

CITY COUNCIL

Jeffrey T. Cobb, Mayor
Terry Taylor-Vodden, Vice Mayor
Larry Domenighini, Council Member
Lawrence Mello, Council Member
William "Bill" Spears, Council Member

CITY MANAGER
Steve Holsinger

CITY CLERK
Natalie Butler



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

SPECIAL CITY COUNCIL AND PLANNING COMMISSION JOINT MEETING
AGENDA & REGULAR CITY COUNCIL MEETING AGENDA

Tuesday, April 9, 2013
5:00 p.m.

1. **Call to Order Willows City Council & Planning Commission Special Joint Meeting - 5:00 p.m.**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Public Comment:** Pursuant to Government Code §54956, public comments are **limited only to those agenda topics listed on the special joint meeting agenda** and no other business shall be heard or considered by the legislative body. Comments should be directed to the Mayor/Vice Mayor and/or Council Members only. Please speak into the microphone and, although not required, it is requested that you state your name for the record. *(Public Comment is restricted to three minutes).*
5. **The City Council, Planning Commission and City Staff will hold discussions, and if appropriate, Council will provide direction to the Commission / City Staff on the following items:**
 - A. Presentation by Basin Street Properties (Limited to 15 minutes)
 - B. Long Term Planning Vision / Needs
 - C. Training & Staff Support for the Planning Commission
 - D. Code Enforcement
 - E. Review of Zoning & Land Use Maps
 - F. Potential Zoning Text Amendments
6. **7:00 P.M.: ADJOURN TO CITY COUNCIL REGULAR MEETING**
7. **Agenda Review: (Requested Changes by Council or Staff).**
 - a) Consider acceptance, by motion, of City Council April 9, 2013, City Council Meeting Agenda.
8. **Presentations & Proclamations:**
 - a) Mayor Cobb will present Barbara LaDoucer of the American Legion Auxiliary a Proclamation declaring the month of May as "Poppy Month".
 - b) Citizens Alan Schauer and/or Mike Roberts will give the Council an update on their concepts to deter the annual migration and roosting of the Night Herons and Snowy Egrets in the City.

9. **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, Payroll & Direct Deposit Check Registers.
- b) Consider approval of the Minutes of the Willows City Council Regular Meeting held March 12, 2013.

10. **Public Hearings:**

(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. Although not required, it is requested that you please state your name for the record).

- a) Conduct a Public Hearing and upon conclusion, by motion, consider adoption of a Resolution approving the submittal of a CDBG PT/A Grant Application for a Housing Element Update.
- b) Conduct a Public Hearing and upon conclusion, by motion, consider adoption of a Resolution approving the submittal of a CDBG PT/A Grant Application for a Housing Conditions Survey.

11. **Ordinances:** None

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

13. **New Business:**

- a) By consensus, direct staff to work with the City of Orland to jointly execute a tolling agreement with Glenn County and enter negotiations seeking agreement of restoration of property tax assessment fees improperly withheld from both cities.

14. **Council Member Reports:**

- a) Council will review and discuss a report submitted by Council Member Mello regarding the potential replacement of the banner poles on Sycamore Street and Council will direct Staff as necessary.

15. **Public Comment / Written Communications:** Members of the public wishing to address the Council on any item(s) **not on the regular city council meeting agenda** may do so at this time when recognized by the Mayor/Vice Mayor; however, no formal action will be taken unless placed on a future agenda. Comments should be directed to the Mayor/Vice Mayor and/or Council Members only. Although not required, it is requested that you give your name for the record. *(Public Comment is restricted to three minutes).*

16. **Executive Session:** None

17. **Adjournment:**

CERTIFICATION: Pursuant to Government Codes § 95954.2 (a) & § 54956 the agenda for this meeting was properly posted on or before April 5, 2013.

A complete agenda packet, including staff reports and back-up information, is available for public inspection during normal business 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.

The City of Willows is an Equal Opportunity Provider

Proclamation

City of Willows

DECLARING THE MONTH OF MAY, AS "POPPY MONTH"

WHEREAS, America is the land of freedom, preserved and protected willingly and freely by citizen soldiers; and

WHEREAS, millions who have answered the call to arms have died on the field of battle; and

WHEREAS, a nation that is at war must be reminded of the price of war and the debt owed to those who have died in war; and

WHEREAS, the red poppy has been designated as a symbol of the sacrifice of all the lives lost in all of the wars; and

WHEREAS, the American Legion Auxiliary, for ninety two years, has pledged to remind America annually of this debt through the distribution of the memorial poppy;

NOW THEREFORE, I, Jeff Cobb, Mayor of the City of Willows, do hereby proclaim the month of May, 2013, as "POPPY MONTH" and ask that all citizens pay special tribute to those who have made the ultimate sacrifice in the name of freedom by wearing the Memorial Poppy during the month of May.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Willows, Glenn County, California, this 9th day of April, 2013.



Jeffrey J. Cobb, Mayor

MINUTES OF THE WILLOWS CITY COUNCIL REGULAR MEETING HELD

March 12, 2013

1. Mayor Cobb called the meeting to order at 7:02 p.m.
2. **PLEDGE OF ALLEGIANCE:** Luke Niblack led the Pledge of Allegiance.
3. **ROLL CALL:**
Present: Domenighini, Taylor-Vodden, Mello, Spears & Mayor Cobb
Absent: None
4. **Agenda Review:** It was requested that items 7 (a) & 7 (b), which is the approval of the General Payroll & Direct Deposit Check Registers, be removed from the agenda, as staff was not available to provide the report. It was **moved** by Council Member Spears and **seconded** by Council Member Taylor-Vodden to approve the March 12, 2013 agenda as amended. The motion unanimously passed.
5. **Presentations & Proclamations:**
 - a) Mayor Cobb presented a Proclamation to Claudia Gillen of the Rape Crisis Intervention & Prevention Center declaring the month of April as "Sexual Assault Awareness Month".
 - b) Glenn County Mosquito & Vector Control District Representative Luke Niblack & Russ Melquist, Mosquito & Vector Control District Board Trustee, gave a report on District operations and recent mosquito-borne virus activity within the County.
6. **Public Comment/Written Communications:** None
7. **Consent Agenda:**

Motion by Council Member Domenighini, **second** by Council Member Taylor-Vodden to approve the Consent Agenda as amended with the removal of items 7(a) & (b). The motion unanimously passed 5/0 and the following items were approved/adopted:

 - c) Approval of the Minutes of the Willows City Council Regular Meeting held February 12, 2013.
 - d) Adoption of a Resolution accepting the public improvements associated with the Walmart project and authorizing the City Engineer to release the performance and labor & materials bonds posted for this development.
8. **Public Hearings:** None
9. **Ordinances:** None
10. **Items introduced by City Council or Administrative Staff for discussion purposes only:**

The City Manager reminded the Council to communicate with the City Clerk on any topics that they would like to have placed on the Joint City Council & Planning Commission Meeting scheduled for 5:00 p.m. on April 9. Staff requests this information no later than March 22 so there can be an item placed on

the City Council Agenda for the March 26 Council Meeting to finalize and prioritize meeting topics for the Joint Meeting agenda.

The City Manager also reminded the Council about the Joint Cities/County EDC Meeting scheduled to occur on April 24 at the Orland Memorial Hall. He asked that those people who plan to attend to notify the City Clerk and also notify the Clerk if they have any items that wish to have placed on that meeting's agenda.

11. New Business:

- a) Consider approval to relocate the bus stop currently located at the corner of Butte and Sycamore Streets and confirm a new location for the bus stop:

This item was originally heard, and ultimately tabled, by the City Council during their February 26, 2013, meeting in order to provide staff an opportunity to gather more information before the Council makes a final decision where to relocate the bus stop currently located at the corner of Butte & Sycamore Streets. Staff introduced some additional information and concepts on where the Council could choose to designate a new bus pick-up location in the downtown area. Discussion ensued among the Public Works Director, the Council and a representative from Para-Transit who provides the transportation services for "Glenn Ride". There was some discussion and confusion about the City Council designating two separate bus "drop-off" and bus "pick-up" locations in this downtown area, and that was not part of the original plan that had been presented to the Council, therefore, it was the unanimous consensus of the Council that this item be tabled once again to allow staff more time to gather additional information. No formal action was taken at this time.

- b) Consider approval of the timeline and bid specifications for the removal and replacement of the apparatus bay doors at the Fire Department and allow staff to begin the bid process:

The City has recently been approved for funding under Program Income Waiver Project to be used for the purpose of removal and replacement of the apparatus bay doors at the Fire Department. The doors currently at the Fire Department were installed in 1980 and have passed their life span and staff is unable to even find parts for repairs needed for the doors. Staff is asking that the Council approve the presented timeline and bid specifications for the removal and replacement of the doors and allow the bid process to begin.

It was **moved** by Council Member Mello and **seconded** by Council Member Domenighini to approve the proposed timeline and the bid specifications for the purpose of removal & replacement of the apparatus bay doors at the Fire Department and to allow Staff to begin the bid process. The motion unanimously passed.

- c) Consider approval of the renewal of the City's Membership in the League of California Cities; to include the optional ten percent dues surcharge in support of optional litigation expenses incurred and/or anticipated by the League:

Each year the City budgets for membership in the League of California Cities and over the past five fiscal years the membership dues have not increased. The dues for the 2012/13 fiscal year have once again remain unchanged, however, over the past few years the League of California Cities has engaged in

several lawsuits against the State of California, resulting from legislative actions imposing negative consequences upon every City in the State. As a result, the League Board is requesting that cities consider paying a ten percent litigation surcharge this year in support of the League's actions to secure local government funding at the State level. Although this surcharge is optional for each member city, Willows Management Staff is recommending approval of the membership to continue to include the optional Litigation Surcharge of ten percent.

It was **moved** by Council Member Domenighini and **seconded** by Council Member Spears to approve the renewal of the City's Membership in the League of California Cities; to include the optional ten percent dues surcharge in support of optional litigation expenses incurred and/or anticipated by the League. The motion unanimously passed.

- d) Consider approving a funding request by the League of California Cities to participate in an ongoing statewide streets and roads needs assessment project:

The League of California Cities, in conjunction with the California State Association of Counties (CSAC), over the past couple of years had initiated a statewide local streets and roads needs assessment project. The initial report in 2009 had a significant impact on successfully safeguarding transportation funding at the state budgetary level. However, in an effort to keep the assessment moving forward across the state, the League estimates a funding need of approximately \$250,000 each two years until finished. Fifty percent of these costs are provided through funding from Regional Transportation Planning Agencies, with the remaining fifty percent to be funded by cities and counties around the state. Willows has never contributed to this effort and the League is requesting the City's assistance in support of this statewide initiative. The cost would be a one-time contribution of \$150.00 for this project funding cycle. Approval is at the sole discretion of the City Council, however Staff recommends approval of the League's request for assistance. Funding for this level of contribution is available in the current fiscal work plan in conjunction with a funding balance remaining following payment of League Membership fees. Staff is requesting that Council approve this funding request.

It was **moved** by Council Member Taylor-Vodden and **seconded** by Council Member Spears to approve a one-time \$150.00 funding request by the League of California Cities to participate in an ongoing statewide streets and roads needs assessment project. The motion unanimously passed.

12. Council Member Reports:

Council Member Domenighini reported that he would be attending the Library Board of Trustees meeting this Thursday. He also stated that on Wednesday, March 19, there will be an Open House at the Bayliss Library from 2:00 p.m. – 5:00 p.m. The Friends of the Library (FOTL) will be hosting a book sale on May 1 through May 4 and on May 20 they will have a raffle drawing. He stated that FOTL President Brian Ramos will attend the next City Council Meeting to give the Council more specific information on the raffle and possibly sell some raffle tickets.

Council Member Taylor-Vodden reported that she has on her calendar that March 27 should be the next 3CORE Meeting but she has not yet received an agenda packet for the meeting.

Council Member Spears stated that the next Transit & Transportation Meeting will be held on March 21 but he will be unable to attend so he was hoping that the alternate, Mayor Cobb, may be able to attend in his absence. Mayor Cobb stated that he will do everything he can to try to attend but couldn't guarantee

he would be able to make it. Council Member Spears also announced that the Recreation Department's Spring Soccer program begins in the upcoming weekend.

13. **Executive Session:** Pursuant to California Government Code Sections 54950 et seq., the City Council held a Closed Session at 8:17 p.m. More specific information regarding this closed session is indicated below:

a) CONFERENCE WITH LABOR NEGOTIATOR(S) pursuant to Section 54957.6

Agency Negotiators: City Manager Steve Holsinger
Finance Director Tim Sailsbery

Employee Organization(s): Willows Employees Association
Willows Public Safety Association
Unrepresented Employees (All City Employees not represented by WEA or WPSA)

14. **Report out from Closed Session:** The Meeting reconvened to open session at 10:04 p.m. with Mayor Cobb announcing that there was no reportable action taken.

15. **Adjournment:** Mayor Cobb adjourned the meeting at 10:05 p.m.

Dated: March 12, 2013

NATALIE BUTLER

City Clerk

The City of Willows is an Equal Opportunity Provider

AGENDA ITEM

April 9, 2013

TO: Honorable Mayor Cobb and Members of City Council

FROM: Karen Mantele, Principal Planner

SUBJECT: CDBG 2013 SUPER NOFA PT/A Grant Application under Community Development Allocation for a Housing Element Update

RECOMMENDATION

Adopt the attached resolution approving the submittal of a CDBG PT/A Grant Application for a Housing Element Update authorizing the City Manager to sign the application and submit the application to the State Department of Housing and Community Development.

SUMMARY

The State of California, Department of Housing and Community Development (Department) administers a Federal program known as the State Community Development Block Grant (CDBG) Program. The Department receives funds annually from the Federal Department of Housing and Urban Development (HUD). The Department sets aside part of each annual funding allocation received from HUD for Planning and Technical Assistance (PTA) grants, through a NOFA (Notice of Funding Availability). This year (2013) the State issued a SUPER NOFA and consolidated all CDBG activities which may be applied for at the same time.

In issuing this SUPER NOFA, the Department is announcing the availability of funding under the CDBG PT/A Community Development allocation, including Planning and Technical Assistance (PTA) grants, which can assist a city with a wide range of studies, pre-development, design and engineering costs. The allocation provides funding in the form of grants to small cities and rural counties for planning and feasibility studies related to CDBG eligible activities. The maximum grant award is not to exceed \$100,000 total, with a maximum of two PT/A studies per application, where in prior years the total a city could make application for was \$35,000. The proposed application will be an application for \$35,000 to conduct a **Housing Element Update**. Applications must be received by HCD by April 12, 2013. The last Housing Element Update to the General Plan was prepared in 2009 and adopted by the City Council and accepted by the State in 2010. The next update is due to HCD on June 30, 2014.

FINANCIAL CONSIDERATIONS

State CDBG statute (Health and Safety Code, Section 50833) requires each applicant to contribute a percentage of cash match. Commitment of the required cash match must be included in the authorizing resolution. The approval of the attached resolution commits the City to \$1,750. The source of funding is available through Community Discretionary Funding that the City has available for such purposes.

NOTIFICATION

A public hearing notice for this item has been published in the local paper of distribution in accordance with state law. CDBG Regulations require that two public hearings be held before the jurisdiction submits an application to the Department. The first hearing must be held during the program design stage. This public hearing was held on

January 8, 2013. Prior to submittal of an application for funding, a second public hearing must be noticed 10 days prior to the meeting. This notice for this Public Hearing was published in compliance with State Law.

ALTERNATE ACTIONS

No alternatives are recommended.

RECOMMENDATION

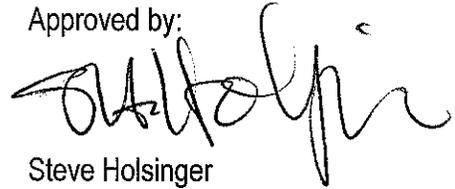
Adopt the attached resolution approving the submittal of a CDBG PT/A Grant Application authorizing the City Manager to sign application and submit the application to the Department of Housing and Community Development.

Respectfully submitted,



Karen Mantele
Principal Planner

Approved by:



Steve Holsinger
City Manager

Attachments:

- 1) Draft Resolution
- 2) Scope of Project (Housing Element Update)

RESOLUTION No. ____-2013

A RESOLUTION APPROVING A 2013 SUPER NOFA GRANT APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE PLANNING AND TECHNICAL ASSISTANCE (PT/A) COMMUNITY DEVELOPMENT ALLOCATION OF THE STATE CDBG PROGRAM FOR A HOUSING ELEMENT UPDATE

WHEREAS, the City Council for the City of Willows has reviewed and hereby approves a grant application for up to \$35,000 for the preparation of a Housing Element Update; and;

WHEREAS, funding is available from the State Department of Housing and Community Development through the release of the SUPER NOFA on January 8, 2013; and

WHEREAS, on January 8, 2013 the City Council of the City of Willows held a general public program design hearing; and,

WHEREAS, on April 9, 2013 the City Council of the City of Willows held an application submittal hearing; and

WHEREAS, the City Council has reviewed all evidence submitted in connection with the application, including public testimony, staff report, supporting documentation, and all other relevant documents and evidence which are part of the record of proceedings; and

WHEREAS, the City has determined that Federal Citizen Participation requirements were met during the development of this application; and

WHEREAS, the City Council finds that the proposal is considered exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15262, Feasibility and Planning Studies; and

WHEREAS, the City hereby approves the use of Community Discretionary Funding Sources in the amount of \$1,750 to be used as the City's required match for this application, and

WHEREAS, the City Manager is hereby authorized and directed to sign this application and act on the City's behalf in all matters pertaining to this application, and

WHEREAS, If the application is approved, the City Manager is authorized to enter into and sign the grant agreement and any subsequent amendments with the State of California for the purposes of this grant; and

WHEREAS, If the application is approved, the City Manager is authorized to sign Funds Requests and other required reporting forms for the purposes of this grant.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Willows does hereby resolve as follows:

1. That the proposed project qualifies as an eligible use of Department funds.

2. That the City Council hereby commits \$1,750 of cash match towards the project costs.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council on this 9th day of April, 2013, by the following vote:

AYES in favor of:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTESTED:

Jeff Cobb, Mayor

Natalie Butler, City Clerk

SUMMARY
CITY OF WILLOWS
COMMUNITY DEVELOPMENT
CDBG P/TA GRANT APPLICATION 2013 - 2014

ENTER THE PROPOSED ACTIVITY: Housing Element Update

TOTAL AMOUNT OF FUNDS REQUESTED: \$35,000

Activity Description

BRIEF DESCRIPTION OF THE PROBLEM:

State law recognizes the vital role local governments play in the supply and affordability of housing. The governing body (City Council) of a local government in California is required to adopt a comprehensive, long-term general plan for the physical development of the city. The housing element is one of the seven mandated elements of the local general plan. Housing element law, enacted in 1969, mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. The law acknowledges that, in order for the private market to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems which provide opportunities for, and do not unduly constrain, housing development. As a result, housing policy in the State rests largely upon the effective implementation of local general plans and, in particular, local housing elements.

Unlike other elements of the general plan, state law explicitly requires that the housing element be reviewed and updated as frequently as appropriate, but not less than every five years.

DETAILED DESCRIPTION OF THE PROGRAM DESIGN /SCOPE OF WORK:

Per State Law (Gov. Code Sec.65583), the housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, and mobile-homes, and shall make adequate provisions for the existing and projected needs of all economic segments of the community.

Task I: Project initiation.

Review work program, collect all relevant reports and material, meet with local staff, and tour community.

Task II: Review existing housing element and develop outline for revised element.

Review and evaluate existing Housing Element. Based on this review, design the format/scope of the updated element.

Task III: Complete demographic and socioeconomic analysis.

Analyze and document demographic and socioeconomic variables of the community.

Task IV: Complete analysis of at-risk housing stock.

Identify, quantify, list, and evaluate at-risk assisted housing developments.

- Task V: Complete housing needs assessment.**
Identify, document, and analyze existing and projected housing needs.
- Task VI: Conduct land use survey to identify areas suitable for potential residential development.**
Inventory and map sites suitable for residential development.
- Task VII: Inventory existing housing assistance programs.**
Research and compile resource inventory of federal, state, and local assistance programs.
- Task VIII: Identify housing constraints.**
Identify and evaluate potential and actual government and non-government constraints on maintenance, improvement and development of housing. Recommend processes, procedures, and programs to reduce or eliminate constraints.
- Task IX: Identify opportunities for energy conservation.**
Identify programs and methods of energy conservation for residential development.
- Task X: Obtain public input into the planning process.**
Survey the citizens on housing issues and concerns. Hold citizens' meetings to discuss housing issues. Prepare summary of all citizen input.
- Task XI: Draft housing goals, quantified objectives and policies.**
Develop goals, objectives and policies for the preservation, maintenance, improvement, conservation and development of housing.
- Task XII: Develop draft housing program for implementation.**
Set a five-year program with a schedule of actions to implement the goals, policies, and objectives.
- Task XIII: Review and revision of draft documents.**
- Task XIV: Prepare and submit final document to City.**
- Task XV: Prepare and submit final report to CDBG & Final Housing Element to HCD Housing Division for approval.**

AGENDA ITEM

April 9, 2013

TO: Honorable Mayor Cobb and Members of City Council

FROM: Karen Mantele, Principal Planner

SUBJECT: CDBG 2013 SUPER NOFA PT/A Grant Application under Community Development Allocation for a Housing Conditions Survey

RECOMMENDATION

Adopt the attached resolution approving the submittal of a CDBG PT/A Grant Application for a Housing Conditions Survey authorizing the City Manager to sign the application and submit the application to the State Department of Housing and Community Development.

SUMMARY

The State of California, Department of Housing and Community Development (Department) administers a Federal program known as the State Community Development Block Grant (CDBG) Program. The Department receives funds annually from the Federal Department of Housing and Urban Development (HUD). The Department sets aside part of each annual funding allocation received from HUD for Planning and Technical Assistance (PTA) grants, through a NOFA (Notice of Funding Availability). This year (2013) the State issued a SUPER NOFA and consolidated all CDBG activities which may be applied for at the same time.

In issuing this SUPER NOFA, the Department is announcing the availability of funding under the CDBG PT/A Community Development allocation, including Planning and Technical Assistance (PTA) grants, which can assist a city with a wide range of studies, pre-development, design and engineering costs. The allocation provides funding in the form of grants to small cities and rural counties for planning and feasibility studies related to CDBG eligible activities. The maximum grant award is not to exceed \$100,000 total, with a maximum of two PT/A studies per application, where in prior years the total a city could make application for was \$35,000. The proposed application will be an application for \$35,000 to conduct a **Housing Conditions Survey**. Applications must be received by HCD by April 12, 2013.

FINANCIAL CONSIDERATIONS

State CDBG statute (Health and Safety Code, Section 50833) requires each applicant to contribute a percentage of cash match. Commitment of the required cash match must be included in the authorizing resolution. The approval of the attached resolution commits the City to \$1,750.

Additional financial consideration associated with this grant application is for the cost of preparing the grant application. 3Core provides services to the City for grant preparation, and affords the City of Willows one grant application, which was the Housing Element Update. Additional grant application preparation services are estimated to cost approximately \$1,000. (See attached Letter of Interest from 3Core) The source of funding for both the cash match and the additional grant preparation services are available through Community Discretionary Funding which the City has available funds for such purposes.

NOTIFICATION

A public hearing notice for this item has been published in the local paper of distribution in accordance with state law. CDBG Regulations require that two public hearings be held before the jurisdiction submits an application to the Department. The first hearing must be held during the program design stage. This public hearing was held on January 8, 2013. Prior to submittal of an application for funding, a second public hearing must be noticed 10 days prior to the meeting. This notice for this Public Hearing was published in compliance with State Law.

ALTERNATE ACTIONS

No alternatives are recommended.

RECOMMENDATION

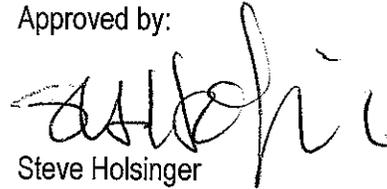
Adopt the attached resolution approving the submittal of a CDBG PT/A Grant Application authorizing the City Manager to sign application and submit the application to the Department of Housing and Community Development

Respectfully submitted,



Karen Mantele
Principal Planner

Approved by:



Steve Holsinger
City Manager

Attachments:

- 1) Draft Resolution
- 2) Scope of Project (Housing Conditions Survey)
- 3) 3Core Letter of Interest

RESOLUTION No. ____-2013

A RESOLUTION APPROVING A 2013 SUPER NOFA GRANT APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE PLANNING AND TECHNICAL ASSISTANCE (PT/A) COMMUNITY DEVELOPMENT ALLOCATION OF THE STATE CDBG PROGRAM FOR A HOUSING CONDITIONS SURVEY

WHEREAS, the City Council for the City of Willows has reviewed and hereby approves a grant application for up to \$35,000 for the preparation of a Housing Conditions Survey; and;

WHEREAS, funding is available from the State Department of Housing and Community Development through the release of the SUPER NOFA on January 8, 2013; and

WHEREAS, on January 8, 2013 the City Council of the City of Willows held a general public program design hearing; and,

WHEREAS, on April 9, 2013 the City Council of the City of Willows held an application submittal hearing; and

WHEREAS, the City Council has reviewed all evidence submitted in connection with the application, including public testimony, staff report, supporting documentation, and all other relevant documents and evidence which are part of the record of proceedings; and

WHEREAS, the City has determined that Federal Citizen Participation requirements were met during the development of this application; and

WHEREAS, the City Council finds that the proposal is considered exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15262, Feasibility and Planning Studies; and

WHEREAS, the City hereby approves the use of Community Discretionary Funding Sources in the amount of \$1,750 to be used as the City's required match for this application, and

WHEREAS, the City Manager is hereby authorized and directed to sign this application and act on the City's behalf in all matters pertaining to this application, and

WHEREAS, If the application is approved, the City Manager is authorized to enter into and sign the grant agreement and any subsequent amendments with the State of California for the purposes of this grant; and

WHEREAS, If the application is approved, the City Manager is authorized to sign Funds Requests and other required reporting forms for the purposes of this grant.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Willows does hereby resolve as follows:

1. That the proposed project qualifies as an eligible use of Department funds.

2. That the City Council hereby commits \$1,750 of cash match towards the project costs.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council on this 9th day of April, 2013, by the following vote:

AYES in favor of:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTESTED:

Jeff Cobb, Mayor

Natalie Butler, City Clerk

SUMMARY
CITY OF WILLOWS
COMMUNITY DEVELOPMENT
CDBG P/TA GRANT APPLICATION 2013 - 2014

ENTER THE PROPOSED ACTIVITY: Housing Conditions Survey
TOTAL AMOUNT OF FUNDS REQUESTED: \$35,000

Activity Description

BRIEF DESCRIPTION OF THE PROBLEM:

Through completion of the scope of work outlined below, a comprehensive Housing Conditions Survey, pursuant to California Department of Housing and Community Development requirements, will assess the current housing conditions throughout the City of Willows in order to establish the need for housing rehabilitation. The purpose of the Survey is to improve conditions of the housing stock throughout the City by identifying housing rehabilitation needs within the City. The data from the Survey will assist elderly and low-moderate income homeowners with housing preservation and elimination of any health and safety issues. The results of this Survey will aid the City of Willows in its efforts to obtain state/federal grants for housing rehabilitation by providing data for future grant applications and enhancing the competitiveness of those applications.

The Survey would provide for a detailed assessment of the exterior conditions of residential units and provide an analysis of the geographic locations of the housing units within the City that are in need of housing rehabilitation. Goal M-1 of the City's current Housing Element states the city will ensure that the quality, safety, affordability and livability of the housing stock in the City is continually maintained or upgraded and that dilapidated housing which cannot be improved is replaced. This Survey will help to identify those housing units in need of rehabilitation.

DETAILED DESCRIPTION OF THE PROGRAM DESIGN /SCOPE OF WORK:

Task I: Project Set-up

- Develop a survey instrument/database format for mapping and automated data collection for collecting the survey and background information of the City
- Collect data from the 2010 U.S. Census and subsequent State Department of Finance annual housing reports, and current City land use data, which will be extracted and used as the baseline for unit type and count
- Work with City Staff to identify and compile pertinent documents and data that provides information required for the project

Task II: Field Survey

- Conduct a city-wide field survey of exterior housing conditions by means of a parcel-by-parcel inspection

Task III: Present Recommendations to City Staff

- Prepare a written draft survey report to accompany maps and present to City Staff for review of accuracy and completeness

Task IV: Prepare and Submit Final Survey Report to City Council

- Complete final report and present to City Council for review

3120 Colinas Road
Suite 1
Chico, CA 95923

Tel: 530-894-8342
Fax: 530-894-8320



March 12, 2013

Steve Holsinger
City Manager
City of Willows
201 N. Lassen Street
Willows, CA 95988

RE: Letter of Interest to Provide Grant Preparation Services for CDBG PTA Grant Applications

Dear Steve:

3CORE, Inc. is submitting this letter indicating our interest in providing grant preparation services to the City of Willows for the preparation of Planning and Technical Assistance Grant application through the State Community Development Block Grant Program.

The scope of work under this proposal would include the following tasks:

- 1) Preparation of an application to the State Community Development Block Grant (CDBG) Program requesting funds to complete CDBG Planning and Technical Assistance Grants for two (2) activities through the Community Development Allocation. The application shall be prepared according to the guidelines set forth by CDBG for Planning and Technical Assistance Projects.
- 2) 3CORE, Inc. shall meet with City staff as appropriate to complete the application.
- 3) Once the application is completed and reviewed/approved by the City, 3CORE, Inc. shall package the application and submit it to the State for their consideration.

It is estimated that the cost to complete the tasks outlined in the above scope of work shall be completed for an amount not to exceed \$1,100 for each additional narrative/scope of work prepared over the one application included in your Cash Match Contract. For the additional narrative/scope of work it would be a total of \$1,000.

If you find these terms acceptable please sign, date and return this Letter of Interest to 3CORE, Inc. Upon receipt of the signed and dated copy of this Letter, 3CORE will begin work preparing the narrative on the above scope of work.

If you have any questions pertaining to this proposal, please contact me at 894-8732 X204. Thank you for your consideration.

Sincerely,

Marc N. Brumby
Executive Director

Request Approved By:

Steve Holsinger
City Manager

Date

AS

REQUESTED

By

City Council

MELO

"Replacing Sycamore Street Banner Poles"

^{ED}
TASK BY CITY COUNCIL:

To meet with citizen Rose Marie Thrailkill and gather information on support of replacing the banner poles on Sycamore street.

Information Requested by City Council:

- 1.) Organizations/Groups that currently use the banner poles.
- 2.) Amount of funds pledged by Groups to replace the banner poles.
- 3.) City Man Hours/Cost to put up and take down banners as scheduled.
- 4.) Other information.

Attached information obtained by:

Skyler Lipski (Public Works Director)

Rose Marie Thrailkill (Chamber Of Commerce Director & Citizen)

Cost To The City Of Willows

The cost of Public Works to put up and take down one banner as scheduled.

1.) Four Public Works man hours.

2.) Use of Public Works vehicle and fuel

NOTE: Many banners are scheduled to be displayed during the summer months.

This commites many city man hours away from city duties during this period.

Outside Funding For Replacing Banner Poles

Rose Marie Thraikill has pledges totaling \$2500 from local Organizations, Groups and the Willows Chamber Of Commerce. This is funding support to replace the banner poles on Sycamore Street.

Local Organizations and Groups that use the Sycamore Street banner poles, have made investments on banners. This would be a financil loss if the banner poles are not replaced.

Depending on where the banners were purchaced, the cost varies from \$500 to \$600.

Currenty the average banner cost is about \$580.00.

ORGANIZATIONS & GROUPS THAT USE the Banner Poles (3)

BANNER SCHEDULE

MONTH	EVENT	CONTACT
JAN	Willows Homecoming?	
FEB	Willows Bean Feed	
MAR		
APR		
MAY	Lamb Derby Farmers Market	
JUN	Farmers Market (cont.) Blues & Brews 4th of July	Sam Taylor 934-5416
JULY	4th of July (cont.) Farmers Market (cont.)	
AUG	National Night Out Farmers Market (cont.) Splendor in the Valley	
SEP	Splendor in the Valley (cont.) Farmers Market (cont.)	
OCT	Domestic Violence Month High School Homecoming Steak & Lobster GCOE Employment Awareness Month	Linda Ram 934-1457 Adele Foley 519-1210 Pricilla Exner 865-1267 ext. 3212
NOV	Tobacco Education Program Craft Fair Light Parade	Sharon Lazarko 865-6735 934-6558
DEC		

WILLOWS CAR SHOW

Additional Information

In the future the Chamber Of Commerce visions that more Organizations and Groups will use the Sycamore banner poles.

There are five main groups that want to remain anonymous on their pledges, at this time.

The Organizations and Groups that use the Sycamore Street banner poles, rely on it quit a bit

Many down town business support having the banner poles replaced.

The above information provided by the Chamber Of Commerce.

Chamber agrees to give \$2,500 toward banner poles

By Susan Meeker
The-County Newspapers

The Willows Chamber of Commerce has agreed to pitch in \$2,500 if Willows officials agree to replace the banner poles downtown.

The city's banner project, which flies announcements of community events like Lamb Derby, Steak and Lobster Feed, the Car and Bike Show and Willows Brews and Blues Fest, came to a quick end late last year when one of the poles failed and broke

off near its base.

"We are still a small community, and we are still in the mindset of the banners," said Chamber Director Rose Marie Thraikill, who is taking the lead on the project.

The city estimated the cost to replace the banners would be about \$7,000.

Thraikill said advertising banners have been placed over Sycamore Street in front of the Willows Post Office for years. At one time, Pacific Gas and Electric Co. allowed the use of its

poles, she said.

Thraikill said it is important to replace the banners because they reach people in the community who do not read the newspapers, access the Internet or receive Chamber newsletters.

"Any type of advertising is going to help us," Thraikill said. The cost of the banners are minimal, she said, and they last about a decade.

"That is going to be about \$60 a year, and you get advertising for two weeks," she said. The replacement project was

originally scheduled for discussion at the City Council's mid-year budget review in February, but was pulled from the agenda at Thraikill's request.

She has asked the City Council to take up the matter again at its April 9 meeting to consider the Chamber's offer.

Thraikill said if the Chamber is willing to contribute toward the project if the city agrees to fund the rest.

The city has a community discretionary fund from Community Development Block Grant

funding, and a community promotion fund, which the city budgets \$10,000 a year, Thraikill said.

From its promotional funds, the city donates about \$4,000 to the Chamber of Commerce and \$1,000 to the Willows Fire Department each year.

The rest goes to various community projects.

"If the Chamber puts in the \$2,500, then we ask for the \$5,000 so the banner poles go back up," Thraikill said.



BANNER REQUIREMENTS FOR CITY OF WILLOWS

NO COMMERCIAL OR POLITICAL ADVERTISING WILL BE PERMITTED ON BANNERS.

ALL BANNERS SHALL CONFORM TO THE FOLLOWING SPECIFICATIONS:

- MAXIMUM SIZE: 40 FEET LONG BY 4 FEET WIDE.
- MINIMUM SIZE: 20 FEET LONG BY 2 FEET WIDE
- TO BE MADE OF 10oz. WHITE DUCK CANVAS or 13oz. REINFORCED VINYL.
- LETTERS TO BE 8 inches MINIMUM HEIGHT.
- MESSAGE TO CONSIST OF NO MORE THAN 90 LETTERS, NUMBERS, PUNCTUATION AND SPACES.
- MUST NOT EXCEED 35 POUNDS WHEN PAINTED.

ROPE

- SHALL BE STANDARD 3/8 TWISTED POLYPROPYLENE WITH NO KNOTS.
- ROPE MUST EXTEND BEYOND EACH CORNER OF THE BANNER TO ACCOMMODATE SPAN OF BANNER POLE SPACING (i.e., 56').

CONSTRUCTION

- TOP AND BOTTOM OF BANNER TO HAVE SEWN DOUBLE REINFORCED HEMS.
- ROPE TO BE ENCASED IN HEM.
- CORNERS TO BE REINFORCED.
- WATER BASE PAINT RECOMMENDED FOR CANVAS.
- TOP AND BOTTOM OF BANNER SHALL HAVE GROMMETS AT 24 INCH SPACING TO ACCOMADATE A CARBINER HOOK.
- MUST INCLUDE WIND MITIGATION SLOTS OR BULLETS.
- MUST INCLUDE ALL CARABINER HOOKS

MAINTENANCE

- ALL BANNERS SHALL REMAIN THE PROPERTY OF THE ORGINAZATION PUTTING ON THE EVENT.
- THE CITY RESERVES THE RIGHT TO REQUIRE THAT ALL BANNERS BE REPLACED IF THE NEED ARISES DUE TO WEATHERING OR DAMAGE.
- INSTALLATION & REMOVAL SHALL BE SOLE RESPONSIBILITY OF CITY STAFF

AGENDA ITEM

April 9, 2013

TO: Honorable Mayor Cobb and Members of City Council

FROM: Steve Holsinger, City Manager

SUBJECT: Property Tax Administration Fee Settlements and possible negotiations with Glenn County.

RECOMMENDATION

By consensus of the City Council, direct staff to work in unison with City of Orland staff to jointly execute a tolling agreement with Glenn County and enter negotiations seeking agreement of restoration of property tax assessment fees improperly withheld from both cities.

Background:

Last November, the Supreme Court agreed with 47 plaintiff cities in Los Angeles County in *City of Alhambra v. County of Los Angeles*¹, and reject a calculation method used by many county auditors across the state that has resulted in tens of millions of dollars in excessive PTAF charged annually to cities in connection with the 2004 Sales Tax "Triple Flip" and the "Vehicle License Fee (VLF) Swap." The Legislature stipulated that counties could not charge additional fees to cities for the first two years of the Triple Flip and VLF Swap implementation, and that thereafter charges to cities could not exceed the actual cost of providing the services. In the case the Court opined that Los Angeles County had overcharged the cities because it charged more than its actual annual cost of administering the laws.

Status of the Litigation:

The *Alhambra* case is now back in Los Angeles County Superior Court. The remaining issues being resolved are: (1) the statute of limitations (1 year vs. 3 years); (2) the interest rate on PTAF owing to the cities; and (3) attorney's fees. League representatives report that legal counsel for the cities indicate settlement discussions continue between the cities and the County, but it unclear whether a settlement can be reached so the parties are moving forward in the Superior Court as settlement discussions go on. Cities have also been informed that there is an additional lawsuit involving 9 cities in Los Angeles County who were not part of the *Alhambra* lawsuit.

What Cities are Doing Statewide:

Since November cities have been actively involved with their counties in how to address the *Alhambra* decision, and the results vary from county to county and city to city. Based on the information we have received, cities fall within one of the following categories:

- Several counties have voluntarily made reimbursement payments to cities within the counties or have promised to make payments (for example, Kern, San Diego, Placer, San Joaquin, San Luis Obispo). Other counties have represented that they never used the

[1] The League filed a friend of the court brief in support of the cities in the case.

PTAF calculation methodology struck down by the Supreme Court (for example, Sutter County).

- Some counties have settled with the cities within the county (for example, Nevada).
- In some counties, settlement negotiations are presently occurring. Some of the cities in those counties entered into tolling agreements with their counties at the onset of the *Alhambra* case to preserve the cities' right under the applicable statute of limitations to claim reimbursement, depending on the outcome of the case.
- Some cities are currently involved in active litigation or are considering initiating litigation.

Next Steps for Cities.

The next steps for cities will vary from city to city. For cities currently involved in litigation, the outcome will depend on either a negotiated settlement or a final court judgment. For cities with tolling agreements, the next steps will depend on the outcome of settlement negotiations with the county.

For the cities who are either not involved in litigation, do not have a settlement, or do not have a tolling agreement, some decisions are needed to be preserve the ability to claim excess PTAF withholding, at a minimum, for the prior 3 years (2010, 2011 and 2012).^[1] By mid-April those cities either need to negotiate a settlement agreement with the county, enter into a tolling agreement pending finalization of settlement negotiations, or file a lawsuit. The reason for this is that PTAF is withheld in mid-April, or within several weeks thereafter, when property tax is distributed (although this may vary from county to county). Therefore, if a settlement agreement is not reached, a tolling agreement is not in place or a lawsuit has not been filed, under a 3-year statute of limitations, the city may lose the ability to seek reimbursement for improperly withheld PTAF in 2010.

Therefore the City of Orland has prepared a draft tolling agreement (attached) and is seeking Willows City Council approval to enter into a joint agreement between the two cities and Glenn County to preserve city rights and continue with negotiations, which are currently underway with Glenn County to seek collaborative resolution on any assessments fees inappropriately withheld by Glenn County; which may include interest due to date. At the time of this report the draft tolling agreement is under review by Willows City Attorney. Staff is recommending City Council approval of this proposal; contingent upon consideration of the attorney' comments and recommendations.

FINANCIAL CONSIDERATIONS

Legal costs associated with drafting and implementing the tolling agreement is unknown at this time. However, joint agreements typically require a reduced fee since agencies are sharing equally in costs associated with reviews, etc. It is anticipated the total cost assessment for this agreement will not exceed funding currently appropriated in the Fiscal Year work plan.

RECOMMENDATION

By consensus of the City Council, direct staff to work in unison with City of Orland staff to jointly execute a tolling agreement with Glenn County and enter negotiations seeking agreement of restoration of property tax assessment fees improperly withheld from both cities.

2 A legal argument has been advanced in the *Alhambra* lawsuit that cities are entitled to claim for improperly withheld PTAF going back to 2007 regardless of the statute of limitations. (See Revenue & Taxation Code § 96.1). Cities should consult with their legal counsel regarding this argument.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S. Holsinger". The signature is fluid and cursive, with a large initial "S" and a long, sweeping tail.

Stephen A Holsinger
City Manager

Attachments: Draft proposed Tolling Agreement for joint execution by City of Oland & Willows

**AGREEMENT OF THE COUNTY OF GLENN AND THE CITIES WITHIN IT
TO TOLL STATUTE OF LIMITATIONS FOR CLAIMS REGARDING PROPERTY
TAX ADMINISTRATION FEES**

WHEREAS, the City of Orland, California ("Orland") and the City of Willows ("Willows") (collectively, "the Cities"), on the one hand, and the County of Glenn ("County"), on the other, may become involved in litigation regarding County's calculation of property tax administration fees ("PTAF"), pursuant to Revenue and Taxation Code sections 95.3, 97.75 and related law ("the Revenue and Taxation Code"); and,

WHEREAS, conflicting legal opinions concerning California counties' calculation of Property Tax Administrative Fees ("PTAF") have been rendered by various state and local agencies and their counsel; and,

WHEREAS, the Cities and County (collectively, "the Parties") are aware that other cities and counties are or may become involved in similar litigation; and,

WHEREAS, the Parties desire to avoid litigation and to allow the Parties additional time to evaluate the law as it develops on this state-wide issue.

THE PARTIES AGREE AS FOLLOWS:

A. The Parties agree to toll all deadlines for each of the Cities to submit one or more claims to County regarding each of the Cities' claimed entitlement to reimbursement related to County's calculation of the PTAF that County charged each of the Cities, pursuant to the Revenue & Taxation Code, beginning in the fiscal year 2009-2010 and continuing thereafter. This tolling applies to all deadlines, including any deadline by which the Cities individually may have to submit a claim to County under the applicable provisions of the Government Claims Act and/or any County ordinance. The Cities do not waive any argument they may have that the filing of claims under the provisions of the Government Claims Act and/or any County ordinance, resolution or regulation is not required.

B. The Parties agree to toll all deadlines for the County to submit one or more claims to individual Cities regarding the County's claimed entitlement to reimbursement related to the County's calculation of the PTAF that County charged each of the Cities, pursuant to the Revenue & Taxation Code, beginning in the fiscal year 2009-2010 and continuing thereafter. This tolling applies to all deadlines, including any deadline by which the County may have to submit a claim to any of the Cities under the applicable provisions of the Government Claims Act and/or any city or town charter, ordinance, resolution, or regulation. The County does not waive any argument it may have that the filing of claims under the provisions of the Government Claims Act and/or any city or town charter, ordinance, resolution or regulation is not required.

C. The Parties agree to toll the applicable statutes of limitations for the Cities' claims related to County's calculation of the PTAF, pursuant to the Revenue & Taxation Code, beginning in the fiscal year 2009-2010 and continuing to the present and beyond.

D. Notwithstanding Sections A, B, and C above, this agreement ("the Tolling Agreement") does not revive any statute of limitations period(s) or deadlines that expired before the effective date of this Tolling Agreement. The Tolling Agreement applies solely to those claims related to County's calculation of the PTAF that could be alleged as of the Effective Date of this Tolling Agreement in either (i) an administrative claim pursuant to the applicable provisions of the Government Claims Act and/or a charter, ordinance, resolution, or regulation, or (ii) a lawsuit, and any such claims related to County's calculation of the PTAF that may arise during the term of this Tolling Agreement that could not be alleged as of the Effective Date because the PTAF amount in issue had not yet been charged to a city by the County as of that date.

E. The purposes of this Tolling Agreement are to avoid litigation and to permit the parties additional time to evaluate the law as it develops on this state-wide issue.

F. The Cities agree not to file any claims and not to initiate or participate in litigation against County related to the PTAF while this agreement is in effect. The County agrees not to file any claims and not to initiate or participate in litigation against any or all of the cities relating to the PTAF while this agreement is in effect.

G. The tolling period extends from the Effective Date of this Tolling Agreement until the earlier of the following:

- i. The expiration of 45 days from the date the Cities deliver to the County, via hand delivery, United States mail, or facsimile transmission, notice that the Cities desire to terminate this Tolling Agreement; or,
- ii. The expiration of 45 days from the date the County delivers to the Cities, via hand delivery, United States mail, or facsimile transmission, notice that the County desires to terminate this Tolling Agreement;

H. The effective date of this Tolling Agreement ("Effective Date") is the date this Tolling Agreement is signed by the either City Manager.

I. Each of the undersigned hereby represents and warrants that he or she is authorized to execute this agreement on behalf of the respective parties to this agreement.

J. This Tolling Agreement may be executed in counterparts, and each fully executed counterpart will be considered an original document.