "Tip-A-Cop/Tip-A-VIP" event held recently by the Police Department to raise money for the Police K-9 Program fund.

Chief Spears presented a Certificate of Appreciation to Rose Marie Thrailkill for her monetary donation to the Willows Police Department from monies raised from her candy sales at the "Tip-A-Cop/Tip-A-VIP" event. This money will also go toward the Police K-9 Program fund.

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

a) A letter was received on October 14, 2010, from the Citizens for Economic Stability (CES) requesting an Ordinance amendment to Municipal Code Section 2.05.130 and the creation of a new Ordinance to add Municipal Code Section 2.35.030. Rick Thomas, spokesperson for the CES, addressed the Council to explain the reason behind the request, which was basically to have the agendas for each Council meeting distributed on the seventh day preceding regular meetings in order for the public to complete any research on the subject matters and prepare for any presentation(s) to the Council. Mr. Thomas also requested that the City post the entire agenda packet on the City's website, and not just the agenda face as has been past practice. Staff was seeking direction from the Council regarding this request. Council discussion ensued and ultimately it was the consensus of the Council to not change the current procedures as it pertains to agenda distribution, as the distribution of the agendas is in compliance with the Brown Act. As far as posting the entire agenda packet on the City's website, the Council liked this idea and they directed staff to begin to post the entire packet on the website from this point forward.

b) Rose Marie Thrailkill gave a reminder of the upcoming Chamber of Commerce and Willows Fire Department Steak and Lobster feed on Saturday, October 30.

c) Rick Reynolds, owner of the Old Hwy 99 Steakhouse, announced that there will be a Halloween Party at the Steakhouse on Saturday, October 30.

7. Consent Agenda:

Prior to acting on the Consent Agenda, Rick Thomas asked that item 7(e), which was a Resolution appointing the Finance Director as the City Manager pro-tempore in accordance with Municipal Code Section 2.10.050, be pulled for further discussion and clarification. It was then **moved** by Council Member Yoder and **seconded** by Council Member Holvik to approve the Consent Agenda, minus item 7(e). The motion unanimously passed.

The City Manager addressed Mr. Thomas' questions regarding the Resolution to appoint the Finance Director as City Manager Pro-tempore. Municipal Code 2.10.050 states that the City Manager shall appoint, subject to the approval of the City Council, one of the other officers or department heads of the City to serve as a manager pro-tempore during any temporary absence or disability of the City Manager. Although the Finance Director in the past has assumed this role during absences of the City Manager, nothing has ever been formalized pursuant to the code to actually give him that authority. This Resolution is simply formalizing this and it was prepared at the direction of the City Council who stated that they wanted this formalized by way of Resolution. Mr. Thomas thanked the Council and City Manager for clarifying this. It was then **moved** by Council Member Yoder and **seconded** by Council Member Holvik to approve Consent Agenda item 7(e). The motion unanimously passed and the following items were approved/adopted:

a) Approval of General Check Register (22293-22337).

b) Approval of Payroll & Direct Deposit Check Registers (Z01970-Z02008 & 30924-30940).

c) Approval of the City of Willows Statement of Investment Policy.

d) Approval of City of Willows Treasurer's Report Schedule of Cash and Investments as of September 30, 2010.

e) Adoption of a Resolution appointing the Finance Director as the City Manager pro-tempore in accordance with Municipal Code Section 2.10.050.

8. Public Hearings:

a) Consider adoption of a Resolution approving a rate increase for solid waste collection services to be effective December 1, 2010:

The City Manager presented this item to the Council stating that Waste Management has recently requested consideration of a rate adjustment for residential and commercial solid waste services provided within the City. Provisions approved in November 2006, as part of the Franchise Agreement Renewal, included consideration for annual rate increases to be calculated based upon several factors as defined in Article I, Sections 1, 2 & 3. In accordance with the aforementioned provisions, Waste Management may seek recovery of increased costs associated with any future CPI, Tipping Fee or Fuel Cost Adjustment impacts requiring increases during the same annual adjustment period.

This year Waste Management has requested a rate adjustment of 2.3% for residential and commercial customers to become effective December 1, 2010. The purpose of this rate increase is to provide an adjustment due to increases in the CPI and recovery of costs in conjunction with Fuel Cost Adjustment fees. The CPI change from August 2009 through August 2010 is equal to 1.639 index points or an equivalent 0.75% increase to Urban Consumers in the Western States

Index area. This percentage is applied to base rate of the prior year solid waste rates in Willows. This result becomes the CPI portion of the rate adjustment for the subsequent year. The CPI adjustment for the 2010-2011 year is 0.75% for all Willows solid waste customers. This adjustment request also allows Waste Management to calculate costs associated with Fuel Adjustment Costs over the preceding year. Those calculations actually result in an overall increase in Fuel Expense Adjustments of 1.48% due.

The Franchise Agreement also provides for recovery of expenses and costs associated with contingent fees charged to the Contractor, such as Tipping Fees established by Glenn County in association with costs for solid waste disposal at the County landfill. Last year Glenn County raised its tipping fees by 133% to $70 per ton. This year the County has not changed the tipping fee for fiscal year 2010 and therefore there is no adjustment necessary for this expense.

The requested rate adjustment of 2.3% for residential and commercial customers results in a $0.39 per month increase on average and an annual cost increase of approximately $4.68 per customer.

The City Manager pointed out that the District Manager of Waste Management, Matt Frier, was present at the meeting to answer any questions that the Council may have. With that, the City Manager requested that the Public Hearing be opened.

Vice Mayor Hansen opened the Public Hearing at 7:48 p.m. Rick Reynolds spoke in opposition of the fee increase, stating that last year's large increase caused many people that he knows to discontinue their service altogether. Hearing no further comments, Vice Mayor Hansen closed the public hearing at 7:51. p.m.

Council discussion ensued and it was **moved** by Council Member Yoder and **seconded** by Council Member Towne to approve a Resolution adopting refuse collection rates, approving amendment to Residential and Commercial Rate Schedules as provided within the provisions of the Franchise Agreement approved November 28, 2006. The motion passed 3–1–1, with Council Member Holvik voting Nay and Mayor Baker Absent.

b) Conduct a Public Hearing and consider reading by title only and passage of first reading 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".**

Building Official Clay Dawley introduced this item to the Council explaining that every three years the California Building Standards Codes are published by the California Building Standards Commission. The California Building Standards Commission has published the 2010 California Building Standards Codes by amending Title 24 of the California Code of Regulations, effective January 1, 2011. Prior to January 1, 2011, the California Building Standards Codes must be adopted by cities by incorporation by reference. However, if certain findings are made pertaining to local climatic, geological or topographical conditions, cities may establish more restrictive building standards than those set forth in the California Building Standards Codes. Mr. Dawley is requesting that a Public Hearing be conducted to solicit public

comments and that Council consider reading by title only and passage of first reading of the Ordinance which is being presented.

Vice Mayor Hansen opened the Public Hearing at 8:00 p.m. and hearing no comments, subsequently closed the Public Hearing at 8:00 p.m.

Council discussion ensued and Council Member Holvik inquired whether the City could incorporate a clause into the Municipal Code that states something to the effect of "The City will comply with the most current State codes", in order to avoid having to make Ordinance amendments every three years to adopt the new codes. The City Manager stated that he would look into this, but due to the fact that the City must adopt the codes prior to January 1, 2011, and we are in a tight window to do so, he suggested that for purposes of getting the codes adopted prior to the date established by State Law, that the Council go ahead and move forward with passage of the Ordinance as it is presented this evening.

It was then **moved** by Council Member Holvik and **seconded** by Council Member Yoder to read by title only the Ordinance next in line. The motion was unanimously passed. It was then **moved** by Council Member Holvik and **seconded** by Council Member Yoder that the 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" pass first reading. The motion was unanimously passed.

c) Conduct a Public Hearing and consider reading by title only and passage of first reading 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".**

Fire Chief Wayne Peabody introduced this item to the Council, explaining that just like the California Building Codes, the California Fire Codes are also published every three years by the California Building Standards Commission and must also be adopted by cities by incorporation by reference. Similar to the Building Codes, cities may also establish more restrictive Fire Standards than those set forth in the California Fire Codes if certain findings are made pertaining to local climatic, geological or topographical conditions. Chief Peabody requested that the Public Hearing be opened to solicit public comment and that the Council consider reading by title only and passage of first reading of this Ordinance.

Vice Mayor Hansen opened the Public Hearing at 8:05 p.m. Rae Ann Titus, Doug Ross and Jeff Williams all spoke during the Public Hearing with questions regarding some of the language in the State Fire Code, specifically related to Weed and Nuisance abatements. Chief Peabody addressed the questions stating that the City is required to adopt the State Fire Code and can not make changes to that Code, however, as earlier stated, the City can establish other Fire Standards than those set forth in the California Fire Code, but the City Codes have to be more restrictive and can not be less restrictive than the California Fire Code. Additionally, the Staff and Council pointed out that the City's Weed Abatement program is an issue unto itself and that they will be

looking at some alternatives and making some changes to how the City's Weed Abatement program has been operated in the past. At this time, Staff is simply asking for the Council to adopt the Fire Code by reference as required by State Law. Vice Mayor Hansen closed the Public Hearing at 8:33 p.m. Additional discussion ensued among the Council Members and Staff and it was then **moved** by Council Member Yoder and **seconded** by Council Member Holvik that the Ordinance next in line be read by title only. The motion was unanimously passed. It was **moved** by Council Member Yoder and **seconded** by Council Member Holvik that 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" pass first reading. The motion was unanimously passed.

9. **Ordinances:** Action taken under items 8(b) and 8(c).

10. **Items introduced by City Council or Administrative Staff for discussion purposes only (Including Economic Development Updates, if any):**

Council Member Towne asked that Staff contact somebody at the Glenn County Public Works Department to request that they send a representative to attend the next City Council Meeting in order to give the Council and update on the status of the Glenn Ride Collector System and when they will be removing the A-Frame signs from red-zones and in front of residences, churches, etc. He is concerned that since these signs are located on the City Streets they are posing a threat to motorists and pedestrians and thus are a potential liability to the City in the event that somebody gets injured. The City Manager indicated that he would contact the County and ask that the Public Works Director attend the next meeting to give the City an update.

11. **New Business:** None

12. **Council Member Reports:** None

13. **Executive Session:** None

14. **Adjournment:** Vice Mayor Hansen adjourned the meeting at 8:59 p.m.

Dated: October 26, 2010

NATALIE BUTLER

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City Clerk

The City of Willows is an Equal Opportunity Provider

ORDINANCE NO. ____

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

Whereas, the California Building Standards Codes are published every three years by the California Building Standards Commission;

Whereas, the California Building Standards Commission has published the 2010 California Building Standards Codes by amending Title 24 of the California Code of Regulations, effective January 1, 2011;

Whereas, the 2010 California Building Standards Codes are based in part on the 2009 International Building Code, published by the International Code Council;

Whereas, the California Building Standards Codes may be adopted by cities by incorporation by reference;

Whereas, cities may establish more restrictive building standards than those set forth in the California Building Standards Codes, if certain findings are made pertaining to local climatic, geological or topographical conditions; and

Whereas, the 2010 California Building Standards Codes will automatically become effective without amendment in the City of Willows 180 days after January 1, 2011, unless the City affirmatively amends the Codes otherwise.

The City Council of the City of Willows does ordain as follows:

SECTION 1: Amend, Reenact or Create Sections of Chapter 15 - subsection (s) 15.10, 15.11, 15.15, 15.20, 15.30, 15.35, 15.50, 15.60, 15.70, 15.75, 15.80, 15.85, 15.90, 15.91

Chapter 15: subsection (s) 15.10, 15.11, 15.15, 15.20, 15.30, 15.35, 15.50, 15.70, 15.75, 15.80, 15.85, 15.90, 15.91 of the City of Willows Municipal Code are hereby amended, reenacted and created to read as follows:

Chapter Fifteen (15) Adoption of California Building Standards Commission Codes

The following publications are hereby adopted by reference and incorporated, as if fully set forth in this Code; except as expressly amended or superseded by the provisions of this Chapter:

15.10	The 2010 California Building Code, Title 24, Part 2 of the California Code of Regulations, including the following Appendices only: Chapter 1 (Administrative), as further amended herein, Chapter I (Patio Covers) and Chapter J (Grading).
15.11	The 2010 California Residential Code, Title 24, Part 2.5 of the California Code of Regulations.
15.20	The 2010 California Electrical Code, Title 24, Part 3 of the California Code of Regulations.
15.30	The 2010 California Mechanical Code, Title 24, Part 4 of the California Code of Regulations.
15.35	The 2010 California Plumbing Code, Title 24, Part 5 of the California Code of Regulations.
15.50	The International Property Maintenance Code, 2006 edition, as published by the International Code Council
15.70	The 2010 California Administrative Code, Title 24, Part 1, Chapters 4, 5 and 8 only
15.75	The 2010 California Energy Code, Title 24, Part 6 of the California Code of Regulations.
15.80	The 2010 California Elevator Safety Construction Code, Title 24, Part 7 of the California Code of Regulations.
15.85	The 2010 California Historical Building Code, Title 24, Part 8 of the California Code of Regulations.
15.90	The 2010 California Referenced Standards Code, Title 24, Part 9 of the California Code of Regulations.
15.91	The 2010 California Green Building Standards Code, Title 24, Part 11 of the California Code of Regulations.
15.95	Penalties

"EXHIBIT A"

Local Findings of Fact

The City Council of the City of Willows finds and declares that the additions, modifications, and changes made to the substantive provisions of the 2010 California Building Standards Codes, as authorized under Health and Safety Code, Section 17958, are necessary for the protection of the public health, safety, and welfare due to climatic, geological, or topographical conditions. These findings are as follows:

A. **CLIMATE:** The City, on average, experiences an approximate annual rainfall of 20 inches. This rainfall can normally be expected between October and April. During the winter months, the City may experience periods of heavy rain, which causes local flooding. Winter storms are often accompanied by high winds, which have uprooted trees and damaged power lines. During the dry period, temperatures range from 70 degrees to over 110 degrees. These temperatures are often accompanied by light to moderate gusty winds, which couple with agricultural burning may lead to wind driven fires. With increased development spreading into agricultural areas a wind driven fire could have severe consequences, as has been demonstrated on several occasions through out the state.

B. **GEOLOGIC:** The City is susceptible to flooding hazards resulting from long periods of rain in the Mendocino Forest. The most serious direct flooding hazard threat is from the damage or collapse of buildings and other structures due to water flow. In addition to damage caused by flooding, there is the possibility of flood-induced fires starting because of damage to gas lines, power lines or heat producing appliances and the unavailability of water for fire control due to broken water pumps. In the event of a major flooding or many areas of the City may not be accessible to emergency equipment and, if bridges, freeways or roads are damaged, the City may be isolated from outside assistance.

C. **TOPOGRAPHICAL:** The City borders include flat terrain on the North to the East is the Glenn Colusa Canal and railroad system. Along the South portions of the City is the Glenn Colusa Canal continues. To the West is Interstate 5 which then turns into flat terrain hilly terrain and State Responsibility Area (SRA) land. The railroad, cannel and freeway all create barriers, which may obstruct traffic patterns and delay response time for fire equipment. The water supply within the City is directly affected by the topographical layout. The water distribution system consists of 7 pressure zones, which carry water by gravity from one reservoir. Water flow within the City can vary from less than 1000 gallons per minute to flows in excess of 2,000 gallons a minute. This wide variation causes major problems to development and fire suppression efforts.

D. **SUMMARY:** The above local climatic, geologic and topographical conditions increase the magnitude, exposure, accessibility problems and fire hazards presented to the Willows Fire Department. Fires in areas determined to be moderate, high or very high fire severity zones, as outline by the State of California (CalFire) fire severity zone map, place additional fire suppression demands on the responding fire agency. A fire following a flood has the potential of causing greater loss of life and damage than the flood itself. The majority of the City's industrial areas are located in the highest flood zones, which also contains the largest concentration of hazardous materials. Hazardous materials, particularly toxic gases, could pose the greatest threat to the largest number of persons, should a significant flood event occur. The Department's resources would have to be prioritized to mitigate the greatest threat, and may be unavailable for vegetation or structure fires.

Other variables that may tend to intensify the situation include:

1. The extent of damage to the water system;

2. The extended isolation due to roadways and/or freeway due to flooding;

3. The extent of roadway damage and/or amount of debris blocking roadways;

4. Climatic conditions (hot, dry weather with high winds);

5. Time of day will influence the amount of traffic on roadways and could intensify the risk to life during normal business hours; and,

6. The availability of timely response due to minimal staffing and volunteerism.

E. **CONCLUSION:** Local climatic, geologic and topographical conditions impact fire prevention efforts and the frequency, spread, intensity, and the size of fire involving buildings in this community. Further, they impact potential damage to all structures from flooding and subsequent fire. Therefore, it is found to be reasonably necessary that the International Fire Code, the California Fire Code, the California Building Code and State Building Standards Code be changed or modified to mitigate the effects of these conditions.

Furthermore, California Health & Safety Code (CH&SC) Section 17958.7 requires that the modification or change to which findings refer be expressly marked and identified. Therefore, the following table provides code sections that will be modified by this ordinance which are building standards as defined in CH&SC Section 18909, and the associated

referenced conditions for modification due to local climatic, geologic and topographical conditions.

Section Number:	Local Climatic, Geologic and Topographical Conditions	
108.2	CBC	a, b, c
108.2.1	CBC	a, b, c
108.3	CBC	a, b, c
501.2.1	CBC	a, b, c
903.2	CBC	a, b, c
903.4.1	CBC	a, b, c

CODE ADOPTED

Adoption of California Building Standards Commission Codes

The following publications are hereby adopted by reference and incorporated, as if fully set forth in this Code; except as expressly amended or superseded by the provisions of this Chapter:

15.10 The 2010 California Building Code, Title 24, Part 2 of the California Code of Regulations, including the following Appendices only: Chapter 1 (Administrative), as further amended herein, Chapter I (Patio Covers) and Chapter J (Grading).

15.11 The 2010 California Residential Code, Title 24, Part 2.5 of the California Code of Regulations.

15.20 The 2010 California Electrical Code, Title 24, Part 3 of the California Code of Regulations.

15.30 The 2010 California Mechanical Code, Title 24, Part 4 of the California Code of Regulations.

15.35 The 2010 California Plumbing Code, Title 24, Part 5 of the California Code of Regulations.

15.50 The International Property Maintenance Code, 2006 edition, as published by the International Code Council

15.70 The 2010 California Administrative Code, Title 24, Part 1, Chapters 4, 5 and 8 only

15.75 The 2010 California Energy Code, Title 24, Part 6 of the California Code of Regulations.

15.80 The 2010 California Elevator Safety Construction Code, Title 24, Part 7 of the California Code of Regulations.

15.85 The 2010 California Historical Building Code, Title 24, Part 8 of the California Code of Regulations.

15.90 The 2010 California Referenced Standards Code, Title 24, Part 9 of the California Code of Regulations.

15.91 The 2010 California Green Building Standards Code, Title 24, Part 11 of the California Code of Regulations.

15.95 Penalties

CODE AMENDMENTS: (The following referenced amendments are sections taken from State of California codes)

108.2 Schedule of permit fees:

On buildings, structures, electrical gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as set fourth in the 1997 Uniform Administration Code table 3A-3H

108.2.1 Plan review fees:

When submittal documents are required by other sections of this code, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fees shall be 65 percent of the building permit fees as indicated in Section 108.2 California Building Code

108.3 Build permit valuations:

The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent system. If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. The fee schedule is based upon the current cost construction valuation established either taking the actual contract price for such work or shall be determined by the use of the latest publication of "Building Valuation Data," or equivalent as published by the International Code Council. The "Building Valuation Data" shall be periodically modified to meet the

inflationary cost associated with labor and material increase which are found in the "Building Cost Index" tables published in the Engineering New-Record by The McGraw-Hill Companies. Final building permit valuation shall be set by the building official.

501.2.1 Address Illumination:

Addressing shall be illuminated at night in all new buildings. Address signs shall be internally or externally illuminated. When the luminance or the face of a sign is from an external source, it shall have an intensity of not less than 5.0 foot-candles. Internally illuminated signs shall provide equivalent luminance.

Address numbers shall be illuminated for buildings constructed after January 1, 2011. Light sources used to comply with this section shall be controlled by a photoelectric device or by a circuit supplied by a house meter which is used to provide other required lighting during hours of darkness. No switch or other similar device shall be installed. Buildings constructed prior to this date shall comply with all other address requirements
The minimum size and dimension of the numbers shall be 6 inches in height with 1-inch stroke width or larger readily visible and legible from the adjacent street. Single Family dwelling shall have a minimum size of 4 inches in heights with 1-inch stroke width or larger.

Where a building is set back from the street or road fronting the property and where addresses may not be clearly identifiable due to distance from the street or roadway, landscape, vegetation and/or architectural appendages, or other obstructions, address posting shall be required both at the street, road or driveway serving such building and on the building. Street or roadside address posting shall be on a weather resistant sign, permanently mounted to a post, and highly visible from all directions of traffic flow. Where unusual circumstances exist a direction indicator may be required to show specific direction of building(s).

All numbering shall be in sequence as approved by the Building and Fire Department.

The developer or property owner shall submit to the Fire Department and Building Department detailed plans for review and approval showing size, materials, method of construction, electrical components and wiring diagram, and location of the installation.

<u>Section 903.2:</u>

(1) An approved automatic fire-extinguishing system shall be installed and maintained in all occupancies and locations as set fourth in this section. A standard automatic sprinkler system shall be installed throughout all buildings:

(a) New commercial, industrial and R occupancies.

(1)Exceptions:

(a) Detached non-combustible vehicle dispensing canopies classified as a Group M occupancy.
(b) Detached Car ports of non-combustible construction
(c) Detached Group B and M occupancies 500 sq. ft. or less

(2) Fire Department Connection (FDC) shall be accessible, identified, and placed within 50 feet of a City Standard Fire Hydrant.

(3) All existing structures shall meet the requirements of this sections when, in the opinion of the chief, a change of occupancy or character of the occupancy is made and a greater hazard to life or property exists or the required fire flows are increased.

903.4.1 Monitoring

Alarm, supervisory and trouble signals shall be distinctly different and automatically transmitted to an approved central station, remote supervising station or proprietary supervising station as defined in NFPA 72 or, when approved by the fire code official, shall sound an audible signal at a constantly attended location.

(a) Requirements. All electronic monitoring systems shall operate either through a private central station or by an approved direct lease line. Initiation and/or termination of required system supervision shall result in immediate notification to Willows Fire Department.

(b) Standards. All electronic monitoring systems shall be designed and installed in accordance with recognized standards and as approved by the Fire Chief.

Exceptions:

(a) Underground key or hub valves in roadway boxes provided by the municipality or public utility are not required to be monitored.

(b) Backflow prevention device test valves located in limited area sprinkler system supply piping shall be locked in the open position. In occupancies required to be equipped with a fire alarm system, the backflow preventer valves shall be

electrically supervised by a tamper switch installed in accordance with NFPA 72 and separately annunciated.

SECTION 2: Filing of Ordinance

The City Clerk is hereby directed to file a copy of this ordinance with the California Building Standards Commission.

SECTION 3: Severability: Should any provision of this ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this ordinance or the application of this ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

SECTION 4: Effective Date: This ordinance shall take effect and be in force thirty (30) days after its adoption as provided by Government Code Section 36937.

SECTION 5: Certification: The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published in accordance with State Law.

* * * * * * * * *

I HEREBY CERTIFY that the foregoing ordinance was **introduced and passed first reading** at a regular meeting of the City Council of the City of Willows on the 26TH day of October, 2010, and **passed and adopted** at a regular meeting thereof, held on 23rd day of November, 2010, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED: ATTESTED:

Heather Baker,
Mayor

Natalie Butler,
City Clerk

ORDINANCE NO. _____

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

Whereas, the California Fire Codes are published every three years by the California Building Standards Commission;

Whereas, the California Building Standards Commission has published the 2010 California Fire Codes by amending Title 24 of the California Code of Regulations, effective January 1, 2011;

Whereas, the 2010 California Fire Codes are based in part on the 2009 International Fire Code, published by the International Code Council;

Whereas, the California Fire Codes may be adopted by cities by incorporation by reference;

Whereas, cities may establish more restrictive Fire standards than those set forth in the California Fire Codes, if certain findings are made pertaining to local climatic, geological or topographical conditions; and

Whereas, the 2010 California Fire Codes will automatically become effective without amendment in the City of Willows 180 days after January 1, 2011, unless the City affirmatively amends the Codes otherwise.

The City Council of the City of Willows does ordain as follows:

Section 1: Amend, Reenact or Create Sections of Chapter 15 - subsection (s) 15.15.010-15.15.230

Chapter 15: subsection (s) 15.15 of the City of Willows Municipal Code are hereby amended, reenacted and created to read as follows:

Chapter Fifteen (15.15.010) Adoption of California Fire Codes

The following publications are hereby adopted by reference and incorporated, as if fully set forth in this Code; except as expressly amended or superseded by the provisions of this Chapter:

15.15.010 The 2010 California Fire Code, Title 24, Part 9 of the California Code of Regulations, including Appendices and Amendments

There is hereby adopted by the City Council of the City of Willows for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion, that certain document entitled "2010 Edition of the California Fire Code and Standards with Amendments, Appendices, the 2010 California Building Code Standards with Certain Amendments, and the 2009 International Fire Code and Standards," is adopted as the California Fire Code of the City of Willows and included in and made a part of this code as though set forth at length herein. Additionally, National Fire Protection Association (NFPA) Standards 10, 13, 13R, 13D, 25 with California Amendments, and NFPA 72 with the most recent editions are adopted.

EXHIBIT A

Local Findings of Fact

The City Council finds that in order to best protect the health, safety, and welfare of the citizens of Willows, the City Council should adopt the California Fire Code Standards. The Council further finds that based upon the materials presented and the recommendations of the Fire Chief, it is necessary to make these revisions in order to clarify procedural issues and to provide fire personnel with a better ability to protect the public.

Under the provisions of Section 17958.5 of the Health and Safety Code, local amendments must be based on climatic, geologic and topographical conditions. The following Findings of Fact address each of these situations and present the local conditions which, either singularly, or in combination, justify the amendments to be adopted:

CLIMATE:

The City, on average, experiences an approximate annual rainfall of 20 inches. This rainfall can normally be expected between October and April. During the winter months, the City may experience periods of heavy rain, which causes local flooding. Winter storms are often accompanied by high winds, which have uprooted trees and damaged power lines. During the dry period, temperatures range from 70 degrees to over 110 degrees. These temperatures are often accompanied by light to moderate gusty winds, which couple with agricultural burning may lead to wind driven fires. With increased development spreading into agricultural areas a wind driven fire could have severe consequences, as has been demonstrated on several occasions through out the state.

GEOLOGIC:

The City is susceptible to flooding hazards resulting from long periods of rain in the Mendocino Forest. The most serious direct flooding hazard threat is from the damage or collapse of buildings and other structures due to water flow. In addition to damage caused by flooding, there is the possibility of flood-induced fires starting because of damage to gas lines, power lines or heat producing appliances and the unavailability of water for fire control due to broken water pumps. In the event of a major flooding or many areas of the City may not be accessible to emergency equipment and, if bridges, freeways or roads are damaged, the City may be isolated from outside assistance.

TOPOGRAPHICAL:

The City borders include flat terrain on the North to the East is the Glenn Colusa Cannel and railroad system. Along the South portions of the City is the Glenn Colusa Cannel continues. To the West is Interstate 5 which then turns from flat terrain to hilly terrain and State Responsibility Area (SRA) land. The railroad, cannel and freeway all create barriers, which may obstruct traffic patterns and delay response time for fire equipment. The water supply within the City is directly affected by the topographical layout. The water distribution system consists of 7 pressure zones, which carry water by gravity from one storage reservoir. Water flow within the City can vary from less than 500 gallons per minute to flows in excess of 1,500 gallons a minute. This wide variation causes major problems to development and fire suppression efforts.

SUMMARY:

The above local climatic, geologic and topographical conditions increase the magnitude, exposure, accessibility problems and fire hazards presented to the Willows Fire Department. Fires in areas determined to be moderate, high or very high fire severity zones, as outline by the State of California (CalFire) fire severity zone map, place additional fire suppression demands on the responding fire agency. A fire following a flood has the potential of causing greater loss of life and damage than the flood itself. The majority of the City's industrial areas are located in the highest flood zones, which also contains the largest concentration of hazardous materials. Hazardous materials, particularly toxic gases, could pose the greatest threat to the largest number of persons, should a significant flood event occur. The Department's resources would have to be prioritized to mitigate the greatest threat, and may be unavailable for vegetation or structure fires.

Other variables that may tend to intensify the situation include:

1. The extent of damage to the water system;

2. The extended isolation due to roadways and/or freeway due to flooding;

3. The extent of roadway damage and/or amount of debris blocking roadways;

4. Climatic conditions (hot, dry weather with high winds);

5. Time of day will influence the amount of traffic on roadways and could intensify the risk to life during normal business hours; and,

6. The availability of timely response due to minimal staffing and volunteerism.

CONCLUSION:

Local climatic, geologic and topographical conditions impact fire prevention efforts and the frequency, spread, intensity, and the size of fire involving buildings in this community. Further, they impact potential damage to all structures from flooding and subsequent fire. Therefore, it is found to be reasonably necessary that the International Fire Code, the California Fire Code, the California Building Code and State Building Standards Code be changed or modified to mitigate the effects of these conditions.

Furthermore, California Health & Safety Code (CH&SC) Section 17958.7 requires that the modification or change to which findings refer be expressly marked and identified. Therefore, the following table provides code sections that will be modified by this ordinance which are building standards as defined in CH&SC Section 18909, and the associated referenced conditions for modification due to local climatic, geologic and topographical conditions.

Section Number:	Local Climatic, Geologic and Topographical Conditions	
304.1.2	CFC	a, b, c
307	CFC	a, b, c
501.4	CFC	a, b, c
505.1	CFC	b, c
506.1	CFC	a, c
901.6.1.1	CFC	a, b, c
903.2	CFC	a, b, c
903.4.1	CFC	a, b, c

903.4.2	CFC	a, b, c
2703.3.1.4	CFC	a, b, c
2702	CFC	a, b, c
3404.2.9.5.1	CFC	a, b, c
3406.2.4.4	CFC	a, b, c
3804.2	CFC	a, b, c
Ch 33	CFC	a, b, c
106.2	CFC	a, b, c
108.1	CFC	a, b, c

CODE AMENDMENTS: (The following reference amendments are sections taken from State of California Code)

Section 304.1.2:

General Persons owning, leasing, renting, in legal control of the property; and operating or maintaining buildings or structures in, upon or adjoining hazardous fire areas, and persons, owning, leasing, or controlling land adjacent to such building or structures shall at all times maintain an effective fire break as stipulated with this code. When property lines are adjacent to roadways the hazard shall be cleared to the center of the roadway.

(A) Definitions. The following words and phrases, with this code, shall be defined as follows:

(1) Compost Pile: A mixture of decayed organic matter (pine needles, leaves, grass clippings etc.) compiled together with the intention to convert compost to fertilizer.

(2) Continuous Fuel: Combustible vegetation whether, living or dead that is adjacent to other similar vegetation without a break.

(3) Debris: Shall mean waste matter, dry grass, dead trees, cut limbs or branches, piles or pine needles or leaves that when dry may be come a fire hazard.

(4) Developed Lot: Structure(s) present on property.

(5) Disking: Shall mean to cultivate with an implement (as a harrow or plow) that turns and loosens the soil as with a series of disks.

(6) Fire Hazard: Anything or act which increases or may cause an increase of the hazard or menace of fire or explosion to a degree greater than that customarily recognized as normal by persons in the public service or preventing, suppressing, or extinguishing fires; or which may obstruct, delay, or hinder, or may become the cause of an obstruction, delay or hindrance to the prevention, suppression or extinguishment of the fire.

(7) Lot: All land within the property lines set forth in the assessor's parcel map or as established by a recorded map or record.

(8) Mowing: To cut with a scythe or machine.

(9) Pasture: Land use for the grazing of livestock.

(10) Rubble: Shall mean any rubble, residue, structure or part of portions of a structure, remaining after fire damage to or the demolition or partial demolition of any building or structure in the city.

(11) Vacant Lot: Void of any structures.

(12) Weeds: When mature, bear seeds of downy or wingy nature or dry overgrown grass, etc. Sagebrush, chaparral, scotch broom, trench broom, Manzanita, or any other brush or weeds which attain such large growth as to become, when dry, a fire hazard to property and structures.

(B) Abatement of Hazard – Clearance of rubble, brush, or vegetative growth for Vacant and Developed Lots.

(1) A cleared space around all buildings 30 feet wide at a minimum. The Chief may require cleared space to be larger if a potential fire hazard exists.

(2) A cleared space (fire break) 50 feet wide minimum completely around the perimeter of the property to the street or sidewalk and cross breaks 30-feet wide minimum, every 50 feet maximum. The Chief may require cleared space to be larger if a potential fire hazard exists.

(3) A cleared space extending 30 feet minimum beyond the foliage of any group of trees. The Chief may require cleared space to be larger if a potential fire hazard exists.

The Fire Chief, Fire Inspectors or designated officials my find it necessary to have all weeds, debris, and rubble that could be expected to burn or may cause a life or safety hazard to be removed from the Entire lot, vacant lot, or developed lot.

Cross Reference Article III Weeds and Rubbish Removal, S 8.05.120/8.05.180 of the Willows Code of Ordnance.

Section 307:

The Fire Chief, Air Pollution Control Officer, or their authorized representative is authorized to require that open burning be immediately discontinued if he/she determines that smoke emissions are offensive to occupants of surrounding property or if the open burning is determined by the Fire Chief, his or her designee, to constitute a hazardous condition.

The Fire Chief is authorized to enforce a ban on all open burning during periods of critical fire danger.

Open burning / residential:

(A) Is not allowed in the City Limits of Willows.

(B) To include Burn Barrels, Litter, Brush, Leaves, Debris, Weeds or any other substance.

Special Event Burning:

Special event burning is authorized when a permit is obtained for a warming fire or cooking with the following criteria:

(A) Pit location must be inspected prior to digging;

(B) Twenty-foot clearance of all vegetation around pit and structures;

(C) Pit shall be in attendance of an adult at all times;

(D) Pit shall have a mesh wire top;

(E) Only unprocessed wood or barbecue charcoal shall be burned in pit.

Section 501.4:

An all weather driving surface capable of supporting imposed loads up to 70,000 pounds shall be maintained during all phases of construction.

Fire hydrant(s) capable of meeting minimum fire flows of 1,000 gallons per minute shall be charged and available to all sites under construction prior to the stacking of combustible materials on site. Fire hydrants shall be located within 500' of the furthest most point of construction; use of an existing hydrant shall not interfere the daily routine traffic patterns of City residents.

Section 505.1:

Approved numbers for premises identification shall be placed on all new and existing buildings near the doorway or in such a position as to be plainly visible and legible from the street or access fronting the property during both day and night hours.

Address numbers shall be illuminated for buildings constructed after January 1, 2008. Light sources used to comply with this section shall be controlled by a photoelectric device or by a circuit supplied by a house meter which is used to provide other required lighting during hours of darkness. No switch or other similar device shall be installed. Buildings constructed prior to this date shall comply with all other address requirements.

Address signs shall be internally or externally illuminated. When the luminance or the face of a sign is from an external source, it shall have an intensity of not less than 5.0 foot-candles. Internally illuminated signs shall provide equivalent luminance

All properties that are served by a rear access shall install approved numbers for premises identification in such a position as to be plainly visible and legible from the access. Exception: Single family dwelling.

Number shall be contrasting in color to their background.

The minimum size and dimension of the numbers shall be 6 inches in height with 1-inch stroke width or larger readily visible and legible from the adjacent street. Single Family dwelling shall have a minimum size of 4 inches in heights with 1-inch stroke width or larger.

Where a building is set back from the street or road fronting the property and where addresses may not be clearly identifiable due to distance from the street or roadway, landscape, vegetation and/or architectural appendages, or other obstructions, address posting shall be required both at the street, road or driveway serving such building and on the building. Street or roadside address posting shall be on a weather resistant sign, permanently mounted to a post, and highly visible from all directions of traffic flow. Where unusual circumstances exist a direction indicator may be required to show specific direction of building(s).

Condominiums, apartment complexes, townhouses, mobile home parks, and multiple commercial buildings shall have installed, at points of entry, an illuminated directory in accordance with Fire Department standards. The directory sign shall consist of the following:

(A) A plot plan showing private drives.
(B) Access roads.
(C) Building locations(s) with individual numbers and addresses.
(D) Fire hydrant locations.
(E) Name of the complex.
(F) A reference point on the plot plan indicating the location of the directory.
(G) A north direction indicator.
(H) Key box location.
(I) Hazardous materials information and storage location(s).

All numbering shall be in sequence as approved by the Planning and Fire Departments.

The developer or property owner shall submit to the Fire Department and Building Department detailed plans for review and approval showing size, materials, method of construction, electrical components and wiring diagram, and location of the installation.

Section 506.1:

A key box shall be installed on all new commercial, industrial and R occupancies excluding R-3. The key box shall be an approved type and contain those keys necessary to gain access. Placement shall be approved by Fire chief or designee.

Section 901.6.1.1:

The Fire chief or designee may determine a fire alarm to be unreliable upon receipt of more than four false alarms within a twelve month period. Upon making such finding, the chief may order the following:

(A) Upon the fourth (4th) false alarm from the system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of $150.00 plus the costs of the response for each false alarm.

(B) Upon the sixth (6th) false alarm from the system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of $300.00 plus the costs of the response for each false alarm.

(C) Upon the eight (8th) and each subsequent false alarm, from the system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of $500.00 plus the cost of the response, as specified in the fire department's approved fee schedule for each occurrence. In addition, the chief may require the system owner to provide standby personnel or take such measures as he/she deems appropriate. Persons or activities required by the chief shall remain in place until a fire department approved fire alarm maintenance firm certifies in writing to the chief that the alarm system has been restored in a reliable condition. The chief may require such tests as he deems necessary to demonstrate the adequacy of the system.

Section 903.2:

An approved automatic fire-extinguishing system shall be installed and maintained in all occupancies and locations as set fourth in this section. A standard automatic sprinkler system shall be installed throughout all buildings:

(A)New commercial, industrial and R occupancies.

(1) Exceptions:

(a) Detached non-combustible vehicle dispensing canopies classified as a Group M occupancy.
(b) Detached Car ports of non-combustible construction
(c) Detached Group B and M occupancies 500 sq. ft. or less

(B) Fire Department Connection (FDC) shall be accessible, identified, and placed within 50 feet of a City Standard Fire Hydrant.

All existing structures shall meet the requirements of this sections when, in the opinion of the chief, a change of occupancy or character of the

occupancy is made and a greater hazard to life or property exists or the required fire flows are increased.

Section 903.4.1:

All electronic monitoring systems shall operate either through a private central station or by an approved direct lease line. Initiation and/or termination of required system supervision shall result in immediate notification to Willows Fire Department.

All electronic monitoring systems shall be designed and installed in accordance with recognized standards and as approved by the Fire Chief.

Section 903.4.2:

Every fire alarm system installed for the purpose of evacuation, including those systems activated solely by fire sprinkler systems shall be designed so that all occupants of the building shall be notified audibly and visually.

Section 2703.3.1.4:

The fire department is authorized to clean up or abate the effects of any hazardous material deposited upon or into property of facilities within the city, and any person or persons who intentionally or negligently cause such deposit, or have ownership in the land upon which the deposit is located, shall be liable for the payment of all costs incurred by the fire department as a result of such cleanup or abatement activity. The remedy provided by this section shall be in addition to any other remedies provided by law.

Section 2702:

For the purpose of this section "hazardous materials" shall be defined as any substances or materials in a quantity or from which, in the determination of the fire chief or his authorized representative, poses an unreasonable and imminent risk to the life, health, or safety of persons or property or to the ecological balance of the environment, and shall include, but not limited to, such substances and explosives, radioactive materials, petroleum or petroleum products or gases, poisons, etiologic (biologic) agents, flammable and corrosives.

For the purposes of this section, "costs incurred by the fire department" shall include, but shall not necessarily be limited to, the following: Actual labor costs of city personnel either for actual clean up or standby time at the scene of the deposit, including worker's compensation benefits, fringe benefits, administrative overhead; cost of equipment operation, cost of

materials obtained directly by the city; and costs of any contract labor and materials.

Section 3404.2.9.5.1:

The California Fire Code in which storage of flammable liquids in outside above ground tanks is prohibited mean the incorporated limits of the City of Willows.

Section 3406.2.4.4:

The California Fire Code in which storage of flammable liquids in outside above ground tanks is prohibited mean the incorporated limits of the City of Willows.

Section 3804.2:

(A) In the residential incorporated limits of the City of Willows, up to five hundred gallons of combustible liquid meaning LPG may be stored in an above ground or inground tank meeting requirements of sections 3804 of the California Fire Code (2007). Minimum distance must be maintained per table 3804.3 of the California Fire Code (2007). Tank base must be secured per NFIP (1993) Technical bulletin 7-93. Written notice of having an above ground or inground tank will be placed in the main electrical panel for notification to emergency personnel.

Chapter 33:

Safe and Sane fire works are authorized to be sold that bears the seal of approval of the California State Fire Marshal's Office, provided that a permit is first obtained from the Fire Chief. The Fire Chief may only issue ten (10) permits, permitting the sale of fireworks. Safe and Sane fire works are only authorized to be sold to patrons 16 or older. The sell and firing of fire works are only permitted between June 28th and July 6th.

Chapter 1, Section 106.2:

For the purpose of providing and maintaining functions necessary for the prevention of fire and for the protection of life and property from fire and panic, the Willows Fire Department does establish a Self-Inspection Program, assuring that applicable "B" and "M" occupancies within the city are inspected on an annual basis for fire safety.

Definition. The following words and phrases, with this code, shall be defined as follows:

(A) "B" Occupancies: Those building for professional or service-type transactions offices, including storage of records and accounts.

(B) "M" Occupancies: Building for the display and sale of merchandise, and involving stocks of goods, wares or merchandise, as defined in Section 202 of the California Fire Code.

(C) Function of Self-Inspection Program. The Willows Fire Department shall deliver, by hand or by mail, its current "Self-Inspection Worksheet" and "Confidential Business Occupancy Information" forms to each "B" and "M" occupancy within the city on a bi-annual basis.

(D) Failure to Comply: Failure of the business owner, property owner, or person responsible for the property to comply with the requirement to return the Self-Inspection Worksheet duly completed; or fails to correct the deficiencies noted within 14 days shall be issued one warning letter extending the inspection period by seven (7) days. Failure to complete and return the Self-Inspection Worksheet shall result in an inspection of the delinquent occupancy by Willows Fire Department personnel, for which the business owner will be charged as provided in the City of Willows Schedule of Fees and Charges for City Services.

(E) Further, failure of the business owner or property owner to correct deficiencies found, shall be an infraction; and the city may cause to issue a citation to the business owner or property owner for violation of the terms of this section.

Chapter 1, Sec 108.1:

Whenever the Fire Chief or his/her representative disapproves an application or refuses to grant a permit applied for or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the Fire Chief to the City Council within 30 days from the date of the decision appealed.

The decision of the City Council shall be final. The council shall render all decisions and findings in writing to the Fire Chief with a conclusion of the hearing.

SECTION 2: Filing of Ordinance:

The City Clerk is hereby directed to file a copy of this ordinance with the California Building Commission.

SECTION 3: Severability: Should any provision of this ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this ordinance or the application of this ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

SECTION 4: Effective Date: This ordinance shall take effect and be in force thirty (30) days after its adoption as provided by Government Code Section 36937.

SECTION 5: Certification: The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published in accordance with State Law.

* * * * * * * * * *

I HEREBY CERTIFY that the foregoing ordinance was **introduced and passed first reading** at a regular meeting of the City Council of the City of Willows on the 26TH day of October, 2010, and **passed and adopted** at a regular meeting thereof, held on 23rd day of November, 2010, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED: ATTESTED:

Heather Baker,
Mayor

Natalie Butler,
City Clerk

AGENDA ITEM November 23, 2008

TO: Steve Holsinger, City Manager

FROM: Natalie Butler, City Clerk

SUBJECT: Resolution Confirming Canvass of Returns and Results of Election held November 2, 2010.

RECOMMENDATION

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

SUMMARY

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 in order for the Council to confirm the results of the election by adopting the attached Resolution. After the Resolution is adopted, the new members of the City Council will be sworn into office.

RECOMMENDATION

Adopt a Resolution confirming canvass of returns and results of the November 2, 2010, election.

Respectfully submitted,

Natalie Butler

Natalie Butler
City Clerk

Attachments: Resolution
Certificate of County Clerk to Results of the Canvass of the Election Returns & Glenn County Statement of Vote for Willows City Council

RESOLUTION NO.

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

WHEREAS, a Consolidated General Municipal Election was held in the City of Willows on Tuesday, November 2, 2010; and

WHEREAS, the Glenn County Clerk has canvassed the returns of said election;

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

1. That the canvass of said election is hereby confirmed.
2. That the total number of ballots cast in said election was 1659.
3. That the list of candidates nominated for the office of the City Council for the full term of four years each, as set forth in the petitions on file with the City Clerk, and the number of votes cast in favor of each candidate were as follows:

NAME	TOTAL VOTES
Sandie Hobbs	841
Jeff Cobb	693
David B. Vodden	592
Lawrence Mello	428
Write-In	9

4. That, Sandie Hobbs and Jeff Cobb, for members of the City Council for a full term of four years, each received the highest number of votes cast for the office for which each was a candidate and said persons were thereby elected to said respective offices for the terms hereinabove set forth, and the City Clerk is hereby authorized to administer thereto the Oath of Office prescribed in the Constitution of the State of California.

PASSED AND ADOPTED by the City Council of the City of Willows this 23rd day of November, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

Heather Baker, Mayor

ATTEST:

_____

Natalie Butler, City Clerk

COUNTY OF GLENN
ELECTIONS DEPARTMENT

SHERYL THUR
Assessor
County Clerk
Recorder
Elections

Courthouse Complex
516 West Sycamore Street
Willows, CA 95988

(530) 934-6414 FAX (530) 934-6485

November 16, 2010

RECEIVED
NOV 18 2010
City of Willows

City of Willows
201 N. Lassen Street
Willows, Ca.95988
Attention: Steve Holsinger

Dear Mr. Holsinger,

Enclosed is the official Statement of Vote for the November 2, 2010 General Election. This statement shows the results of the city offices that were up for election. The successful candidates are:

Sandie Hobbs, Member, Willows City Council
Jeff Cobb, Member, Willows City Council

If you have any questions, please call the Elections Office at 934-6414.

Sincerely,

SHERYL THUR, GLENN COUNTY CLERK

By: Lisa Teeter

Lisa Teeter, Supervising Technician

CERTIFICATE OF COUNTY CLERK TO RESULTS OF THE CANVASS OF THE CONSOLIDATED GENERAL ELECTION RETURNS

November 2, 2010

STATE OF CALIFORNIA
COUNTY OF GLENN } SS

I, SHERYL THUR, County Clerk of said County of Glenn, do hereby certify that pursuant to the provisions of Section 15301 of the Elections Code, I did canvass the returns of the votes cast in the Consolidated General Election held on November 2, 2010, for elective public offices, and/or for and against each measure as submitted to the vote of the electors, and that the Statement of the Votes Cast, to which this certificate is attached, shows the whole number of votes cast for each candidate and/or for and against each measure and in each of the respective precincts therein, and that the totals of the respective columns and the totals as shown for each candidate and/or for and against each measure are full, true and correct.

WITNESS my hand and Official Seal this 9th day of November, 2010

(seal)

SHERYL THUR, Glenn County Clerk

By: Susan Alves
Susan Alves, Asst. Clerk-Recorder

GLENN COUNTY Statement of Vote
CONSOLIDATED GENERAL ELECTION

100031

NON PARTISAN WILLOWS CITY COUNCIL

	Registration	Ballots Cast	Turnout (%)		JEFF COBB	DAVID B. VODDEN	LAWRENCE MELLO	SANDIE HOBBS	Write-In
CONS PRECINCT 7 0007	678	149	21.98		57	53	41	75	0
CONS PRECINCT 7 - Absentee	678	301	44.40		135	108	94	148	3
CONS PRECINCT 8 0008	759	189	24.90		79	47	49	93	1
CONS PRECINCT 8 - Absentee	759	301	39.66		126	119	73	143	3
CONS PRECINCT 9 0009	735	193	26.26		77	69	54	106	1
CONS PRECINCT 9 - Absentee	735	314	42.72		123	126	74	175	0
VBM PRECINCT 31070 3107	175	106	60.57		48	38	17	48	0
VBM PRECINCT 31070 - Absente	175	0	0.00		0	0	0	0	0
VBM PRECINCT 31090 3109	148	106	71.62		48	32	26	53	1
VBM PRECINCT 31090 - Absente	148	0	0.00		0	0	0	0	0
Precinct Totals	2495	743	29.78		309	239	187	375	3
Absentee Totals	2495	916	36.71		384	353	241	466	6
Grand Totals	2495	1659	66.49		693	592	428	841	9
2ND CONGRESSIONAL	2495	1659	66.49		693	592	428	841	9
4TH STATE SENATE	2495	1659	66.49		693	592	428	841	9
2ND ASSEMBLY	2495	1659	66.49		693	592	428	841	9
2ND BOARD OF EQUALIZATION	2495	1659	66.49		693	592	428	841	9
3RD SUPERVISOR	323	212	65.63		96	70	43	101	1
4TH SUPERVISOR	2172	1447	66.62		597	522	385	740	8
GLENN COUNTY	2495	1659	66.49		693	592	428	841	9
CITY OF WILLOWS	2495	1659	66.49		693	592	428	841	9
2ND CONGRESSIONAL	2495	916	36.71		384	353	241	466	6
4TH STATE SENATE	2495	916	36.71		384	353	241	466	6
2ND ASSEMBLY	2495	916	36.71		384	353	241	466	6
2ND BOARD OF EQUALIZATION	2495	916	36.71		384	353	241	466	6
3RD SUPERVISOR	323	0	0.00		0	0	0	0	0
4TH SUPERVISOR	2172	916	42.17		384	353	241	466	6
GLENN COUNTY	2495	916	36.71		384	353	241	466	6
CITY OF WILLOWS	2495	916	36.71		384	353	241	466	6