

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



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Willows, CA 95988
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CITY COUNCIL REGULAR MEETING AGENDA

**Tuesday, June 11, 2013
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 June 11, 2013, Agenda.
5. Presentations & Proclamations: None
6. Public Comment / Written Communications: Members of the public wishing to address the Council on any item(s) *not on the 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. (*Public Comment is generally restricted to three minutes*).
7. Consent Agenda: Consent items are considered to be routine by the City Council and will be enacted in one motion. There will be no separate discussion on these items unless a Councilperson or citizen requests, in which event the item will be removed from the consent agenda.
 - a) Consider approval of General, Payroll & Direct Deposit Check Registers.
 - b) Consider approval of the Minutes of the Willows City Council & Planning Commission Special Joint Meeting and Regular City Council Meeting held April 9, 2013.
 - c) Consider approval of the Minutes of the Regular City Council Meeting held April 23, 2013.
 - d) Consider approval of the Minutes of the Special City Council Budget Meeting held April 29, 2013.
 - e) Consider approval of the Minutes of the Regular City Council Meeting held May 14, 2013.
 - f) Consider extending the Contract Planning Agreement with Wildan Engineering for Fiscal Year 2013-2014.
 - g) Consider adoption of a Resolution of support for the KVB, Inc. waste recycling project in Glenn County.

8. 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 also requested that you please state your name for the record).

- a) Conduct a Public Hearing and, by motion, consider adoption of a Resolution adopting the 2013/14 Annual Budget and designating Sewer Enterprise Fund Debt Reserve.:
- b) Conduct a Public Hearing and, by motion, consider adoption of a Resolution approving the Engineer's Report, confirming the assessment amounts and authorizing the levy and collection of assessments for Fiscal Year 2013/14 for the City of Willows Landscaping & Lighting District.
- c) Conduct a Public Hearing and, by motion, declare that the parcels not yet self-abated in the City of Willows to be abated by the City Contractor.

9. Ordinances: None

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

11. New Business:

- a) Appoint a subcommittee comprised of two Council Members to review applications and/or conduct interviews for Library Board candidates during the week of June 17 - June 21
- b) Hold a discussion and, by motion, direct staff whether to place an item on a future agenda to amend Section 2.05.090 of the Willows Municipal Code (Agenda - Preparation - Posting and delivering agenda) pursuant to a request and proposal by Council Member Spears.

12. Council Member Reports:

13. Executive Session: Pursuant to California Government Code Sections 54950 et seq., the City Council will hold a Closed Session. More specific information regarding this closed session is indicated below:

Pursuant to Government Code Section 54954.3 the public will have an opportunity to directly address the legislative body on the below items prior to the Council convening into Closed Session. Public Comments are generally restricted to three minutes.

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

b) PERFORMANCE EVALUATION - Pursuant to Government Code § 54957 (b) (1), which states:

"Subject to paragraph (2), nothing contained in this chapter shall be construed to prevent the legislative body of a local agency from holding closed sessions during a regular or special meeting to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee unless the employee requests a public session."

TITLE: City Manager

14. Report-Out from Executive Session:

15. Adjournment:

CERTIFICATION: Pursuant to Government Code §54954.2 (a), the agenda for this meeting was properly posted on or before June 7, 2013.

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

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

The City of Willows is an Equal Opportunity Provider

**MINUTES OF THE WILLOWS CITY COUNCIL & PLANNING COMMISSION
SPECIAL JOINT MEETING & REGULAR CITY COUNCIL MEETING & REGULAR
CITY COUNCIL MEETING HELD**

April 9, 2013

1. Mayor Cobb called the meeting to order at 5:00 p.m.
2. **PLEDGE OF ALLEGIANCE:** Planning Commission Chair Kerri Warren led the Pledge of Allegiance.

3. **ROLL CALL:**

Present: Commissioners Carlyle, White, Woods & Chairperson Warren
Council Members Domenighini, Mello, Spears, Taylor-Vodden & Mayor Cobb

Absent: Commissioner Alves

4. **Public Comment:** None

5. **Presentations & Discussions:**

- a) Presentation by Basin Street Properties:

Vin Smith, Project Manager for Basin Street Properties, introduced himself along with Project Manager Frank Marinello, and Bill White, Chairman. Mr. Smith announced that Basin Street plans to make an application to the City for a slight modification to the Residential portion of their approved development. He also stated that he wanted to take this opportunity to explain what Basin Street has been doing and where they are and give a quick summary of both of the projects that they processed through the City of Willows, and then talk about the suggested changes that they would like to make to the project. They will soon be submitting plans for plan check and approval for phase one of the development of the South part of the project, which is the Commercial portion, and they are currently working with two different prospective tenants for development of that property. They have submitted a request to CDBG to get a grant for construction improvements and those funds are directly tied to job creation. Basin Street still believes strongly in the development of this project and they have been working hard to find tenants that are interested in locating to that site. For the Residential portion of the project, the biggest hurdle for the project right now is the cost for connecting to Tehama Street. The infrastructure necessary for that first phase of development is a fairly large burden for one phase of a development for single-family homes and they hit the market when the prices of residential homes were declining rapidly and construction costs are going up rapidly and those two facts were not intersecting in a way that made it profitable for many of their residential partners to start. What they have been examining is an opportunity to change a portion of the residential project site by applying for a re-zone of a portion of the site to R-3, High Density Residential, to accommodate the development of multi-family residential uses. This will allow them to diversify the eighth phase of the project and to pursue different development partners where that

size and scope of the project can handle the initial cost of some of the improvements. They have had discussions with residential builders and a re-zone seems to be the best way to approach development. The portion that they are requesting to be re-zoned would be the entryway into the development and it would force quality and it will require that the project be consistent with all the other things they are trying to accomplish throughout the rest of the development of the residential site and they believe it will be a showpiece for the overall development.

The other item that has come up most recently is that the Walden Academy is interested in taking over a portion of property at the entry of the site at the first phase of development. Basin Street has had initial conversations with them and they are excited about the property and the opportunity. This is a use that is actually accommodated by - at least with the zoning part of things - a process that would have to be approved through the City. They are especially excited about both of these uses because it helps them defer the costs and they believe that by leveraging these projects they can relieve the burden of some of the infrastructure costs of the future phases of development, and those residential builders who they have been speaking to who haven't been able to agree to development because of the costs may now have an easier time developing the single-family home phases. Basin Street had their Commercial Project and Residential Project approved in 2009 and 2010 respectively and they indicated that they still intend on developing them and they aren't going anywhere and they are committed to making these projects succeed, but what they are finding in the market is that they need to make some adjustments and they are hoping that the City supports them in making those adjustments so that they can move forward and be successful with the development. The idea currently is that there will be approximately 180 multi-family units that could be used for market-rate senior housing or assisted living facilities and they will likely be rental units.

b) Long Term Planning Vision / Needs:

Chairperson Warren introduced this item stating that what the Planning Commission would like is for the Council to give them direction on what they would like them to focus on. The Commission currently deals with items that are brought to them, but she asked whether there was anything specific that the Council would like to see the Planning Commission work on.

Council Member Spears stated that currently the City has a lot of properties that are vacant and are not being utilized and he thinks the City needs to take a look at what they are going to do with those properties. The City needs to start filling in some of the pattern on existing properties in the City and become more critical as to developing a unified direction on those properties. He knows that in the Housing Element those properties have been mentioned in the past, but now that the market is starting to turn he thinks this is the time to look at consolidating their direction for all the vacant properties in the City. At the same time, the City needs to try to find a way to be more attractive to developers to come into the area - whether it is some type of futuristic concepts of fast-tracking applications but at the same time take a philosophy of being helpful and guiding prospective developers to a successful conclusion. He believes the City needs to go back and look at their maps and get serious about flow of property and how it is going to inter-mix and come up with a much finer solution in today's standards as opposed to what it was a few years ago.

Commissioner Woods stated that one of the things that she would like to see is more concrete guidelines for both multi-family and single-family residential. The Planning Commission has looked at Santa Rosa's guidelines and they liked much of its content. When applicants bring plans before the Commission, the Commission doesn't really have any set guidelines of that they would like to see. They have discussed what they would like to see in general but they don't have any firm requirements. She would like to see this move forward in the longer term because the City does not have that many properties that they will be able to develop, so with the projects that will be coming before the Commission she would really like to have guidelines that are consistent with the rest of the City and this is something she would really like for the Planning Commission to begin working on.

Chairperson Warren agreed, stating that when the Planning Commission was reviewing the Basin Street Properties submittal they had to go through every single piece of the project because there were no set guidelines. She stated that reviewing development plans is a long process to begin with, but having some set guidelines in place would make it a little bit easier to get through the process.

Chairperson Woods added that if the City did have guidelines in place, the guidelines could be given to the developers so they are aware of what the City would like to see and the developer would be able to submit their plans and not have the Commission reject them.

Council Member Domenighini, who sat on the Planning Commission for seven years, agreed. He stated that when an applicant comes before the Planning Commission with plans already drawn up, that is not the appropriate time for the Commission to decide what they would like to see. During his tenure with the Planning Commission, something that was always lacking is that the City doesn't have any long-term concept of how they want the City to look. There could also be various sub-topics such as parks and how they should fit into new development. Some of the best and most desirable neighborhoods in the City are those neighborhoods that have a wide range of designs and neighborhoods that were built-out over several decades allowing for diversity of design. He doesn't think future residential developments should consist of the "cookie-cutter" concept where every home is exactly the same. He would like to see the City have a master design of exactly what they would like to see with any future development projects. He thinks the master design should also include parks and recreational needs, as well as roads, sidewalks, etc.

Council Member Taylor-Vodden stated that when she was on the Planning Commission, the Commission denied an application and the applicant filed an appeal and the City Council overruled the Commission and approved the application, even though the Commission felt that they had very valid reasons for denying the application. She believes it is well-intentioned to say what we want but she asked if it can be enforced. Her question is if the City goes forward with developing design guidelines that the Commission wants to enforce, can they actually enforce it? City Planner Karen Mantele addressed this question and stated that if the City has an established vision and we pass that on to the developer, the developer will build as close to that vision as they can. If the City does not have a laid out vision, the developer will then bring to the Commission what they assume the City wants, and as Council Member Domenighini stated, it is not the time to plan when you are sitting before the Commission. Council Member Taylor-

Vodden asked again if it was enforceable. Ms. Mantele stated that enforceable is not the issue but instead whether the developer brings to the Commission what was approved within the design guidelines. If the developer brings a design that is the opposite of the design guidelines, then the Commission could tell them that they will not approve the design because that is not within the guidelines.

Council Member Domenighini stated that part of this process would be to get the City's vision integrated as part of the City's General Plan. He doesn't know if that would involve a complete revision of the General Plan or just an amendment. Commissioner Carlyle stated that the General Plan is basically the City's vision but there are other support documents within the plan such as Design Guidelines, Land Use, Zoning, etc. and they would all be compatible and would support the General Plan vision.

The Planning Commissioners indicated that they are requesting clear and concise direction from the City Council to allow the Commission to begin working on putting together design guidelines for new development in the City. The Council direction that was given was for the Planning Commission to gather up some samples from 4 or 5 different cities and look them over at the next Planning Commission meeting and begin developing design guidelines for the city. It was recommended that due to the fact that Basin Street intends on building out a large R-3 project in the future, that the Commission should make it their first priority to create specific guidelines for the R-3 zone.

c) Training & Staff Support for the Planning Commissioners:

Council Member Domenighini stated that in his seven years of sitting on the Planning Commission he attended very few trainings, most of which he paid for himself. He believes that when you have people that are willing to volunteer their time to the City, it should be the City's obligation to help to train them for their role and help to make them successful. He stated that the City is very lucky to have our Contract Planner, Karen Mantele, and that she is a great addition to the planning efforts in the City, but the Commissioners still need some training. He stated that the League of California Cities offers on-site training to Planning Commissioners at a minimal cost and he thinks this is something worth looking into. This would also give an opportunity to interested citizens who are considering applying for a seat on the Planning Commission to attend the training just to get an idea of what it involves to be a Planning Commissioner. Council Member Domenighini also stated that he would like to see the City get back to preparing written minutes of the Planning Commission meetings. It has been about three years since there have been any minutes transcribed and he would like to see this practice return. The Planning Commissioners all agreed that Commissioner training and minutes transcription are two things that are very important to them. Commissioner Carlyle stated that where the minutes are concerned it is very important that there be a written record of what occurred at the meetings, especially in an event where a Planning Commission decision would be appealed to the City Council. The Commissioners are all mindful that there would be a cost associated with these items, but perhaps this is something the Council could consider when they begin the preparation of the 2013/2014 fiscal year budget. Finance Director Tim Sailsbery stated that currently there is very little money in the training budget, but he will add some line items in the budget for training and a minute clerk for the Planning Commission and present this to the

Council at the Budget Meeting scheduled to take place on April 29 and the Council can decide at that time how to move forward. The City Manager added that it would be his suggestion to begin to earmark funds from anticipated increased future revenues, such as the increase in Transient Occupancy Tax, perhaps beginning in January 2014, and to use those additional revenues to possibly re-fund the Façade Improvement Program and to also be set aside for Planning Commission training and other additional Planning costs. He agrees that the City would benefit tremendously if the Planning Commissioners were required to attend the Planning Institute Training each year that is offered by the League of California Cities.

d) Code Enforcement:

Chairperson Warren stated that one of the big complaints that they get at the Planning Commission is when applicants come before them and the Commission explains to the applicants that they must abide by the rules or the conditions of approvals placed on their application, but then the applicants will get upset because other people are not complying to the same rules. One particular complaint they have heard repeatedly recently is about a commercial vehicle being parked on a residential street, along with other pieces of equipment and machinery. She knows that there is a 120 hour parking limit in residential zones, but according to Willows Municipal Code 10.50.090 which states that "No person shall park any commercial vehicle more than five hours in any residential district except: (1) While loading or unloading property and time in addition to such five-hour period is necessary to complete such work; or (2) When such vehicle is parked in connection with, and in aid of the performance of a service to or on a property in the block in which such vehicle is parked, and time in addition to such five-hour period is reasonably necessary to complete such service." She stated that she realizes that the Police Department is strapped, so the Commission's question to the Council is how important is it that Code Enforcement be addressed at some point? She stated that if the City has a code, and nobody is enforcing it, it is a moot point and essentially a free for all. Council Member Spears explained that in his previous position as Police Chief, the City had a Community Service Officer (CSO) that was responsible for Code Enforcement. He stated that once the City does start enforcing the code the Police Department should anticipate being inundated with complaints that the code is being enforced. However, you know that Code Enforcement is going well when you receive a lot of complaints. As far as Police Officers conducting code enforcement, within the current configuration of the department, it would likely be on a complaint basis, whereas, when the City had a CSO, that person was taking a proactive approach and would actually drive through the town looking for and pointing out violations. It is an economic issue now, with having cut the CSO's position and not refilling it and it is up to determination whether that position will be filled again in the future. Commissioner Warren asked why the Volunteers in Police Service (VIPS) couldn't deal with code enforcement issues. Council Member Spears stated that the VIPS don't have the depths of resource to be able to do this. Although a Code Enforcement Officer doesn't have to be a sworn position, the City sent the last CSO to a school to receive training dealing specifically with CSO duties, including how to handle code enforcement, enforcement tactics, interviews, investigative techniques, etc. and this is a training that the VIPS do not get. Council Member Taylor-Vodden asked if there is an opportunity for the City's Building Official to do some of the code enforcement. Council Member Spears stated that would be a decision for City Staff, but that would simply be adding another facet to the Building Official's job. Chairperson Woods said it boils down to whether the City wants to

enforce the code. Council Member Taylor-Vodden stated that there isn't any doubt that the City desires to enforce the code. Chairperson Woods stated that the next step would then be having somebody who would be able to do it. Chairperson Warren and Commissioner Woods stated that the big enforcement issue that keeps coming up to them is the commercial parking in a residential zone. Mayor Cobb addressed Police Chief Dahl and stated that he understands the Police Department is currently strapped for personnel and the Council and the Department are doing the best that they can to get those vacant positions filled, but he asked Chief Dahl if this is something that his officers could handle. Chief Dahl stated that it is something the Police Department could look at, but one of the issues, too, is that if the Planning Commission could refer these types of complaints to the Police Department, they could deal with them. One of the big issues the Police Department is having is that since he has been the Police Chief, he hasn't had one person come to him with a complaint that a commercial vehicle is parked in front of their home. He suggested that when the Planning Commission hears these types of complaints, that they refer the complainant to the Police Department and they will deal with it with the resources they have as best that they can. Chief Dahl agreed that a new CSO position would be fantastic, but he realizes where the City stands with money.

Mayor Cobb stated that the VIPS and the CSO can be utilized in several ways within the Police Department, but he doesn't like the word "enforcement". They are not armed individuals, they don't have extensive training, and although they are highly educated, they don't have the training that is involved to provide enforcement. Mayor Cobb's suggestion is that if the Planning Commission continues to receive complaints, that they refer them to the Police Department

The Finance Director interposed, stating that he believes we are dealing with separate issues. He stated that parking issues could be enforced from a Law Enforcement standpoint, and that Vice Mayor Taylor-Vodden brought up a question regarding the Building Official assisting with Code Enforcement. He explained that there are many other aspects of "Code Enforcement" here and he would ask that the City [Council and Planning Commission] be hesitant to have somebody discussing concerns over a zoning issue or if somebody didn't go through the proper sign permit process, to hand that over to the Police Department. Chairperson Warren agreed that it should not be generalized, and she reiterated that right now the Commission is more concerned over the complaints of the extended parking of the commercial vehicles parking in residential zones because this is the biggest complaint they have been having from citizens, and she concurred with Mr. Sailsbery's comments. Mayor Cobb stated that he believes Chief Dahl would forward a complaint that he received that is not within his authority or influence to investigate over to the appropriate department.

Commissioner Carlyle stated that besides the complaints that are involved with the Commercial truck parking, there is a lot of lack of code enforcement and lack of code compatibility with various houses. As it pertains to Design Review, the Commission wants things to look nice, but they also want them to look nice five years after they are constructed. In Willows if you drive down a few streets, you will find houses that look like they have a continuous yard sale going on and he believes there has got to be a lack of code compatibility with those types of appearances and those homes tend to bring down the visual appearance of the entire neighborhood. He realizes that there is a lack of sufficient Personnel, as he realizes this with the County in his role as County Counsel, and he understands that compatibility is not going to be complaint-driven

because many people have the mentality that their property is their castle and nobody is going to tell them what to do. If the City is going to have Code requirements, not just in terms of setbacks and design, but the height of the grass, what the yard should look like, etc., he believes that, at some point that becomes a City Council issue, it is a budget issue, it is a compatibility issue; but it also tends to under-cut everything that the Planning Commission is trying to do at the beginning, and then five years later it looks like a disaster.

e) Review of Zoning & Land Use Maps and Potential Zoning Text Amendments:

Commissioner Carlyle stated that if a person were to overlay the City's Land Use and Zoning Maps, they don't even come close to reflecting one another. Over time there has been an erosion of what has been permitted in various zones and so the Planning Commission is looking at trying to clarify some of those lines and maybe come up with some buffer areas to segue from residential to light manufacturing to commercial and things of that nature, so if you are looking at an R-1 Zone what you get now is a lot more than just R-1, you actually get a diversity. Now that is a strength to a point, but only if the City has a handle on what is out there. One of the things the Commission is looking at is a review of the Zoning and Land Use Maps and comparing what is on the maps to what is actually located in those zones in reality. Mayor Cobb thought this was a good idea because it is a necessity for the Commission and the City to have correct and accurate Zoning and Land Use Maps. Commissioner Carlyle said that this will be a long review process for the Planning and Commission and not something that can be completed in only a few months and currently the Commission is relying on the City Planner to assist with the project since she is the only staff member in the Planning department, so there would be no additional cost for this project other than what the City pays to the Planner. Commissioner Woods stated that as discrepancies are found or changes are made, the Commission would like to make the change by way of a zoning text amendment rather than a change to the entire Zoning Ordinance. She also stated that the Commission wants to come up with additional or more defined "definitions" of uses, as some uses are currently either not defined at all or are not very specifically defined.

The direction to the Planning Commission by consensus of the Council was for the Commission to continue to move forward with this project.

Mayor Cobb adjourned the Special Joint Planning Commission and City Council Meeting at 7:00 p.m. and called for a short recess. At 7:07 p.m. the meeting reconvened to the Regular City Council Meeting of April 9, 2013.

6. **Agenda Review:** It was **moved** by Council Member Domenighini and **seconded** by Council Member Taylor-Vodden to accept the April 9, 2013, City Council Meeting as presented. The motion unanimously passed.

7. **Presentations and Proclamations:**

a) Mayor Cobb presented Barbara LaDoucer of the American Legion Auxiliary a Proclamation declaring the month of May as "Poppy Month".

- b) Alan Schauer presented a Press Release Draft to the Council that explained that a group of volunteers from Willows has formed to prevent the invasion of the snowy egrets and black-crowned night herons in the City. The volunteer group, calling themselves "The Egret Team" hopes to prevent colonies from forming because once there are eggs in the birds' nests, it is illegal to disturb them. The team hopes that, given a "hostile welcome" throughout the town, the birds will colonize outside of the City where they belong. Mr. Schauer asked that if the City receives any bird complaints, staff should direct them to contact "The Egret Team". Scott Gruendl, Health Services Director was present at the meeting and stated that the Health Department will definitely get on board with assisting with eradication efforts, as did Glenn County Supervisor Mike Murray, also present at the meeting.

8. Consent Agenda:

Motion by Council Member Mello, **second** by Council Member Spears to approve the Consent Agenda as presented. The motion unanimously passed and the following items were approved/adopted:

- a) Approval of General, Payroll & Direct Deposit Check Registers (25846-25900; Z04175-Z04202; 32463-32485).
- b) Approval of the Minutes of the Willows City Council Regular Meeting held March 12, 2013.

9. Public Hearings:

- a) Conduct a Public Hearing and consider adoption of a Resolution approving the submittal of a CDBG PT/A Grant Application for a Housing Element Update:

City Planner Karen Mantele informed the Council that this is a Public Hearing that is required as part of a submittal of a CDBG Grant. Initially City Staff brought before the Council an item in January that was a Public Hearing for a Program Design stage and this is now at the application stage for a Planning and Technical Assistance (P/TA) Grant Application. This particular application is for a Housing Element Update and it is a requirement that Cities update their Housing Element every 5 years. The City has been successful in the past several years in obtaining grants in order to complete this and conduct this Housing Element Update. Staff is requesting through this application for \$35,000 to conduct the Element's update. The update is due to the Department of Housing and Community Development (HCD) on June 30, 2014, which is actually earlier than the past when they were due in the end of September, therefore, this is a shorter timeframe to have the Element updated and turned over to HCD. With the approval of the submittal of this application, the proposed Resolution does commit the City to a cash match which is required for all Grant Applications. This particular application would commit the City to pay \$1750 and source of this funding is available through Community Discretionary Funding that the City has. Attached to the Staff Report is a summary of the grant application and a Resolution that would need to be adopted as part of this update. Mayor Cobb opened the Public Hearing at 7:30 p.m. Pastor Phil Zabell, Executive Director of "Glenn Communities Working Together" spoke during the Public Hearing stating that his group has

been recognizing the need for Senior Housing in the community for the past few years and he reported that Glenn Communities Working Together in coordination with the County Planning Department were able to have a comprehensive Senior Housing Needs Assessment Study prepared for the entire County, including Willows. One of the outcomes of that study was that Willows was identified as the community that was least served in the area of Senior Housing. Part of that need will be met when Pacific Companies begins building their Senior Housing Project on Sycamore Street in the future, but that still leaves the other issue of market rate housing. Their group is currently in the process of doing a financial feasibility study with respect to market rate Senior Housing, so hopefully all of this will dovetail together and the City's Housing Element will also address the issue of Senior Housing. Mayor Cobb closed the Public Hearing at 7:32 p.m.

Motion by Council Member Taylor-Vodden, **second** by Council Member Domenighini, to adopt 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 Community Development allocation of the State CDBG Program for a Housing Element Update. The motion unanimously passed.

- b) Conduct a Public Hearing and consider adoption of a Resolution approving the submittal of a CDBG PT/A Grant Application for a Housing Conditions Survey

The Planner explained that tonight's second PT/A application under the 2013 Super NOFA that the City is anticipating applying for would be \$35,000 to conduct a Housing Conditions Survey. In Ms. Mantele's research on when the City last had a study conducted, it was found that it was done in February of 1991. The Housing Conditions Survey in essence would help to assess what the City's current housing conditions are within the City and what that does is help establish the City to then apply for future grants for rehabilitation funds. The City, in the early 1990's, applied for rehab assistance for housing and this survey will assist in providing some up-to-date information on what the City of Willows needs and where they need to concentrate on using the rehabilitation funds if granted. There is a goal within the City's current Housing Element that 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. Essentially this survey would help identify those housing units that are in need of rehabilitation. There are also two policies within the City's current Housing Element. One policy states that the City will make maximum use of the public and private resources to help meet the identified housing need, which that program states that the City will assist in applying for funds that will help to rehabilitate affordable, low-income housing for families, including farmworker housing. That program states that the City should apply for funds as soon as NOFA's are released. The second policy within the Housing Element that states that the City will continually apply for Federal and State housing subsidy grants to maintain and rehabilitate homes and apartments where the local needs are met and that the City will continue the rehabilitation of sub-standard residential units by using Federal or State funding. So, with this application, staff is looking to meet two program policies within the City's Housing Element. Ms. Mantele stated that if the Council approves the submittal of this application, the City would have to commit to pay \$1750, similar to the previous item that the Council just approved. Additionally, there would be an approximate \$1000 cost for 3-CORE to prepare the grant

application. Although the City has a contract with 3Core to provide services to the City for grant preparation, this only includes one grant application per year, therefore the City would have to pay for 3Core to prepare this particular grant. Both the \$1750 City match funds and the \$1000 to prepare the grant could use funding from the Community Discretionary Fund. Brief Council discussion ensued and Mayor Cobb then opened up the Public Hearing at 7:42 p.m. and hearing no comments from the Public, he closed the Public Hearing at 7:42 p.m. It was then **moved** by Council Member Domenighini and **seconded** by Council Member Taylor-Vodden to adopt a Resolution approving a 2013 Super NOFA Grant Application for funding and the execution of a Grant Agreement and any amendments thereto from the Panning and Technical Assistance Community Development allocation of the State CDBG Program for a Housing Conditions Survey. The motion unanimously passed.

10. Ordinances: None

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

Council Member Spears stated that he recently read in the newspaper that the Orland City Council approved a Memorandum of Understanding (MOU) with the City of Willows pertaining to the utilization of their Police Officers for patrol in the City of Willows. He stated that he does not recall that issue coming before this City Council. He had a question about this MOU and also a similar previous MOU between the Sheriff's Department and the City of Willows that was approved by the County Board of Supervisors. He asked if both of these MOU's were presented to, reviewed by and approved as to form and content by the City's Attorney in accordance with the City's Ordinance. Mayor Cobb stated that these MOU's were approved by the prior City Council and he asked the City Manager whether the MOU's were reviewed by the City Attorney. The City Manager stated that they were not reviewed by the City's Attorney. Council Member Spears stated that the issue that was presented by the previous Council was for the City to enter into negotiations and to look at the MOU. There was no MOU actually formulated at that time neither for the Sheriff's Department nor for the City of Orland. As a matter of fact, the City of Orland hadn't approved anything or had anything in their possession until recently when it had been reviewed and approved. Just like the Council has done on many other items this evening that were encumbering City funds, he is concerned that the MOU was not brought back in form and content for the full Council to review and approve. He stated he is not saying there are any improprieties, other than that of format and procedure and obligation of legality that the City Council is the body that has the encumberment to approve MOU's according to the Municipal Code. As he understands that the previous Council directed staff to develop the MOU's, but they still should have come back before the Council for approval as to form and content as to what the actual obligation or encumberment is to the City. Additionally, he stated that the Municipal Code requires that all MOU's must be reviewed and approved by the City Attorney to ensure that the City doesn't go down a road where they could get sued by some unforeseen usage of words or something of that nature, so he stated that he is rather concerned. Council Member Cobb asked the City Manager if Orland's MOU with the City is the same as the MOU the Sheriff's Department has in place with the City. The City Manager stated that they are virtually identical other than the changes that were made for Orland-specific items. The MOU was reviewed by County Counsel for legal sufficiency. If it is reviewed a second time for legal sufficiency, it

would essentially be a duplication of effort for the City Attorney to review what another Attorney has already said is legally sufficient for a public agency to enter into. Although the City Manager agrees that is a technicality, he simply didn't see the need because the direction from the prior Council was to explore and get an item in place to get help with law enforcement in the City because the City needed it. There was some delay on getting that task done, but again, he stated that staff has followed Council's direction in both occasions, and staff has implemented the direction that the Council had given them so he doesn't understand why we are rehashing this issue. This issue is completely different than the application process that the Council reviewed earlier in the meeting, because under State Statute there is a required Public Hearing process that the City must go through in order to apply for those grant monies, not something that the City is doing through another local agency through a cooperative effort. These agreements are already in place and the City cooperates with other agencies regularly, and therefore he doesn't see the need to have everybody's Attorney involved because he doesn't believe the County was trying to rip the City off in any way. The agreements that are in place are working very well and he doesn't see that there are runaway costs associated with them. The City had funding appropriated to cover those costs. The Police Department has recently hired a new Police Officer who was sworn in new yesterday. The second candidate they were going to hire failed the background investigation so the Police Department will have to begin that recruitment again. Staff will move forward as quickly as they can to recruit for and fill the Officer vacancies that the City still has, but in the meantime the Police Department still has a need to fill some shifts. The City of Orland approached the City of Willows and told staff that if the Police Department still had an interest to have assistance from their Police Department that they would be willing to participate. City staff let Orland review the agreement that was in place between the County and the City of Willows and they made some minor changes to the agreement and their Council approved it. The previous Council's direction was to get this done and in place to get the Police Department some temporary help. When the MOU was drafted, it was reviewed by County Council, approved by the Board of Supervisors and subsequently approved by the Orland City Council, so he believes the City just needs to move forward at this point. Mayor Cobb stated that if the MOU was reviewed by the County Council and approved by the Board of Supervisors, he doesn't see where the County would put their agency or the City of Willows in jeopardy. He just sees it as an additional cost to the City to have had the City Attorney also review the MOU. Council Member Domenighini asked if these particular MOU's are on a fixed term. The City Manager stated that the MOU's are only used on an as-needed basis and there isn't an established end date. Staff anticipated that the MOU's would come to a close some time around June or July of this year. Actually, one of the items that the Willows Public Safety Association has asked the Management was to incorporate an end date so it isn't an ongoing MOU. Management met with the Association and the Management asked them to draft some language for Management to look at and they are still waiting on that draft language to be presented to them. The Association has reviewed the proposition of having Orland also participate and they were 100 percent in favor of that, so staff will move forward accordingly. Council Member Domenighini stated the reason he asked is because it was his thinking that why not have some kind of permanent MOU in place because he would expect that some of these staffing shortfalls could occur quickly and the City wouldn't have an MOU in place. As a result, his thinking is why not have some kind of a permanent or automatic renewing of some type of MOU between the three agencies that would be ready to go in an emergency situation. Mayor Cobb asked if the City could just revert back to the current MOU with the Sheriff's Department

now. The City Manager stated that the agreements they have in place currently, although intended to be temporary, do not have an end date, so unless the City specifies an end date or sunset the MOU at some point, the City could always return to the terms and make adjustments as necessary to move forward. He stated he would not see a need for an ongoing, long term commitment unless the City was actually interested in contracting out for the service on a long term basis. That was not the intent of these particular MOU's. The MOU's for put in place to get short term fill-in for a staffing shortage which he believes will come to an end in May, so he thinks the City is drawing close to the 11th hour and will be putting these MOU's to rest in the not too distant future. Council Member Domenighini stated that he wasn't looking at any contracting out for services, but just as a hypothetical, suppose some kind of flu epidemic could easily take three Officers out in just a matter of hours and then all of a sudden you need to figure out how to handle the shifts. He wonders if the City could make the MOU's into a "ready-to-go" solution if something like this were to occur. Council Member Spears states that he agrees where Council Member Domenighini is coming from, from a standpoint where it doesn't even have to be an illness. It could be a situation such as an Officer-involved shooting or some other situation where you have 2, 3 or maybe 4 Officers involved in some type of critical incident that as a result of, they are relieved from their duties and the City could be placed in a situation of jeopardy again. However, he stated that is not the issue he is talking about and what he is bringing up is that it says specifically within the City's Municipal Code that any MOU's that are encumbered by the City have to be approved by the City Council and be reviewed for content and legality by the City Attorney, and those laws were put in the code for a reason and that is what he is bringing up. He is not saying there is anything wrong with the MOU's necessarily, other than form of content and procedure that for whatever reason was not taken in this case. He believes in the case of the MOU with the City of Orland, that there was ample time for staff to bring this item to the Council for consideration. The Council approves all other MOU's for labor contracts, and he believes this is a labor contract, whether people want to look at this as a labor contract or not, he stated that this is a labor contract. He stated that it bothers him that the direction from the Council was to go out, formulate, put together, and to look at implementing an MOU is not an open door saying for staff to just go out and do it. Council Member Taylor-Vodden stated that she respectfully disagrees with Council Member Spears. She stated that the Council directed the City Manager to implement the MOU's. Council Member Spears stated that he disagreed from a standpoint that the Municipal Code states that the Council can't do that. Council Member Taylor-Vodden stated that the City Manager put the MOU's in place per the direction of the previous City Council and that she is satisfied they are successfully working. Council Member Spears then asked if the City Council voted to accept an MOU. Council Member Taylor-Vodden stated yes, that the Council voted to direct the City Manager to move forward with the plan and they also during that same time period directed the City Manager to talk to the City of Orland in addition to the Sheriff's Department. Council Member Spears stated that the Council can't violate their own Municipal Code, and he believes that they are. Council Member Taylor-Vodden stated that that is just Council Member Spears' opinion. Council Member Spears then stated that he believes that if it is a matter of a difference of opinion, then he is requesting that this is something that should go to the City Attorney for his legal opinion. Mayor Cobb stated that he believes this would need to be placed on an agenda because they can't take action on that during tonight's meeting. The Council needs to continue their discussion and come to a result and then decide whether to place this on a future agenda and move forward. Mayor Cobb then inquired how often the City would intend to use Orland for coverage because it

seems to him that the Sheriff's Office has been handling coverage fairly well for the City already. The City Manager stated that the reality is that any shift that is open for coverage is first offered to Willows Police Officers, and if there isn't a Willows Officer available to take the shift, then the request goes to the Sheriff's Office. If there are no Sheriff's Officers that are willing to take the shift, then the shift would be offered to an Orland Police Officer. He reported that there have been no problems with these MOU's whatsoever and staff doesn't anticipate that there will be any problems. The Police Department is getting the help that they need and the Chief is thrilled with the relationship that the City has with both agencies and their willingness to step up and commit to helping the Police Department. There have been no incidences where a single question has ever even been raised as to the service that is being provided. City staff is working diligently on getting vacancies filled and there is an Officer that should be returning to work in the very near future and a new Officer that will start in a week. At that point the Police Department will be in much better shape, so the need to fill additional shifts will start to be mitigated and thereafter when additional personnel is hired it is anticipated that there will no longer be a need to rely on these other agencies for assistance. The spirit of cooperation among these three agencies is phenomenal and the level of service and cooperation that the City is getting is exceptional. He stated that he is proud that he has had an opportunity to implement these MOU's and move forward. He would hope that the continued bashing of this topic during Council Meetings is not diminishing the City's reputation among those other agencies.

Council Member Spears stated that at no time is he saying that anyone is doing anything inappropriate as to the coverage, and the spirit of cooperation is up to the highest regard for professional Law Enforcement Officers to help each other. He stated that what he is saying is that the Council, as a body, has to uphold the law like anyone else and that when you enter into an MOU agreement – a labor contract - it has to go back before the board to be approved to encumber the funds and the obligation by that entity. By the City's own Municipal Code, it doesn't say "may", it says "shall" present to the City Attorney all MOU's for review for legal content and format, and the last time he checked the word "shall" is a mandatory. It's not a matter of "if we feel like it". He stated that he has the highest regard for the County Counsel and he has the highest regard for the Attorneys for the City of Orland, but understand that their client in the case of the County Counsel is the County, and in the case of the Orland Attorneys their client is the City of Orland. He is not saying there were improprieties, but their focus, of course, is for the protection of their client and not the City of Willows so they may not have the keen eye that the Willows City Attorney may have. The City's Municipal Code is very explicit and for the Council to say that they will just go ahead and empower the City Manager, the Municipal Code says you can't do that. It states that the Council has to approve the MOU. The content of the contract could be perfect, but what he is saying is that procedurally and legally, by the Municipal Code, the procedure was not followed, and he wants it followed.

The City Manager stated that he would implore the Council just to move forward. This discussion is not necessary. The City Attorney has reviewed, previously and by request, an item concerning the City Manager's ability to hire under special circumstances, a Contractor to perform a special service for the City. That right and that authority is vested solely in the City Manager and not any other officer of the City. Under the Municipal Code, he is the Personnel Officer for the City. If this truly was a labor agreement, then the authority is vested squarely within the City Manager's office to hire whoever he pleases to get the job done. The City

Attorney has reviewed this previously and he has advised that the City Manager is the only officer that has that authority under the Municipal Code. This Council discussed the concept. The plan for staffing was brought before the Council and the Council directed staff to go out and put in place an agreement to get things done. That is exactly what City Management has done. Not only has staff completed the task given at the direction of the Council, but the agreements are in place and they are working on a fantastic basis. To now hire an Attorney to review what he has already reviewed and again say what the City Manager has the authority to do, is a waste of time and money and effort, but if the City Council wants to direct staff to do that, that is what staff will do. The City Attorney has stated that the City Manager has the authority to hire and dismiss employees and to complete labor agreements for the City.

Mayor Cobb then asked how he could determine the consensus of the Council in order to decide whether this item should be placed on a future agenda. Mayor Cobb asked if he can do it by roll call vote of the Council to determine consensus. The City Manager responded that he believed that would be appropriate. Mayor Cobb called upon the Clerk to conduct a roll call vote to determine consensus on whether this item should be placed on a future agenda with the following result: Ayes: Domenighini & Spears; Noes: Taylor-Vodden & Cobb; Abstain: Mello.

Mayor Cobb announced that no consensus was reached to place this item on a future agenda. Council Member Spears stated for clarification that as he understands it, this vote was not necessarily to agree or to deny any thoughts of action, but only to place this on a future agenda and asked if that was correct. Mayor Cobb stated that was correct.

12. 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:

The City Manager stated that this item was placed on the agenda at the request of the Orland City Manager and the tolling agreement was drafted by the Orland City Attorney. The agreement has also been reviewed by the Willows City Attorney who has advised that it is very straight-forward and that the City should consider implementing the agreement. The County, at the advisement of the State back during the days of Prop 1A, did some shifting of funding and moved funds from place to place to place and ultimately when the money came back to the City, it didn't all come back as a Property Tax. The County looked for a revenue opportunity and assigned the City a fee for the collection of all of those shifting mechanisms that resulted in money coming back to the County for ultimate distribution to the City. The Cities and the Counties have been fighting over this for the past few years, and the courts have recently ruled in favor of the Cities, stating that the Counties have been inappropriately charging this assessment. Glenn County immediately stepped forward and said that they were sorry to the Cities of Willows and Orland and said that they would refund those fees this year. What is still at question is how far back we can collect and there is currently an ongoing lawsuit and there is some debate about whether the statute of limitations on this would be one year or three years. We are now coming up on the eleventh hour for tax allocation and if we don't have an agreement in place with Glenn County

prior to the tax allocation, the City may lose its right to challenge legally in the future for the reimbursement of any fees that were charged in a year that could be available to us in that window – 2010 is the year in which it would drop off and 2011 and 2012 are still in question. Until the question of how far back we can collect is resolved by the courts, the City would like to enter into a joint tolling agreement with Glenn County and the City of Orland, which simply suspends the date at which the City would lose their statutory right to compel the County, through a court order, to pay the City if there were fees due. Staff doesn't believe that this would be necessary because the County did step forward immediately and indicated that they would pay this year but the City isn't sure how far back we can go, and the County, rightfully, is waiting for an answer to that question as well. What staff would like is to have an opportunity to meet and collaboratively discuss resolutions to these issues with the County at some point going forward. However, if the City lets the opportunity to execute the tolling agreement slip, statutorily the City would lose the right to recover the funds. The tolling agreement is simply a mechanism that allows all of the agencies to agree to hold things in place until there is a resolution. Then the City will know how many years of recovery they can do, and at that time, the City could enter into negotiations with the County on an ultimate resolution. Staff is seeking consensus of the Council to approve a joint tolling agreement between the Cities of Orland and Willows and the County of Glenn. Brief Council discussion ensued and it was the unanimous consensus of the Council to allow staff to jointly execute a tolling agreement with Glenn County and enter into negotiations seeking agreement of restoration of property tax assessment fees improperly withheld from both cities.

13. Council Member Reports:

Council Member Mello, per previous direction of the Council, had submitted a report on tonight's agenda for the Council to commence a discussion regarding the potential replacement of the downtown Sycamore Street banner poles to be used for non-profits to advertise special events. Discussion ensued among the Council and Staff over the potential project. Rose Marie Thrailkill has offered to donate \$2500.00 from local organizations, groups and the Willows Chamber of Commerce to go towards the project if the City should decide to move forward with replacing the poles. After significant discussion, the consensus of the Council was to direct staff to get a total cost estimate of the project, including the poles, installation costs, ongoing maintenance costs, labor costs, etc. and to provide this information to the Council at a later date where they can continue with additional discussions and perhaps review some alternatives.

Council Member Domenighini wished to pass along a compliment that he heard from one of the Principals at Robertson & Ericson Civil Engineering firm in Chico that is doing some of the site work for the Senior Housing Project on Sycamore Street. He stated that they were very complimentary of the City's Public Works Director, the City Planner and the City Engineer and that they were very nice to work with.

Council Member Taylor-Vodden reported that attended a CEDS Advisory Board Meeting at the 3CORE office in Chico last week. She also reported that she attended a LAFCO Meeting this morning at Memorial Hall.

Council Member Spears reported that he attended last Friday night's Toys for Tots fundraiser dinner. He also stated that he will be attending a Senior Housing meeting this Thursday at noon at the Senior Nutrition Center. He reported that next Wednesday there is a Transportation meeting scheduled for 10:00 that he plans to attend.

14. **Public Comment/Written Communications:** None
15. **Executive Session:** None
16. **Adjournment:** Mayor Cobb adjourned the meeting at 8:38 p.m.

Dated: April 9, 2013

NATALIE BUTLER

City Clerk

The City of Willows is an Equal Opportunity Provider

MINUTES OF THE WILLOWS CITY COUNCIL REGULAR MEETING HELD

April 23, 2013

1. Mayor Cobb called the meeting to order at 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE:** Fire Chief Wayne Peabody led the Pledge of Allegiance. Mayor Cobb then asked that all present remain standing to observe a moment of silence for the recent passing of two fallen heroes, Fire Captain Doug Lederer and Fire Chief Reggie Michaud.

3. **ROLL CALL:**

Present: Domenighini, Mello, Spears & Mayor Cobb

Absent: Taylor-Vodden

4. **Agenda Review:** It was **moved** by Council Member Domenighini and **seconded** by Council Member Mello to approve the April 23, 2013 agenda as presented. The motion unanimously passed.

5. **Presentations & Proclamations:**

- a) Mayor Cobb presented Police Officer Kelly Kuwata with a Proclamation declaring May 12 – May 18 as “National Police Week” with special recognition of May 5 & 6 as “California Peace Officer Memorial Ceremonies” and May 15 as “National Peace Officers Memorial Day”. Officer Kuwata then announced that the 6th annual Police Officers and Fire Fighters Memorial would be held on May 8 at 6:00 p.m. at the First Baptist Church and she encouraged all to attend.

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

Mardy Thomas, representative of the Glenn County Transportation Commission, made the Council aware that the County has received funding through the Blueprint Grant to build up the information infrastructure for the County’s Geographic Information System (GIS). A few weeks ago he passed this information along to the City’s Planner. What the County has tried to do is to put a line between what is County and what is City property and get it all integrated into one so they can actually have a map that can show the City and County zoning together in one. You can now find the particular zoning for a specific parcel simply by entering the address or the Assessor’s Parcel Number. The project is still in the developmental phase but it is on the County website if anybody wants to view it. He asked that if anybody had any comments about the map, to forward their comments onto him and he would appreciate any feedback.

7. **Consent Agenda:**

Council Member Domenighini had a question on item 7(e) which the City Manager clarified. Council Member Spears had a question on item 7 (d) which Police Chief Dahl clarified. It was **moved** by Council Member Mello and **seconded** by Council Member Domenighini to approve

the Consent Agenda as presented. The motion unanimously passed and the following items were approved/adopted:

- a) Approval of General Check Registers (25901-25966).
- b) Approval of Payroll & Direct Deposit Check Registers (Z04202-Z04232 & 32486-32517.)
- c) Approval of a transfer of funds from the Summer Library Fund to a newly created Children's Services Trust Fund (Fund 202).
- d) Approve appropriation of \$10,755 in conjunction with acceptance of AB-109 funds allocated by the State Legislature for FY 2012/13
- e) Approve an assignment of Contract Services to Severn Trent Environmental Services, Inc., to assume/continue operations and maintenance at the Willows Waste Water Treatment Facility located on South Tehama Street.

8. Public Hearings:

- a) Unmet Transit Needs:

The Transportation Development Act (TDA) Statutes and Administrative Code of Regulations require specific actions on the part of local transportation planning agencies. As part of the regulations, annually the County holds a public hearing to receive input from citizens and City Councils regarding unmet transit needs. Specifically an "Unmet Transit Need" is found to exist when there is a reasonable need for an identifiable group within the community that has no dependable and/or affordable access to employment, medical, commercial public, or social services. Because transit needs fluctuate with variables such as unemployment, population, demographics, land use and circulation patterns, it is necessary to re-evaluate the needs annually.

Mayor Cobb opened the Public Hearing at 7:18 p.m. and hearing no comments from the public, closed the Public Hearing at 7:19 p.m.

9. Ordinances: None

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

The City Manager reminded the Council of the County and Cities Joint meeting that is scheduled to be held in Orland the following evening. He also informed the Council that memorial services for Chief Reggie Michaud would be held the following day and that City Hall would be closed between 9:30 and 11:00 a.m. in order that all staff members may be able to attend the service.

Council Member Domenighini asked whether the Council would receive any back-up information in advance of the budget meeting scheduled for April 29 or if it was simply going to be a presentation given by the Finance Director. The Finance Director stated that the agenda and all back-up materials would be distributed to the Council in advance and in accordance with the Brown Act.

Council Member Spears stated that during a previous meeting the procedural question regarding agenda preparation was brought up and he wondered where the City was at in seeking an opinion on how items can be placed on an agenda. The City Manager stated that he did send the question off to the Attorney for review and the review turned out to be more complicated than anticipated. The Attorney was unable to identify any clear provision in State Law and there isn't any case law that sets a precedent. The Attorney was going to do some additional review and write a letter on what he feels would be appropriate for an amendment to the City's Municipal Code in the way of an Ordinance. He stated that he last heard from the Attorney about two weeks ago and that he will follow up with the Attorney again to see where this stands.

Council Member Spears then stated that the City Manager sent out to all of the Council Members data that he received about a complaint process and he wondered where that issue stands currently. He doesn't know if the Council should move forward with this item by placing it on a future agenda for review and guidance. He thinks the intent was for the Council to eventually take some action on this but he just wasn't sure what. Mayor Cobb's thought was that it was brought up previously for discussion purposes to determine whether the Council had a desire to do anything with it and his recollection was that the document was rather lengthy at roughly 18 pages. The City Manager clarified that there were actually three sets of documents that were given to the Council to review. Originally he circulated a complaint form that he drafted back in 2008 or 2009. In response to his original draft, a Council Member submitted a one-page form for consideration which he passed on to the other members of the Council and subsequently a second Council Member submitted an additional proposal that was quite a lengthy document that he also provided to each of the Members of the Council. Since his circulating these three documents, no additional comments have come back to him from the Council in the way of suggestions for edits or combining the documents or what direction the Council Members want to move in. As he recalls, the previous discussion was that he would provide the information to the Council and that each of the members of the Council would provide their comments back to him and then he would revise and redistribute an edited edition in a policy format. To date he hasn't received anything from the Council in the way of comments to incorporate any changes to prepare a draft for distribution so he is still just waiting to hear back from the Council Members. Council Member Domenighini stated that he didn't have any comments on the documents and that he looks forward to the discussion at a future Council meeting. Council Member Mello stated that the simpler the form, the better. The less the public has to read, the easier it will be for them to use the complaint/comment/suggestion system. He believes the form should be kept simple and should be made at a tenth grade level so people can understand. Council Member Spears' suggestion is just to keep the issue alive and moving forward. The Council has a lot on their plate right now with upcoming budget and some other issues, so he would suggest not to discard it from a future Council Meeting, but to put it off until the Council passes the budget. This way the Council can take a little more time and concentration on the topic and not have a lot of other distractors. The consensus of the Council is to put this item on the back burner for now and they can revisit this topic once the upcoming Fiscal Year's budget has been adopted.

Council Member Mello stated that he believes now is a good time for the City Council and the Staff to review the City's conduct policy that they use during City Council meetings. The City has a conduct policy for individuals making public comments, and there is also a conduct policy for individuals that attend City Council meetings. As a City Council Member or as a Staff Member, they need to refresh and review the City's conduct and ethic policy. He believes that

the Council and Staff has forgotten this. The League of California Cities states that everybody shall refrain from use of verbal attacks, making disparaging and embarrassing remarks, making personal charges, showing abusive language, and not to bring embarrassment or disgrace upon the City. Council and Staff, at a minimum, should show respect and fairness, lead by example, and show good ethical conduct and standards. After having said that, Council Member Mello stated that Council Member Domenighini is doing a good job and he also apologized to Mayor Cobb for interrupting him at a previous Council Meeting.

Council Member Mello stated that his next topic of discussion is a sensitive subject. He stated that at the last meeting Council Member Spears brought up his concerns about the City's Public Safety MOU with the Willows Police Department and the Sheriff's Department and the Orland Police Department. Council Member Spears' concern was that the MOU needed to be reviewed by the City Attorney and to ensure that the Municipal Code was followed. During that same meeting, Council Member Domenighini also expressed his concern that if there was a shortfall in Police staffing in the future, would there be an MOU in place to cover the shortage. He stated that he agrees with Council Members Spears and Domenighini and staff for their actions. However, as a member of the City Council, a member of the Willows Public Safety subcommittee and a Willows resident, he will follow up on this matter with extensive research and then bring it back to Council for discussion, and a vote for it to be placed on a future agenda if needed. He concluded his comments that everyone can agree that Public Safety is a concern and it is a very important topic currently and for the future.

Mayor Cobb stated that he appreciates Council Member Mello's comments, but Council has already reached a consensus at a previous meeting to not place this item on a future agenda and one of the reasons the Council did that is because the Council has gone over this topic several times. Mayor Cobb stated that the Council will not be bringing this topic back up again.

Council Member Mello stated that he is concerned about Council Member Domenighini's question whether the City currently has something in place in case something were to happen in the future. Mayor Cobb stated that the City does have something in place in case something were to happen which required other agencies to assist the Police Department.

Council Member Spears stated that he understands Mayor Cobb's position on the fact that the matter was brought forth for consensus on whether to put it on a future agenda for discussion. He stated the Mayor might recall that Council Member Mello abstained from action and he made the comment that he did not feel adequately knowledgeable enough about the circumstances of whether or not to take it forward; In other words, Council Member Mello qualified his abstention, and now for the Mayor to bar him from the ability to come back at a future date and state that he now has an opinion on the topic, he believes that removes Council Member Mello's value as to his opinion and his ability to have his input to council. If it had been an actual vote and he would have voted either in the affirmative or the negative, even if additional information came to light that would cause the subject matter to come back up again with additional information, it is the duty of the public servant or the elected official to bring the matter forth again. But simply to say that the Council discussed a matter once and therefore they will never discuss it again, he believes is out of order from the standpoint that this is a public forum for the Council to bring those ideas forward. He agrees with Mayor Cobb in that the Council does not want to banter around the same subject meeting after meeting after meeting, but after listening to

what Council Member Mello said, and the fact that he qualified his abstention, he believes this topic warrants additional discussion. Mayor Cobb then asked Council Member Mello why he did abstain when they voted on this item. Council Member Mello stated that he would rather speak in private about his reason. It is a mixed issue and he stated that he is not going to state his reason in a public forum because his reason brings in other issues such as personnel issues, and he would rather not say at this point.

11. New Business:

a) Annual Weed and Rubbish Abatement:

Each year the Fire Department abates weeds, rubbish, refuse and dirt from different lots and alleyways throughout the City. In order to commence this process, it is necessary for the City Council to adopt a Resolution declaring weeds, rubbish, refuse and dirt public nuisances, approve the proposed Abatement Schedule for the 2013 fire season and approve an extension of the Weed Abatement Contractor of 2012. **Motion** by Council Member Domenighini, **second** by Council Member Spears to adopt a Resolution declaring weeds, rubbish, refuse and dirt public nuisances, approve the Weed and Rubbish Schedule for the 2013 fire season and approve the extension of the Weed Abatement Contractor of 2012. The motion unanimously passed.

b) Fire Department apparatus bay door project:

Following the City Council Meeting on March 12, guidelines were followed for the Fire Department to put out to bid the apparatus bay door project. Four bids were received and three of the bids were found to be non-responsive in that no electrical work was included in the bids. After reviewing the final bid, The Door Mart has met or exceeded the minimum bid requirement. The total estimated cost of the project is \$38,251.23 (\$37,652.23 bid for the project and \$600.00 for labor compliance and oversight services). The original allocation for the project is \$38,000, resulting in a difference of \$251.23. After reviewing the final bid and meeting with the Finance Director it was found more beneficial to request a budget transfer in the amount of \$500 to complete the apparatus door openers within the scope of work rather than completing at a later time. The \$500 represents the \$251.23 shortage plus a contingency of \$241.77. **Motion** by Council Member Domenighini, **second** by Council Member Spears to award the apparatus bay door project to The Door Mart and to transfer \$500.00 from Fire department budget from account 301.4150.150 to account 301.7241.400. The motion unanimously passed.

12. Council Member Reports:

Council Member Domenighini reported that he attended last week's Library Board meeting in Elk Creek and next month's meeting will be held at the Bayliss Library. He stated that the Friends of the Library still has raffle tickets available with the raffle proceeds to go toward the Children's Summer Reading Program.

Council Member Spears reported that he and Council Member Domenighini attended the Transit and Transportation Meeting last week.

Council Member Mello announced that the Lamb Derby is coming up on May 11 and there will be a 3 mile walk and a 3 mile run. He stated that he would challenge anybody that is his age - 59 years old - that if they beat him in the race, he will buy them a steak dinner at the Old Hwy 99 Steakhouse. If anybody 50 to 69 years old beats him in the race, he will wash their car. He then inquired whether the City received a \$300 check as a donation toward the banner poles. The City Manager stated that the City did receive a \$300 check in the mail for the banner poles, however, the intent is to return the check since the Council has never authorized staff to accept funding in the way of donations or anything else in support of banner poles. No project has ever been authorized or approved by the Council therefore staff has no place for accounting for that money.

Mayor Cobb reminded everybody that May 12 – May 18th is National Police Week. He also stated that Chief Reggie Michaud’s funeral service is tomorrow morning at 10:00 a.m.

13. Adjournment: Mayor Cobb adjourned the meeting at 7:47 p.m.

Dated: April 23, 2013

NATALIE BUTLER

City Clerk

The City of Willows is an Equal Opportunity Provider

MINUTES OF THE WILLOWS CITY COUNCIL SPECIAL BUDGET MEETING HELD
April 29, 2013

1. Mayor Cobb called the meeting to order at 6:00 p.m.
2. **PLEDGE OF ALLEGIANCE:** Mayor Cobb led the Pledge of Allegiance.
3. **ROLL CALL:**

Present: Domenighini, Taylor-Vodden, Mello, Spears & Mayor Cobb
Absent: None
4. **Public Comment:** None.
5. **FY 2013/2014 Budget Overview:**

City Manager Steve Holsinger, by way of introduction, stated that it is an honor and a privilege for Staff to be able to present this budget to the Council. He believes this is the best first budget presentation that has been made to the City of Willows and to any Council that has been seated in the City for the past decade. He believes Staff has captured all of those items that Council wanted to include in the budget, and unless there is a need to restructure or revamp the budget, it is essentially prepared for adoption and Staff could move forward accordingly at the Council's direction.

Finance Director Sailsbery then provided an overview of the forecasted General Fund status for 2013/2014, noting that the projected deficit would be approximately \$26,159. Assumptions utilized in developing the budget include:

- Overall operations are anticipated to remain at or near current levels, with the exception that the Police level was reduced by one as of 12/31/2012. The reduction of staffing level by one remains in place in this proposed budget.
- Most of the employees subject to 5% or 10% furloughs at the close of 2012/13 will remain on furlough status in the 2013/14 fiscal year by voluntary agreement with said staff.
- The City is currently in negotiations with a new contract with the Willows Employees Association. No provision is included regarding the potential outcome of this contract once complete. Ongoing wage and benefit levels are assumed in the initial formulation of the budget.

It was also noted in the Budget Summary that projections for the close of the 2012/13 Fiscal year continue to improve from original and mid-year projections and the latest projection notes a General Fund budget surplus of \$25,300.

Discussion ensued among the Council and Staff and the Finance Director addressed and clarified all questions of the Council. Upon conclusion of all discussions, Mayor Cobb stated that he is

fully satisfied with the proposed budget and he stated that staff did a commendable job in preparing it. It was the unanimous consensus of the Council to direct Staff to schedule a public hearing in order to adopt the final 2013/14 budget at the June 11, 2013 City Council Meeting.

6. **Adjournment:** Mayor Cobb adjourned the meeting at 6:35 p.m.

Dated: April 29, 2013

NATALIE BUTLER

City Clerk

The City of Willows is an Equal Opportunity Provider

MINUTES OF THE WILLOWS CITY COUNCIL REGULAR MEETING HELD
May 14, 2013

1. Mayor Cobb called the meeting to order at 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE:** Former City Council Member Vince Holvik led the Pledge of Allegiance.
3. **ROLL CALL:**

 Present: Domenighini, Taylor-Vodden, Mello, Spears & Mayor Cobb
 Absent: None
4. **Agenda Review:** The City Manager requested that, in the interest of time, item 11 (a) be moved up on the Agenda to item 5.5. It was **moved** by Council Member Domenighini and **seconded** by Council Member Taylor-Vodden to approve the May 14, 2013 agenda with the aforementioned change. The motion unanimously passed.
5. **Presentations & Proclamations:**
 - a) Mayor Cobb presented former City Council Members & Mayors Vince Holvik, James Yoder & Gary Hansen with Awards of Appreciation and thanked them for their service and dedication to the Community and to the Citizens of Willows.
- 5.5 **Resolution of intention to levy and collect annual assessments, preliminarily approve the Engineer's Report for FY 2013/2014 for the City of Willows Landscaping & Lighting Assessment District and setting June 11, 2013 as the date of the Public Protest Hearing:**

Prior to this item being introduced, the City Manager recused himself and exited the chamber, as he is a property owner within the Landscaping and Lighting Assessment District. The City Engineer, John Wanger introduced this item to the Council explaining that the Lighting and Landscaping Assessment District was set up to take care of two areas. One area is Birch Street Village (Zone A) and the other is the Wal-Mart (Zone B) area. What the assessment district does is collect fees from property owners in those locations to help to maintain the landscaping and the street lighting in those areas. Each year the City has to go through a three-step process and this is the second step. What is being proposed this year is that the assessments will remain the same amount as last year in the Birch Street Village area and the assessments for Wal-Mart will be decreasing this year compared to last year. The assessment district collects a little over \$11,000 per year to take care of the lighting and landscaping in both of these areas. What is being proposed to the Council this evening is to adopt a Resolution of intention to levy and collect these annual assessments, to preliminarily approve the Engineer's Report and to set a public protest hearing to take place on June 11, 2013. Brief Council discussion ensued and it was **moved** by Council Member Taylor-Vodden and **seconded** by Council Member Domenighini to adopt a Resolution of intention to levy and collect annual assessments, preliminarily approving the Engineer's Report for Fiscal Year 2013/2014 for the City of Willows

Landscaping and Lighting Assessment District and setting the time and date of the public hearing. The motion unanimously passed.

The City Manager then re-entered the chambers and rejoined the meeting.

6. **Public Comment/Written Communications:** None

7. **Consent Agenda:**

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

- a) Approval of General, Payroll and Direct Deposit Check Registers (25967-26030; 32518-32560; Z04233-Z04301).
- b) Approval of the Minutes of the Willows City Council Regular Meeting held March 26, 2013.
- c) Confirm the re-appointment of Russell Melquist to serve as the City's Representative to the Glenn County Mosquito and Vector Control District for a two year term to run from July 1, 2013 through June 30, 2015.

8. **Public Hearings:** None

9. **Ordinances:** None

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

Recreation Director Carol Lemenager updated the Council on upcoming recreational programs, activities, events, and fundraisers going on in the Recreation Department.

11. **New Business:** New Business was heard under item 5.5 earlier in the meeting.

12. **Council Member Reports:**

Council Member Domenighini reported that he attended the last Library Board meeting that was held at the Bayliss Library.

Council Member Taylor-Vodden reported that she recently attended a Farmer's Market Committee Meeting and she stated that the committee was very appreciative of how the City Council handled the relocation of the bus stop on Sycamore Street. She also stated that there would be a Business Expo in conjunction with the Farmer's Market on the first Wednesday of each month that the Farmer's Market is held.

Council Member Mello reported that while he was attending the Willows Lamb Derby, he had several people share very positive comments with him about how clean the City streets and parks were. He asked the City Manager to pass that compliment to Public Works Director, Skyler

Lipski. He also stated that he wished to thank former Council Members Hansen and Holvik for their always having been willing to assist him when he had any questions.

Council Member Spears reported that he attended the Peace Officer Memorial Ceremony. He also attended the Lamb Derby Parade and the festivities at the park and he agrees that Jensen Park looked exceptional. He plans to take part in the upcoming "Row Row Row Your Boat" fundraiser put on by the Recreation Department to seek donations for the City pool. Finally, he congratulated Council Member Mello for winning first place in the Lamb Derby run.

Mayor Cobb reported that he attended the Peace Officer & Firefighter Memorial Ceremony and he found it to be very well and professionally done. He also stated that he attended the Lamb Derby festivities and it was a very pleasant atmosphere, although he believed attendance may have been down from previous years. He also stated that Council Member Spears will be unable to attend the next Transportation Meeting, therefore, he would attend in his place.

Council Member Taylor-Vodden reported that she received some correspondence from the group that is trying to eradicate the egrets and herons and they are having some success and they are continuing to move forward with their efforts.

13. Adjournment: Mayor Cobb adjourned the meeting at 7:31 p.m.

Dated: May 14, 2013

NATALIE BUTLER

City Clerk

The City of Willows is an Equal Opportunity Provider

AGENDA ITEM

June 11, 2013

TO: Honorable Mayor Cobb and Members of City Council

FROM: Steve Holsinger, City Manager

SUBJECT: Approve an Extension of the Professional Service Agreement with Wildan Planning and Environmental Services Division.

RECOMMENDATION

Staff recommends that the City Council approve by resolution an extension of the Professional Services Agreement with Wildan Engineering to provide General Planning & Environmental Services to the City of Willows throughout Fiscal Year 2013/2014.

SUMMARY

Throughout the past couple fiscal years, several options for providing Planning & Environmental Services have been explored by city staff. A Contract for Planning Services was awarded to Wildan Engineering Consultants for the fiscal 09/10 period; ending June 30, 2010. That Contract has since been extended through during each subsequent fiscal year, at the same terms & conditions.

The proposal is to provide Planning Services under the same hourly billing rate as in prior years. Wildan Engineering Consultants currently serve Glenn County with Engineering Services. Contract extension will allow the City of Willows to be able to maintain a consistent one-day-per-week planner at city hall. Staff recommends approval of the Wildan proposal.

FINANCIAL CONSIDERATIONS -

Total expense is not anticipated to exceed allocated funding within the 2013/2014 fiscal work plan.

NOTIFICATION

Daniel T. Chow, President/CEO
Wildan Engineering Group

RECOMMENDATION

Staff recommends that the City Council approve by resolution an extension of the Professional Services Agreement with Wildan Engineering to provide General Planning & Environmental Services to the City of Willows throughout Fiscal Year 2013/2014.

Steve Holsinger
City Manager

Attachments: Resolution authorizing extension of agreement
Exhibit "A" - Wildan Proposal Letter – dated May 21, 2013

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS
AND AUTHORIZING AN EXTENSION OF THE PUBLIC AGENCY AGREEMENT
WITH WILDAN ENGINEERING CONSULTANTS FOR GENERAL PLANNING
AND ENVIRONMENTAL SERVICES DURING FISCAL 2013/2014**

WHEREAS, the City recognizes the importance of providing regular and professional comprehensive Planning & Environmental Services; and

WHEREAS, the CITY wishes to contract for such services with a private consultant; and

WHEREAS, Wildan Consulting is experienced in providing such services for municipal corporations and is able to provide personnel with the proper experience and background to carry out the duties involved; and

WHEREAS, the City of Willows wishes to retain Wildan Consultants, for the performance of said services; and

WHEREAS, Wildan Consulting is an independent contractor and not an employee of the City.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Willows does hereby approve the Professional Services Agreement between the City of Willows and Wildan Consultants be extended throughout Fiscal Year 2013/2014.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council on this 11th day of June, 2013, by the following vote:

AYES in favor of:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

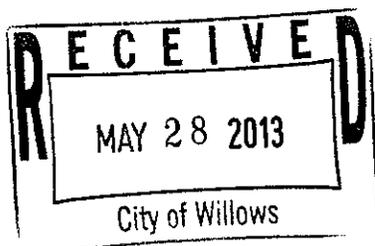
ATTESTED:

Mayor Jeff Cobb

Natalie Butler, City Clerk

May 21, 2013

Mr. Steve Holsinger
City Manager
201 North Lassen
Willows, CA 95988



Subject: Contract Planning Services

Dear Mr. Holsinger:

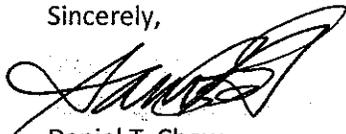
It has been our privilege to serve as the City of Willow's contract planning staff for the last four fiscal years. It will be our pleasure to continue to serve the City of Willow (City) in the same capacity in the coming fiscal year (2013-14). Ms. Karen Mantele would continue to serve as the City's contract Planning Director, with additional technical support staff from Willdan available for her to call upon on an as needed basis.

Ms. Mantele's services will be billed on an hourly basis at her current rate of \$85.00. This rate is fully burdened and included overhead and other incidental costs. We understand that the City of Willow (City) plans to budget \$28,000 from its General Fund for planning administration services for the 2013-14 fiscal year, which would allow Ms. Mantele work at City Hall for approximately six (6) hours per week. These hours would be devoted to providing public counter coverage, preparing City initiated ordinances/studies and performing general office administration, but exclude any time expended on discretionary case processing.

All work associated with the processing of development applications would continue to be tracked separately and the City would be fully reimbursed for these costs from developer deposits. In this manner, the City will continue to realize full cost recovery for these planning services. Moreover, when combined with the 6 hours of planning administration time per week, Ms. Mantele would be devoting a total of 10 to 16 hours of effort per week to the City, depending upon the level of development activity that occurs. This, in fact, has been our experience during this past year.

We sincerely appreciate the opportunity to once again offer our professionally planning services to the City and look forward to the continuation of assisting the City on planning services. If you have any questions, please contact me at [714-978-9220](tel:714-978-9220)/dchow@willdan.com or Ms. Mantele.

Sincerely,



Daniel T. Chow
President/CEO

cc: Ms. Mantele, Willdan

EXHIBIT A

AGENDA ITEM

June 11, 2013

TO: Honorable Mayor Cobb and Members of City Council

FROM: Steve Holsinger, City Manager

SUBJECT: KVB, Inc. Resolution of Support

RECOMMENDATION

Council should consider adopting a resolution of support for the KVB, Inc. waste recycling project in Glenn County.

Background:

KVB, Inc. is engaged in a project to construct a MRF (materials recovery facility) and anaerobic digestion facility on 20 of its 140 acres located five miles east of Orland on SR32. The project is being designed to receive all of Glenn County, Willows and Orland's municipal solid waste (MSW) following the closure of the county landfill.

KVB's president, Kara Baker, intends to file an application for "inducement" June 18th at the California State Pollution Control Financing Authority's board meeting to start the process of procuring financing for the project. Ms. Baker is requesting a resolution from the Cities of Orland and Willows as well as the County of Glenn indicating support for the project and key requirements for its bond financing. At the time of this report, both Glenn County and City of Orland have adopted similar Resolutions of support for this project. Council is presented a draft resolution basically as proposed by KVB with some modifications after review by staff and recommendations by City Attorney, Gary Krup.

FINANCIAL CONSIDERATIONS

No immediate fiscal impacts; future (2016 and beyond) impacts include unknown indirect impact on collection rates and unknown benefits from local economic development.

RECOMMENDATION

Council should consider adopting a resolution of support for the KVB, Inc. waste recycling project in Glenn County.

Respectfully submitted,


Stephen A. Holsinger
City Manager

Attachment: Draft Resolution in Support of KVB Solid Waste Conversion Facility Project

RESOLUTION # _____ - 2013

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS
IN SUPPORT OF THE KVB WASTE CONVERSION FACILITY PROJECT**

WHEREAS, the Glenn County Landfill ("the Landfill") has reached its maximum fill capacity and is expected to be closed by the end of 2016;

WHEREAS, technological advancements in the field of waste conversion are providing communities with viable options for effectively disposing of Municipal Solid Waste (MSW) while also producing renewable energy and high-quality, sustainable jobs;

WHEREAS, the Glenn County Board of Supervisors has entered into a Memorandum of Understanding (MOU) with KVB, Inc. (KVB), for the purpose of developing a solid waste conversion facility located five miles east of Orland to replace the County's existing landfill and to service the MSW processing needs of Glenn County for the long term;

WHEREAS, as part of the MOU development process with KVB, the Board of Supervisors established as a priority for this project, the provision of effective MSW disposal services for the whole of Glenn County while minimizing the cost of those services to the public;

WHEREAS, the KVB team represents that it has evaluated a wide variety of options for financing the project and has determined that while each contain similar requirements for waste commitment and rate-of-return/rate setting guarantees from the County, the City of Orland and the City of Willows, the option offering the greatest level of project completion certainty with the lowest cost of capital is State of California Tax Exempt Pollution Control Bonds ("Bonds"), which can be used to finance public-private partnership projects like the proposed solid waste conversion facility;

WHEREAS, the County, the City of Orland and the City of Willows will consider an agreement which will include a joint and several "put-or-pay" guarantee to commit their respective communities' waste to the project for at least the lifetime of the Bonds and to regularly review and adjust tipping fees at the facility at a level which will generate sufficient revenue to adequately cover required debt service requirements on the Bonds, or otherwise make up any shortfall;

WHEREAS, to enable the County to adequately undertake required actions associated with the bond financing process, the City of Willows will, in good faith, review proposals and work cooperatively on a cost-reimbursable basis with County/KVB experts, to the extent they are needed, in the field of municipal bond finance;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Willows does hereby provide the support necessary to bring the proposed solid waste conversion facility project to fruition for the benefit of all citizens of Glenn County, and shall agrees as follows:

1. The City of Willows supports KVB's intentions to pursue financing for the proposed solid waste conversion facility project with Tax Exempt Bonds issued through the California Pollution Control Financing Authority.
2. The City of Willows will engage the County of Glenn and the City of Orland to review details of the proposed solid waste conversion facility project, specifically addressing issues including, but not limited to:
 - a. The possible formation of a Joint Powers Authority to oversee service standards, environmental practices and rate setting at the facility;
 - b. The need to commit and direct all available MSW generated within Glenn County to the proposed facility; and
 - c. The need to provide joint and several guarantees to support Bond financing for the project.
3. The City of Willows will in good faith consider working cooperatively with project finance/economic development advisors engaged by the County/KVB to assist with preparations associated with Bond financing, on a cost-reimbursable basis.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council on this 11th day of June, 2013, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

ATTESTED:

Mayor Jeffrey T. Cobb

Natalie Butler, City Clerk

AGENDA ITEM

TO: Steve Holsinger, City Manager
FROM: Tim Sailsbery, Finance Director
SUBJECT: Adoption of 2013/14 City of Willows Budget, Designation of USDA Debt Reserve Funds, and Confirmation of Restoration Priorities

RECOMMENDATION

Conduct a public hearing and adopt the Resolution of the City Council of the City of Willows Adopting the 2013/14 Annual Budget and Designating Sewer Enterprise Fund Debt Reserve

SITUATION (or BACKGROUND):

The City Council conducted a budget review and analysis session workshop on April 29, 2013. As part of the budget workshop sessions, the Council received input from staff and provided an opportunity for public input. As a result, Council, by consensus, provided direction to staff to return to Council with a budget resolution.

The budget, as presented for adoption, includes the following expenditure levels:

General Fund	\$ 3,425,845
Special Revenue Funds	\$ 1,845,101
Sewer Enterprise Fund	\$ 2,006,816
Water Enterprise Fund	\$ <u>8,422</u>
Total Expenditures	\$ <u>7,286,184</u>

The proposed budget carries a General Fund operating deficit for 2012/13 of \$26,159 to be covered by General Fund Reserves currently estimated at \$1.227 million.

Also, in accordance with debt covenants associated with the USDA loan for the wastewater treatment plant renovation, 1/10th of an annual loan payment must be placed into reserved status each year from the Sewer Enterprise Fund. This will continue annually until the equivalent of a full annual loan payment is held in reserve. The amount to be designated for 2013/14 is \$36,000. 2013/14 will be the seventh year of said debt reserve designation.

Attachments to the staff report include summary recaps of revenue and expenditure projections for General and Special Revenue Funds, Sewer Enterprise Fund (including

designation of Debt Reserve) and Water Enterprise Funds. As no changes resulted from the Proposed Budget prepared for the 4/29/13 meeting, if viewing of the associated detail is desired, it may be viewed at:

[http://www.cityofwillows.org/vertical/sites/%7B7D6DB31A-99CB-469D-88CF-327433878F6D%7D/uploads/April 29 2013 Special Budget Meeting Agenda.pdf](http://www.cityofwillows.org/vertical/sites/%7B7D6DB31A-99CB-469D-88CF-327433878F6D%7D/uploads/April%2029%202013%20Special%20Budget%20Meeting%20Agenda.pdf)

Please note that \$11,528 in General Fund Expenditures were added at the time of the 4/29 meeting (subsequent to the publication of the agenda detail) due to revisions to workers compensation insurance costs.

This Budget is presented for adoption without consideration of actions yet to be taken by the State of California or the County of Glenn regarding their respective 2013/14 budgets. Should actions taken by these agencies have an impact on the financial status of the City of Willows, Staff will return to the City Council for further budgetary action.

FINANCIAL CONSIDERATION

As noted, total appropriation of \$7,286,184 and designation of reserve funds in the amount of \$36,000.

NOTIFICATION

- Notice of Public Hearing posted in newspaper of general circulation

ALTERNATE ACTIONS

1. Approve by Resolution
2. Reject staff recommendation and/or direct item to be returned at later date.

RECOMMENDATION

Conduct a public hearing and adopt the Resolution of the City Council of the City of Willows Adopting the 2013/14 Annual Budget and Designating Sewer Enterprise Fund Debt Reserve

Respectfully submitted,



Tim Sailsbery
Finance Director

Attachments:

- Resolution of the City Council of the City of Willows Adopting the 2013/14 Annual Budget and Designating Sewer Enterprise Fund Debt Reserve
- 2013/14 Revenue/Expenditure Reconciliation (General and Special Revenue Funds).
- 2013/14 Revenue/Expenditure Reconciliation (Sewer Enterprise Fund)
- 2013/14 Revenue/Expenditure Reconciliation (Water Enterprise Fund)

CITY OF WILLOWS
2013-2014 BUDGET YEAR
EXPENDITURES/REVENUES RECONCILIATION

PG 1-1

DEPARTMENT-OPS/MAINT.	TOTAL	GENERAL FUND	OTHER FUNDS
CITY COUNCIL	16083	16083	
CITY ATTORNEY	15000	15000	
CITY MANAGER	175333	175333	
FINANCE DEPARTMENT	178252	178252	
PLANNING	39583	39583	
GENERAL OFFICE	140646	140646	
COMMUNITY ACTIVITIES	36448		36448
CIVIC CENTER MAINT. BUILDING	29524	29524	
	96347	96347	
POLICE DEPARTMENT	1422601	1242499	180102
ENGINEERING	17000	15000	2000
LIBRARY	252993	163282	89711
LIBRARY-BAYLISS	6540		6540
LIBRARY-ELK CREEK	8665		8665
RECREATION	127159	99896	27263
SWIMMING POOL	36978	36978	
PARKS & PUBLIC WORKS-GENERAL	360489	330415	30074
PARKS DIVISION	36588	33088	3500
MALL DIVISION	8400	8400	
MUSEUM DIVISION	1750	1750	
FIRE DEPARTMENT	698326	698326	
PUBLIC WORKS/STREETS DIVISION	134510	37912	96598
STORM DRAINS DIVISION	7928	7928	
 TOTAL O & M EXPEND.	 3847143	 3366242	 480901
 SPECIAL PROJECTS			
 CDBG PLANNING AND TECHNICAL ASST	 70000		 70000
PI ACTIVITY	1000		1000
 TOTAL SPECIAL PROJECTS	 71000		 71000
 CAPITAL			

INFORMATION TECHNOLOGY	13200	7000	6200
PARKS/PUBLIC WORKS	1287000		1287000
FIRE	52603	52603	
 TOTAL CAPITAL	 1352803	 59603	 1293200
 TOTAL EXPENDITURES	 5270946	 3425845	 1845101
 ESTIMATED REVENUES	 5244787	 3399686	 1845101
 ESTIMATED DEFICIT	 -26159	 -26159	 0
 Projected General Fund Reserve @7/1/13		 1227103	
 Estimated General Fund Reserve 6/30/14		 1200944	

CITY OF WILLOWS
2013-2014 BUDGET
ANTICIPATED CASH BALANCES/EXPENDITURE RECONCILIATION
ENTERPRISE FUNDS

PG 5-1

ANTICIPATED CASH BALANCES

FUND	Beg. Bal	Revenue	Loan and Grant Proceeds	Expenditure	Loan Reserve	Ending Bal.
Sewer Maintenance	1650000	1588000		2006816		1231184
Sewer Construction	322000	14250			36000	300250
Total	1972000	1602250	0	2006816	36000	1531434

REVENUE/EXPENDITURE RECONCILIATION

Enterprise Expenditures		Enterprise Funding	
Sewer Ops & Maintenance	1195063	Sewer Service-Residential	1170000
Capital Expenditures	417000	Commercial	255000
Loan Repayments	394753	NE Willows CSD	148000
Total Expenditure	2006816		
Transfer to Loan Reserve	36000	Total Service Fees	1573000
		Interest	15000
		Total Sewer Service Revenue	1588000
		Sewer Connection	6250
		Interest	8000
		Total Sewer Connection Revenue	14250

CITY OF WILLOWS
 2013-2014 BUDGET
 WATER ENTERPRISE
 ANTICIPATED CASH BALANCE/EXPENDITURE RECONCILIATION
 ENTERPRISE FUNDS

ANTICIPATED CASH BALANCE

Beginning Balance	Revenue	Expenditures	Ending Balance
18000	5000	8422	14578

note: If the water fund cash balance is negative @ fye 6/30/14, the difference will be supplemented by a general fund transfer.

Enterprise Expenditures		Enterprise Funding	
Special Department Expense	2000	Commercial Water Service	5000
PG & E	3050		
Maintenance	1500		
Professional Svc. (Carried Over)	1000		
Insurance	72		
State Fees	800		
Total	8422		

NOTE: Should the situation arise where the Water Enterprise Fund has a negative fund balance at the close of a fiscal year, General Funds must be used to supplement the fund.

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS
ADOPTING THE 2013/14 ANNUAL BUDGET AND DESIGNATING SEWER
ENTERPRISE FUND DEBT RESERVE**

WHEREAS, the Willows City Council has reviewed and analyzed the preliminary budget for fiscal year 2013/14 with opportunity for input from the City Staff and interested citizens; and

WHEREAS, as a result of this review and evaluation the City Council has established the fiscal policy for the 2013/14 budget; and

WHEREAS, these policies will be reflected in the document entitled 2013/14 Adopted Budget, and

WHEREAS, the City Of Willows is required by United States Department of Agriculture-Rural Development ("USDA-RD") debt covenants associated with a loan made by USDA-RD to the City to establish a reserve utilizing Sewer Enterprise Funds

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Willows hereby adopts the 2013/14 annual budget in the amount of \$7,286,184 and shall designate \$36,000 in Sewer Enterprise Funds as Debt Reserve in compliance with USDA-RD debt covenants.

BE IT FURTHER RESOLVED that the budget as detailed is a guide to the annual revenue and expenditures, and the City Manager may exceed the expenditures from a particular line item account when, at the City Manager's discretion, it is deemed prudent and efficient for the general operation of the City. However, in no event is the City Manager authorized to exceed the total amount of budget without approval of the City Council.

PASSED AND ADOPTED by the City Council of the City of Willows this 11th day of June, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Jeffrey T. Cobb, Mayor

ATTEST:

NATALIE BUTLER, CITY CLERK

AGENDA ITEM

June 11, 2013

TO: Honorable Mayor Cobb and Members of the City Council
FROM: John Wanger, City Engineer
SUBJECT: Annual City of Willows Landscaping and Lighting Assessment District – Engineer's Report

RECOMMENDATION

Conduct the required public protest hearing and consider the attached resolution approving the Engineer's Report as filed, confirming the assessment diagram and amounts as set forth therein and authorizing the levy and collection of assessments for the Fiscal Year 2013-14

SUMMARY

The Willows Landscaping and Lighting Assessment District ("District") was initially formed by the City in 2005 to pay for costs associated with maintaining landscaping and maintenance in the Birch Street Village subdivision; (Zone A), in accordance with the Landscaping and Lighting Act of 1972 ("Act").

The Landscaping and Lighting Act requires that the City undertake certain proceedings for any fiscal year in which assessments are to be levied and collected. These proceedings are typically accomplished at three separate Council meetings. The first action (appointing an Engineer of Work and directing the preparation of the annual Engineer's Report) was completed by the Council on February 26, 2013. The second action (receiving the Preliminary Engineer's Report and setting the date of the required public protest hearing) was completed on May 14, 2013. Tonight is the third and final step in the process – conduct the public protest hearing, approve the Engineer's Report as presented or as amended tonight and authorize the levy of assessments for FY 2013-14.

Attached to this staff report is the Engineer's Report as prepared by Coastland Civil Engineering. Because the Council did not request any changes to the preliminary report filed on May 14, 2013, the proposed assessments shown in this report have not changed from the preliminary report. The City Council should review the report one final time and let staff know if there are any desired changes to be made to the report. If not, the proposed assessments shown in the report will be passed on to the County Assessor's office for inclusion on the tax roles.

In brief, the attached report outlines costs from FY 2012-13, summarizes the projected costs for FY 2013-14 and provides the proposed overall assessments. In order to keep up with inflation, the estimated maximum annual assessment is proposed for increase by the allowable annual CPI (year 2012) of +2.70% for Zones A and B. The raised maximum annual assessment for Zone A is now \$427.98 per parcel, and the raised maximum annual assessment for Zone B is now \$6,079.84 per parcel.

While the estimated maximum annual assessment will increase for Zone A, the actual amount that will be levied and collected during FY 2013-14 be remain the same as assessed during FY 2012-13 at \$210.32 per parcel.

While the estimated maximum annual assessment will increase for Zone B, the actual amount that will be levied

and collected during FY 2013-14 will be reduced from \$\$4,453.90 to \$4,161.66 per parcel due to reduced assessment engineering costs.

During FY 2008-09, the Council implemented a minimum reserve balance of 10% to 20%. It is noted that the projected Assessment District reserve balance for both zones at the end of FY 2013-14 is slightly above that target. If it is found that an excess reserve balance does exist at the end of FY 2013-14, the assessments may be reduced the following year.

At tonight's meeting, the rules governing this type of an assessment district (found in the Streets and Highways Code) requires that a public protest hearing be held to hear any comments/concerns from property owners within the district. At the close of the hearing, if the Council finds the report acceptable, the Council should adopt the attached resolution approving the Engineer's Report and authorizing the levy of assessments per the Engineer's Report. The adoption of tonight's resolution is pursuant to Section 22631 of the Streets and Highways Code. The assessment information will then be transmitted to the County for the inclusion on the tax roles.

FINANCIAL CONSIDERATIONS - All costs associated with this assessment district (operation, maintenance and administration) are recovered through the assessments. All anticipated costs are shown in the budget in the Engineer's Report. The total proposed Assessment District budget for Fiscal Year 2013-14 is 11,312.54. The funding source is from proposed assessment revenues levied and collected during FY 2013-14.

NOTIFICATION

The public protest hearing was noticed as required by the Streets and Highways Code Sections 22550-22556.

ALTERNATE ACTIONS

None recommended.

RECOMMENDATION

Conduct the required public protest hearing and consider the attached resolution approving the Engineer's Report as filed, confirming the assessment diagram and amounts as set forth therein, authorizing the levy and collection of assessments for the Fiscal Year 2013-14

Respectfully submitted,

John Wanger
City Engineer

Attachments: Resolution approving the Annual Engineer's Report
For Final Approval Engineer's Report

**CITY OF WILLOWS
CITY COUNCIL
RESOLUTION NO. -2013**

**A RESOLUTION APPROVING THE ANNUAL ENGINEER'S REPORT, CONFIRMING THE
ASSESSMENT DIAGRAM AND THE ANNUAL ASSESSMENT AMOUNTS AND AUTHORIZING THE
LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2013-14 FOR THE
CITY OF WILLOWS LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT
ZONE A – BIRCH STREET VILLAGE
ZONE B – WALMART
(PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972)**

WHEREAS, on October 11, 2005 the City Council ordered the formation of the City of Willows Landscaping and Lighting Assessment District (Assessment District) to levy and collect assessments pursuant to the Landscaping and Lighting Act of 1972; and

WHEREAS, the City Council of the City of Willows intends to levy and collect assessments within the Assessment District during FY 2013-14, and the lands to be assessed are located within the City of Willows corporate boundaries, Glenn County; and

WHEREAS, on February 26, 2013, the City Council adopted a resolution appointing Coastland Civil Engineering as the Engineer of Work, directing the preparation and filing of the annual FY 2013-14 Engineer's Report, and describing the potential changes to the Assessment District; and

WHEREAS, on May 14, 2013, the City Council adopted a resolution of intention to levy and collect assessments, preliminarily approving the Engineer's Report for FY 2013-14, and set the time and date of the public hearing pursuant to section 22624 of the Streets and Highways Code; and

WHEREAS, for Zone A, in order to keep up with inflation the FY 2013-14 maximum annual assessment will be adjusted up by the allowable CPI to \$427.98; and

WHEREAS, for Zone B, in order to keep up with inflation the FY 2013-14 maximum annual assessment will be adjusted up by the allowable CPI to \$6,079.84; and

WHEREAS, the annual CPI is based on the All Urban Consumers (San Francisco Area) CPI from the U. S. Department of Labor, Bureau of Labor Statistics; and

WHEREAS, the proposed FY 2013-14 annual assessment to levy and collect for Zone A is proposed to stay the same as the FY 2012-13 level of \$210.32 per parcel; and

WHEREAS, the proposed FY 2013-14 annual assessment to levy and collect for Zone B is proposed to decrease from the FY 2012-13 level of \$4,453.90 to \$4,161.66 per parcel; and

WHEREAS, no annexations to the District are proposed for FY 2013-14; and

WHEREAS, on June 11, 2013 the City Council conducted a public hearing and gave every interested person an opportunity to comment on the FY 2013-14 Engineer's Report either in writing or orally and the City Council has considered each comment; and

WHEREAS, this Resolution is adopted pursuant to Section 22631 of the California Streets and Highways Code.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Willows hereby:

1. Approves the annual FY 2013-14 Engineer's Report as filed, as prepared and filed
2. Confirms the assessment diagram and assessment amounts as set forth in the FY 2013-14 Engineer's Report and any amendments incorporated at the City Council's direction and hereby authorizes the levy and collection of the annual assessments set forth in said report for the FY 2013-14, for each of the following Zones:
 - Zone A - Birch Street Village
 - Zone B - Walmart
3. Adjusts the estimated maximum annual assessment for Zone A and Zone B by the 2012 annual CPI factor of 2.70% from the FY 2012-13 maximum annual assessment level as allowed by the original formation and annexation proceedings In order to keep up with inflation
4. Sets the maximum annual assessments for FY 2013-14 to \$427.98 per parcel for Zone A and \$6,079.84 per parcel for Zone B
5. Sets the FY 2013-14 amount to levy and collect for Zone A the same as FY 2012-13 at \$210.32 per parcel and for Zone B, reduces the amount from FY 2012-13 to \$4,161.66 per parcel
6. Adopts this resolution pursuant to Section 22631 of the Street and Highway Code.

It is hereby certified that the foregoing Resolution No. _____ -2013 was duly introduced and duly adopted by the City Council of the City of Willows at its regular meeting held on this 11th day of June, 2013 by the following Roll Call vote:

AYES in favor of:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTESTED:

Mayor Jeff Cobb

Natalie Butler, City Clerk

FY 2013-14



**ANNUAL ENGINEER'S REPORT
FOR
CITY OF WILLOWS
LANDSCAPING & LIGHTING ASSESSMENT DISTRICT
ZONE A – BIRCH STREET VILLAGE
ZONE B - WALMART**

FOR FINAL APPROVAL

**CITY OF WILLOWS
COUNTY OF GLENN
STATE OF CALIFORNIA**

June 2013

**Prepared By:
Coastland Civil Engineering, Inc.**

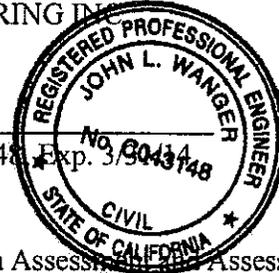
FY 2013-14

WILLOWS LANDSCAPING AND LIGHTING SPECIAL ASSESSMENT DISTRICT
(Pursuant to the Landscaping and Lighting Act of 1972)

The undersigned respectfully submits, as directed by the City Council of the City of Willows on February 14, 2012, the enclosed Engineer's Report on the 11th day of June, 2013.

COASTLAND CIVIL ENGINEERING INC.

By: *John L. Wanger*
John L. Wanger, RCE 43148



I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was filed with me on the ____ day of _____, 2013.

By: _____
Stephen Holsinger, City Manager, City of Willows
Glenn County, California

I HEREBY CERTIFY that the enclosed Final Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Willows, California, on the ____ day of _____, 2013.

By: _____
Stephen Holsinger, City Manager, City of Willows
Glenn County, California

I HEREBY CERTIFY that the enclosed Final Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was filed with the County Auditor of the County of Glenn on the ____ day of _____, 2013.

By: _____
Stephen Holsinger, City Manager, City of Willows
Glenn County, California

**FY 2013-14 ANNUAL ENGINEER'S REPORT FOR
WILLOWS LANDSCAPING & LIGHTING SPECIAL ASSESSMENT DISTRICT**
(Pursuant to the Landscaping & Lighting Act of 1972)

Annual Assessment For FY 2013-14

Coastland Civil Engineering, Engineer of Work for the Willows Landscaping & Lighting Special Assessment District, City of Willows, Glenn County, California, makes this annual Engineer's Report, as directed by the City Council on February 26, 2013, pursuant to Sections 22565 and 22620 of the California Streets & Highways Code for the Willows Landscaping & Lighting Special Assessment District for Fiscal Year (FY) 2013-14.

Background

The Willows Landscaping & Lighting Assessment District (Assessment District) was formed in October 2005 by the City of Willows to recover costs associated with the operation and maintenance of landscaping and streetlights within the public right-of-way for the Birch Street Village development. This area is known as Zone A. In order to levy and collect assessments each subsequent fiscal year, the Landscaping & Lighting Act of 1972 requires the preparation and filing of annual Engineer's Reports. During these annual proceedings, new cost estimates are developed to determine the costs to operate and maintain the Assessment District improvements for the upcoming fiscal year. Further, as new subdivisions are created within the Willows City limits, they can be annexed into the Assessment District on an annual basis.

In FY 2012-13, a new Zone B, Walmart, was created to recover costs associated with the operation and maintenance of streetlights and half the cost of traffic signals within the public right-of-way for the Walmart Super Store on West Wood Street (State Hwy 162).

For FY 2013-14, there are no subdivision developments, land use changes to existing parcels or annexations proposed. The proposed changes, budgets, assessments and Proposition 218 impacts to the Assessment District are included below:

Cost Index Information

In order to take inflation into account and to recognize noticing/voting requirements for increasing the assessments, this Assessment District includes an allowance for an annual increase to the estimated Maximum Annual Assessments in accordance with the annual Consumer Price Index (CPI). The annual CPI is based on the All Urban Consumers (San Francisco Area) CPI from the U. S. Department of Labor, Bureau of Labor Statistics. All new zones to be annexed into this district are also to include an allowance for an annual increase to the Maximum Annual Assessments in accordance with the same CPI.

For FY 2013-14, the maximum annual assessment for Zones A and B are proposed to be adjusted up by the latest annual (2012) CPI of +2.7 %.

The assessments proposed to be levied and collected for FY 2013-14 for Zone A are the same as those collected in FY 2012-13. The assessments proposed to be levied and collected for FY 2013-14 for Zone B are lower than those collected in FY 2012-13. The total proposed Assessment District budget (Zones A and B) for FY 2013-14 is \$11,312.54.

The proposed changes, budgets, assessments and Proposition 218 impacts to the Assessment District are included below.

Zone A – Birch Street Village

Zone A covers the costs associated with operation and maintenance of turf, ground cover, shrubs, trees, plants, irrigation systems, masonry walls or other fencing, entryway monuments, street lights and associated appurtenances located within the Birch Street Village subdivision. The FY 2013-14 assessment is to be \$210.32 per parcel, the same as assessed in FY 2012-13. The total proposed Zone A budget for FY 2013-14 is \$7,150.88. FY 2013-14 assessment revenue will be used to cover the budget. No reserve contribution is required. The proposed funding will be from the following sources:

Zone A Assessment Revenues:	<u>\$7,150.88</u>
Total:	\$7,150.88

The estimated reserve fund balance for Zone A is projected to be just above the desired reserve budget range of 10%-20% at the end of FY 2013-14. It is anticipated that additional landscaping work will be needed in the near future which would be funded with this additional reserve.

Zone B – Walmart

In FY 2012-13, Zone B was annexed into the Assessment District to cover the cost of three street lights on North Airport Road alongside the Walmart development, and the cost of two traffic signals, including their street lights, at the intersection of North Airport Road and West Wood Street (Highway 162) (indicated as traffic signals with lights on the Zone B Assessment Diagram). Costs include utility, maintenance, replacement, and administrative costs. Replacement costs will be funded from a 'knockdown' fund described in more detail below. The lights in this zone add a specific benefit to the Walmart development for the safety of their shoppers, and ease of access/egress due to the additional traffic load generated by the Walmart Super Store.

The FY 2013-14 assessment is to be \$4,161.66 per parcel. This is a reduction of about 7% from the FY 2012-13 assessment due to the reduction in Assessment Engineering costs. The total proposed Zone B budget for FY 2013-14 is \$4,161.66. FY 2013-14 assessment revenue will be used to cover the budget. The proposed funding will be from the following sources:

Zone B Assessment Revenues:	<u>\$4,161.66</u>
Total:	\$4,161.66

Zone B expenses during FY 2012-13 were lower than anticipated due to a delay in accepting the improvements, leaving the estimated reserve fund balance above the desired reserve budget range of 10%-20% at the end of FY 2013-14. A full year of ongoing cost data for FY 2013-14 will help define the annual budget and the need for future reserves.

Accumulation of Funds

While specific budget items, such as utility, maintenance and administrative costs, are incurred annually, replacement costs will be required only upon damage or destruction of an existing light or signal. Pursuant to Code Section 22660, money for replacement will be collected over the course of five fiscal years through annual installments that the Town will place in a Knockdown Fund specific for this work. Monies collected for any non-annual item are shown in Part B of this report under the heading "Knockdown Replacement". It has been determined that these funds should accumulate to an amount of \$5,000, with the amount to increase in the future if the estimated replacement cost increases. Once this replacement amount is reached, there will be no additional accumulation of funds for that budget item until an expenditure to replace or repair a knocked-down light has occurred, or the estimated replacement cost has increased. Once the Knockdown funds are expended, the rebuilding of the fund will start in the following year's budget and spread over a maximum of five years.

FY 2013-14 Engineer's Report Format

This Engineer's Report consists of 6 Parts as follows:

- PART A - Plans and Specifications (Page 7)** - This portion of the Engineer's Report describes any plans and specifications that may be needed for the installation of the improvements. If plans and specifications exist, they are filed with the City Clerk. Although separately bound, the plans and specifications are part of this Engineer's Report and are included in it by reference.
- PART B - Budget Cost Estimates (Page 8)** – Budget cost estimates associated with the operations and maintenance of the described improvements for each Zone are described in Part B of this report. In addition to an overall budget summary for Zone A and Zone B, a detailed FY 2013-14 Budget sheet and a FY 2013-14 Summary of Fund Balance sheet is provided for each Zone.
- PART C - Assessment Roll (Page 13)** – A listing of the annual assessment on each benefited parcel of land in Zone A and Zone B within the Assessment District. The assessment amount is the estimated cost each parcel will contribute during FY 2013-14 towards the operation and maintenance of their respective Zone within the Assessment District, as well as their portion of the 5-year installment payment for the installation of the improvements.
- PART D - Method of Apportionment of Assessment (Page 15)** - A statement of the method used by Engineer of Work to determine the amount proposed to be assessed against each parcel within Zone A and Zone B of the Assessment District. Additionally, this section describes the maximum assessment allowable and any inflationary adjustments.
- PART E - Property Owners List (Page 18)** - A list of the names and addresses of the owners of real property within this Assessment District, as shown on the last equalized assessment roll for taxes. The Assessor Parcel Number (A.P.N.) keys the list into the Assessment Roll of Part C.
- PART F - Assessment Diagrams (Page 22)** – The Assessment Diagrams (maps) showing all of the parcels of real property within Zone A and Zone B of the Assessment District. The assessment number keys the diagram Part C – Assessment Roll.

PART A

PLANS AND SPECIFICATIONS

The Assessment District provides funds for the operation and maintenance of landscaping and street lights located in the public rights-of-way in Zone A and operation, maintenance of street lights and traffic signals in public rights-of-way in Zone B. Maintenance may include repair, removal or replacement of any landscape improvement, damaged irrigation facilities, diseased landscaping, weed and brush clearing, maintenance or replacement of street lights or traffic signals and any other allowable maintenance items per Section 22531 of the California Streets and Highways Code for the life of the Assessment District. Because the installation of the improvements are funded by this assessment district, the plans and specifications showing the improvements for Zone A are on file at the City offices for the Birch Street Village development. The plans and specifications showing the improvements for Zone B are on file at the City offices for the Walmart Super Store development.

PART B
FY 2013-14 Budget Cost Estimate

Part B includes the detailed budget for FY 2013-14 for all those costs associated with the operation and maintenance of Zones A and B within the Assessment District. Also included is the Summary of Fund Balance sheet for FY 2013-14. The total budget summary for FY 2013-14 for Willows Landscaping & Lighting Assessment District is as follows:

	<u>As Filed With the City</u>	<u>As Preliminarily Approved</u>	<u>As Finally Approved At the Public Hearing</u>
Zone A:	\$ 7,150.88	\$ 7,150.88	
Zone B:	<u>\$ 4,161.66</u>	<u>\$ 4,161.66</u>	
Total:	\$11,312.54	\$11,312.54	

CITY OF WILLOWS
Landscaping and Lighting Assessment District
Fiscal Year 2013-14
Zone A - Birch Street Village
Budget

Item	2012-13 Budget	2013-14 Budget
Engineers Report	\$3,207.00	\$2,763.00
Legal Services	\$250.00	\$250.00
Landscape Maintenance	\$2,500.00	\$2,500.00
Lighting Utilities & Maintenance	\$909.00	\$850.00
County Assessor Fees (3.5% of Revenue)	\$250.28	\$250.28
Contingency	\$34.60	\$537.60
Total Expenses	\$7,150.88	\$7,150.88
Contribution from Reserves	\$0.00	\$0.00
Total Assessment Costs	\$7,150.88	\$7,150.88
Total Assessment Revenue	\$7,150.88	\$7,150.88
Estimated Number of Units in Zone A	34.0	34.0
Proposed Assessment for Zone A*	\$210.32	\$210.32

* This is less than the maximum allowed. See Maximum Allowable Assessment Analysis

CITY OF WILLOWS
Landscaping and Lighting Assessment District
Fiscal Year 2013-14
Zone A - Birch Street Village
Summary of Fund Balance

	<u>2013-14</u>
Estimated Starting Reserve Fund on July 1, 2013	\$1,500.00
Estimated Interest Earned	\$25.00
Estimated Revenue	\$7,150.88
Total Estimated Funds Available	\$8,675.88
Total Estimated Expenditures	\$7,150.88
Estimated Ending Reserve Fund on June 30, 2014	\$1,525.00

Note: Of the original \$31,450 installation and construction costs to be reimbursed to the developer, all \$31,450 (5 years * \$6,290) were reimbursed by the end of the 2010-11 Fiscal Year.

CITY OF WILLOWS
Landscaping and Lighting Assessment District
Fiscal Year 2013-14
Zone B - Walmart
Budget

Item	2012-13 Budget	2013-14 Budget
Engineers Report	\$1,793.00	\$1,537.00
Legal Services	\$250.00	\$250.00
Lighting Utilities & Maintenance	\$864.00	\$864.00
Knockdown Replacement	\$1,000.00	\$1,000.00
County Assessor Fees (3.5% of Revenue)	\$155.90	\$145.66
Contingency	\$391.00	\$365.00
Total Expenses	\$4,453.90	\$4,161.66
Total Assessment Revenue	\$4,453.90	\$4,161.66
Estimated Number of Units in Zone B	1.0	1.0
Proposed Assessment for Zone B*	\$4,453.90	\$4,161.66

* This is less than the maximum allowed. See Maximum Allowable Assessment Analysis

CITY OF WILLOWS
Landscaping and Lighting Assessment District
Fiscal Year 2013-14
Zone B - Walmart
Summary of Fund Balance

	<u>2013-14</u>
Est. Starting Annual Reserve Fund on July 1, 2013	\$1,500.00
Est. Starting Knockdown Reserve Fund on July 1, 2013	\$1,000.00
Estimated Interest Earned	\$42.00
Estimated Annual Revenue	\$3,161.66
Estimated Knockdown Revenue	\$1,000.00
Total Estimated Annual Funds Available	\$4,703.66
Total Estimated Knockdown Funds Available	\$2,000.00
Total Estimated Annual Expenditures	\$3,161.66
Total Estimated Knockdown Expenditures	\$0.00
Est. Ending Annual Reserve Fund on June 30, 2014	\$1,542.00
Est. Ending Knockdown Reserve Fund on June 30, 2014	\$2,000.00

PART C

FY 2013-14 ASSESSMENT ROLL

As described in Part B, the total proposed Assessment District revenues of \$11,312.54 for FY 2013-14 consist entirely of assessments associated with Zones A and B of this district as follows:

\$ 7,150.88	From Zone A
\$ 4,161.66	From Zone B

The breakdown of FY 2013-14 annual assessments per parcel is shown in Table 1 of this report. The lines and dimensions of each parcel are shown on the maps in the office of the County Assessor of the County of Glenn.

Table 1

CITY OF WILLOWS
Landscaping and Lighting Assessment District
Fiscal Year 2013-14

Zone A - Birch Street Village

APN	Assessment Diagram Number	Land Use Code	Land Use Type	Assessment Amount	Owner Name	Address
001-07-1-009-0	26	R1XX	Single Family	\$210.32	Tovar, Bradford & McGarr, Jillian	320 S. Humboldt Ave Willows, CA 95988
001-07-1-010-0	27	R1XX	Single Family	\$210.32	Patel Deepak A & Bina D	330 S Humboldt Ave, Willows, CA 95988
001-07-1-011-0	28	R1XX	Single Family	\$210.32	Medina Humberto	340 S Humboldt Ave, Willows, CA 95988
001-07-1-012-0	29	R1XX	Single Family	\$210.32	Pollock Robert R	350 S Humboldt Ave, Willows, CA 95988
001-07-1-013-0	30	R1XX	Single Family	\$210.32	Baczkowski, Thomas W.	360 S Humboldt Ave, Willows, CA 95988
001-07-1-014-0	31	R1XX	Single Family	\$210.32	Singh Kulwinder	521 Greg Thach Cir, Sacramento, CA 95835
001-07-1-015-0	32	R1XX	Single Family	\$210.32	Ross Jack & Ross Candace J/T	6141 W 4th St, Rio Linda, CA 95673
001-07-1-016-0	33	R1XX	Single Family	\$210.32	Holsinger Stephen A	P.O. Box 2021, Willows, 95988
001-07-1-017-0	34	R1XX	Single Family	\$210.32	Dover Jerome W	3323 Knollridge Dr, El Dorado Hills, CA 95762
001-07-1-018-0	16	R1XX	Single Family	\$210.32	Kumar Priti	199 N Humboldt Ave, Willows, CA 95988
001-07-1-019-0	15	R1XX	Single Family	\$210.32	Street Amy L & Street Timothy R	451 El Dorado Ave, Willows, CA 95988
001-07-1-020-0	14	R1XX	Single Family	\$210.32	Lombard Tyler	461 El Dorado Ave, Willows, CA 95988
001-07-1-021-0	17	R1XX	Single Family	\$210.32	Birch Street Village LP	3323 Knollridge Dr., El Dorado Hills, CA 95762
001-07-1-022-0	18	R1XX	Single Family	\$210.32	Donnelly, Michael D & Carolyn M	421 El Dorado Ave, Willows, CA 95988
001-07-1-023-0	19	R1XX	Single Family	\$210.32	Street, Amy L & Timothy	451 El Dorado Ave, Willows, CA 95988
001-07-1-024-0	20	R1XX	Single Family	\$210.32	Ngo Cuong Bach & Tra Thuy Thanh Thi	371 El Dorado Ave, Willows, CA 95988
001-07-1-025-0	21	R1XX	Single Family	\$210.32	Vang Chao & Vang Khou S/S	361 El Dorado Ave, Willows, CA 95988
001-07-1-026-0	22	R1XX	Single Family	\$210.32	Tafolla, Guillermo Arias	351 El Dorado Ave, Willows, CA 95988
001-07-1-027-0	23	R1XX	Single Family	\$210.32	Baker Nicole C	341 El Dorado Ave, Willows, CA 95988
001-07-1-028-0	24	R1XX	Single Family	\$210.32	Murillo Lorena	331 El Dorado Ave, Willows, CA 95988
001-07-1-029-0	25	R1XX	Single Family	\$210.32	Clark Janie C TRS	321 El Dorado Ave, Willows, CA 95988
001-07-1-030-0	13	R1XX	Single Family	\$210.32	Lederer, Eric M	310 El Dorado Ave, Willows, CA 95988
001-07-1-031-0	12	R1XX	Single Family	\$210.32	Hernandez Jaime & Hernandez Gabriela	320 El Dorado Ave, Willows, CA 95988
001-07-1-032-0	11	R1XX	Single Family	\$210.32	Askeland Kevin	PO Box 310, Willows, CA 95988
001-07-1-033-0	10	R1XX	Single Family	\$210.32	Jaramillo Jose Luis & Jaramillo Brenda	340 El Dorado Ave, Willows, CA 95988
001-07-1-034-0	9	R1XX	Single Family	\$210.32	Velasco, Raymundo Sigala	350 El Dorado Ave, Willows, CA 95988
001-07-1-035-0	8	R1XX	Single Family	\$210.32	Hutson, Evan C & Amanda	360 El Dorado Ave, Willows, CA 95988
001-07-1-036-0	7	R1XX	Single Family	\$210.32	McDonald David S	370 El Dorado Ave, Willows, CA 95988
001-07-1-037-0	6	R1XX	Single Family	\$210.32	Kuwata, Ronald K	380 El Dorado Ave, Willows, CA 95988
001-07-1-038-0	5	R1XX	Single Family	\$210.32	Bobadilla, Pedro D	410 El Dorado Ave, Willows, CA 95988
001-07-1-039-0	4	R1XX	Single Family	\$210.32	Birch Street Village LP	3323 Knollridge Dr, El Dorado Hills, CA 95762
001-07-1-040-0	3	R1XX	Single Family	\$210.32	Neuhardt Floyd Jr & Neuhardt Carol	430 El Dorado Ave, Willows, CA 95988
001-07-1-041-0	2	R1XX	Single Family	\$210.32	Dover Jerome W	3323 Knollridge Dr, El Dorado Hills, CA 95762
001-07-1-042-0	1	R1XX	Single Family	\$210.32	Southam Boyd & Southam Stephanie	450 El Dorado Ave, Willows, CA 95988
Lot A	Lot A	Null	Easement	\$0.00	Null	Null
Total Units:	34		Total Assessment:	\$7,150.88		

Zone B - Walmart

APN	Assessment Diagram Number	Land Use Code	Land Use Type	Assessment Amount	Owner Name	Address
017-21-0-052-9	35	CEXX	Commercial Retail Outlet	\$4,161.66	Walmart RE Business Trust c/o Walmart Tax Dept #2053	P.O. Box 8050, Bentonville, AR 72712-8050
Total Units:	1		Total Assessment:	\$4,161.66		

PART D

METHOD OF APPORTIONMENT OF ASSESSMENT

The following is a brief description of the manner that the annual assessment has been apportioned (spread) to each parcel in Zone A in the Assessment District:

Zone A – Birch Street Village

With the Birch Street Village development, both lighting and landscaping were installed as part of the improvements. Special benefit derived by each of the parcels within this Zone for these improvements are as follows:

Street Lights: Because the improvements have met the City's lighting requirements, the lights within the subdivision are spaced per adopted City standards, thereby providing the direct and special benefits of safety for vehicular traffic and pedestrian travel at night and safety lighting of the neighborhood in general for all parcels within this zone. Therefore each parcel receives approximately equal and special benefit. Accordingly, the method by which each parcel is proposed to be assessed for costs associated with Zone A is a total estimated cost of maintenance and operation of street lighting and for the appropriate administrative costs associated with this zone divided by the total number of lots within Zone A.

Landscaping: The type of street landscaping and subsequent required operation and maintenance costs associated with this street landscaping gives approximate equal benefit to all of those parcels in this Zone. Each parcel benefits directly from the pleasing aesthetics of the landscaping for the subdivision as well as increased air quality from additional plant life. Accordingly, the method by which the assessment is spread to each of the parcels within Zone A is by taking the total estimated cost of the operation and maintenance of the street landscaping and for the appropriate administrative costs associated with this zone divided by the total number of lots within Zone A.

Government Owned Parcels: No charges associated with Zone A shall be imposed upon a federal, state or local government agency, upon a parcel without a dwelling used exclusively for greenbelt, or open space. In future years however, a federal, state or local government agency receiving special benefit from Zone A shall be assessed by virtue of Proposition 218. Article XIII D, Section 4(a) states that public agencies, "shall not be exempt from assessment".

Zone B – Walmart

With the Walmart Super Store development, both street lighting and street traffic signals will be installed as part of the improvements. Special benefit derived by the single parcel within this Zone for these improvements are as follows:

Street Lights: The improvements have met the City's lighting requirements by providing the direct and special benefits of safety for vehicular traffic and pedestrian travel at night and safety lighting of the shopping center in general. The single parcel receives the entire special benefit. Accordingly, the method by which the parcel is proposed to be assessed for street light costs associated with Zone B is a total estimated cost of maintenance and operation of street lighting and for the appropriate administrative costs associated with this zone applied to the single parcel within Zone B.

Traffic Signal: The improvements to expand the existing Walmart store into a Walmart Super Store are anticipated to generate additional traffic congestion at the intersection of W. Wood Street (Hwy 162) and North Airport Road. To maintain traffic flow and safety of the intersection, a four way traffic signal system was installed. As W. Wood Street carries additional traffic not associated with the store, the direct and special benefit of the signal to the store is considered to be ½ of the 4 signals, lights and controller plus associated costs. The remainder of the other costs associated with this signal for the traffic on W. Wood Street is paid for by Caltrans, as W. Wood Street is a State highway. This will be indicated on the Assessment Diagram as 2 traffic signals. Accordingly, the method by which the parcel is proposed to be assessed for traffic signal costs associated with Zone B is a total estimated cost of maintenance and operation of the City's portion of the traffic signal (including lights), half the cost of the controller and for the appropriate administrative costs associated with this zone applied to the single parcel within Zone B.

A knockdown fund is established with Zone B to cover expenses associated with replacing a streetlight if it is damaged or destroyed by a vehicle. The overall knockdown fund cost to be accumulated over a 5-year period is \$5,000 (estimated expenses for manpower and equipment for replacing one streetlight). Once a fund balance of \$5,000 is attained, no additional monies shall be collected for this fund until/unless there is the need to replace one of the streetlights. The method to collect this portion of the assessment is the same as streetlights.

MAXIMUM ALLOWABLE ASSESSMENT AND INFLATIONARY FACTORS

In 2005, the original Engineer’s Report stated that assessments may be adjusted each year to account for inflation of costs and services in accordance with the Bay Area (San Francisco-Oakland-San Jose) Consumer Price Index (CPI) for all urban consumers, or 3%, whichever is greater. An Annual CPI increase has been applied for each year, however it should be noted that, due to the economic climate, in the past 4 years the implemented increase has been less than 3%.

The CPI adjustments and the FY 2013-14 Maximum Allowed Assessment per Parcel are shown as follows:

Maximum Allowable Assessment Analysis						
	Allowed Annual CPI Increase		Zone A Birch Street Village		Zone B Walmart	
	Year	%	Allowed Adjustment Amount	Total Assessment Maximum (per Parcel)	Allowed Adjustment Amount	Total Assessment Maximum (per Parcel)
FY 2012-13 Zone A annual adjustment & Zone B Original Assessment	2011	2.60%	\$10.56	\$416.73		\$5,920.00
FY 2013-14	2012	2.70%	\$11.25	\$427.98	\$159.84	\$6,079.84

Actual assessment amounts to be collected do not have to be set at the maximum assessment. Establishing the maximum available assessment each year and keeping up with inflation allows the assessments to be increased to this maximum amount sometime in the future if costs associated with this Assessment District increase (e.g. if in any year there are unanticipated expenditures due to such things as vandalism) and will preclude having to go through electorate approval per California Constitution Article XIII C, Section 2(b) (Proposition 218 requirements.)

PART E

FY 2013-14 PROPERTY OWNERS LIST

The names and addresses of each of the property owners as shown on the County of Glenn Assessor's Tax Assessment Roll are shown below. The names and addresses have been keyed to the special assessment number (the assessor parcel number) as shown in Part C of this Engineer's Report.

Table 2
CITY OF WILLOWS
Landscaping and Lighting Assessment District
Fiscal Year 2013-14
Zone A - Birch Street Village and Zone B - Walmart

APN	Assessment Diagram Number	Owner Name	Address
001-07-1-009-0	26	Tovar, Bradford & McGarr, Jillian	320 S. Humboldt Ave Willows, CA 95988
001-07-1-010-0	27	Patel Deepak A & Bina D	330 S Humboldt Ave, Willows, CA 95988
001-07-1-011-0	28	Medina Humberto	340 S Humboldt Ave, Willows, CA 95988
001-07-1-012-0	29	Pollock Robert R	350 S Humboldt Ave, Willows, CA 95988
001-07-1-013-0	30	Baczkowski, Thomas W.	360 S Humboldt Ave, Willows, CA 95988
001-07-1-014-0	31	Singh Kulwinder	521 Greg Thacth Cir, Sacramento, CA 95835
001-07-1-015-0	32	Ross Jack & Ross Candace J/T	6141 W 4th St, Rio Linda, CA 95673
001-07-1-016-0	33	Holsinger Stephen A	P.O. Box 2021, Willows, 95988
001-07-1-017-0	34	Dover Jerome W	3323 Knollridge Dr, El Dorado Hills, CA 95762
001-07-1-018-0	16	Kumar Priti	199 N Humboldt Ave, Willows, CA 95988
001-07-1-019-0	15	Street Amy L & Street Timothy R	451 El Dorado Ave, Willows, CA 95988
001-07-1-020-0	14	Lombard Tyler	461 El Dorado Ave, Willows, CA 95988
001-07-1-021-0	17	Birch Street Village LP	3323 Knollridge Dr., El Dorado Hills, CA 95762
001-07-1-022-0	18	Donnelly, Michael D & Carolyn M	421 El Dorado Ave, Willows, CA 95988
001-07-1-023-0	19	Street, Amy L & Timothy	451 El Dorado Ave, Willows, CA 95988
001-07-1-024-0	20	Ngo Cuong Bach & Tra Thuy Thanh Thi	371 El Dorado Ave, Willows, CA 95988
001-07-1-025-0	21	Vang Chao & Vang Khou S/S	361 El Dorado Ave, Willows, CA 95988
001-07-1-026-0	22	Tafolla, Guillermo Arias	351 El Dorado Ave, Willows, CA 95988
001-07-1-027-0	23	Baker Nicole C	341 El Dorado Ave, Willows, CA 95988
001-07-1-028-0	24	Murillo Lorena	331 El Dorado Ave, Willows, CA 95988
001-07-1-029-0	25	Clark Janie C TRS	321 El Dorado Ave, Willows, CA 95988
001-07-1-030-0	13	Lederer, Eric M	310 El Dorado Ave, Willows, CA 95988
001-07-1-031-0	12	Hernandez Jaime & Hernandez Gabriela	320 El Dorado Ave, Willows, CA 95988
001-07-1-032-0	11	Askeland Kevin	PO Box 310, Willows, CA 95988
001-07-1-033-0	10	Jaramillo Jose Luis & Jaramillo Brenda	340 El Dorado Ave, Willows, CA 95988
001-07-1-034-0	9	Velasco, Raymundo Sigala	350 El Dorado Ave, Willows, CA 95988
001-07-1-035-0	8	Hutson, Evan C & Amanda	360 El Dorado Ave, Willows, CA 95988
001-07-1-036-0	7	McDonald David S	370 El Dorado Ave, Willows, CA 95988
001-07-1-037-0	6	Kuwata, Ronald K	380 El Dorado Ave, Willows, CA 95988
001-07-1-038-0	5	Bobadilla, Pedro D	410 El Dorado Ave, Willows, CA 95988
001-07-1-039-0	4	Birch Street Village LP	3323 Knollridge Dr, El Dorado Hills, CA 95762
001-07-1-040-0	3	Neuhardt Floyd Jr & Neuhardt Carol	430 El Dorado Ave, Willows, CA 95988
001-07-1-041-0	2	Dover Jerome W	3323 Knollridge Dr, El Dorado Hills, CA 95762
001-07-1-042-0	1	Southam Boyd & Southam Stephanie	450 El Dorado Ave, Willows, CA 95988
Lot A	Lot A	Null	Null
017-21-0-052-9	35	Walmart RE Business Trust c/o Walmart Tax Dept #2053	P.O. Box 8050, Bentonville, AR 72712-8050

PART F

FY 2013-14 ASSESSMENT DIAGRAM

Attached, you will find Assessment Diagrams (maps) for Zones A and B within the Assessment District. Please note that the lines and dimensions of each parcel, as well as the distinctive assessment number, are shown on the Assessor's Maps for the City of Willows available at the County of Glenn Assessor's Office. The attached pages also provide the reference to the appropriate Assessor Books at the County for the subdivision.

Zone A

All the land lying within the Birch Street Village Subdivision, filed in the Recorder's Office of the County of Glenn in Book 13, Page 64.

Zone B

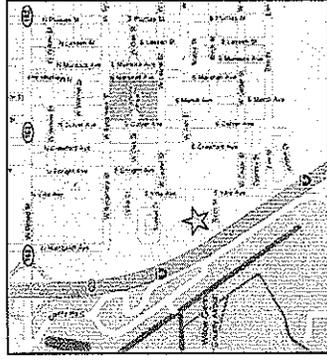
All the land lying within the Walmart Super Store Development, known at the Assessor's Office of the County of Glenn as Assessor's Parcel Number 017-21-0-052-9.

CITY OF WILLOWS

LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT

ASSESSMENT DIAGRAM

ZONE A - BIRCH STREET VILLAGE



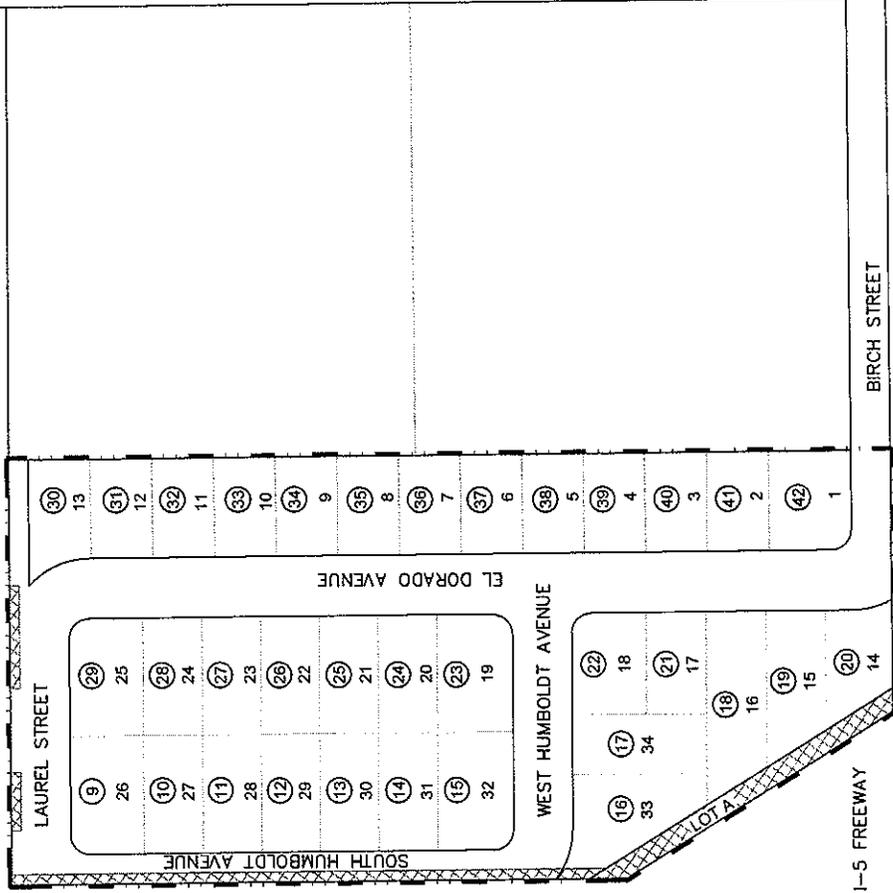
VICINITY MAP

-  Landscape Maintenance Area
-  Assessment District Boundary

NOTE:
FOR THE DISTINCTIVE ASSESSMENT NUMBER AND DETAILED DESCRIPTION OF THE LINES AND DIMENSIONS OF EACH PARCEL REFER TO THE ASSESSORS MAPS FOR THE CITY OF WILLOWS AVAILABLE AT THE GLENN COUNTY ASSESSORS OFFICE.

PREPARED FOR
CITY OF WILLOWS
GLENN COUNTY CALIFORNIA
2013-2014 Fiscal Year

APN: BOOK 001, PAGE 07, BLOCK 1.
THE SPECIFIC LOT NUMBER IS SHOWN IN THE CIRCLE.
THE MINERAL RIGHTS EXTENSION NUMBER IS 0 FOR THESE PARCELS.
THE ASSESSMENT DIAGRAM NUMBER IS BELOW THE LOT NUMBER.

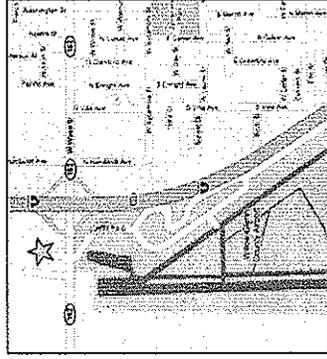


CITY OF WILLOWS

LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT

ASSESSMENT DIAGRAM

ZONE B - WALMART

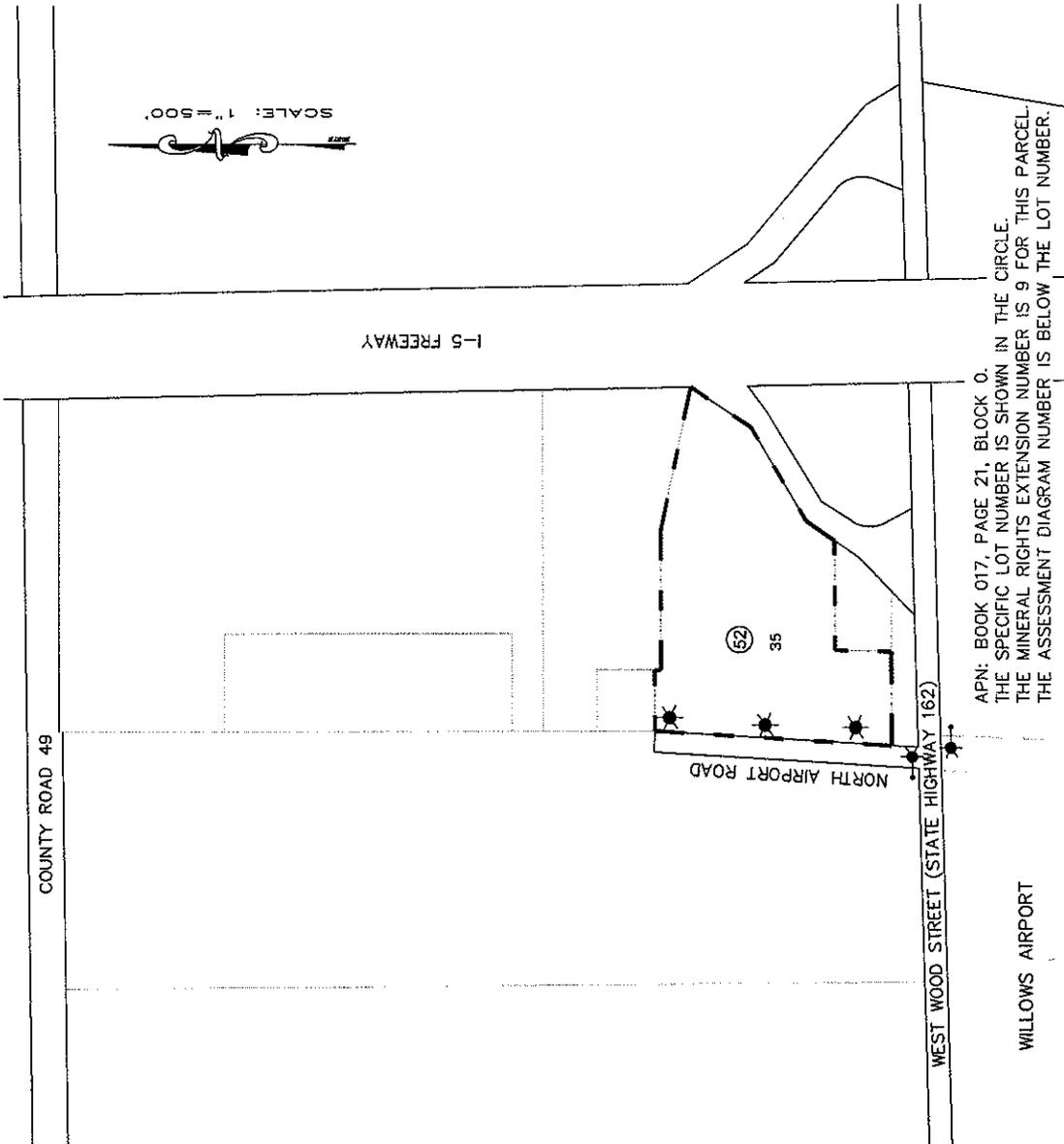


VICINITY MAP

- ★ City's portion of traffic signal and street light
- ★ City street light locations
- Assessment District Boundary

NOTE:
FOR THE DISTINCTIVE ASSESSMENT NUMBER AND DETAILED DESCRIPTION OF THE LINES AND DIMENSIONS OF EACH PARCEL REFER TO THE ASSESSORS' MAPS FOR THE ASSESSMENT YEAR AVAILABLE AT THE GLENN COUNTY ASSESSORS' OFFICE.

PREPARED FOR
CITY OF WILLOWS
GLENN COUNTY CALIFORNIA
2013-2014 Fiscal Year



APN: BOOK 017, PAGE 21, BLOCK 0.
THE SPECIFIC LOT NUMBER IS SHOWN IN THE CIRCLE.
THE MINERAL RIGHTS EXTENSION NUMBER IS 9 FOR THIS PARCEL.
THE ASSESSMENT DIAGRAM NUMBER IS BELOW THE LOT NUMBER.

WILLOWS AIRPORT



Coastland Civil Engineering, Inc.
1400 Neotomas Avenue, Santa Rosa, CA 95405
707.571.8005 Fax 707.571.8037

AGENDA ITEM

June 11, 2013

TO: Steve Holsinger, City Manager
FROM: Wayne Peabody, Fire Chief
SUBJECT: 2013 Weed Abatement-Public Hearing

RECOMMENDATION:

This is a public hearing and it is in order at this time for the Council to declare that the parcels indicated on Exhibit "A" to be abated by the City contractor.

SITUATION (or BACKGROUND):

On April 23, 2013 the City Council adopted a resolution declaring rubbish, refuse, and weeds to be a public nuisance. The City Fire Department has made a survey of the areas in the City that are a nuisance and has notified the property owners that they must remove this nuisance or the City will perform this task and bill the property owner accordingly.

It is required by the Government Code 39560 thru 39588 that there is to be set a fixed time for any appeals to be considered by the Council from any of the property owners. The time fixed for this appeal was 7:00 p.m., Tuesday June 11, 2013. At this time the Council shall hear any objections from the property owner, and by motion, upon the conclusion of the hearing, the Council shall allow or overrule any objections. The Council may continue the hearing if they desire any additional information on any particular site. If no objections have been made, or after the City Council has disposed of those made, it shall order the Fire Chief to abate the nuisance.

FINCIAL CONSIDERATIONS:

Properties that the City Contractor abates will be billed to the property owner. For the property owners that do not pay, there will be a lien placed against their property and it will appear on their tax statement from the county.

NOTIFICATION:

Affected property owners.

Public Hearing Notice published in Sacramento Valley Mirror on June 1, 2013.

ALTERNATE ACTIONS:

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

RECOMMENDATION:

This is a public hearing and it is in order at this time for the Council to conduct the public hearing and upon its conclusion, by motion, declare the parcels indicated on Exhibit "A" to be abated by the City contractor.

Respectfully Submitted



Wayne Peabody
Fire Chief

Approved By



Steve Holsinger
City Manager

ATTACHMENT:

Exhibit A: 2013 Weed Abatement Parcel list (Attachment to be distributed on the night of the meeting).

AGENDA REPORT

MEETING DATE: July 11, 2013

TO: Honorable Mayor Cobb and Members of the City Council

FROM: Natalie Butler, City Clerk

SUBJECT: Appointment of Library Board of Trustees

As outlined in Section 2.70 of the City's Code of Ordinances, the Library Board of Trustees consists of five members, who are appointed by the City Council. Members are appointed for three-year overlapping terms and serve at the pleasure of the City Council. The terms of current Board Members Dawn George, Lisa Kennedy and Adrienne Haylor are scheduled to expire on June 30, 2013.

It has been the City's practice to advertise these positions in order to give citizens an opportunity to participate on the Library Board. Staff has advertised this vacancy since mid-May and will accept application through 5:00 p.m. on June 12.

Staff recommends that two members of the Council volunteer to serve on a subcommittee in order to conduct interviews of the applicants during the week of June 17 – June 21 and the subcommittee will make their recommendations to the entire Council of three candidates they recommend to appoint to the Library Board at the City Council Meeting to be held on June 25, 2013.

STAFF RECOMMENDATION:

Appoint a subcommittee comprised of two members of the Council to review applications and/or conduct interviews and recommend appointments at the June 25, 2013 Council Meeting.

Submitted by:



Natalie Butler
City Clerk

PROPOSAL FOR AGENDA ITEM

May 28, 2013

TO: Mayor J. Cobb

FROM: Council Member W. Spears

SUBJECT: PROPOSAL FOR AMENDMENT TO THE WILLOWS MUNICIPAL CODE.

I had intended to present below business under item 10. With the cancelation of the meeting I am now presenting the request in writing for the next agenda for the June 11, 2013 meeting.

Mr. Hunt's letter was quite interesting. I don't believe he actually addressed the true aspect of my original question. I believe his email was also quite enlightening.

To bring about clearness and transparency on the issue I propose the attached Amendment to the Willows Municipal Code.

Respectfully,

William R Spears

William Spears

Attachment: Proposal for amendment to the Willows Municipal Code.

**PROPOSAL TO WILLOWS CITY COUNCIL FOR
AMENDMENT TO WILLOWS MUNICIPAL CODE.**

The existing Code of Ordinance, City of Willows, California reads as follows:

2.05.090 Agenda – Preparation – Posting and delivering agenda.

The agenda shall be prepared by the city manager, in consultation with the mayor. The city manager shall deliver a copy of the agenda for each meeting to each councilmember as far in advance of the meeting as time will permit. [Ord. 693-11 § 1, 3-22-11. Code 1959 § 2.7; prior code § 2-33].

IT IS THEREFORE PROPOSED:

That section 2.05.090 of the Code of Ordinances, City of Willows, California, is hereby amended to read as follows:

2.05.090 Agenda – Item creation and placement – Preparation – Posting and delivering agenda.

To ensure open, transparent and interactive government, creation of agenda items for council meetings shall be as follows

- (a) Any person of the general public may contact any council member regarding an item for agenda placement. If the council member determines the proposed subject to be of community concern, said council member may then sponsor the placement onto agenda and forward it to the City Manager for such placement.
 - (b) Any council member determining a community need may place an item on the agenda. The agenda item shall be forwarded to the City Manager for such placement.
 - (c) Any subcommittee of the City Council may as a subcommittee place items on the agenda. A subcommittee member shall forward the item to the City Manager for placement.
 - (d) Upon presentation by the public or a council member at a council meeting of a topic, and with consensus of the council at the meeting may place said topic as an agenda item for official action. The City Manager shall place the item on the agenda as directed.
 - (e) The City Manager may request agenda items be placed on the agenda for city business.
 - (f) The City Attorney may place items on the agenda to address legal matters.
-

Once agenda items are determined, the agenda shall be prepared and organized by the city manager, in consultation with the mayor. The city manager shall deliver a copy of the agenda for each meeting to each councilmember as far in advance of the meeting as time will permit. [Ord. 693-11 § 1, 3-22-11. Code 1959 § 2.7; prior code § 2-33].

With the exception of those items directed at a City Council meeting by Council, all other agenda items need to be presented to the City Manager no less than seven calendar days before the scheduled meeting date for agenda placement. Should an item be determined to be of an emergency or of an urgent nature, the presenting time may be waived by the mayor.

Neither the City Manager nor Mayor shall have veto authority for any item proposed for the agenda as directed by this section.

REFERENCES

1.05.010 How code designated and cited.

The ordinances embraced in the following chapters and sections shall constitute and be designated as the "Code of Ordinances, City of Willows, California," and may be so cited. [Prior code § 1-1].

State law reference—For authority of cities to adopt codes by reference, procedure for adoption and amending, see §§ 50022.1 – 50022.8, Gov. Code.

1.05.020 Rules of construction.

In the construction of this code, and of all ordinances, the following rules shall be observed, unless such construction would be inconsistent with the manifest intent of the city council:

City – In the City. The words "the city" or "this city" shall mean the city of Willows, California. The words "in the city" shall mean and include all territory over which the city now has or shall hereafter acquire jurisdiction for the exercise of its police or other regulatory powers.

Computation of Time. Unless otherwise specifically provided, the time within which an act is required to be done shall be computed by excluding the first day and including the last; except that the last day shall be excluded if it is Sunday or a holiday.

"Council," whenever used in this code, shall be construed to mean the city council of the city of Willows.

County. The words "the county" or "this county" shall mean the county of Glenn, in the state of California.

Day. A "day" is the period of time between any midnight and the midnight following.

Daytime – Nighttime. "Daytime" is the period of time between sunrise and sunset. "Nighttime" is the period of time between sunset and sunrise.

Delegation of Authority. Whenever a provision appears requiring the head of a department or other officer of the city to do some act or perform some duty, or granting some right to him as such official, it shall be construed to authorize such department head or officer to designate, delegate and authorize subordinates to do the required act or perform the required duty, or it shall grant to them such right, unless the terms of the provisions designate otherwise.

Gender. A word importing the masculine gender only shall extend and be implied to females and to firms, partnerships and corporations as well as to males.

Interpretation. In the interpretation and application of any provision of this code, it shall be held to be the minimum requirement adopted for the promotion of the public health, safety, comfort, convenience and general welfare. Where any provisions of this code impose greater restrictions upon the subject matter than any general provisions imposed by this code, the provisions imposing the greater restriction or regulation shall be applicable.

Joint Authority. Whenever a joint authority is given to three or more persons or officers, it shall be construed as giving such authority to a majority of them.

"Month" shall mean a calendar month.

Number. The singular number shall include the plural and the plural number shall include the singular.

"Oath" shall be construed to include an affirmation in all cases which, by law, an affirmation may be substituted for an oath, and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed."

Official Time. Whenever certain hours are named in this code, they shall mean Pacific standard time or daylight saving time, as may be in current use in the city.

Officials, Officers, Departments, etc. Whenever reference is made to officials, boards, commissions, departments or other municipal agents by title only, such reference shall be read as though followed by the words "of the city of Willows, California."

Or – And. "Or" may be read "and" and "and" may be read "or" if sense requires it.

"Owner," applied to real estate, shall include any part owner, joint owner, tenant in common, tenant in partnership, joint interest or other fee interest in the whole or a part of such real estate.

"Person" shall include firms, partnerships, associations, organizations and bodies politic and corporate, as well as natural persons.

"Personal property" includes every species of property, except real property, as defined in this section.

Preceding – Following. The words "preceding" and "following" mean next before and next after, respectively.

"Process" includes a writ or summons issued in the course of judicial proceedings of either a civil or criminal nature.

"Property" shall include real and personal property.

"Real property" shall include lands, tenements and hereditaments.

Shall – May. "Shall" is mandatory and "may" is permissive.

"Signature" or "subscription by mark" includes a mark when the signer or subscriber cannot write, such signer's or subscriber's name being written near the mark by a witness who writes his own name near the signer's or subscriber's name; but a signature or subscription by mark can be acknowledged or can serve as a signature or subscription to a sworn statement only when two witnesses so sign their own names thereto.

State. The words "the state" or "this state" shall mean the state of California.

"Street" shall be construed to include streets, avenues, boulevards, roads, alleys, lanes, viaducts and all other public ways in the city and shall include all parts thereof constituting the designated right-of-way.

"Tenant" or "occupant," applied to a building or land, shall include any person holding a written or an oral lease of, or who occupies the whole or a part of, such building or land, either alone or with others.

Tenses. The present tense includes the past and future tenses, and the future includes the present.

Week. A week consists of seven consecutive days.

"Writing" includes any form of recorded message capable of comprehension by ordinary visual means. Whenever any notice, report, statement or record is required or authorized by this code, it shall be made in writing in the English language, unless expressly provided otherwise.

"Year" shall mean a calendar year unless otherwise provided. [Code 1959, § 1.2; prior code § 1-2].

State law references—For similar provisions, see §§ 8, 11 – 18, 22, 6800, 6803 – 6807-3, Gov. Code; §§ 12, 14, 658, 663, Civ. Code; § 17, Code of C.P.

1.05.030 Provisions considered as continuations of existing ordinances.

The provisions appearing in this code, so far as they are the same as those of ordinances existing at the time of the effective date of this code, shall be considered as continuations thereof insofar as they apply to conditions existing prior to the effective date of this code. [Prior code § 1-3].

State law reference—For similar provisions as to Government Code, see § 2, Gov. Code.

1.05.040 Catchlines of sections.

The catchlines of the several sections of this code printed in boldface type are intended as mere catchwords to indicate the contents of the section and shall not be deemed or taken to be titles of such sections, nor as any part of the section, unless otherwise expressly provided, nor, unless expressly so provided, shall they be so deemed when any of such sections, including the catchlines, are amended or reenacted. [Prior code § 1-4].

1.05.050 Effect of repeal of ordinances.

The repeal of an ordinance shall not revive any ordinances in force before or at the time the ordinance repealed took effect.

The repeal of an ordinance shall not affect any punishment or penalty incurred before the repeal took effect, nor any suit, prosecution or proceeding for violation of said ordinance pending at the time of the repeal. [Prior code § 1-5].

1.05.060 Severability of parts of code.

It is hereby declared to be the intention of the city council that the sections, paragraphs, sentences, clauses and phrases of the code are severable, and if any phrase, clause, sentence, paragraph or section of this code shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this code. [Prior code § 1-6].

1.05.070 Amendments to code – Effect of new ordinances – Amendatory language.

All ordinances passed subsequent to this code of ordinances, which amend, repeal or in any way affect this code of ordinances, may be numbered in accordance with the numbering system of this code and printed for inclusion herein. When subsequent ordinances repeal any chapter, section or subsection or any portion thereof, such repealed portions may be excluded from said code by omission from reprinted pages. The subsequent ordinances as numbered and printed, or omitted in the case of repeal, shall be prima facie evidence of such subsequent ordinances until such time that this code of ordinances and subsequent ordinances numbered or omitted are readopted as a new code of ordinances by the city council.

Amendments to any of the provisions of this code may be made by amending such provisions by specific reference to the section number of this code in the following language:

That section _____ of the Code of Ordinances, City of Willows, California, is hereby amended to read as follows:

The new provisions shall then be set out in full as desired.

In the event a new section not heretofore existing in the code is to be added, the following language may be used:

That the Code of Ordinances, City of Wilows, California, is hereby amended by adding a section, to be numbered _____, which said section reads as follows:

The new section shall then be set out in full as desired.

All sections, articles, chapters or provisions desired to be repealed must be specifically repealed by section, article or chapter number, with reference to the subject matter, as the case may be. [Prior code § 1-7].

PROPOSAL FOR AGENDA ITEM

May 28, 2013

TO: Mayor J. Cobb
FROM: Council Member W. Spears
SUBJECT: ANNUAL EVALUATION OF CITY MANAGER.

I had intended to present below business under item 10. With the cancelation of the meeting I am now presenting the request in writing for the next agenda for the June 11, 2013 meeting.

In accordance to the contract with Mr. Holsinger, I propose that we schedule a closed session at the next meeting to discuss his contract.

His contract indicates that he is to be evaluated annually. His last evaluation was in reference to last year and I believe it is time for another.

Respectfully,

William Spears