

CITY COUNCIL

Gary L Hansen, Mayor  
Jim Yoder, Vice Mayor  
Larry Domenighini, Council Member  
Lawrence Mello, Council Member  
Jeff Williams, Council Member



INTERIM CITY MANAGER  
Fire Chief, Wayne Peabody

CITY CLERK  
Natalie Butler

201 North Lassen Street  
Willows, CA 95988  
(530) 934-7041  
[www.cityofwillows.org](http://www.cityofwillows.org)

**CITY COUNCIL REGULAR MEETING AGENDA**  
**Tuesday, May 24, 2016**  
**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. **Presentations & Proclamations:**
  - a) Joe Flesher, Director of Youth for Christ, will make a presentation to the Council regarding the Sycamore Skate Park Mural.
  - b) The Students Working Against Tobacco Coalition (SWAT) will present a certificate of appreciation to the City Council.
  - c) Friday Night Live presentation about tobacco retail licensing – Kristen Cushman.
5. **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 a majority consensus of the Council directs staff to place the item on a future agenda. ***(Public Comment is generally restricted to three minutes).***
6. **Consent Agenda:** Consent items are considered to be routine by the City Council and will be enacted in one motion. There will be no separate discussion on these items unless a Councilperson or citizen requests, in which event the item will be removed from the consent agenda. It is recommended that the Council:
  - a) Approve General Checking, Payroll Checks & Payroll Direct Deposit Registers.
  - b) Approve the Minutes of the Willows City Council Meeting held on April 12, 2016.

**7. Public Hearings:**

- a) Conduct a Public Protest Hearing, and upon conclusion, consider adoption of a 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 Fiscal Year 2016-17.
- b) Conduct a Public Hearing, and upon conclusion, declare specific parcels to be abated by the City contractor.

**8. Ordinances: None**

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

**10. New Business:**

It is recommended that the Council:

- a) Consider approval of the purchase of a new Terex Aerial Truck from Utility 1 Source and reallocate \$50,000.00 from gas tax 2103-fund 372; \$36,148.75 from gas tax 2105-fund 314; and allocate an additional \$1000.00 from sewer fund 318 to add to the previous allocation of \$49,000.00 from fund 318 for a total of \$136,148.75 and authorize the Interim City Manager or his designee to sign all documents related to the purchase and licensing of the Terex Aerial Truck.
- b) Consider approval of an amendment to the contract for collection of garbage and rubbish in the City of Willows by extending the existing contract with Waste Management for an additional two years, to December 31, 2018, and authorize the City Manager to sign said amendment.

**11. Council Member Reports:**

**12. Executive Session: None**

**13. Adjournment:**

**CERTIFICATION:** Pursuant to Government Code §54954.2 (a), the agenda for this meeting was properly posted on or before May 20, 2016.

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](http://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

Period

5/7/2016 TO 5/20/2016

General Checking      30677      TO      30677      (BOFA CHECK STOCK)  
                                 33486      TO      33535      (UMPQUA CHECK STOCK)

Payroll Direct Deposit      Z07303      TO      Z07343

Payroll Checks      36150      TO      36166

APPROVAL DATE      5/24/2016

Approved \_\_\_\_\_

REPORT : May 10 16 Tuesday  
 RUN... : May 10 16 Time: 10:06  
 Run By : JANE COLLINS

CITY OF WILLOWS  
 Cash Disbursement Detail Report  
 Check Listing for 05-16 Bank Account.: 1050

PAGE: 001  
 ID #: PY-DP  
 CTL: WIL

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Payment Information	
							Invoice #	Description
030677	05/10/16	CIT08	CITY OF WILLOWS	350000.00	.00	350000.00	B60510	XPER BOFA TO UMPQUA
Cash Account Total.....:				350000.00	.00	350000.00		
Total Disbursements.....:				350000.00	.00	350000.00		

RMPORF.: May 05 16 Thursday  
 RUN...: May 05 16 Time: 15:31  
 Run By.: JANE COLLINS

CITY OF WILLOWS  
 Cash Disbursement Detail Report  
 Check Dating for 05-16 Bank Account.: 1045

PAGE: 001  
 ID #: PY-DP  
 CPL.: WIL

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
033486	04/27/16	MCM	MIKE McMILLAN	1113.74	.00	1113.74	B604272	VINYL BLANK FD
033487	05/06/16	AB00	STAVE ABOLD	200.00	.00	200.00	B60503	PUB. WKS. TOOL PARKS/PUB.
033488	05/06/16	APF0	AFFORDABLE COMPUTER SOLUT	620.00	.00	620.00	3901	DRIVE SWT UP AND REPAIR
033489	05/06/16	CIT06	CITY OF ORLAND	1261.74	.00	1261.74	2163308	ID MAKER WITH SUPPLIES
033490	05/06/16	COM16	COMCAST CABLE	145.97	.00	145.97	B60503	INTERNET ADMIN 4/29-5/28/
033491	05/06/16	COR02	CORBIN WILLETS SYSTEMS	407.87	.00	407.87	B604151	CONT.SERV. FINANCE MAY 20
033492	05/06/16	COR10	CORNING LUMBER CO., INC.	21.99	.00	21.99	B60503	APRIL STMT PER ATTACHED
033493	05/06/16	EDD00	EMPLOYMENT DEV. DEPT.	7109.00	.00	7109.00	1068352	UI BENEFIT CHARGE 1/1-3/3
033494	05/06/16	EMP00	EMPLOYERS INVESTIGATIVE S	1574.17	.00	1574.17	5050044	BACKGROUND INVESTIGATION
033495	05/06/16	GLE35	GLENN CO. ENVIRONMENTAL H	400.00	.00	400.00	5876	SWIMMING POOL INSPECTION
033496	05/06/16	GRE09	GREEN NORTHERN EQUIPMENT	289.00	.00	289.00	165527	#44 STUMPER REPAIR
033497	05/06/16	INK01	THE INKWELL	175.15	.00	175.15	B60503	APRIL STMT PER ATTACHED
033498	05/06/16	LEM01	CAROL LEMENAGER	200.00	.00	200.00	B60503	VEHICLE ALLOW. RECREATION
033499	05/06/16	MIS00	MT SHASTA SPRING WATER CO	40.08	.00	40.08	B60503	APRIL STMT PER ATTACHED
033500	05/06/16	NSW00	NSWTS	100.00	.00	100.00	NW2901	WATER TREATMENT APRIL 201
033501	05/06/16	OCL00	OCLC, INC.	70.07	.00	70.07	454898	MONTHLY SUBSCRIPTION
033502	05/06/16	PAR12	PARCELQUEST	4000.00	.00	4000.00	B60503	PARCELQUEST.COM ACCOUNT
033503	05/06/16	PEA00	WAYNE PEABODY	200.00	.00	200.00	B60503	TECHNOLOGY ALLOWANCE MAY
033504	05/06/16	SAC08	SACRAMENTO VALLEY MIRROR	91.80	.00	91.80	13949	LEGAL ADS
033505	05/06/16	SAL02	TIMOTHY J. SALLSBERY	200.00	.00	200.00	B60503	VEHICLE ALLOW. FINANCE MA
033506	05/06/16	SAN02	SANT FOOD MARKET, INC.	214.46	.00	214.46	446160	FIRE CREW MEAL
033507	05/06/16	SAN04	SANTORIAL JANITORIAL, IN	2200.00	.00	2200.00	19269	FLOOR SERVICE FD
033508	05/06/16	SIB05	SIBBENS INDUSTRY INC.	320.00	.00	320.00	10008644	SIGNALIZED INTERSECTION
033509	05/06/16	STO01	STONY CREEK UNITED SCHOO	100.00	.00	100.00	B60503	EC LIBRARY RENT MAY 2016
033510	05/06/16	USB02	US BANK	800.08	.00	800.08	3360812	EQUIP. LEASE 4/20-5/20/16
033511	05/06/16	USB04	U.S. BANK CORPORATE PAYME	4374.13	.00	4374.13	B60505	APRIL STMT PER ATTACHED
033512	05/06/16	WES00	WEST COAST FRAME & COLLIS	648.63	.00	648.63	45498	ELBOW/SWIVEL
033513	05/06/16	WIL00	WILLOWS AUTOMOTIVE	45.00	.00	45.00	B60503	APRIL STMT PER ATTACHED
033514	05/06/16	WIL07	WILLOWS CHAMBER	300.00	.00	300.00	B60503	CHAMBER BUCKS/POOL RAFFLE
033515	05/06/16	WIL17	WILLDAN	10375.00	.00	10375.00	00712023	PLANNING SERVICES THROUGH
033516	05/06/16	WILHD	WILLOWS HARDWARE, INC.	559.11	.00	559.11	B60505	APRIL STMT PER ATTACHED
033517	05/06/16	WILHO	WILLOWS CHRISTIAN CHURCH	500.00	.00	500.00	B60505	FACILITY FOR DANCE LESSON
Cash Account Total.....:				38657.79	.00	38657.79		
Total Disbursements.....:				38657.79	.00	38657.79		
Cash Account Total.....:				.00	.00	.00		

REPORT: May 11 16 Wednesday  
 RUN...: May 11 16 Time: 15:45  
 Run By: JANE COLLINS

CITY OF WILLOWS  
 Cash Disbursement Detail Report  
 Check Listing for 05-16 Bank Account.: 1045

PAGE: 001  
 ID #: PY-DF  
 CTL.: WIL

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Payment Information Invoice # Description
033518	05/11/16	AMR02	AMERTPRIDE UNIFORM SVCS.	158.10	.00	158.10	B60511 UNIFORM EXPENSE PD APRIL
033519	05/11/16	COM16	COMCAST CABLE	52.74	.00	52.74	B60511 INTERNET PD 5/7-6/6/16
033520	05/11/16	KVR00	EVERGREEN NOTR SERVICING	45.00	.00	45.00	B60511 NOTR SERVICING APRIL 2016
033521	05/11/16	GAN03	GANDY-STALBY OIL CO.	610.08	.00	610.08	B60511 APRIL STMT PER ATTACHED-P
				719.60	.00	719.60	AB60511 APRIL STMT PER ATTACHED-P
			Check Total.....:	1329.68	.00	1329.68	
033522	05/11/16	OLE13	GLENN CO. CLERK-RECORDER	50.00	.00	50.00	B60511 NOTICE OF EXEMPTION FILING
033523	05/11/16	HUN01	HUNT & SONS, INC.	581.45	.00	581.45	B60511 APRIL STMT PER ATTACHED
033524	05/11/16	ILL00	ILLINOIS LIBRARY ASSOCIAT	129.85	.00	129.85	111225 IREAD SUPPLIES
033525	05/11/16	JER00	JEREMY'S PEST STOMPERS	30.00	.00	30.00	56164 PEST CONTROL PD
033526	05/11/16	JOS00	IFRANDRA JOSEPH	50.00	.00	50.00	B60511 REFUND SPRING DANCE LESSO
033527	05/11/16	MAT01	MATSON & ISOM TECHNOLOGY	189.37	.00	189.37	54056 DVR EXTRACTION
033528	05/11/16	MJB01	MJB WELDING SUPPLY, INC.	36.00	.00	36.00	1122805 CYLINDER RENTAL APRIL 2016
033529	05/11/16	OCL00	OCLC, INC.	70.07	.00	70.07	449229 MONTHLY SUBSCRIPTION
033530	05/11/16	PGK01	PG & R	25.74	.00	25.74	B60511 1600 S UBIAMA ST 4/5-5/4/
033531	05/11/16	ROD03	MANUELIITA RODRIQUEZ	30.00	.00	30.00	B60511 REFUND PARK PERMIT
033532	05/11/16	SAC08	SACRAMENTO VALLEY MIRROR	162.00	.00	162.00	14007 LEGAL AD
033533	05/11/16	VER02	VERIZON WIRELESS	722.10	.00	722.10	4474379 TELEPHONE EXP. 3/27-4/26/
033534	05/11/16	WES00	WEST COAST FRAME & COLLIS	700.77	.00	700.77	45536 REPAIR PUMP LEAK
				385.96	.00	385.96	45537 REPAIR CROSS LAY ELBOW
			Check Total.....:	1086.73	.00	1086.73	
033535	05/11/16	WIJ11	WILLOWS ACE HARDWARE	66.51	.00	66.51	B60511 APRIL STMT PER ATTACHED
			Cash Account Total.....:	4815.34	.00	4815.34	
			Total Disbursements.....:	4815.34	.00	4815.34	

**MINUTES OF THE WILLOWS CITY COUNCIL**  
**REGULAR MEETING HELD April 12, 2016**

1. Mayor Hansen called the meeting to order at 7:02 p.m.
2. **PLEDGE OF ALLEGIANCE:** Council Member Mello led the Pledge of Allegiance.
3. **ROLL CALL:**  

<u>Present:</u>	Council Members Domenighini, Mello, Williams, & Mayor Hansen.
<u>Absent:</u>	Vice Mayor Yoder
4. **Presentations & Proclamations:**
  - a) Mayor Hansen presented a Proclamation declaring the Month of April as “Sexual Assault Awareness Month” with special recognition of April 27, 2016 as “Denim Day California”.
  - b) Mayor Hansen presented a Proclamation declaring the month of May as “Poppy Month”.
5. **Public Comment/Written Communications:**
  - Cliff Larimer, Contributing Editor for the Sacramento Valley Mirror, stated that he is standing in for Doug Ross, who is the Contributing Editor that generally covers the City Council Meetings. He stated that Doug was ill and he would be covering the City Council meetings for him during his absence. He announced that on Saturday, May 2, there would be an Open House at the Willows Museum from 1:00 p.m. to 4:00 p.m. and he encouraged everybody to attend to view the various items and displays at the Museum.
  - City resident Mark Fowler expressed his concern to the Council over the lack of lighting on the overpass going across I-5 to Wal-Mart, which he understands is a Cal-Trans issue to resolve.
6. **Consent Agenda:**

M/S –Williams/Domenighini to approve the Consent Agenda as presented. All Ayes and the motion unanimously passed 4/0 and the following items were approved/adopted:

  - a) Approval of General Checking, Payroll Checks & Payroll Direct Deposit Registers (30675-30675; 33330-33384; Z07158-Z07193; 26029-36082).
  - b) Approval of the Minutes of the Willows City Council Meeting held on February 23, 2016.
  - c) Approval of the Minutes of the Willows City Council Meeting held on March 8, 2016.
  - d) Declare two Police Department vehicles as surplus and allow staff to sell or dispose of said vehicles.

7. **Public Hearings:**

- a) Conduct a Public Hearing and consider reading by title only and passage of first reading of an ordinance entitled “An Ordinance of the City Council of the City of Willows amending Title 8 Chapter 8.25 of the Willows Municipal Code to regulate smoking and secondhand smoke”.

This ordinance is being introduced to address the concerns raised by the Willows High School chapter of Students Working Against Tobacco (“SWAT”), in which they gave the City Council a comprehensive presentation regarding the dangers and nuisances of tobacco use in the City’s parks and recreation areas. Members of SWAT provided information pertaining to the prevalence of tobacco use in our parks, the dangers to not only the users but others around the user, and the nuisance of litter left behind by tobacco users.

As a result, at the City Council meeting held on March 22, 2016, the Council was provided a copy of the City of Orland’s tobacco regulation ordinance which passed in 2012, with an update to the ordinance in 2014 to include e-cigarettes in the ordinance. At that same City Council meeting the Council directed staff to create a similar ordinance for introduction at tonight’s City Council Meeting. City Staff, along with the City Attorney, have performed modifications to the current City of Willows Ordinance addressing this topic (Ordinance Number 637-93). The ordinance before the Council tonight will replace that ordinance which was adopted in 1993.

Mayor Hansen opened the public hearing at 7:20 p.m.

The following people spoke in favor of the ordinance and thanked the Council for their consideration of its adoption:

Willows High School Students and/or SWAT members Isabella Mercado, Natalie Gonzalez, Kailey Cushman, Val Lor, & Tina Lor; Friday Night Live Coordinator Kristin Cushman; Orland Resident Sharon Lazorko.

Mayor Hansen closed the public hearing at 7:28 p.m. **M/S – Mello/Domenighini** to read by title only the ordinance next in line. The motion unanimously passed 4/0 on a roll call vote, with Vice Mayor Yoder absent. **M/S – Mello/Domenighini** to pass first reading of an ordinance entitled “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS AMENDING TITLE 8 CHAPTER 8.25 OF THE WILLOWS MUNICIPAL CODE TO REGULATE SMOKING AND SECONDHAND SMOKE. The motion unanimously passed 4/0 on a roll call vote, with Vice Mayor Yoder absent.

8. **Ordinances:** Action taken under item 7 (a).

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

- a) Council Member Williams stated that he would like to see the public help out with reporting city street light outages to PG&E. He stated that all a person needs to do is to obtain the pole number from the pole and call PG&E at 800-743-5000 and report the outage.

**10. New Business:**

- a) Review and accept the Annual Housing Element Progress Report as required by Government Code Section 65400:

The preparation of a General Plan Annual Progress Report (APR) per Government Code Section 65400, reports the efforts within the Housing Element that remove governmental constraints to the maintenance, improvement, and development of housing, and the status of implementation of these programs. Additionally the APR includes the Regional Housing Needs Allocation (RHNA) numbers and where the City stands with meeting these numbers. The current RHNA planning period covers from January 1, 2014 to June 30, 2019.

The 2014-2019 Housing Element was adopted by the City Council on January 13, 2015. The Element was forwarded to the State Department of Housing and Community Development (HCD) for final review and approval. The Element was certified as adequate by HCD on April 16, 2015. The City now has an adopted and certified updated Housing Element which outlines the City's plan to meet the Regional Housing Needs Allocation for the anticipated future housing needs for all income groups.

The City adopted its General Plan in 1981 and has not updated the General Plan since, other than a major revision to the Land Use Element in 1987 with the annexation of land, and some revisions to the Element and Land Use Map in 2000, and updated Housing Elements in 2005 and 2010.

The current Housing Element outlines the City's plan to meet the Regional Housing Needs Allocation for the anticipated future housing needs for all income groups. RHNA figures are prepared by the regional council of governments (Glenn County for Willows) based upon information provided by the State Department of HCD. .

The annual report outlines the progress that the City of Willows has made in meeting the current Housing Element of the City's General Plan according to the programs listed within the Element.

Accomplishments achieved in 2015 include issuing a final Certificate of Occupancy to a 49-unit senior housing complex that had been constructed during the reporting period. This new housing assists the City with meeting their RHNA numbers of providing housing to extremely low income groups.

Amendments to the Zoning Ordinance to comply with two program goals have been completed in 2015. One of these amendments added to the zoning ordinance the allowance of transitional and supportive housing in all zones allowing residential uses and which do not require any conditions other than those conditions identified for residential uses in those zones. To date no requests for transitional or supportive housing has been received by the City of Willows.

This General Plan Report is not a project, but a reporting document, and does not create or alter policy and therefore is not subject to the California Environment Quality Act (CEQA) per Section 15306

Staff is recommending that the City Council accepts the Annual Housing Element Progress Report and directs Staff to forward the report to the Governor's Office of Planning and Research and the State Department of Housing and Community Development.

**M/S – Domenighini/Williams** to accept the report and for Staff to forward the Report to the Governor's Office of Planning and Research and the State Department of Housing and Community Development as required by Government Code 65400. The motion unanimously passed 4/0 with Vice Mayor Yoder absent.

- b) Accept the Preliminary Annual Engineer's Report and adopt a Resolution of Intention to levy and collect assessments and confirm May 24, 2016 as the date to conduct the public protest hearing for the City of Willows Landscaping and Lighting Assessment District:

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.

The Act requires that the City undertake certain proceedings for any fiscal year in which assessments are to be levied and collected. These proceedings are accomplished at three separate Council meetings. The first action to adopt a Resolution appointing the Engineer of Work and directing preparation of the annual Engineer's Report was completed by the

Council on March 8, 2016. The preliminary report and resolution before the Council this evening is the second part of the proceedings for fiscal year 2016-2017.

The Council should review the Preliminary Annual Engineer's Report as prepared by Coastland Civil Engineering and recommend any desired changes to be made to the report. The report outlines changes and summarizes the costs projected for FY 2016-17 and provides the proposed overall assessments. In order to keep up with inflation, the estimated maximum annual assessments in both zones is proposed for increase by the allowable annual CPI (year 2015) of +2.6%. This raises the maximum annual assessment for Zone A to \$461.34 and the maximum annual assessment for Zone B to \$6553.66. The estimated maximum annual assessment will increase for both zones. The actual amount that will be levied and collected during FY 2016-17 for Zone A will stay the same as FY 2015-16 at \$143.00 per parcel. Excess reserves are available and are being used to eliminate the need to increase this year's assessment and to bring the reserves in line with the City reserve policy.

The actual amount that will be levied and collected during FY 2016-17 for Zone B will be increased approximately \$650.08 from FY 2015-16 to \$5955.96. This increased assessment is due to increased utility costs and a resulting higher ratio of assessment engineering costs.

During FY 2008-09 the Council implemented a minimum reserve balance of 10-20%. It is noted that the projected Zone A Assessment District reserve balance at the end of FY 2016-17 is within that target range. Due to unexpectedly high utility costs in Zone B during FY 2015-16 the ending reserve balance is projected to be near zero. The increased budget for Zone B should improve the reserve balance over the next few years.

The preliminary Engineer's Report is for Council's review and comment. The third and final step in this process is to hold a public protest hearing wherein any person within the assessment districts can provide comments for the Council's consideration. At the close of that hearing, if the Council finds the report acceptable, the Council will adopt a resolution authorizing the annexation and levying of assessments per the Engineer's Report. The Final Engineer's Report should be approved by the City no later than the end of June of each year so that the information can be transmitted to the County for inclusion on the tax rolls. The County needs to have all information transmitted and correct no later than August 10<sup>th</sup> of each year.

Staff recommends that the Council accepts the report, adopts the resolution of Intent to Levy and sets a date to conduct the hearing, preferably on May 24<sup>th</sup>. **M/S – Domenighini/Williams** to accept the preliminary Annual Engineer's Report as prepared by Coastland Civil Engineering, adopt the Resolution of Intention to levy and collect

assessments and confirm May 24, 2016 as the date to conduct the required public protest hearing. With a roll-call vote, the motion unanimously passed 4/0 with Vice Mayor Yoder absent.

- c) Adoption of a Resolution accepting the public street right-of-way easement for Harvest Drive; the public street right-of-way easement for the temporary cul-de-sac constructed for Harvest Drive; and Emergency Vehicle Access Easement; and parcel for storm drain detention pond purposes within the Basin Street Commercial Development and direct the City Clerk to record all grant deeds:

In June 2015, the City submitted a grant application to the Federal Economic Development Administration for funding certain infrastructure improvements associated with the Basin Street Commercial project in the southerly portion of the City. The impetus of filing the grant related to job creation within the City with the development of new businesses in the proposed development.

On October 19, 2015, the City received official notification of award of the grant in the amount of \$2,500,000. The overall total project amount is estimated at \$3,571,429 (the federal grant covers 70% of the overall cost - \$2,500,00.) The improvements will include installation of water, sewer, storm drain and street improvements associated with Phase 1 of the Basin Street Commercial Project.

Part of the requirements of the EDA federal funding is that the City must own the rights-of-way and/or easements needed to construct all of the improvements associated with the project prior to the submittal of the construction documents. Forms have to be filed with EDA when the construction documents are submitted for checking that certify that the City owns the rights-of-way and easements. Accordingly, it is necessary to accept the rights-of-way and easements at this time.

The documents necessary to be accepted at this time include:

- The dedication of a public street right-of-way easement associated with Harvest Drive (the main road into the development that connects to Tehama Street.)
- The dedication of a public street right-of-way easement for construction of a temporary cul-de-sac at the westerly end of Harvest Drive (Harvest Drive will be ultimately extended to the west once future phases of the development are constructed and the temporary cul-de-sac will be removed and the street extended.)
- The dedication of an emergency vehicle access (EVA) easement that extends from Harvest Drive to the southerly property line of the development (as required by the conditions of approval for the Basin Street Commercial Development project.)

- The dedication of a parcel of land intended for construction of a detention pond to service the overall development with respect to storm drain/flooding issues. (It should be noted that maintenance of the detention pond will be the City's responsibility but will be fully funded by fees collected through the Landscape and Lighting Special Assessment District zone that will be set up for this property once the subdivision is recorded.)

Staff and Attorneys have checked the deeds and easements for technical and legal accuracy and found them to be acceptable. If the Council accepts the easements and deeds, the documents will be recorded and the City will hold title to the lands and/or easement described in the grant deed documents. It is Staff's recommendation that Council adopt the Resolution before them. **M/S – Mello/Williams** to adopt a Resolution accepting a public street right-of-way easement for a portion of Harvest Drive; A public street right-of-way easement for the temporary cul-de-sac for Harvest Drive; and an emergency vehicle access easement; and the grant of a parcel of land for detention pond purposes – All a part of the Basin Street South Willows Commercial Project – and directing the City Clerk to record all grant deeds. With a roll-call vote, the motion unanimously passed 4/0 with Vice Mayor Yoder being absent.

- d) Resolution declaring weeds, rubbish refuse and dirt public nuisances and approve the Weed Abatement schedule for the 2016 fire season:

Each year the Willows Fire Department abates weeds, rubbish, refuse and dirt from different lots and alleyways. In order to commence this process, it is necessary for the City Council to adopt the Resolution before them. This Resolution declares that weeds, rubbish, refuse and dirt are a public nuisance and sets a date for a hearing to listen to citizen protests. **M/S – Domenighini/Williams** to adopt a Resolution declaring public nuisances and to set the date of the protest hearing for May 24, 2016. With a roll-call vote, the motion unanimously passed 4/0, with Vice Mayor Yoder being absent.

- e) Appointment to a vacant seat on the Willows Planning Commission:

On August 25, 2015, the Council was informed that the terms of Planning Commissioners Candis Woods, Robert Griffith and Kerri Warren were due to expire on December 31, 2015. The Council directed staff to advertise for these three seats on the Planning Commission and Mayor Hansen and Vice Mayor Yoder volunteered to serve on a subcommittee to review applications, conduct interviews of applicants and ultimately make their recommendations to the full Council who to appoint to fill these seats.

The City received only two applications from current Commissioners Robert Griffith and Candis Woods. Mayor Hansen and Vice Mayor Yoder elected to waive interviews for these two candidates, as they had already been serving on the board and have been doing very

well in their capacities as Commissioners. The Mayor and Vice Mayor recommended to the Council at the December 8, 2015, meeting to reappoint Commissioners Woods and Griffith to the Commission, and the full Council agreed to their reappointments. Additionally the Council directed staff to continue to recruit for the one remaining vacant seat on the Commission.

Most recently, Mr. Walter Michael turned in an application and a letter of interest to be appointed to the vacant seat on the Planning Commission. On April 4, 2016, Mayor Hansen & Vice Mayor Yoder interviewed Mr. Michael and they directed staff to place an item on tonight's agenda in which they are recommending that the Council appoint Mr. Michael to the vacant Planning Commission seat. **M/S – Domenighini/Mello** to appoint Walter Michael to the Planning Commission. The motion unanimously passed 4/0, with Vice Mayor Yoder being absent.

**11. Council Member Reports:**

- Council Member Williams reported that he, Council Member Mello, Planning Commissioner Griffith and Interim City Manager Wayne Peabody met with members of the Willows Chamber and Business Owners to discuss Community Events Signage and they will be meeting again on April 21. He also recently attended a Community Leaders Breakfast in Chico hosted by Assemblyman Jim Gallagher and Senator Jim Nielsen. Topics of discussion were State water issues and minimum wage increases, among others.
- Council Member Mello had no reports, but stated that he hoped that the Valley Mirror's Contributing Editor, Doug Ross, gets back into good health soon. He also stated that Susan Meeker is now gone from the Glenn County Transcript and that he is really going to miss her fair and honest reporting and editorials and she would always shed a positive light in the community. Lastly, he stated that he hopes that the KVB Waste to Energy project on Hwy 32 moves forward.
- Council Member Domenighini reported that LAFCO met this morning. He also reported that this Thursday there will be a Library Board Meeting at the Bayliss Library.
- Mayor Hansen thanked Fire Chief/Interim City Manager Wayne Peabody and Fire Captain Skip Sykes for their extraordinary efforts in extinguishing yesterday's early morning structure fire at the Manhattan Apartments.

**12. Executive Session: None**

**13. Adjournment: Mayor Hansen adjourned the meeting at 8:04 p.m.**

Dated: April 12, 2016

NATALIE BUTLER

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City Clerk

The City of Willows is an Equal Opportunity Provider

## **AGENDA ITEM**

May 24, 2016

**TO:** Honorable Mayor Hansen 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 2016-17

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## **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 March 8, 2016. The second action (receiving the Preliminary Engineer's Report and setting the date of the required public protest hearing) was completed on April 12, 2016. 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 2016-17.

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 April 12, 2016, the proposed assessments shown in this report have not changed from the preliminary report. If there are no changes from the City Council at this time, 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 for FY 2016-17, summarizes the projected costs for FY 2016-17 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 2015) of +2.60% for Zones A and B. The raised maximum annual assessment for Zone A is now \$461.34 per parcel, and the raised maximum annual assessment for Zone B is now \$6,553.66 per parcel.

While the estimated maximum annual assessment will increase for Zone A, the actual amount that will be levied and collected during FY 2016-17 will remain the same as the FY 2015-16 assessment of \$143.00 per parcel due to the use of excess zone reserves.

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

and collected during FY 2016-17 will be increased from the FY 2015-16 assessment to \$5,955.96 per parcel due to various increased costs. This amount is below the allowed maximum annual assessment for Zone B.

During FY 2008-09, the Council implemented a minimum reserve balance of 10% to 20%. By using some of the Zone A reserves to balance the Zone A budget, it is noted that the projected FY 2016-17 Assessment District reserve for Zone A is within that range. The Zone B projected FY 2016-17 Assessment District reserve is lower than desired due to the higher than anticipated electrical costs in FY 2015-16.

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 rolls.

**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 2016-17 is \$11,170.88. The funding source is from proposed assessment revenues levied and collected during FY 2016-17 along with existing Zone A reserves.

#### **NOTIFICATION**

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

#### **ALTERNATE ACTIONS**

None recommended.

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#### **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 2016-17

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Respectfully submitted,

John Wanger  
City Engineer

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

**CITY OF WILLOWS  
CITY COUNCIL  
RESOLUTION NO.       -2016**

**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 2016-17 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 2016-17, and the lands to be assessed are located within the City of Willows corporate boundaries, Glenn County; and

**WHEREAS**, on March 8, 2016, the City Council adopted a resolution appointing Coastland Civil Engineering as the Engineer of Work, directing the preparation and filing of the annual FY 2016-17 Engineer's Report, and describing the potential changes to the Assessment District; and

**WHEREAS**, on April 12, 2016, the City Council adopted a resolution of intention to levy and collect assessments, preliminarily approving the Engineer's Report for FY 2016-17, 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 2016-17 maximum annual assessment will be adjusted up by the allowable CPI to \$461.34; and

**WHEREAS**, for Zone B, in order to keep up with inflation the FY 2016-17 maximum annual assessment will be adjusted up by the allowable CPI to \$6,553.66; 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 2016-17 annual assessment to levy and collect for Zone A is proposed to be \$143.00 per parcel; and

**WHEREAS**, the proposed FY 2016-17 annual assessment to levy and collect for Zone B is proposed to be \$5,955.96 per parcel; and

**WHEREAS**, no annexations to the District are proposed for FY 2016-17; and

**WHEREAS**, on May 24, 2016 the City Council conducted a public hearing and gave every interested person an opportunity to comment on the FY 2016-17 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 2016-17 Engineer's Report as filed, as prepared and filed
2. Confirms the assessment diagram and assessment amounts as set forth in the FY 2016-17 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 2016-17, 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 2015 annual CPI factor of 2.60% from the FY 2015-16 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 2016-17 to \$461.34 per parcel for Zone A and \$6,553.66 per parcel for Zone B
5. Sets the FY 2016-17 amount to levy and collect for Zone A at \$143.00 per parcel and for Zone B to \$5,955.96 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. \_\_\_\_\_ -2016 was duly introduced and duly adopted by the City Council of the City of Willows at its regular meeting held on this 24th day of May, 2016 by the following Roll Call vote:

AYES in favor of:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTESTED:

\_\_\_\_\_  
Gary L. Hansen, Mayor

\_\_\_\_\_  
Natalie Butler, City Clerk

FY 2016-17



**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**

May 2016

Prepared By:  
Coastland Civil Engineering, Inc.

FY 2016-17

**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 March 8, 2016, the enclosed Engineer's Report on the 7th day of May, 2016.

COASTLAND CIVIL ENGINEERING  
By:   
John L. Wanger, PCE 43778  
REGISTERED PROFESSIONAL ENGINEER  
JOHN L. WANGER  
CIVIL ENGINEER  
STATE OF CALIFORNIA  
EX. P. 5/31/18

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 \_\_\_\_\_, 2016.

By: \_\_\_\_\_  
Natalie Butler, City Clerk, 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 \_\_\_\_\_, 2016.

By: \_\_\_\_\_  
Natalie Butler, City Clerk, 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 \_\_\_\_\_, 2016.

By: \_\_\_\_\_  
Natalie Butler, City Clerk, City of Willows  
Glenn County, California

**FY 2016-17 ANNUAL ENGINEER'S REPORT FOR  
WILLOWS LANDSCAPING & LIGHTING SPECIAL ASSESSMENT DISTRICT**  
(Pursuant to the Landscaping & Lighting Act of 1972)

**Annual Assessment For FY 2016-17**

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 March 8, 2016 pursuant to Sections 22565 and 22620 of the California Streets & Highways Code for the Willows Landscaping & Lighting Special Assessment District for Fiscal Year (FY) 2016-17.

**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 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 2016-17, there are no subdivision developments, land use changes to existing parcels or annexations proposed.

**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 2016-17, the maximum annual assessment for Zones A and B are proposed to be adjusted up by the latest annual (2015) CPI of +2.60%.

The assessments proposed to be levied and collected for FY 2016-17 for Zone A are the same as those collected in FY 2015-16. The assessments proposed to be levied and collected for FY 2016-17 for Zone B are higher than those collected in FY 2015-16. The total proposed Assessment District budget (Zones A and B) for FY 2016-17 is \$11,170.88.

The proposed changes, budgets, assessments and Proposition 218 impacts to the respective zones within the Assessment District are as follows:

**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 rights-of-way in the Birch Street Village subdivision as shown in the Assessment Diagram in Part F of this report. The FY 2016-17 assessment is proposed to be \$143.00 per parcel. This is the same assessment as last year due to the use of excess reserves. The total proposed Zone A budget for FY 2016-17 is proposed to be \$5,214.92, which is a 27% reduction from the FY 2015-16 budget. FY 2016-17 assessment revenue plus existing reserves will be used to cover the current year budget.

The estimated reserve fund balance for Zone A is projected to be within the Council approved reserve budget range of 10%-20% at the start of FY 2016-17. As no special projects are required at this time, the excess reserves will be used to reduce the current year assessment. It should be noted that assessments may need to increase next year as reserves are expected to be within their desired range and will not be available to reduce the assessments.

**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). These are shown as traffic signals with lights on the Zone B Assessment Diagram in Part F of this report. Costs include utility, maintenance, replacement, and administrative expenditures. 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.

In FY 2015-16, higher than anticipated utility costs required the existing annual reserve and a portion of the 'knockdown' reserve fund to be used to balance the year's budget. The FY 2016-17 assessment is proposed to be \$5,955.96 per parcel. This is an increase of about 12% from the FY 2015-16 assessment to cover the additional utility, and correspondingly higher, engineering costs. FY 2016-17 assessment revenue will be used to cover the current year budget. The higher assessment is still below the allowed maximum annual assessment.

The estimated annual reserve fund balance is anticipated to be around 1% at the end of FY 2016-17. This is lower than desired. It is expected this fund will build up again over time now that the assessment has been increased.

**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 2016-17 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 2016-17 Budget sheet and a FY 2016-17 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 2016-17 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)** - Names and addresses of the owners of real property listed within for 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 2016-17 Budget Cost Estimates**

Part B includes the detailed budget for FY 2016-17 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 2016-17. The total budget summary for FY 2016-17 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:	\$ 5,214.92	\$ 5,214.92	
Zone B:	\$ 5,955.96	\$ 5,955.96	
Total:	\$ 11,170.88	\$ 11,170.88	

**CITY OF WILLOWS**  
**Landscaping and Lighting Assessment District**  
**Fiscal Year 2016-17**  
**Zone A - Birch Street Village**  
**Budget**

<b>Item</b>	<b>2015-16 Budget</b>	<b>2016-17 Budget</b>
Engineers Report	\$2,448.00	\$2,075.00
Legal Services	\$0.00	\$0.00
Landscapc Maintenance	\$2,500.00	\$1,500.00
Lighting Utilites & Maintenance	\$950.00	\$1,000.00
County Assessor Fees (3.5% of Revenue)	\$231.95	\$182.52
Contingency	\$497.33	\$457.40
<b>Total Expenses</b>	<b>\$6,627.28</b>	<b>\$5,214.92</b>
Contribution from Reserves	\$1,765.28	\$352.92
<b>Total Assessment Costs</b>	<b>\$4,862.00</b>	<b>\$4,862.00</b>
<b>Total Assessment Revenue</b>	<b>\$4,862.00</b>	<b>\$4,862.00</b>
Estimated Number of Units in Zone A	34.0	34.0
<b>Proposed Assessment for Zone A*</b>	<b>\$143.00</b>	<b>\$143.00</b>

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

**CITY OF WILLOWS**  
**Landscaping and Lighting Assessment District**  
**Fiscal Year 2016-17**  
**Zone A - Birch Street Village**  
**Summary of Fund Balance**

<b>Estimated Starting Reserve Fund on July 1</b>	<u><b>2016-17</b></u>
<b>Estimated Interest Earned</b>	<b>\$1,325.00</b>
<b>Estimated Revenue</b>	<b>\$20.00</b>
<b>Total Estimated Funds Available</b>	<b>\$4,862.00</b>
<b>Total Estimated Expenditures</b>	<b>\$6,207.00</b>
<b>Estimated Ending Reserve Fund on June 30</b>	<b>\$5,214.92</b>
	<b>\$992.08</b>

Note: The original installation and construction costs were reimbursed by the end of the 2010-11 Fiscal Year.

**CITY OF WILLOWS**  
**Landscaping and Lighting Assessment District**  
**Fiscal Year 2016-17**  
**Zone B - Walmart**  
**Budget**

<b>Item</b>	<b>2015-16 Budget</b>	<b>2016-17 Budget</b>
Engineers Report	\$1,952.00	\$2,325.00
Legal Services	\$100.00	\$100.00
Lighting Utilities & Maintenance	\$1,750.00	\$1,800.00
Knockdown Replacement	\$1,000.00	\$1,000.00
County Assessor Fees (3.5% of Revenue)	\$185.71	\$208.46
Contingency	\$318.17	\$522.50
<b>Total Expenses</b>	<b>\$5,305.88</b>	<b>\$5,955.96</b>
Contribution from Reserves	\$0.00	\$0.00
<b>Total Assessment Revenue</b>	<b>\$5,305.88</b>	<b>\$5,955.96</b>
Estimated Number of Units in Zone B	1.0	1.0
<b>Proposed Assessment for Zone B*</b>	<b>\$5,305.88</b>	<b>\$5,955.96</b>

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

**CITY OF WILLOWS**  
**Landscaping and Lighting Assessment District**  
**Fiscal Year 2016-17**  
**Zone B - Walmart**  
**Summary of Fund Balance**

	<u><b>2016-17</b></u>
<b>Est. Starting Annual Reserve Fund on July 1</b>	<b>\$0.00</b>
<b>Est. Starting Knockdown Reserve Fund on July 1</b>	<b>\$3,000.00</b>
<b>Estimated Interest Earned</b>	<b>\$45.00</b>
<b>Estimated Annual Revenue</b>	<b>\$4,955.96</b>
<b>Estimated Knockdown Revenue</b>	<b>\$1,000.00</b>
<b>Total Estimated Annual Funds Available</b>	<b>\$5,000.96</b>
<b>Total Estimated Knockdown Funds Available</b>	<b>\$4,000.00</b>
<b>Total Estimated Annual Expenditures</b>	<b>\$4,955.96</b>
<b>Total Estimated Knockdown Expenditures</b>	<b>\$0.00</b>
<b>Est. Ending Annual Reserve Fund on June 30</b>	<b>\$45.00</b>
<b>Est. Ending Knockdown Reserve Fund on June 30</b>	<b>\$4,000.00</b>

**PART C**

**FY 2016-17 ASSESSMENT ROLL**

As described in Part B, the total proposed Assessment District revenues of \$10,817.96 for FY 2016-17 consist entirely of assessments associated with Zones A and B of this district as follows:

\$ 4,862.00 From Zone A  
 \$ 5,955.96 From Zone B

The breakdown of FY 2016-17 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 2016-17**

**Zone A - Birch Street Village**

APN	Assessment Diagram Number	Land Use Code	Land Use Type	Assessment Amount	Owner Name	Address
001-071-0090-0	28	R1XX	Single Family	\$143.00	Tovar, Bradford & McGarr, Jillian	320 S Humboldt Ave Willows, CA 95968
001-071-0100-0	27	R1XX	Single Family	\$143.00	Paul Dupont, A & Bina D	330 S Humboldt Ave, Willows, CA 95968
001-071-0110-0	28	R1XX	Single Family	\$143.00	Medina Humbert	340 S Humboldt Ave, Willows, CA 95968
001-071-0120-0	29	R1XX	Single Family	\$143.00	Pollock Robert R	350 S Humboldt Ave, Willows, CA 95968
001-071-0130-0	30	R1XX	Single Family	\$143.00	Baczynski, Thomas W	360 S Humboldt Ave, Willows, CA 95968
001-071-0140-0	31	R1XX	Single Family	\$143.00	Singh Kulwinder	371 Grog Thruh Cr, Sacramento, CA 95835
001-071-0150-0	32	R1XX	Single Family	\$143.00	Rea, Jack & Ross, Candace, J/T	6141 W 4th St, Rio Linda, CA 95873
001-071-0160-0	33	R1XX	Single Family	\$143.00	Hernandez, Jesus A Palomero & Palomero Hilda	1330 W Humboldt Ave, Willows, CA 95968
001-071-0170-0	34	R1XX	Single Family	\$143.00	Dove, Jerome W	1320 W Humboldt Ave, Willows, CA 95968
001-071-0180-0	16	R1XX	Single Family	\$143.00	Kumar Pti	1957 N Humboldt Ave, Willows, CA 95968
001-071-0190-0	15	R1XX	Single Family	\$143.00	Street Amy L & Street Timothy R	451 El Dorado Ave, Willows, CA 95968
001-071-0200-0	14	R1XX	Single Family	\$143.00	Lombard Tyler	481 El Dorado Ave, Willows, CA 95968
001-071-0210-0	17	R1XX	Single Family	\$143.00	Packard Nicole J	481 El Dorado Ave, Willows, CA 95968
001-071-0220-0	18	R1XX	Single Family	\$143.00	Donnelly, Michael D & Carolyn M	421 El Dorado Ave, Willows, CA 95968
001-071-0230-0	19	R1XX	Single Family	\$143.00	Barragan, Hilda & Rosales, Francisco	381 El Dorado Ave, Willows, CA 95968
001-071-0240-0	20	R1XX	Single Family	\$143.00	Ngo Cuong Bach & Tra Thuy Thanh Thi Feany, Kevin	371 El Dorado Ave, Willows, CA 95968
001-071-0250-0	21	R1XX	Single Family	\$143.00	85 Lindauer Lane, Red Bluff, CA 96088	85 Lindauer Lane, Red Bluff, CA 96088
001-071-0260-0	22	R1XX	Single Family	\$143.00	Tatella, Guillermo Alias	351 El Dorado Ave, Willows, CA 95968
001-071-0270-0	23	R1XX	Single Family	\$143.00	Baker Nicole C	341 El Dorado Ave, Willows, CA 95968
001-071-0280-0	24	R1XX	Single Family	\$143.00	Munio Lorena	331 El Dorado Ave, Willows, CA 95968
001-071-0290-0	25	R1XX	Single Family	\$143.00	Clark Janie C TRS	321 El Dorado Ave, Willows, CA 95968
001-071-0300-0	13	R1XX	Single Family	\$143.00	Lester, Eric M	310 El Dorado Ave, Willows, CA 95968
001-071-0310-0	12	R1XX	Single Family	\$143.00	Hernandez Jaime & Hernandez Gabriela	300 El Dorado Ave, Willows, CA 95968
001-071-0320-0	11	R1XX	Single Family	\$143.00	Asuleand Kevin	PO Box 310, Willows, CA 95968
001-071-0330-0	10	R1XX	Single Family	\$143.00	Jaramillo Jose Luis & Jaramillo Brenda	340 El Dorado Ave, Willows, CA 95968
001-071-0340-0	9	R1XX	Single Family	\$143.00	Velasco, Raymundo Sigala	350 El Dorado Ave, Willows, CA 95968
001-071-0350-0	8	R1XX	Single Family	\$143.00	Huson, Evan C & Amanda	360 El Dorado Ave, Willows, CA 95968
001-071-0360-0	7	R1XX	Single Family	\$143.00	McDonald David S	370 El Dorado Ave, Willows, CA 95968
001-071-0370-0	6	R1XX	Single Family	\$143.00	Kuweba, Ronald K	380 El Dorado Ave, Willows, CA 95968
001-071-0380-0	5	R1XX	Single Family	\$143.00	Bodullia, Pedro D	410 El Dorado Ave, Willows, CA 95968
001-071-0390-0	4	R1XX	Single Family	\$143.00	Guberez, Alejandro & Guiterrez Ashley M, J/T	420 El Dorado Ave, Willows, CA 95968
001-071-0400-0	3	R1XX	Single Family	\$143.00	Dzaskowski Tonia & Scott Lindsay B Co Trs	111 S Villa Willows, CA 95968
001-071-0410-0	2	R1XX	Single Family	\$143.00	Dover Jerome W	3323 Kralindga Dr, El Dorado Hills, CA 95762
001-071-0420-0	1	R1XX	Single Family	\$143.00	Southam Boyd & Southam Stephanie	450 El Dorado Ave, Willows, CA 95968
Lot A	Lot A	Null	Easement	\$0.00	Null	Null
<b>Total Units:</b>				<b>34</b>	<b>Total Assessment:</b>	<b>\$4,862.00</b>

**Zone B - Walbart**

APN	Assessment Diagram Number	Land Use Code	Land Use Type	Assessment Amount	Owner Name	Address
017-210-052-9	35	CEXX	Commercial Retail Outlet	\$5,955.96	Walbart RE Business Trust	P.O. Box 8650, Bentonville, AR 72712-8650
<b>Total Units:</b>				<b>1</b>	<b>Total Assessment:</b>	<b>\$5,955.96</b>

## 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 1/2 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.

**PART E**

**FY 2016-17 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.

**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 6 years the implemented increase has been less than 3%.

The CPI adjustments to the Maximum Allowed Assessment per Parcel from FY 2012-13 through FY 2016-17 are shown as follows:

Maximum Allowable Assessment Analysis						
Year	Allowed Annual CPI Increase %	Zone A Birch Street Village		Zone B Walmart		Total Assessment Maximum (per Parcel)
		Allowed Adjustment Amount	Total Assessment Maximum (per Parcel)	Allowed Adjustment Amount	Total Assessment Maximum (per Parcel)	
FY 2013-14	2.70%	\$11.25	\$427.98	\$159.84	\$6,079.84	\$6,079.84
FY 2014-15	2.20%	\$9.42	\$437.40	\$133.76	\$6,213.60	\$6,213.60
FY 2015-16	2.80%	\$12.25	\$449.65	\$173.98	\$6,387.58	\$6,387.58
FY 2016-17	2.60%	\$11.69	\$461.34	\$166.08	\$6,553.66	\$6,553.66

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 F**  
**FY 2016-17 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.

Table 2  
**CITY OF WILLOWS**  
Landscaping and Lighting Assessment District  
Fiscal Year 2016-17  
Zone A - Birch Street Village and Zone B - Walmart

APN	Assessment Diagram Number	Owner Name	Mailing Address
001-07-1-009-0	26	Tovar, Bradford & McCarr, Jillian	320 S. Humboldt Ave Willows, CA 95988
001-07-1-010-0	27	Patel Desai 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	Pollack Robert R	350 S Humboldt Ave, Willows, CA 95988
001-07-1-013-0	30	Baczowski, Thomas W.	360 S Humboldt Ave, Willows, CA 95988
001-07-1-014-0	31	Singh Kulwinder	521 Greg Thatch 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	Hernandez Jesus A Palomino & Palomino Hilda	1330 W. Humboldt Ave, Willows, CA 95988
001-07-1-017-0	34	Dover Jerome W	1320 W. Humboldt Ave, Willows, CA 95988
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	Paclard Nikola J	431 El Dorado Ave, Willows, CA 95988
001-07-1-022-0	18	Donnelly, Michael D & Carolyn M	421 El Dorado Ave, Willows, CA 95988
001-07-1-023-0	19	Barragan, Hilda & Rosales, Francisco	381 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	Feehey, Kevin	65 Lindauer Lane, Red Bluff, CA 96688
001-07-1-026-0	22	Tarolia, 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	Leserer, 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	Askland 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	Huson, 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	Kuwatu, 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	Gutierrez, Alejandro & Gutierrez Ashley	420 El Dorado Ave, Willows, CA 95988
001-07-1-040-0	3	Drazkowski Tomia & Scott Lindsay B Co	111 S Villa Willows, CA 95988
001-07-1-041-0	2	Dover Jerome W	3323 Knollridge Dr, El Dorado Hills, CA 95988
001-07-1-042-0	1	Souham Boyd & Souham 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

**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.





**AGENDA ITEM**

May 24, 2016

TO: Honorable Mayor Hansen and Members of the City Council

FROM: Wayne Peabody, Fire Chief

SUBJECT: 2016 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. Those persons returning self-abatement notices are allowed a time extension of 10 days to complete the work themselves. If after this date these parcels have not been abated, the City contractor will perform the work.

**SITUATION (or BACKGROUND):**

On April 12, 2016 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 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 July 26, 2016. 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.

**FINICIAL 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:**

Willows Public Safety Association

**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. Those persons returning self-abatement notices were allowed a time extension until June 7<sup>th</sup> to complete the work themselves. If after this date these parcels have not been abated, the City contractor will perform the work.

Respectfully Submitted



Wayne Peabody  
Fire Chief

**ATTACHMENT:**

- Exhibit A: 2016 Weed Abatement Parcel list (Attachment to be distributed on the night of the meeting).

**EXHIBIT “A”  
TO BE  
DISTRIBUTED  
ON THE  
EVENING OF  
THE MEETING**

**AGENDA ITEM**

May 24, 2016

**TO:** Wayne Peabody, Interim City Manager

**FROM:** Steve Soeth, Public Works Director

**SUBJECT:** Aerial Truck Purchase

**RECOMMENDATION**

Staff recommends that the City Council approve by motion the purchase of a new Terex Aerial Truck from Utility 1 Source and reallocate \$50,000.00 from gas tax 2103-fund 372, \$36,148.75 from gas tax 2105-fund 314 and allocate an additional \$1000.00 from sewer fund 318 to add to the previous allocation of \$49,000.00 from fund 318 for a total of \$136,148.75 and authorize the Interim City Manager or his designee to sign all documents related to the purchase and licensing of the Terex Aerial Truck.

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**SUMMARY**

The City of Willows Public Works Department regularly trims trees in the City right of way in order to maintain sidewalks and streets that are free of low hanging limbs that can impede emergency vehicles, truck traffic and impair driver's and pedestrian's line of site at intersections. Public Works also removes trees in the City right of way that are dying or pose a threat to public safety. Public Works also utilizes the aerial truck during storm events to remove hazards caused by high winds. In addition to tree work the aerial truck is essential in many maintenance activities.

The current aerial truck was purchased in 1990, and was going to be out of CARB compliance in 2016. The City had been planning on upgrading the cab & chassis this year but the cost to refurbish the aerial lift makes replacing the unit as a whole more cost effective.

The Aerial Truck will be purchased through a cooperative purchasing agreement administered by the National Joint Powers Alliance (NJPA) which the City is a member.

**FINANCIAL CONSIDERATIONS**

The following \$136,148.75 is earmarked by the Finance Department for allocation by the City Council to accommodate the purchase of the Aerial Truck in Fiscal Year 2015/16.

Sewer (previous allocation) Fund 318	\$50,000.00 (Adding \$1K)
Gas Tax 2103-Fund 372	\$50,000.00
Gas Tax 2105-Fund 314	\$36,148.75
<b>Total</b>	<b>\$136,148.75</b>

**NOTIFICATION** - none

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**RECOMMENDATION**

Staff recommends that the City Council approve by motion the purchase of a new Terex Aerial Truck from Utility 1 Source and reallocate \$50,000.00 from gas tax 2103-fund 372, \$36,148.75 from gas tax 2105-fund 314 and allocate an additional \$1000.00 from sewer fund 318 to add to the previous allocation of \$49,000.00 from fund 318 for a total of \$136,148.75 and authorize the Interim City Manager or his designee to sign all documents related to the purchase and licensing of the Terex Aerial Truck.

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Respectfully submitted,

Steve Soeth  
Parks & Public Works Director

Attachments: none

Approved by,



Wayne Peabody  
Interim City Manager

**AGENDA ITEM**

**TO:** Honorable Mayor Hansen and Members of the City Council

**FROM:** Wayne Peabody, Interim City Manager

**SUBJECT:** Extension of Waste Management Agreement

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**RECOMMENDATION**

Approve the proposed extension agreement and authorize the City manager to sign a two year extension of Waste Management.

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**SITUATION (or BACKGROUND):**

The City of Willows along with the City of Orland and Glenn County comprise the Glenn County Waste Management Regional Agency JPA, which was created in 1998. The City and Waste Management, Inc. (WMI) are in the tenth year of a ten year exclusive contract ending on December 31, 2016.

With uncertainties in regards to the Glenn County Landfill closing, the possibility of a transition to a waste-recycling plant or a County-operated transfer station. This is an opportunity to keep an interim measure in place to continue hauling services operating without delay to our citizens. The attached amendment continues the same language of an annual fee adjustment based on the CPI (consumer price index), landfill tipping fee and diesel cost.

Long term solution may be a joint effort with the City of Orland and the County of Glenn in a joint request-for-proposal. Since all three agencies are requesting extensions, the opportunity to jointly issue the RFP coordinated by the JPA may be the most cost effective.

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**FINANCIAL CONSIDERATIONS:**

No significant expense with the extension

**NOTIFICATION**

City of Orland  
Glenn County  
Waste Management

**ALTERNATE ACTIONS**

Request additional information from staff  
Provide additional direction to staff  
Reject proposal

**RECOMMENDATION**

Approve the proposed extension agreement and authorize the City manager to sign a two year extension of Waste Management.

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Respectfully submitted,



Wayne Peabody  
Interim City Manager

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**ATTACHMENTS**

Proposed Amendment to contract

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**FIRST AMENDMENT TO  
CONTRACT FOR THE COLLECTION OF GARBAGE  
AND RUBBISH WITHIN THE CORPORATE LIMITS OF  
THE CITY OF WILLOWS**

This First Amendment is entered into effective \_\_\_\_\_, 2016, by and between the City of Willows ("City") and USA Waste of California, Inc., a Delaware corporation, d/b/a Glenn County Disposal ("Contractor"). Capitalized terms used in this Amendment and not otherwise defined shall have the meanings ascribed to such terms in the Agreement.

**RECITALS**

The purpose of this First Amendment is to document the parties' agreement to modify the terms and conditions of that certain agreement entered into between the City and Contractor on November 28, 2006 (the "City Contract"), all as set forth below.

**AGREEMENT**

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto, each intending to be legally bound, covenant and agree as follows:

1. Extension of City Contract Term. The first paragraph of Article I of the City Contract is modified as follows (changes in ~~strikethrough~~ and underline):

The City does hereby grant to the Contractor, the exclusive right to collect garbage, as defined in Section 8-1 of Exhibit A attached hereto, recyclable materials and green waste from residential customers and the exclusive right to collect recyclable materials and to charge therefore, at the rates set forth in Exhibit B and subject to adjustment as provided below, within the corporate limits of the City of Willows for a term ending December 31, ~~2016~~2018 (the "Initial Term"). Following the Initial Term, this Agreement will automatically extend for successive one (1) year terms unless either party provides 90 days' written notice to the other party of its intent to terminate the Agreement at the expiration of the then-existing term. Attached as Exhibit C and incorporated herein by this reference is an example of the rate adjustment methodology, which the parties agree correctly implements the rate adjustment procedures and limitations provided in this Article I. Nothing in this Agreement shall prevent any owner, occupant or tenant of premises from personally handling, hauling, or transporting garbage, recyclables or green waste generated by or from his/her own residence or commercial operations for purposes of disposing of the same at an authorized disposal area or transfer station, nor shall anything in this Agreement affect or limit the right of any person to sell any recyclable material to any person lawfully engaged in business in the City or to donate recyclable material to any bona fide charity, provided that all such recyclable material is separated by the generator. Recyclable materials placed at the curbside for collection shall be deemed the property of Contractor and, thereafter, the Contractor may market or dispose of them in any manner the Contractor deems to be economically feasible. The Contractor shall be responsible for all marketing and sale of recyclable material collected hereunder and shall be entitled to all proceeds therefrom. Recyclable materials that are collected by the Contractor may be disposed of in a landfill if the Contractor has considered other

alternatives and, after good faith efforts to locate a market, has determined that such disposal is the most economical means of handling recyclable materials.

2. Continued Effect of the Franchise Agreement. Except as expressly modified by this First Amendment, the other terms and conditions of the City Contract, which is incorporated herein by this reference, shall remain in full force and effect and be binding on the parties.

3. Effective Date of this Amendment. This First Amendment shall be effective on the date first written above.

4. Counterparts. This First Amendment may be executed in any number of counterparts, each of which shall be deemed to be an original and all of which shall constitute one and the same agreement.

**USE WASTE OF CALIFORNIA, INC.**

**CITY OF WILLOWS**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_