

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

CITY COUNCIL REGULAR MEETING AGENDA
October 25, 2016
7:00 p.m.

The City of Willows welcomes you to our meetings, which are regularly scheduled for the second and fourth Tuesdays of each month. Your participation and interest is encouraged and appreciated.

The Brown Act prohibits the Council from taking action on any item not placed on the Agenda in most cases.

Pursuant to Government Code section 54957.5, all non-confidential writings or documents relating to any item on this agenda which have been provided to a majority of the City Council, including those received less than 72 hours prior to the City Council meeting, will be made available for public inspection in the agenda packet located on the table in the lobby at the Willows Civic Center, 201 North Lassen Street, Willows, CA, during normal business hours of 8:00 a.m. to 5:00 p.m. weekdays, excluding holidays. Agendas can also be located on the City's website at www.cityofwillows.org.

Should any speakers wish to distribute materials, or staff wish to distribute any supplemental materials to be evaluated in the decision-making process of the legislative body at the meeting, ten (10) copies must be provided to the City Clerk who will distribute them.

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October 25, 2016
7:00 p.m.

1. **CALL TO ORDER** – 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **CEREMONIAL MATTERS (Proclamations, Recognitions, Awards):** None
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 requests, in which event the item will be removed from the consent agenda. It is recommended that the Council:
 - a) Consider approval of general checking, payroll & direct deposit check registers.
 - b) Consider approval of Minutes of the Regular City Council Meeting held on September 27, 2016.
 - c) Consider approval of Minutes of the Regular City Council Meeting held on October 11, 2016.
 - d) Consider approval of the cancellation of the December 27, 2016, City Council Meeting.

Comments from the public are welcome. The Mayor will announce an opportunity for comments related to Public Hearings and each action item on the agenda. Please limit comments to three minutes per topic, and one comment per person per topic. Once comments conclude, please allow the Council the opportunity to continue its consideration of the item without interruption.

7. **PUBLIC HEARINGS:**

- a) Solid Waste Collection Services annual increase public hearing:

Conduct the public hearing and consider, by motion, adoption of a Resolution approving the rate increase and fuel decrease for solid waste collection services effective December 1, 2016

8. **ORDINANCES:**

- a) Consider 1.) Passage of second reading by title only the ordinance next in line; and 2.) Adopt an ordinance entitled **“An Ordinance of the City Council of the City of Willows, Repealing, Replacing, and/or Amending certain Sections of Chapter 15.15 of the City of Willows Municipal Code, to Adopt by Reference and Amend Certain Portions of the 2016 Fire Codes and Approve the Local Findings as set forth in the Codes with the remaining sections currently in place to remain unchanged”**.
- b) Consider 1.) Passage of second reading by title only the ordinance next in line; and 2.) Adopt an ordinance entitled **“An Ordinance of the City Council of the Willows, Repealing, Amending, and/or Creating specific Sections of Chapter 15; subsections 15.10, 15.11, 15.20, 15.30, 15.35, 15.50, 15.55, 15.60, 15.70, 15.75, 15.80, 15.85, 15.90, 15.91, and 15.95 of the City of Willows Municipal Code, and to Adopt by Reference and Amend Certain Portions of the 2016 California Building Standards Codes”**.

9. **REGULAR BUSINESS AGENDA / ITEMS REQUIRING COUNCIL ACTION:**

- a) Consider lifting the hiring freeze and allow the Public Works Director to conduct interviews and fill a vacant Public Works Maintenance I position.
- b) Consider lifting the hiring freeze and allow the Police Chief to recruit and replace two (2) Police Officer positions.
- c) Hold a discussion and, by consensus, direct staff regarding submission of a letter to the Glenn County Board of Supervisors in support of Cal Water holding a membership seat on the Private Pumper Committee.

10. **COUNCIL/STAFF REPORTS/COMMENTS:** Brief reports by members of the Administrative Staff and the Council regarding correspondence, events and/or meetings attended, and upcoming meetings/events. Reports shall be limited to City business and shall not request or lead to action by the Council at this meeting. Any request that requires Council action will be set by the Council for a future agenda or referred to staff.
- a) Staff Comments/Reports
 - b) City Council Comments/Reports
11. **ADJOURNMENT:**

CERTIFICATION: Pursuant to Government Code §54954.2 (a), the agenda for this meeting was properly posted on or before October 21, 2016.

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.



Period

10/6/2016 TO 10/21/2016

General Checking 34081 TO 34128

Payroll Direct Deposit Z07758 TO Z07791

Payroll Checks 36408 TO 36433

APPROVAL DATE 10/25/2016

Approved _____

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
034059	10/10/16	THO05	ROBERT THOMPSON	215.00	.00	-215.00	B60929u	Ck# 034059 Reversed
034081	10/12/16	ALT01	ALTEC INDUSTRIES, INC.	176.88	.00	176.88	10636011	#29 HIGH RANGER REPAIR
034082	10/12/16	AME02	AMERIPRIE UNIFORM SVCS.	184.52	.00	184.52	B61010	SEPTEMBER STMT PER ATTACH
034083	10/12/16	CAL18	CALIFORNIA BUILDING STAND	66.00	.00	66.00	B61010	BUILDING STANDARDS FEE JU
034084	10/12/16	CHI07	CHICO IMMEDIATE CARE	160.00 165.00	.00 .00	160.00 165.00	37650 42040	DMV PHYSICAL DMV PHYSICAL
Check Total.....:				325.00	.00	325.00		
034085	10/12/16	DEP01	DEPT. OF CONSERVATION	84.46	.00	84.46	B61010	SMIP JULY-SEPT 2016
034086	10/12/16	EMP00	EMPLOYERS INVESTIGATIVE S	1252.76	.00	1252.76	5050069	EMPLOYER INVESTIGATION
034087	10/12/16	EVE00	EVERGREEN NOTE SERVICING	45.00	.00	45.00	B61010	NOTE SERVICING SEPTEMBER
034088	10/12/16	GAN01	GANDY-STALEY OIL CO.	2509.38 372.00	.00 .00	2509.38 372.00	B61010 B61011	SEPTEMBER STMT PER ATTACH CARDLOCK PD SEPT 2016
Check Total.....:				2881.38	.00	2881.38		
034089	10/12/16	HIW00	HIWAY TRUCK & AUTO	47.22	.00	47.22	8-11906	#29 HIGH RANGER REPAIR
034090	10/12/16	HUN00	HUNT & JEPPESON ATTORNEYS	1372.50	.00	1372.50	2016-09	GENERAL PUBLIC AGENCY REP
034091	10/12/16	HUN01	HUNT & SONS, INC.	213.07 1268.53	.00 .00	213.07 1268.53	515341 518022	CARDLOCK PD/BUILDING FUEL PW/SEWER
Check Total.....:				1481.60	.00	1481.60		
034092	10/12/16	INK01	THE INKWELL	123.35	.00	123.35	B61010	SEPTEMBER STMT PER ATTACH
034093	10/12/16	JER00	JEREMY'S PEST STOMPERS	30.00	.00	30.00	1010163	PEST CONTROL PD OCT 2016
034094	10/12/16	LAC00	LACAL EQUIPMENT, INC.	1363.05	.00	1363.05	244880	LEAF TRUCK REPAIR
034095	10/12/16	LAN03	LANNIE'S SEPTIC TANK SERV	95.68	.00	95.68	195357	TOILET RENTAL-YOUTH SOCCE
034096	10/12/16	MJB01	MJB WELDING SUPPLY, INC.	36.00	.00	36.00	1141738	CYLINDER RENTAL SEPT 2016
034097	10/12/16	NOR03	NORTHNET LIBRARY SYSTEM	596.00	.00	596.00	1531	MEMBERSHIP FEES FY 16/17
034098	10/12/16	NOR18	NORTHERN CALIF. GLOVES	41.93	.00	41.93	195062	CLEANING TISSUES
034099	10/12/16	NSW00	NSWTS	100.00	.00	100.00	NW3022	MONTHLY SERVICE SEPT 2016
034100	10/12/16	O'R01	O'REILLY AUTO PARTS	457.30	.00	457.30	B61010	SEPTEMBER STMT PER ATTACH
034101	10/12/16	OSC01	OSCAR'S	305.57	.00	305.57	192428	JERSEYS/PRINTING
034102	10/12/16	RFM00	R.F. MACDONALD CO	119.96	.00	119.96	1L189892	LIFT STATION REPAIR
034103	10/12/16	SEV00	SEVERN TRENT ENVIRONMENTA	50589.58	.00	50589.58	13557	WILLOWS OPERATION OCT 201
034104	10/12/16	THO05	ROBERT THOMPSON	215.00	.00	215.00	B61010	CLOTHING EXP. POLICE DEPT
034105	10/12/16	TON00	TONY TAPIA CONSTRUCTION	4021.07	.00	4021.07	275	NUISANCE ABATEMENT
034106	10/12/16	USB04	U.S. BANK CORPORATE PAYME	3081.86	.00	3081.86	B61011	SEPTEMBER STMT PER ATTACH
034107	10/12/16	VALL4	VALLEY TRUCK & TRACTOR CO	83.01 258.26 206.49	.00 .00 .00	83.01 258.26 206.49	652165 652169 656749	#26 JD TRACTOR REPAIR #14 JD BACKHOE CARBURTOR
Check Total.....:				547.76	.00	547.76		
034108	10/12/16	VER02	VERIZON WIRELESS	533.40	.00	533.40	72716979	TELEPHONE EXP. 8/27-9/26/
034109	10/12/16	WILHD	WILLOWS HARDWARE, INC.	415.25	.00	415.25	B61010	SEPTEMBER STMT PER ATTACH
Cash Account Total.....:				70375.08	.00	70375.08		
Total Disbursements.....:				70375.08	.00	70375.08		

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
034110	10/18/16	AWA01	AWARDS COMPANY	59.05	.00	59.05	12255	WALL PLAQUE COUNCIL MEMBE
034111	10/18/16	COA00	COASTLAND CIVIL ENGINEERI	13.25	.00	13.25	13.25	UPDATE CONSTRUCTION STAND
				125.00	.00	125.00	40021	WILLOWS ILAD THROUGH 8/31
				123.75	.00	123.75	40027	SWARTZ/HILBER THROUGH 8/3
				755.00	.00	755.00	40037	WILLOWS FAMILY APTS THROU
				462.50	.00	462.50	40077	STARKWEATHER DEVELOPMENT
				1039.50	.00	1039.50	40096	TEHAMA ST RECONSTRUCTION
				2418.00	.00	2418.00	40097	SACRAMENTO-BUTTE ST THROU
				2306.08	.00	2306.08	40127	EDA GRANT THROUGH 8/31/16
				396.50	.00	396.50	40197	CITY OF WILLOWS ENGINEERI
				665.00	.00	665.00	40222	N VALLEY INDIAN HEALTH TH
				285.00	.00	285.00	40226	WUNSCH THROUGH 09/30/16
				3106.54	.00	3106.54	40233	EDA GRANT THROUGH 09/30/1
				79.00	.00	79.00	40268	TEHAMA ST RECONSTRUCTION
				562.50	.00	562.50	40269	SACRAMENTO-BUTTE ST THROU
			Check Total.....:	12337.62	.00	12337.62		
034112	10/18/16	COM16	COMCAST CABLE	52.77	.00	52.77	B61017	INTERNET PD 10/7-11/6/16
034113	10/18/16	FP000	FRANCOITYP-POSTALIA, INC.	83.85	.00	83.85	102989922	POSTBASE METER 10/1-12/31
034114	10/18/16	GLE09	GLENN CO. OFFICE OF EDUCA	3637.00	.00	3637.00	B61017	LITERACY PASS THROUGH
034115	10/18/16	GLE21	GLENN CO. SHERIFFS DEPT.	13750.00	.00	13750.00	10131602	ANIMAL CONTROL SERVICES J
034116	10/18/16	INT16	INTERSTATE BATTERY SYSTEM	383.61	.00	383.61	B61018	SEPTEMBER STMT PER ATTACH
034117	10/18/16	KIM00	KIMBALL MIDWEST	106.35	.00	106.35	5189928	FD SUPPLIES
034118	10/18/16	MAT01	MATSON & ISOM TECHNOLOGY	414.45	.00	414.45	19412	POLICE VERTUAL DESKTOP
				2771.00	.00	2771.00	56078	MANAGED PARTNER AGREEMENT
			Check Total.....:	3185.45	.00	3185.45		
034119	10/18/16	NOR43	ACCESS	42.80	.00	42.80	1644547	SHREDDING SERVICES SEPT 2
034120	10/18/16	POL01	POLY RISER & PIPE	184.58	.00	184.58	11585	#11 LEAF TRUCK REPAIR
034121	10/18/16	SEV00	SEVERN TRENT ENVIRONMENTA	494.80	.00	494.80	13678	WILLOWS WASTEWATER SEPT 2
034122	10/18/16	SOL01	SOLARCITY	175.20	.00	175.20	B61017	REFUND PERMIT FEE
034123	10/18/16	SPP00	SPP FUND MASTER TENANT, L	9657.28	.00	9657.28	40071570	SOLAR ELECTRICITY SEPT 20
034124	10/18/16	TAB02	TAB PRODUCTS CO. LLC	291.54	.00	291.54	2346073	OFFICE SUPPLIES PD
034125	10/18/16	THR00	3CORE	1105.00	.00	1105.00	2012	CONTRACTED SERVICES SEPT
034126	10/18/16	VAL14	VALLEY TRUCK & TRACTOR CO	294.82	.00	294.82	659368	FD REPAIR
034127	10/18/16	WILL17	WILLDAN	7525.00	.00	7525.00	712080	CONTRACT PLANNING SERVICE
034128	10/18/16	WUN01	WUNSCH'S GARAGE	514.06	.00	514.06	65518	REPAIR FD VEHICLE
			Cash Account Total.....:	53880.78	.00	53880.78		
			Total Disbursements.....:	53880.78	.00	53880.78		
			Cash Account Total.....:	.00	.00	.00		

MINUTES OF THE WILLOWS CITY COUNCIL
REGULAR MEETING HELD September 27, 2016

1. Mayor Hansen called the meeting to order at 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE:** Library Director Jody Meza led the Pledge of Allegiance.
3. **ROLL CALL:**

Present: Council Members Mello, Domenighini, Williams, Yoder & Mayor Hansen.
Absent: None
4. **Presentations & Proclamations:** None
5. **Public Comment/Written Communications:**
 - Doug Ross, reporter for the Sacramento Valley Mirror and a Willows Citizen, reported that he spoke during public comment at the last City Council Meeting about what he thought were two decapitated sprinkler heads near the roadway in front of Cedar Hills Manor on Humboldt Avenue. He stated that he has since discovered that they were not sprinkler heads after all, and they were actually PVC to hold what used to be four flag poles; however they are still dangerous. He stated that he wasn't asking for the minutes of the September 13, 2016, meeting to be amended, but just that the minutes for this meeting reflect this fact. The minutes stated that "They [the City Council] advised Mr. Ross to contact the Manager at Cedar Hills and report the broken and dangerous sprinkler heads. Mr. Ross indicated that he would do so." Mr. Ross stated that he did not recall making that exact statement and he asked that the minutes of tonight's meeting reflect that he actually stated that he would "consider" contacting the Management." He stated he didn't think it would be appropriate for him to take remedial action himself on noticing the management of Cedar Hills about these flag pole holder remnants. He stated that he just wants to make clear the fact that he disagrees with the statement in the minutes that read "Mr. Ross indicated that he would do so [notify the Management]."
6. **Consent Agenda:**
M/S –Yoder/Williams to approve the Consent Agenda as presented. The motion unanimously passed 5/0, and the following items were approved/adopted:
 - a) Approval of General Checking (33942-34003), Payroll (36342-36375) and Direct Deposit Check Registers (Z07644-Z07718).
 - b) Approval of the Minutes of the City Council Meeting held on September 13, 2016.
7. **Public Hearings:** None
8. **Ordinances:**

- a) Ordinance Amending Title II, Section 2.70.020 of Chapter 2.70 of the Willows Municipal Code:

At their August 11, 2016, meeting, the Library Board of Trustees took action on an item to make a recommendation to the City Council to adopt an Ordinance to amend Code 2.70.020 of the Willows Municipal Code. Their recommendation was that the Council allow for the Board of Library Trustees meeting times, places and frequency be established by resolution. Currently the Ordinance states that the Board must meet at least once per month and the Board has expressed that they would like to conduct their meetings once every other month. Library Director, Jody Meza, has expressed that the Orland Library Board meets every other month and that seems to work out well for them and she indicated that she would be in favor of Willows also conducting meetings every other month as well. Therefore, it is staff's recommendation that the Council read by title only and pass first reading of the Ordinance amendment before the Council.

M/S – Domenighini/Yoder to read by title only the Ordinance next in line. The motion unanimously passed 5/0 with a roll-call vote.

M/S - Domenighini/Yoder that an Ordinance entitled “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS AMENDING TITLE II SECTION 2.70.020 OF CHAPTER 2.70 OF THE WILLOWS MUNICIPAL CODE” pass first reading. The motion unanimously passed 5/0 with a roll-call vote.

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

Council Member Williams thanked the Public Works Director and the Interim City Manager for placing a light in the front of City Hall that illuminates the South face of the building and adds greater visibility to the “CIVIC CENTER” sign. .

Council Member Williams then stated that he was a little bit less than pleased by the explanation that was given to the Council at the August 23 City Council Meeting in regards to the shortfall of money on the Basin Street Project. He believes the Council Members' positions are to look out for the benefit of the Citizens and he doesn't want to place blame on anybody, but he wants a better explanation than hearing it was the cost of running utilities under the bridge. Prior to the City asking for the first grant, that is something that should have been recognized and addressed because in his eyes, it makes the Council look bad like they didn't do their job. He would like to see if the Council could get a better explanation in the future on exactly how the shortfall happened.

Interim City Manager Wayne Peabody asked if there was a consensus of the Council to dig deeper into Council Member Williams' concern. He stated that staff is trying to find the facts of this matter, but the fact is that the City is still committed to the Basin Street Project.

He stated that he would like to hear if there is a consensus of the Council that believes Staff should look further into this matter or not.

Vice Mayor Yoder stated to Council Member Williams that if Council is going to give consensus for staff to look into this further, he would like to know what Council Member Williams is specifically looking for. Council Member Williams stated that on the 25th of August, he asked for a copy of the original bid estimate so he could have something to compare it to. Since this is not his expertise, he stated that he went to the local Engineering Company in Willows and asked them if once he got that information if they could look it over to explain what the deficiency was because that is their field. The Council voted to seek this grant, and then not long after that, the City has to seek another grant and pay \$30,000 to 3CORE to apply for the grant. A lot of times the Council Members are quick to condemn the Federal and State Governments for doing things similar to this and he just wants to know how it happened, why it happened and how to keep it from happening in the future. Essentially, he wants to find out where the ball got dropped because the Council is supposed to be representing the Citizens and he wants to know what to tell the Citizens when they ask him what happened.

Vice Mayor Yoder reminded the Council that the local engineering firm, California Engineering Company (CEC), was the group that at one point was the City's contract Engineering firm, but the City ended the contract for inadequate work product and lack of performance, so he would be hesitant to send the information to a company that the City actually terminated.

Council Member Williams stated that he was only asking CEC to review the information and he didn't intend on the City paying them. He was only seeking answers. Vice Mayor Yoder stated that to get any kind of information or analysis from CEC would be a moot point since the City terminated them and that would be similar to him firing somebody and then in the future asking them if they wanted their job back. He continued, stating that he has no issue with the City Manager providing the information to Council Member Williams and other members of the Council once he has obtained all of the information, if that will put Council Member Williams at ease; but he can't see spending any money on anything other than moving forward with the project and not spend more money and time trying to get this situation rectified. There was a similar issue when the Waste Water Treatment Plant was being constructed and what was originally estimated to be a \$4.5MM Plant ended up to be \$10.5MM, and the day after the Plant was opened, the City was already out of compliance with State regulations again. While Vice Mayor Yoder stated that he truly understands Council Member Williams' concern, unfortunately, when dealing with State regulatory agencies, this is sometimes just the "Nature of the Beast".

Mayor Hansen stated, in reference to the information that Council Member Williams had previously requested, he knows that the Interim City Manager is working on trying to obtain that information – very dated information from 2009. He continued, stating that he is satisfied with the explanation that the Council has previously received from City Staff regarding the shortfall. The Council has already taken previous actions pertaining to this matter and decisions have already been made and the City should continue moving forward. He is extremely satisfied that the bulk of the additional costs were due to mitigation factors – mainly by the California Department of Fish & Game – the bulk of which had to do with the factors regarding the bridge design. Additional factors were due to environmental regulations that are required by the state. Also, the ditch that the City made is no longer considered a drainage ditch, but rather it is now considered a “waterway of the United States” which comes with another entirely different set of rules and regulations. Mayor Hansen stated that he has had discussions with Interim City Manager Peabody about Council Member Williams’ request and he knows that he is working very diligently to get the information to Council Member Williams that he had requested. Once the information is all put together, it will be disseminated to all of the Council Members. In his opinion, there is nobody to point fingers at and nobody to blame for this. These are additional costs that are in reference to mitigational factors due to State and Federal law.

Council Member Williams stated that in his profession, he deals with getting bids on repairs of patrol car damage and in the past he has actually had to get to a point where he argued with vendors over whether they are entitled to be paid for additional repairs. He has had past instances where one company will come in and they will under-cut intentionally knowing there will be additional parts needed. Part of his job is to look into that matter and make sure that he doesn’t get a company that is going to under-cut and then wait until the job is done and say “oh, by the way, these brackets over here had to be replaced” knowing good and well that they had to be replaced from the beginning. Then the work turns out to cost more than the person who legitimately bid the job in the first place.

Mayor Hansen stated that he understood, however on a much more grandiose scale and he thanked Council Member Williams for his remarks. He also added that he has not had one single constituent ask him about or approach him in reference to this matter in any negative way whatsoever. The only comments that he has heard about the Basin Street Development Project have been very positive over the fact that the City Council and City Staff have been working very diligently on moving this project forward, because this project is the future to the development of the City of Willows.

Council Member Williams stated that he just felt like that it was almost a “bait and switch”. He isn’t saying it is staff’s fault; he is just saying that when the City Council agreed to the

Grant, they should have looked at the numbers and made sure that they were current and correct and if they had done so to begin with they wouldn't be talking about this now.

Council Member Domenighini stated that it was pretty clear to him that the design that was submitted with the Grant application last year had to change because of different environmental and mitigation factors pertaining to the bridge. The design, as submitted, was not acceptable as far as the environmental review was concerned. He asked Council Member Williams if what he was looking for is the difference between components of the estimate that the Council had last summer versus the estimate they have now, i.e., the original estimate showed the bridge to cost \$xx.xx and the current estimate shows the bridge to cost \$(+/-)\$xx.xx, etc.

Council Member Williams stated that it is his feeling that unless new regulations have been put into place after the fact, he thinks the initial quote should have had all of the correct numbers for the utilities to run under the bridge, etc.

Interim City Manager Peabody explained that one problem is that a lot of government agencies don't even submit comments on the original design review until after the fact and that is the situation that they have run into here. In this case, the City hadn't even received comments back from Department of Fish and Wildlife, so the City could only take into consideration the comments that they had given to staff during the site-visit. They have not "officially" commented to the City yet on this project. Council Member Williams asked how the City could ever come up with any real numbers then, if this is what is happening. ICM Peabody explained that the City is forced to use the "best practices at the time", and in this case it was from 2009. As standards have changed, so have the regulations of the US Fish and Wildlife and other government agencies. For instance, a "drainage ditch" is now considered a "water way" and there are items that are, unfortunately, sight-unseen. The City Engineer is the best person out there doing the job and he's done a very good job for the City. Unfortunately, he was given the numbers from a private agency and those were the numbers the City used for the original bid. Now as the City is receiving comments back from other agencies, the bid amount has to change.

Council Member Domenighini stated that he sees this whole process as you take the information you have on-hand at the time and you move forward with it; and then all of a sudden one or two agencies will hit the trip-wire by requiring something that had not initially been anticipated. He then asked Council Member Williams if what he was looking for is a before and after cost comparison. Council Member Williams stated yes, that is what he was looking for. Council Member Domenighini stated that as far as a before and after cost comparison, he is fine with receiving that as an information item for the Council, but he doesn't believe the Council needs to agendize it to review that report. He stated he is clear

that the triggering factors causing the increase were due to environmental and mitigation factors and also inflation, but he would be satisfied with just a report showing a before and after comparison. Mayor Hansen agreed.

Council Member Mello stated that if Council Member Williams feels that it is important to get this information, he is okay with it. And since the Interim City Manager is already in the process of researching and gathering this information and is making it a priority, he is fine with receiving the information, but he still would like the project to continue moving forward because receiving this information is now “after-the-fact”.

Once discussions on this topic concluded, it was the consensus of the Council for the Interim City Manager to continue to research this and to provide the Council with a before and after comparison report of costs, however, this report will be informational only and it will not be agendized for any future discussion or action.

Finance Director Sailsbery then addressed the Council and clarified to them that if they don't believe that they have enough information to make a decision on an agenda item at the meeting that the item is agendized, they always have the option to make a motion to table the item to a future meeting. Additionally, the Council also has the option to vote “no” on the item. He asked that the five Council Members just recognize that those two options are always available to them. In this particular case, because neither of those options were exercised, the Council essentially concluded a matter at a previous meeting, and now they are here rehashing it, so he asks that the Council please keep those options in mind.

Council Member Williams stated that he would like to rebut Finance Director Sailsbery's comments, stating that during that meeting [when this item was acted on] he brought this up, but since the Council is already committed to the Grant, if the City didn't take the Grant, the City would probably never receive another one. He looked at it as his hands were tied. He is not trying to undo the vote. He just wants to get clarification on how this happened and maybe in the future this won't happen again.

Council Member Mello stated that the information that Council Member Williams is looking for is in the past and it has never really affected his decision that he made because it is a done-deal and the Council needs to continue moving forward. All this is is gathering information for Council Member Williams and that is all.

Mayor Hansen stated that the vote has already been taken on this matter, the Council is moving forward and the direction of the Council is for the Interim City Manager to continue gathering the information – which he is currently diligently working on. Once the

information is received, the ICM will forward the information to the Council for their review.

10. Items requiring Council action:

- a) Acceptance of improvements associated with the Tehama Street Reconstruction Project:

The Tehama Street reconstruction project consisted of the reconstruction of the southbound lane of Tehama Street between Wood Street and Sycamore Street. Construction included reconstructing the traffic lane, as well as replacement of pedestrian ramps and striping.

The project has recently been completed by Knife River Corporation to the City's satisfaction. The total construction cost was \$236,471.71 and the overall project came in under the total approved budget.

Based upon the satisfactory completion of the work, Staff is recommending that the City Council accept the improvements, authorize the City Engineer to file the Notice of Completion and authorize the release of all bonds for this project except for the maintenance bond, which will be retained for one year to cover any issues that may come up. It should be noted that there may be additional construction management costs incurred in closing out this project; however they should be minimal.

M/S – Yoder/Domenighini to approve the Resolution accepting the improvements associated with the Tehama Street Reconstruction Project and authorize the filing of the Notice of Completion and release of surety. The motion unanimously passed 5/0 on a roll-call vote.

- b) Acceptance of improvements associated with the North Butte Street and North Sacramento Street Reconstruction Project:

The North Butte and North Sacramento Streets Project involved reconstruction of a portion of North Butte Street (between Wood Street and West Willow Street) and a portion of North Sacramento Street (Wood Street to East Sycamore Street.) At both locations, the overall road section (pavement and base material) was completely replaced. In addition to the reconstruction of the road, the project also involved replacement/upgrading many of the pedestrian curb ramps, replacement of damaged sidewalk, curb and gutter on both streets, as well as replacement of the sewer main and sewer laterals within the pavement on North Sacramento Street.

The project has recently been completed by Knife River Corporation to the City's satisfaction. The total construction cost was \$1,245,460.21. Please note that the total construction cost was slightly over the construction/contingency costs initially allocated; however the construction management, testing and inspection costs were under budget. As such, the overall project came in under the total approved budget.

Based upon the satisfactory completion of the work, Staff is recommending that the City Council accept the improvements, authorize the City Engineer to file the Notice of Completion and authorize the release of all bonds for this project except the maintenance bond, which will be retained for one year to cover any issues that may come up.

One item that should be noted is that during the course of construction, PG&E asked the City's contractor to remove some of the old gas lines in the project and agreed to reimburse the City for the expense. The cost to do this work totaled \$31,017.26 of construction and \$3,162,51 in inspection costs (totaling \$34,179.77.) This amount has been included in an invoice to PG&E and is not reflected in the totals, as it does not impact overall City or Federal funding.

M/S – Williams/Domenighini to adopt a Resolution accepting the improvements associated with the North Butte Street and North Sacramento Street Reconstruction Project and authorize the filing of the Notice of Completion and release of surety. The motion unanimously passed 5/0 on a roll-call vote.

11. Council Member Reports:

- Council Member Mello reported that the Veterans will be hosting Bingo this Friday at the Veterans' Memorial Hall. He also attended "The Battle of the Ax" football game between Orland and Willows last Friday.
- Council Member Williams reported that the September 15 Regional Transit Meeting was cancelled, but he did attend the Transportation Commission Meeting on that same date. On September 16 he attended the Cal-Water ribbon-cutting ceremony for the new state-of-the-art Chromium VI filtration system. On September 22 he attended a Recreation round-table with Jody Sammons at Thunderhill Raceway. He also attended "The Battle of the Ax" football game between Orland and Willows last Friday.
- Mayor Hansen reported that he and Orland Mayor Bruce Roundy had a friendly non-monetary wager, which he lost, on the Willows vs. Orland "Battle of the Ax" football game. He stated that the Cities of Willows and Orland have an excellent working relationship and that he and Mayor Roundy are also good friends. Their friendly wager was a sign of unity and mutual respect by both Cities in recognizing this long-standing tradition. He stated that he wanted to extend his respect to Willows High School and to the Parent Organizations who participated in this event.

He shared that Mayor Roundy was very impressed with the High School Athletes and the High School students that he interacted with and he told Mayor Hansen that he has a newfound respect for the great group of kids attending Willows High School. Mayor Hansen thinks that says a lot for our community, and although Willows didn't win the Ax, it was a very good game and great sportsmanship and comradery. Although Willows Football team didn't win the Ax, Willows High School Band did beat Orland in the Battle of the Mace!

12. **Executive Session:** None

13. **Adjournment:** Mayor Hansen adjourned the meeting at 7:49 p.m.

Dated: September 27, 2016

NATALIE BUTLER

City Clerk

The City of Willows is an Equal Opportunity Provider

MINUTES OF THE WILLOWS CITY COUNCIL
REGULAR MEETING HELD October 11, 2016

1. Mayor Hansen called the meeting to order at 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE:** Vice Mayor Yoder led the Pledge of Allegiance.

3. **ROLL CALL:**

Present: Council Members Mello, Domenighini, Williams, Yoder & Mayor Hansen.

Absent: None

4. **Ceremonial Matters:**

- a) Mayor Hansen presented (3) Certificates of Appreciation to Glenn-Colusa Irrigation District, Lance Lambert and Frank Couto for their outstanding contributions and assistance rendered by them during a recent fire incident at 204 South Tehama Street on August 31, 2016. Kevin Nelson and Steve Osa accepted the Certificate of Appreciation on behalf of Glenn-Colusa Irrigation District. Mr. Lambert and Mr. Couto were unable to attend the meeting and will be given their Certificates in the near future.

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

6. **Consent Agenda:**

M/S –Domenighini/Yoder to approve the Consent Agenda as presented. The motion unanimously passed 5/0, and the following items were approved/adopted:

- a) Approval of General Checking (34004-34080 & 30679-30680), Payroll (36376-36407) and Direct Deposit Check Registers (Z07719-Z07757).

7. **Public Hearings:**

- a) 2016 California Fire Code adoption:

Prior to introducing this item, Mayor Hansen pointed out that there was a typographical error on the agenda for this item in the title of the Ordinance. The Ordinance title should reflect “2016 California Fire Code”, rather than “2016 California Building Standards Codes”.

Before the Council is the new California Fire Code which is based off of the 2015 International Fire Code. Every three years a new code must be adopted by the Council. Council should note that in the conclusions of the “Local Findings of Fact” in the Ordinance, some codes have been deleted, some have been added and some have been amended. Staff is requesting that the Mayor conduct the public hearing and that Council consider reading by title only and passage of first reading of the Ordinance before them.

Council Member Williams stated that he had spoken to Fire Chief Peabody before the meeting to ask if this is an item that is required by the State to be adopted by the Council and Chief Peabody told him that it was a State requirement.

Mayor Hansen stated that this is a State mandate and the City must follow the requirements of the State as it relates to Fire Codes and the new and/or amended codes must be adopted every three years.

Mayor Hansen opened the public hearing at 7:08 p.m. and hearing no comments from the public, closed the public hearing at 7:08 p.m.

M/S – Yoder/Williams to read by title only the ordinance next in line. The motion unanimously passed 5/0 with a roll-call vote.

M/S – Yoder/Williams to pass first reading of an ordinance entitled “**An Ordinance of the City Council of the City of Willows, Repealing, Replacing and/or Amending certain Sections of Chapter 15.15 of the City of Willows Municipal Code, and Adopt by Reference and Amend Certain Portions of the 2016 California Fire Code and Approve the Local Findings as set forth in the Codes with the remaining sections currently in place to remain unchanged.**” The motion unanimously passed 5/0 with a roll-call vote.

b) 2016 California Building Standards Codes adoption:

As part of its periodic review of the building codes, the California Building Standards Commission this year published the 2016 California Building Standards Codes, which become effective January 1, 2017. These new Building Standards Codes are based in part on the 2015 International Building Code, published by the International Code Council, and include the 2016 California Building Code and the 2016 California Fire Code, among other codes.

Staff is requesting that the Mayor conduct the public hearing and that Council consider reading by title only and passage of first reading of the Ordinance before them.

Mayor Hansen opened the public hearing at 7:12 p.m. and hearing no comments from the public, closed the public hearing at 7:12 p.m.

M/S – Mello/Yoder that the Ordinance next in line be read by title only. The motion unanimously passed 5/0 with a roll-call vote.

M/S – Mello/Yoder to pass first reading of an ordinance entitled “**An Ordinance of the City Council of the City of Willows, Repealing, Amending, and/or Creating specific Sections of Chapter 15; subsections 15.10, 15.11, 15.20, 15.30, 15.35, 15.50, 15.55, 15.60, 15.70, 15.75, 15.80, 15.85, 15.90, 15.91 and 15.95 of the City of Willows Municipal Code, and to Adopt by Reference and Amend Certain Portions of the 2016 California Building Standards Code.**” The motion unanimously passed 5/0 with a roll call vote.

8. **Ordinances:**

- a) Ordinance Amending Title II, Section 2.70.020 of Chapter 2.70 of the Willows Municipal Code:

At their August 11, 2016, meeting, the Library Board of Trustees took action on an item to make a recommendation to the City Council to adopt an Ordinance to amend Code 2.70.020 of the Willows Municipal Code. Their recommendation was that the Council allow for the Board of Library Trustees meeting times, places and frequency be established by resolution. Currently the Ordinance states that the Board must meet at least once per month and the Board has expressed that they would like to conduct their meetings once every other month.

This Ordinance was introduced and passed first reading by title only at the City Council's September 27, 2016 meeting and staff is now recommending that the Council pass second reading and adopt the proposed ordinance.

M/S – Williams/Domenighini to pass second reading by title only the Ordinance next in line. The motion unanimously passed 5/0 with a roll-call vote.

M/S – Williams/Yoder to adopt an Ordinance entitled **“An Ordinance of the City Council of the City of Willows Amending Title II Section 2.70.020 of Chapter 2.70 of the Willows Municipal Code.”** The motion unanimously passed 5/0 with a roll-call vote.

9. Regular Business:

- a) Consideration of supporting Willows Unified School District's Bond “Measure B”:

Interim City Manager Peabody stated that Jim Lambert, spokesperson for the Willows Unified School District's Measure B bond proposal, requested that this item be on tonight's agenda for the City Council to consider offering their support and encouraging the citizens of Willows to vote “yes” on Measure B. The Council has been given a fact sheet about Measure B for them to review and there is also a proposed Resolution of Support for Council's consideration. With that, ICM Peabody turned it over to Mr. Lambert to address the Council.

Jim Lambert addressed the Council. Mr. Lambert stated that he is asking for Council's support of Measure B, which is an \$8MM bond on the November 8 ballot. Schools are a critical need in any community going forward. The future of communities is based upon good schools. While Willows has good schools, they don't have good school facilities, and they need help; they cannot do it on a school budget. There are other things that are very important to a community going forward, and the City Council is charged with moving this community forward and making sure that they are preparing young people and that schools and the community are thriving. When people are looking to move into this community, they look at a couple of factors. The number one factor that people look for is healthcare and the Glenn Medical Center Board of Directors has just recently broke ground for a new

hospital facility that will be constructed in a year and a half. People also look for Public Safety and the City of Willows has wonderful, trained and equipped Fire and Police Departments that have benefitted this community tremendously. People look for Recreation and the City has a wonderful racetrack west of town, National Forests, Rivers, and great recreation activities in the City. The final factor that people look at is that of the schools. When people come to this community they want to look at all of those different factors and they also want to look at schools. If you look at the schools in Willows, the schools are in difficult conditions and they need to be fixed, but financially they need help to do so.

Mr. Lambert pointed out some of the highlights of the school bond. Measure B is an \$8MM bond and he wants to make sure the Council understands the potential of that \$8MM. If this bond passes and Prop 51 also passes at the State level, there is a chance that the State would be in line for matching funds, which essentially means that the \$8MM bond will actually be doubled, and they would have \$16MM that they would be eligible for to help to fix the schools. The Facility list right now is about \$23MM, so \$16MM (\$8MM from State and \$8MM from the local bond) would help the School District tremendously.

The last time the School District tried to pass a bond measure, there was a lot of concern regarding oversight concerning projects like athletic fields and other things that people don't want to have their money spent on. If the Council looks at the fact sheet that they have been provided, it lists specifically the projects that these monies would be used for and they would *only* be used for those projects.

Mr. Lambert wrapped up his comments by stating that he would like to emphasize that the Willows schools are doing great things and he is very proud of the things that are happening in the schools, and he asked for the Council's support for Measure B. With that, he said he would be happy to answer any questions that the Council may have.

Council Member Williams asked Mr. Lambert if there was a town hall meeting scheduled for tomorrow evening to discuss this bond measure. Mr. Lambert stated yes, there will be a meeting held tomorrow night at 6:30 p.m. at Murdock School to talk about the facts of Measure B, the schools, and the projects that are being done. The Facilities Master Plan is available on the Willows Unified School District's website. If Measure B is passed, a lot of the work will consist of replacing old worn portable classrooms that were put up in the mid 1980's and were supposed to only be temporary but they are still being used today, although they are falling apart.

Mr. Lambert stated that each time they put a bond measure on the ballot, it is a two-year cycle. Three previous bond measures put before the voters did not pass – the last measure being in 2014. He stated that luckily, bond rates have not gone up tremendously since that

time, so he is very hopeful that will help the project. Inevitably the School District is going to have to do these projects and the longer they have to wait, it is just going to get more expensive and the bond rates will go up.

Council Member Yoder stated that the School District is on the right track with seeking these bond monies and he just hopes the rest of the City will support the Measure. Mr. Lambert stated that the big thing for him is that if the Measure passes, the District will have the chance to double their money if the \$9 Billion State Bond passes, and that is a rare opportunity that doesn't come along very often.

Mayor Hansen stated that the Council gave their support of and wholeheartedly endorsed a similar School District bond 'Measure R' two years ago and unfortunately the Measure did not pass.

Council Member Mello stated that everybody present at the meeting, including himself, truly wants to see a renovation and modernization of the old school buildings and classrooms so that they can continue to serve the community. Measure B is just one Measure on the November ballot and he only has three more weeks to do more studying on all of the ballot measures, including this very important Measure B. Saying that, he stated that he still needs more time and that he will attend the meeting tomorrow evening at Murdock Elementary; however, as of tonight he stated that he is going to reserve his vote until he studies the issue a lot more.

Council Member Domenighini stated that this is a sort of repeat of what the Council talked about two years ago when discussing their support of Measure R. It is an important part of the community to have good schools and really that is the magnet for the target demographic of young families. He would strongly advocate a strong working relationship and partnership between the City Government and the School District. He stated that he is all in favor of supporting Measure B. He stated that he would also like to see it as a "standing policy" that the City Government supports the Willows Unified School District and vice-versa and that both entities work collaboratively in partnership with one-another.

Council Member Williams stated that, following up on Council Member Mello's comments, he wholeheartedly believes that the City's schools are dilapidated and there is no question about that. Having worked for State Government for thirty years now, he has seen a lot of waste when it comes to construction and that concerns him greatly. He said that he had a conversation with Mr. Lambert recently and one of the things that he talked about was seeking money from different foundations and wealthy individuals that have monies set aside. He didn't mean that it would be free money, but perhaps they could pay a lower rate of interest on the loan(s). He stated that he would prefer that this item be tabled until the

next City Council Meeting so that he is able to attend tomorrow evening's town hall meeting and get the Pros and Cons. He stated that he does know that the City of Orland had some issues with their past school bonds and there was some back and forth and some bad blood as a result. He asked Finance Director Tim Sailsbery if there is any information that he could share to enlighten the Council about what the issues were. Finance Director Sailsbery stated that, for purposes of full disclosure before he answers Council Member Williams' question, he shared that his spouse is an Administrator at Orland Unified and his mother was a teacher at Orland Unified. He stated that he is too subjective to answer that question, but the only thing he is going to say is that as an Orland resident who is currently paying a property tax assessment for those bonds, he is very proud of the fact that there is tangible improvement, there are wonderful new Science and Technology buildings on two of the four campuses, an Assembly room and Cafeteria, and a new safe at one of the Schools. He knows that the new Athletic Facilities was one of controversy, but the football field in Orland is a sight to behold and something the community is very proud of and something that the community uses a great deal – from a walking track and fitness standpoint. Again he stated that he is not completely objective here, but that said, despite problems that may have happened in the interim, the end-product has been well worth it and he has no problem with the assessment on his property tax because he sees a return on that investment with the tangible items that are now there. Given that Measure B is looking to replace portable classrooms with permanent classrooms, this Bond too will result in tangible improvements.

Mr. Sailsbery continued, stating that Council Member Williams' comments were well taken on trying to negotiate the best possible rate through alternate funding sources, but one of the issues that comes into play is that this school bond will carry a tax-free interest rate to it, so it would be lower than a market-rate loan. Additionally, in terms of leveraging \$8MM into \$16MM, from a pure investment standpoint, that is critical.

Council Member Williams stated that nobody can doubt that the schools are in need of repairs. Another thing that he had mentioned during his previously speaking to Mr. Lambert is that working around students and doing construction is a lot more expensive. He stated that when the California Highway Patrol did a rehabilitation of their facility, they actually moved the employees off-site into portable structures because the cost was huge trying to work around people because of dust-control, hazardous materials and the like. He doesn't know what can be done to eliminate that. He knows that most of the construction would probably be done in the summer months, but he asked Mr. Lambert if there was a time-frame of how long the project would take.

Mr. Lambert stated that if the Measure is passed, it is going to take some time to be able to put the bond package together and sell the bonds. The School District has the list and

estimates of projects and costs, but there is not a construction timeline at this point. He stated that Council Member Williams' point is well taken with regards to safety of children. The School District has been in communications with Construction firms that do a lot of school projects, so he knows that they are very sensitive to making sure that there is a safe environment.

With regards to Council Member Williams' other comments and concerns that he mentioned, Mr. Lambert stated that one of the issues that happened in Orland and has happened in other Cities in the State was Capital Appreciation Bonds. Willows Unified School District never intended to use Capital Appreciation Bonds, but that was one of the things that opponents really took offense at, that that could have been a possibility. A Capital Appreciation Bond is where you can do an Interest-Only for years, with the expectation that your property values are going to skyrocket and you will have a whole pot of money at the end to be able to pay off those bonds. A lot of School Districts that tried that ended up in big trouble because those economic factors didn't happen and they did not have that pool of money at the end and they ended up in bankruptcy. WUSD heard that from two years ago with Measure R and they talked to quite a few people who were not in favor of the Bond that time and the one thing they heard loud and clear was the concerns over Capital Appreciation Bonds. Mr. Lambert continued, explaining that written in the Willows Unified School District's Resolution is a legal document that there will not be any Capital Appreciation Bonds under any circumstances, so that issue is off the table and should no longer be a concern because that is never going to happen with this bond measure.

The other comment Mr. Lambert stated that he wanted to address was about Council Member Williams' concern with how projects can financially "blow-up". This District is in dire need of fixing the schools and they are not going to stand by and watch somebody waste this money. That is counter-intuitive to what the District is trying to achieve. The School District and the Citizens' Oversight Committee will be monitoring very carefully what is being spent for these projects. They aren't going to over-spend because then they wouldn't have any money left at the end.

Vice Mayor Yoder stated that for years the School District has been trying to put Measures together to get bonds to enhance the schools, the classrooms, buildings and technology and the District is just falling more and more behind our Sister Cities. Orland, Shasta County, Anderson, and Cottonwood all have technological sites now, whereas the Willow School District does not. Instead we have dilapidated buildings that look like they were turned over from the Military and if you were to paint the buildings a Military color, you could run them as barracks. Good schools and school facilities are something that are important to people and businesses when considering moving into a community. If the City can't facilitate good schools and school facilities, people who are considering moving into the area will likely go

someplace else where they do offer nicer facilities. He stated that he believes this Bond Measure is something that the City Council needs to get behind and support and he hopes that the voters pass the measure this time because if it fails it is only going to continue to cost more down the line.

Mayor Hansen stated that he does not take property tax measures lightly, and initially when the first school bond measure came out he was opposed to it. He is fiscally conservative much of the time, but he changed his mind when Measure R was being proposed two years ago. The fact sheet that Mr. Lambert presented to the Council lists all of the major areas of concern. He then stated that he wanted to comment on Council Members Mello and Williams' comments. In his opinion the City Council can't afford to table this matter and wait on this decision. Absentee ballots will be going in the mail very soon and if this item is tabled, he can guarantee a lot of votes are going to be cast before this matter would come back before the Council. He is absolutely opposed to tabling this matter tonight. He believes that the Willows Unified School District has been very proactive in accurately disseminating information publicly. He has read the information and he had absolutely no questions after he read it. He stated that although he attended school in Princeton, his wife, children, mother and several other members of his family attended school in the Willows Unified School District and it is an absolutely fine School District. The problem is that the buildings are absolutely crumbling and the duct tape and bailing wire aspect simply is not working anymore. This is a safety issue for the young people right now who are attending the schools in Willows. He stated that in reference to the safety aspect that Council Member Williams mentioned, in 1976 the Princeton High School was completely rebuilt and it was completely seamless. Students attended class in Portuguese Hall and other facilities and the complete rebuild project was completely harmless. He is not in the least bit concerned about the safety aspect to the students if this bond passes and facilities are reconstructed. Conversely, he is more concerned about the safety of the students if they don't do this. This issue simply can't be pushed down the road anymore and it's now or never and this needs to be done. He strongly urges that the Council recommend this resolution not by just a majority vote, but by a unanimous vote to do the right thing by the community. The City needs this school reconstruction and amenities and the City cannot afford not to support this matter. The City provides excellent services with Police, Fire, Recreation and Public Works and Glenn Medical Center just broke ground to build a new hospital facility. The City has fine services and much to offer, but all the while the schools are crumbling. All of the Measure B funds will be spent on Willows schools and will be used to provide students and teachers throughout the district with comparable classrooms and facilities. Measure B will not use Capital Appreciation Bonds. The resolution calling for the election specifically prohibits the use of CABs. In addition, the District has strictly limited the interest rate and has set a maximum term of 25 years for the bonds. Measure B provides for strict accountability of how bond funds are spent. All of the construction projects are listed in the

resolution and must be independently audited each year. If this Measure passes, every penny will be spent for school improvements and upgrades. Measure B will not be used for school administrator or teacher salaries. This assessment essentially amounts to \$150 per year based on a \$300K home. Again, he stated that the Council needs to get this done tonight. He doesn't mind paying taxes for work that gets professionally and appropriately done and enhances the schools and the community. He is asking for full Council support to "do the right thing" and unanimously support this bond Measure.

Council Member Mello then stated that this is a very important Measure on the ballot and there are many other important Measures on the November ballot and he has a teenager that attends Willows High School and she tells him about the issues with the buildings so he is aware of the problems. This is such an important voting measure for him that he wants to utilize the last three weeks before the election and attend the community meeting and learn more about it before he makes his decision. However, after listening to Vice Mayor Yoder, Mayor Hansen and Mr. Lambert he stated that they have convinced him to sway his vote and he will in fact support the Measure. He still plans to do more research, but for purposes of the item before the Council right now, he will support the Council in their decision.

Council Member Williams asked if the absentee ballots have already been mailed to the voters in Willows. Mayor Hansen told him that they are scheduled to be mailed this week (the week of October 10). Council Member Williams then stated that knowing that the absentee ballots are currently going out, he no longer wishes to table this item to the next meeting and after hearing all of the discussion, he said that he has no problem moving forward with the Resolution of Support. He stated that he still plans to attend tomorrow evening's public meeting to hear more information.

M/S – Yoder/Domenighini to adopt a Resolution of the City Council of the City of Willows in support of the Willows Unified School District's Bond Measure B on the November 2016 Ballot. The motion unanimously passed 5/0 with a roll-call vote.

10. Reports by Council & Staff:

a) Staff:

- Interim City Manager Wayne Peabody reported that this week is Fire Prevention week and also that the Fire Department will be hosting a pancake breakfast fundraiser this Saturday, October 15 from 7:00 a.m. – 11:00 a.m.

b) Council:

- Council Member Williams reported that he attended the Cities & County Economic Development Steering Committee meeting and one of the topics of

concern was all of the Federal and State regulations that make it so difficult to start up a business in California. He also attended the Star Awards and Leaders Appreciation 4-H dinner on October 2. Unfortunately he wasn't able to attend the Chamber of Commerce & Veterans Association tri-tip and prawns fundraiser dinner on October 8, as he had another commitment.

- Mayor Hansen reported that he and ICM Peabody recently attended the Glenn Medical Center ground breaking ceremony and he is glad to see that the new hospital project is moving forward. He also stated that he wanted to congratulate Library Director Jody Meza for being a recipient of one of Congressman John Garamendi's "2016 Women of the Year" awards. That is quite an honor and he stated that he is very proud of her achievement.

11. **Public Comment on Closed Session Item:** None

12. **Executive Session – Conference with Real Property Negotiator pursuant to Section 54956.8:**

Property:	139 N. Lassen Street, Willows, CA 95988
City Negotiator(s):	Interim City Manager Wayne Peabody
Negotiating Parties:	City of Willows and Rebecca Harrigan
Under Negotiation:	Possible lease terms and length

Council convened into Executive Session at 8:09 p.m.

13. **Reconvene to Open Session & Report out on Executive Session:**

Council reconvened back into Open Session at 8:23 p.m. and reported that there was no reportable action taken by the Council.

14. **Adjournment:** Mayor Hansen adjourned the meeting at 8:24 p.m.

Dated: October 11, 2016

NATALIE BUTLER

City Clerk

The City of Willows is an Equal Opportunity Provider

CONSENT AGENDA ITEM

TO: Honorable Mayor Hansen and Members of City Council
FROM: Natalie Butler, City Clerk
SUBJECT: City Council Meeting of December 27, 2016

RECOMMENDATION

Approve cancellation of the December 27, 2016, City Council Meeting.

BACKGROUND

In previous years it has been Council's practice to cancel the second meeting in December. This year a Council meeting is scheduled to occur on December 27, 2016. Due to the light schedule of activities typically experienced during the Christmas Holiday, along with employee absences/vacations, it would be staff's recommendation that the meeting of December 27, 2016, be cancelled.

FINANCIAL CONSIDERATIONS

None.

NOTIFICATION

Post Notice of Cancellation and Notify Media if approved.

RECOMMENDATION

Approve cancellation of the December 27, 2016, City Council Meeting.

Respectfully submitted,



Natalie Butler
City Clerk



AGENDA ITEM

October 25, 2016

TO: Honorable Mayor Hansen and Members of City Council

FROM: Wayne Peabody, Interim City Manager

SUBJECT: Consideration of Proposed Rate Increase for Solid Waste Collection in accordance with terms and provisions of the Franchise Agreement with USA Waste of California, Inc (dba Glenn County Disposal).

RECOMMENDATION

This is a public hearing. The City Council should conduct the public hearing and following closure, by Motion, adopt the attached Resolution approving rate increase and fuel decrease for solid waste collection services with a net increase of .24% to be effective December 1, 2016

SUMMARY

Waste Management (dba, Glenn County Disposal) has requested consideration of a rate adjustment for residential and commercial solid waste services provided within the City of Willows. Provisions approved in November 2006; as part of the Franchise Agreement renewal, included consideration for annual rate increases or decreases to be calculated based upon several factors as defined in Article I, Sections 1, 2 & 3. In accordance with the aforementioned provisions; Waste Management may seek recovery of increased costs associated with any future CPI, Tipping Fee or Fuel Cost Adjustment impacts requiring increases or decreases during the same annual adjustment period.

The following is a brief summary of the proposed rate adjustments and the factors impacting the increased or decreased cost of services to the community. The City Council will be conducting a public hearing on the rate adjustment proposal.

RATE ADJUSTMENT EXPLANATION

The Franchise agreement (Article I, Sections 1, 2 & 3) defines specific impacts involving justification for periodic rate adjustments. The applicable criteria in conjunction with this annual rate adjustment proposal are:

- Annual rate increase consideration in conjunction with changes to the CPI (based upon the Department of Labor Consumer Price Index for All Urban Consumers within the Western States Index area) and the annual changes in conjunction with Fuel Cost adjustment impacts.

Waste Management has requested a rate increase based on the annualized August Western State Consumer Price Index (CPI) is 1.55%. The portion related to the diesel fuel index decreased by 1.31%. The 1.55% CPI change combined with the decreased fuel index (1.31%) comes to a total increase of .24%.

A detailed analysis of the cost impacts is attached, as well as a rate schedule for each applicable category of service. Staff recommends City Council conduct the public hearing and following the public hearing, approve the proposed net rate increase for solid waste collection services to become effective December 1st, 2016.

FINANCIAL CONSIDERATIONS

None at this time

NOTIFICATION

Waste Management, Inc (dba, Glenn County Disposal)

ALTERNATE ACTIONS

1. The City Council should conduct the public hearing and following closure, by Motion, adopt the attached Resolution approving net rate decreases for solid waste collection services to be effective December 1, 2016
2. Request additional information from Staff

RECOMMENDATION

This is a public hearing. The City Council should conduct the public hearing and following closure, by Motion, adopt the attached Resolution approving rate increase and fuel decrease for solid waste collection services with a net increase of .24% to be effective December 1, 2016

Respectfully submitted,



Wayne Peabody
Interim City Manager

Attachments: Resolution adopting Solid Waste Rate Schedule
Exhibit "A" Willows Solid Waste Rate Schedule – December 1, 2016
Willows Rate Adjustment Analysis

RESOLUTION NO. XX-2016

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS
ADOPTING REFUSE COLLECTION RATES, APPROVING AMENDMENT TO
RESIDENTIAL & COMMERCIAL RATE SCHEDULES AS PROVIDED
WITHIN THE PROVISIONS OF THE FRANCHISE
AGREEMENT APPROVED NOVEMBER 28, 2006**

WHEREAS, in accordance with Section 8.29 et seq. of the Willows Municipal Code, the City entered into a contract for refuse collection with USA Waste of California, Inc. (dba Glenn County Disposal, Inc.) on November 28, 2006; and

WHEREAS, contained in the contract are provisions for review of the agreement including, but not limited to the rate schedule; and

WHEREAS, expense recovery for the Contractor in conjunction with increases in the Consumer Price Index (based upon the All Urban Consumers Index for the Western States Index area) is justified, and;

WHEREAS, (decreased) expenses associated with Fuel Cost Adjustment will require adjustment to residential & commercial service rates, and;

WHEREAS, an annual review has been completed and certain amendments and/or modification to Franchise Agreement; concerning the rate structure has been proposed to provide the City's contractor with a fair rate of return as shown on the attachments; and

NOW THEREFORE, BE IT RESOLVED, that the rate schedule shown on Exhibit "A" is approved, effective December 1, 2016, and current rates adopted by City Council Resolution, dated the 27th, day of October, 2015; previously setting the refuse rate is hereby repealed.

It is hereby certified that the foregoing resolution XX-2016 of the City Council was duly introduced and duly adopted by the City Council of the City of Willows at its regular meeting held on the 25th day of October, 2016, by the following roll call vote:

Ayes:
Noes:
Absent:
Abstain:

Approved:

Attest:

Gary Hansen, Mayor

Natalie J. Butler, City Clerk



WASTE MANAGEMENT
8592 Commercial Way
Redding, California 96002

October 3, 2016

Mr. Wayne Peabody
City Manager
City of Willows
201 N. Lassen
Willows, California 95988

Dear Wayne,

Waste Management is requesting a rate increase as provided for in our waste and recycling agreement with the City. In accordance with Article I (1) and Article I (3) of our agreement with the City, rates are adjusted effective December 1st of each year. The rate calculation is based on the change in the August Western States Consumer Price Index (CPI) and also includes for an adjustment up or down based on the diesel fuel index with a maximum 2% increase or decrease.

The portion of the increase based on the annualized August Western States Consumer Price Index (CPI) is 1.55%. The portion related to the diesel fuel index decreased by (1.31%). The 1.55% CPI change combined with the (1.31%) diesel change comes to a total increase of .24%.

Attached you will find support information for the calculation of our rate request as described above. After reviewing the calculations, please let me know if you need any additional information.

Thank you for considering this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matt Fryer'.

Matt Fryer
District Manager

Attachments



**CITY OF WILLOWS
ANNUAL RATE INCREASE
EFFECTIVE 12/1/2016**

CPI % Adjustment	1.55%
Fuel % Adjustment	-1.31%
Total Price Increase	0.24%

Residential Rates	Current Monthly Rates Effective 12/1/2015	CPI Adjustment	Fuel Adjustment	New Monthly Rate Effective 12/1/2016
64 Gallon Carts	\$18.86	\$0.29	(\$0.25)	\$18.90
96 Gallon Carts	\$26.93	\$0.42	(\$0.35)	\$27.00
35 Gallon Cart (Senior)*	\$12.94	\$0.20	(\$0.17)	\$12.97
Recycle				
64 Gallon Recycle Cart(s) - included with trash	\$0.00	\$0.00	\$0.00	\$0.00
Yard Waste				
96 Gallon Yard Waste (one or two carts)**	\$4.86	\$0.08	(\$0.06)	\$4.88
Additional Yard Waste Carts (after two)**	\$4.86	\$0.08	(\$0.06)	\$4.88
Extra pickup				
Per bag (service day)	\$3.24	\$0.05	(\$0.04)	\$3.25
35 Gallon cart (service day)	\$4.36	\$0.07	(\$0.06)	\$4.37
64 Gallon cart (service day)	\$6.02	\$0.09	(\$0.08)	\$6.03
96 Gallon cart (service day)	\$7.61	\$0.12	(\$0.10)	\$7.63
*Senior rate will never be more than 72% of the 64 gallon rate.				
*Green waste is a subscription service with an additional charge for each level of residential service.				

Commercial Rates	Current Monthly Rates Effective 12/1/2015	CPI Adjustment	Fuel Adjustment	New Monthly Rate Effective 12/1/2016
2 yd - 1X Week	\$114.12	\$1.77	(\$1.49)	\$114.40
2 yd - 2X Week	\$215.80	\$3.35	(\$2.83)	\$216.32
2 yd - 3X Week	\$316.81	\$4.92	(\$4.15)	\$317.58
2 yd - 4X Week	\$418.28	\$6.49	(\$5.48)	\$419.29
2 yd - 5X Week	\$519.68	\$8.07	(\$6.81)	\$520.94
4 yd - 1X Week	\$215.80	\$3.35	(\$2.83)	\$216.32
4 yd - 2X Week	\$343.27	\$5.33	(\$4.50)	\$344.10
4 yd - 3X Week	\$514.48	\$7.99	(\$6.74)	\$515.73
4 yd - 4X Week	\$609.32	\$9.46	(\$7.98)	\$610.80
4 yd - 5X Week	\$761.67	\$11.83	(\$9.98)	\$763.52
6 yd - 1X Week	\$284.91	\$4.42	(\$3.73)	\$285.60
6 yd - 2X Week	\$460.72	\$7.15	(\$6.04)	\$461.83
6 yd - 3X Week	\$640.17	\$9.94	(\$8.39)	\$641.72
6 yd - 4X Week	\$825.82	\$12.82	(\$10.82)	\$827.82
6 yd - 5X Week	\$1,032.29	\$16.03	(\$13.52)	\$1,034.80

EXHIBIT A

Commercial Rates	Current Monthly Rates Effective 12/1/2015	CPI Adjustment	Fuel Adjustment	New Monthly Rate Effective 12/1/2016
8 yd - 1X Week	\$360.34	\$5.59	(\$4.72)	\$361.21
8 yd - 2X Week	\$589.28	\$9.15	(\$7.72)	\$590.71
8 yd - 3X Week	\$820.92	\$12.75	(\$10.75)	\$822.92
8 yd - 4X Week	\$1,060.49	\$16.47	(\$13.89)	\$1,063.07
8 yd - 5X Week	\$1,325.35	\$20.58	(\$17.36)	\$1,328.57
64 Gal commercial rate - trash	\$18.86	\$0.29	(\$0.25)	\$18.90
96 Gal commercial rate - trash	\$26.93	\$0.42	(\$0.35)	\$27.00
Recycle				
64 or 96 Gallon - Mixed Recyclables	\$0.00	\$0.00	\$0.00	\$0.00
3 Yd - Cardboard only	\$30.03	\$0.47	(\$0.39)	\$30.11
Extra Pickups				
2 yd Extra pickup	\$15.88	\$0.25	(\$0.21)	\$15.92
4 yd Extra pickup	\$29.32	\$0.46	(\$0.38)	\$29.40
6 yd Extra pickup	\$36.23	\$0.56	(\$0.47)	\$36.32
8 yd Extra pickup	\$44.94	\$0.70	(\$0.59)	\$45.05
Temporary Bins (Bin-a-Day)				
4 Cubic Yard	\$95.73	\$1.49	(\$1.25)	\$95.97

Roll Off Rates	Current Monthly Rates Effective 12/1/2015	CPI Adjustment	Fuel Adjustment	New Monthly Rate Effective 12/1/2016
20 Cubic Yard	\$424.83	\$6.60	(\$5.57)	\$425.86
30 Cubic Yard	\$484.71	\$7.53	(\$6.35)	\$485.89
Disposal	\$70.00	\$0.00	\$0.00	\$70.00
Per Day rental charge after seven days	\$11.77	\$0.18	\$0.00	\$11.95
Per hour relocation charge	\$29.42	\$0.46	\$0.00	\$29.88

ANCILLARY CHARGES	Current Monthly Rates Effective 12/1/2015	CPI Adjustment	Fuel Adjustment	New Monthly Rate Effective 12/1/2016
Long walk service. Up to 100 feet				\$9.85
Long walk service. 101 to 200 feet				\$19.70
Overfull Container (Snapshot)				\$150.00
Extra Pickup on non-service day for that customer's address				Not Available
Go back charge (same day)				\$45.00
Contamination charge				\$30.00
Replace lost or stolen cart				\$85.00
Replace or Exchange damaged container (not caused by WM)				\$85.00
Account reactivation charge (from bad pay) - no cart delivery				\$45.00
Account reactivation charge (from bad pay) - w/ cart delivery				\$80.00
Roll Off Trip Charge				\$150.00
Key charge when container access requires driver to remove lock per month				\$5.00
Late Payment charge				2.5% of balance (\$5.00 min. Chg.)



**CITY OF WILLOWS
ANNUAL RATE INCREASE
CPI CALCULATION**

Consumer Price Index - All Urban Consumers

Series Id: CUUR0400SA0

Not Seasonally Adjusted

Area: West urban

Item: All items

Base Period: 1982-84=100

Aug-16	248.537
Aug-15	244.737
Point Change:	3.8
CPI Change:	1.55%

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2002	182.4	183.2	184	185.1	184.8	184.5	184.7	185.3	185.7	185.8	185.8	185.5	184.7	184	185.5
2003	186.6	188.1	189.3	188.8	188.5	188.1	188.4	189.2	189.6	189.4	188.5	188.3	188.6	188.2	188.9
2004	189.4	190.8	192.2	192.3	193.4	193.3	192.9	193	193.8	195	195.1	194.2	193	191.9	194
2005	194.5	195.7	197.1	198.6	198.8	198	198.6	199.6	201.7	202.6	201.4	200	198.9	197.1	200.7
2006	201.7	202.7	203.8	205.3	206.9	206.4	206.7	207.5	207.8	207.1	206.3	206.2	205.7	204.5	206.9
2007	207.79	208.995	210.778	212.036	213.063	212.68	212.542	212.406	212.92	213.917	214.904	214.733	212.23	210.89	213.57
2008	215.739	216.339	218.533	219.437	221.009	223.04	223.867	222.823	222.132	221.034	217.113	214.685	219.646	219.016	220.276
2009	215.923	217.095	217.357	217.91	218.567	219.865	219.484	219.884	220.294	220.447	219.728	219.307	218.822	217.786	219.857
2010	219.989	220.179	220.809	221.202	221.417	221.147	221.331	221.523	221.384	221.708	221.671	222.081	221.203	220.79	221.616
2011	223.149	224.431	226.558	227.837	228.516	228.075	227.805	228.222	229.147	229.195	228.771	228.117	227.485	226.428	228.543
2012	228.98	229.995	232.039	232.561	233.053	232.701	231.893	233.001	234.083	234.966	233.206	232.029	232.376	231.555	233.196
2013	232.759	234.595	235.511	235.488	235.979	236.227	236.341	236.591	237.146	237	236.153	236.096	235.824	235.093	236.555
2014	236.707	237.614	239.092	239.808	241.35	241.616	241.85	241.66	241.92	241.65	240.22	239.095	240.215	239.365	241.066
2015	238.318	239.748	241.69	242.302	244.227	244.332	245.04	244.737	244.257	244.341	243.749	243.434	243.015	241.77	244.26
2016	244.6	244.821	245.404	246.589	247.885	248.267	248.412	248.537						246.261	



**CITY OF WILLOWS
FUEL CALCULATION**

Fuel Adjustment Calculations	
Fuel Expense - Sep 15 - Aug 16 for Entire BU	\$202,187
Total Operating Expenses - Sep 15 - Aug 16 for Entire BU	\$2,003,888
Fuel Expense as a % of Total Operating Expenses	10.09%
Avg fuel cost current year Sep 2015 - Aug 2016	\$2.642
Avg fuel cost prior year Sep 2014 - Aug 2015	\$3.370
Change (cents)	-\$0.73
% Fuel Change	-21.60%
Current year CPI index adjustment	1.55%
% Change applicable to fuel expenses	-21.60%
Calculated Fuel Adj to base rate	-2.18%
Fuel Adjustment, not to exceed + or - 2%	-2.00%
Fuel Adjustment, not to exceed historical base	-1.31%

Fuel Change History	
Net Fuel Change	0.00%
Fuel Change Eff December 2016	-1.31%
Fuel Change Eff December 2015	-2.00%
Fuel Change Eff December 2014	-0.30%
Fuel Change Eff December 2013	-0.35%
Fuel Change Eff December 2012	1.48%
Fuel Change Eff December 2011	2.00%
Fuel Change Eff December 2010	1.48%
Fuel Change Eff December 2009	-2.00%
Fuel Change Eff December 2008	2.00%
Fuel Change Eff December 2007	-1.00%



October 25, 2016

AGENDA ITEM

TO: Honorable Mayor Hansen & Members of the City Council

FROM: Wayne Peabody, Interim City Manager

SUBJECT: 2016 Fire Code Adoption

RECOMMENDATION

The City Council should consider 1.) Passage of second reading by title only and 2.) Adopt an ordinance entitled **“An Ordinance of the City Council of the City of Willows, Repealing, Replacing, and/or Amending certain Sections of Chapter 15.15 of the City of Willows Municipal Code, to Adopt by Reference and Amend Certain Portions of the 2016 Fire Codes and Approve the Local Findings as set forth in the Codes with the remaining sections currently in place to remain unchanged”**.

SITUATION (or BACKGROUND):

As part of its periodic review of the fire code, the California Building Standards Commission this year published the 2016 California Fire Code, which becomes effective January 1, 2017.

These new Fire Codes are based in part on the 2015 International Fire Code, published by the International Code Council, and include the 2016 California Building Code and the 2016 California Fire Code, among other codes.

The City Council passed first reading of this Ordinance at their October 11, 2016 City Council Meeting and staff recommends the Council pass second reading and adopt the attached Ordinance.

FINANCIAL CONSIDERATIONS:

Minimal. The purchase of new code books.

ALTERNATE ACTION:

1. Approve (by motion)
2. Approve (by motion)... As amended...
3. Request additional information from staff
4. Reject the recommendation and/or direct an item to be returned at a later date.

RECOMMENDATION:

The City Council should consider 1.) Passage of second reading by title only and 2.) Adopt an ordinance entitled "**An Ordinance of the City Council of the City of Willows, Repealing, Replacing, and/or Amending certain Sections of Chapter 15.15 of the City of Willows Municipal Code, to Adopt by Reference and Amend Certain Portions of the 2016 Fire Codes and Approve the Local Findings as set forth in the Codes with the remaining sections currently in place to remain unchanged**".

Respectfully submitted:



Wayne Peabody
Interim City Manager

Attachments:

- 1: Ordinance modifying Chapter 15.15 of Willows Municipal Code
- 2: Exhibit A - Findings of Fact along with jurisdictional revisions and modifications to the codes.

ORDINANCE NO. XXXX-_____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS,
REPEALING, REPLACING, AND/OR AMENDING CERTAIN SECTIONS OF
CHAPTER 15.15 OF THE CITY OF WILLOWS MUNICIPAL CODE, TO ADOPT
BY REFERENCE AND AMEND CERTAIN PORTIONS OF THE 2016
CALIFORNIA FIRE CODES AND APPROVE THE LOCAL FINDINGS AS SET
FORTH IN THE CODES WITH THE REMAINING SECTIONS CURRENTLY IN
PLACE TO REMAIN UNCHANGED**

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

Whereas, the California Building Standards Commission has published the 2016 California Fire Codes by amending Title 24 of the California Code of Regulations, effective January 1, 2016;

Whereas, the 2016 California Fire Codes are based in part on the 2015 International Fire Code, published by the International Code Council;

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

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

Whereas, the 2016 California Fire Codes will automatically become effective without amendment in the City of Willows 180 days after January 1, 2016, unless the City affirmatively amends the Codes otherwise.

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

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

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

Chapter Fifteen (15.15.010) Adoption of California Fire Codes

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

15.150.010 The 2016 California Fire Code, Title 24, Part 9 of the California Code of Regulations, including Appendices and Amendments

There is hereby adopted by the City Council of the City of Willows for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion, that certain document entitled "2016 Edition of the California Fire Code and Standards with Amendments, Appendices, the 2016 California Building Code Standards with Certain Amendments, and the 2015 International Fire Code and Standards," is adopted as the California Fire Code of the City of Willows and included in and made a part of this code as though set forth at length herein. Additionally, National Fire Protection Association (NFPA) Standards 10, 13, 13R, 13D, 25 with California Amendments, and NFPA 72 with the most recent editions are adopted.

EXHIBIT A

Local Findings of Fact

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

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

CLIMATE:

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

GEOLOGIC:

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

TOPOGRAPHICAL:

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

SUMMARY:

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

Other variables that may tend to intensify the situation include:

1. The extent of damage to the water system;
2. The extended isolation due to roadways and/or freeway due to flooding;
3. The extent of roadway damage and/or amount of debris blocking roadways;
4. Climatic conditions (hot, dry weather with high winds);
5. Time of day will influence the amount of traffic on roadways and could intensify the risk to life during normal business hours; and,

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

CONCLUSION:

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

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

Section Number: Local Climatic, Geologic and Topographical Conditions

304.1.2	CFC	a, b, c
307	CFC	a, b, c
501.4	CFC	a, b, c
505.1	CFC	b, c
506.1	CFC	a, c
901.6.1.1	CFC	a, b, c
903.2	CFC	a, b, c
903.4.1	CFC	a, b, c
903.4.2	CFC	a, b, c
2703.3.1.4	CFC	a, b, c
2702 5002	CFC	a, b, c
5704.2.9.5.1 5704.2.9.6.1	CFC	a, b, c
5706.2.4.4	CFC	a, b, c
6104.2	CFC	a, b, c
Ch 56	CFC	a, b, c
106.2	CFC	a, b, c
108.1	CFC	a, b, c

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

Section 304.1.2:

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

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

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

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

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

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

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

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

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

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

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

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

(11) Vacant Lot: Void of any structures.

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

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

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

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

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

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

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

Section 307:

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

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

Open burning / residential:

- (A) Is not allowed in the City Limits of Willows.
- (B) To include Burn Barrels, Litter, Brush, Leaves, Debris, Weeds or any other substance.

Special Event Burning:

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

- (A) Pit location must be inspected prior to digging;
- (B) Twenty-foot clearance of all vegetation around pit and structures;
- (C) Pit shall be in attendance of an adult at all times;
- (D) Pit shall have a mesh wire top;
- (E) Only unprocessed wood or barbecue charcoal shall be burned in pit.

Section 501.4:

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

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

Section 505.1:

Approved numbers for premises identification shall be placed on all new and existing buildings near the doorway or in such a position as to be

plainly visible and legible from the street or access fronting the property during both day and night hours.

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

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

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

Number shall be contrasting in color to their background.

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

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

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

- (A) A plot plan showing private drives.
- (B) Access roads.
- (C) Building locations(s) with individual numbers and addresses.
- (D) Fire hydrant locations.
- (E) Name of the complex.

- (F) A reference point on the plot plan indicating the location of the directory.
- (G) A north direction indicator.
- (H) Key box location.
- (I) Hazardous materials information and storage location(s).

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

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

Section 506.1:

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

Section 901.6.1.1:

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

- (A) Upon the fourth (4th) false alarm from the system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of \$150.00 plus the costs of the response for each false alarm.
- (B) Upon the sixth (6th) false alarm from the system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of \$300.00 plus the costs of the response for each false alarm.
- (C) Upon the eight (8th) and each subsequent false alarm, from the system within a twelve (12) month period, the system owner shall pay a mitigation fee to the fire department of \$500.00 plus the cost of the response, as specified in the fire department's approved fee schedule for each occurrence. In addition, the chief may require the system owner to provide standby personnel or take such measures as he/she deems appropriate. Persons or activities required by the chief shall remain in place until a fire department approved fire alarm maintenance firm certifies in writing to the chief that the alarm system

has been restored in a reliable condition. The chief may require such tests as he deems necessary to demonstrate the adequacy of the system.

Section 903.2:

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

(A) New commercial, industrial and R occupancies.

(1) Exceptions:

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

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

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

Section 903.4.1:

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

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

Section 903.4.2:

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

Section 5003.3.1.4:

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

Section 5002:

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

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

Section 5704.2.9.5.1: Section 5704.2.9.6.1

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

Section 5706.2.4.4:

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

Section 6104.2:

(A) In the residential incorporated limits of the City of Willows, up to five hundred gallons of combustible liquid meaning LPG may be stored in an above ground or inground tank meeting requirements of sections 6104 of the California Fire Code (2016). Minimum distance must be maintained

per table 6104.3 of the California Fire Code (2016). Tank base must be secured per NFIP (1993) Technical bulletin 7-93. Written notice of having an above ground or inground tank will be placed in the main electrical panel for notification to emergency personnel.

Chapter 56:

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

Chapter 1, Section 106.2:

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

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

- (A) "B" Occupancies: Those building for professional or service-type transactions offices, including storage of records and accounts.
- (B) "M" Occupancies: Building for the display and sale of merchandise, and involving stocks of goods, wares or merchandise, as defined in Section 202 of the California Fire Code.
- (C) Function of Self-Inspection Program. The Willows Fire Department shall deliver, by hand or by mail, its current "Self-Inspection Worksheet" and "Confidential Business Occupancy Information" forms to each "B" and "M" occupancy within the city on a bi-annual basis.
- (D) Failure to Comply: Failure of the business owner, property owner, or person responsible for the property to comply with the requirement to return the Self-Inspection Worksheet duly completed; or fails to correct the deficiencies noted within 14 days shall be issued one warning letter extending the inspection period by seven (7) days. Failure to complete and return the Self-Inspection Worksheet shall result in an inspection of the delinquent

occupancy by Willows Fire Department personnel, for which the business owner will be charged as provided in the City of Willows Schedule of Fees and Charges for City Services.

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

Chapter 1, Sec 108.1:

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

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



AGENDA ITEM

TO: Honorable Mayor Hansen & City Council Members

FROM: Wayne Peabody, Interim City Manager

SUBJECT: 2016 Building Standards Commission Code Adoption.

RECOMMENDATION

The City Council should consider 1.) Passage of second reading by title only and 2.) Adopt an ordinance entitled **“An Ordinance of the City Council of the City of Willows, Repealing, Replacing, and/or Amending certain Sections of Chapter 15.15 of the City of Willows Municipal Code, to Adopt by Reference and Amend Certain Portions of the 2016 Fire Codes and Approve the Local Findings as set forth in the Codes with the remaining sections currently in place to remain unchanged”**

SITUATION

As part of its periodic review of building codes, the California Building Standards Commission this year published the 2016 California Building Standards Codes, which becomes effective January 1, 2017.

These new Building Standards Codes are based in part on the 2015 International Building Code, published by the International Code Council, and include the 2016 California Building Code and the 2016 California Fire Code, among other codes.

The City Council passed first reading of this Ordinance at their October 11, 2016 City Council Meeting and staff recommends the Council pass second reading and adopt the attached Ordinance.

FINANCIAL CONSIDERATIONS

Minimal. The purchase of new code books, and continuing education as well as code updates training.

ALTERNATE ACTIONS

1. Approve (by motion/resolution) ...
2. Approve (by motion/resolution) ... as amended....
3. Request additional information from staff
4. Reject staff recommendation and/or direct item to be returned at later date.

RECOMMENDATION

The City Council should consider 1.) Passage of second reading by title only and 2.) Adopt an ordinance entitled **“An Ordinance of the City Council of the City of Willows, Repealing, Replacing, and/or Amending certain Sections of Chapter 15.15 of the City of Willows Municipal Code, to Adopt by Reference and Amend Certain Portions of the 2016 Fire Codes and Approve the Local Findings as set forth in the Codes with the remaining sections currently in place to remain unchanged”**

Respectfully submitted,



Wayne Peabody, Interim City Manager

Attachments:

1. Ordinance modifying Chapter 15 of Willows Municipal Code
2. Exhibit A – Local Findings of Fact

only: Chapter 1 (Administrative), as further amended herein, Chapter I (Patio Covers) and Chapter J (Grading).

- 15.11 The 2016 California Residential Code, Title 24, Part 2.5 of the California Code of Regulations.
- 15.20 The 2016 California Electrical Code, Title 24, Part 3 of the California Code of Regulations.
- 15.30 The 2016 California Mechanical Code, Title 24, Part 4 of the California Code of Regulations.
- 15.35 The 2016 California Plumbing Code, Title 24, Part 5 of the California Code of Regulations.
- ~~15.50 The International Property Maintenance Code, 2006 edition, as published by the International Code Council. Repeal in its entirety.~~
- ~~15.55 Solar Energy Code. Repeal in its entirety.~~
- ~~15.60 Swimming Pool, Spa and Hot Tub Code. Repeal in its entirety.~~
- 15.70 The 2016 California Administrative Code, Title 24, Part 1, Chapters 4, 5 and 8 only
- 15.75 The 2016 California Energy Code, Title 24, Part 6 of the California Code of Regulations.
- 15.80 The 2016 California Elevator Safety Construction Code, Title 24, Part 7 of the California Code of Regulations.
- 15.85 The 2016 California Historical Building Code, Title 24, Part 8 of the California Code of Regulations.
- 15.90 The 2016 California Referenced Standards Code, Title 24, Part 9 of the California Code of Regulations.
- 15.91 The 2016 California Green Building Standards Code, Title 24, Part 11 of the California Code of Regulations.
- 15.95 Penalties

“EXHIBIT A”

Local Findings of Fact

The City Council of the City of Willows finds and declares that the additions, modifications, and changes made to the substantive provisions of the 2016 California Building Standards Codes, as authorized under Health and Safety Code, Section 17958, are necessary for the protection of the public health, safety, and welfare due to climatic, geological, or topographical conditions. These findings are as follows:

- A.** **CLIMATE:** The City, on average, experiences an approximate annual rainfall of 20 inches. This rainfall can normally be expected between October and April. During the winter months, the City may experience periods of heavy rain, which causes local flooding. Winter storms are often accompanied by high winds, which have uprooted trees and damaged power lines. During the dry period, temperatures range from 70 degrees to over 110 degrees. These temperatures are often accompanied by light to moderate gusty winds, which couple with agricultural burning may lead to wind driven fires. With increased development spreading into agricultural areas a wind driven fire could have severe consequences, as has been demonstrated on several occasions through out the state.
- B.** **GEOLOGIC:** The City is susceptible to flooding hazards resulting from long periods of rain in the Mendocino Forest. The most serious direct flooding hazard threat is from the damage or collapse of buildings and other structures due to water flow. In addition to damage caused by flooding, there is the possibility of flood-induced fires starting because of damage to gas lines, power lines or heat producing appliances and the unavailability of water for fire control due to broken water pumps. In the event of a major flooding or many areas of the City may not be accessible to emergency equipment and, if bridges, freeways or roads are damaged, the City may be isolated from outside assistance.
- C.** **TOPOGRAPHICAL:** The City borders include flat terrain on the North to the East is the Glenn Colusa Canal and railroad system. Along the South portions of the City is the Glenn Colusa Canal continues. To the West is Interstate 5 which then turns into flat terrain hilly terrain and State Responsibility Area (SRA) land. The railroad, canal and freeway all create barriers, which may obstruct traffic patterns and delay response time for fire equipment. The water supply within the City is directly affected by the topographical layout. The water distribution system consists of 7 pressure zones, which carry water by gravity from one reservoir. Water flow within the City can vary from less than 1000 gallons per minute to flows in excess of 2,000 gallons a minute. This wide variation causes major problems to development and fire suppression efforts.
- D.** **SUMMARY:** The above local climatic, geologic and topographical conditions increase the magnitude, exposure, accessibility problems and fire hazards presented to the Willows Fire Department. Fires in areas determined to be moderate, high or very high fire severity zones, as outline by the State of California (CalFire) fire severity zone map, place additional fire suppression demands on the

responding fire agency. A fire following a flood has the potential of causing greater loss of life and damage than the flood itself. The majority of the City's industrial areas are located in the highest flood zones, which also contains the largest concentration of hazardous materials. Hazardous materials, particularly toxic gases, could pose the greatest threat to the largest number of persons, should a significant flood event occur. The Department's resources would have to be prioritized to mitigate the greatest threat, and may be unavailable for vegetation or structure fires.

Other variables that may tend to intensify the situation include:

1. The extent of damage to the water system;
2. The extended isolation due to roadways and/or freeway due to flooding;
3. The extent of roadway damage and/or amount of debris blocking roadways;
4. Climatic conditions (hot, dry weather with high winds);
5. Time of day will influence the amount of traffic on roadways and could intensify the risk to life during normal business hours; and,
6. The availability of timely response due to minimal staffing and volunteerism.

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

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

Section Number: Local Climatic, Geologic and Topographical Conditions

109.2	CBC	a, b, c
304.3	UAC	a, b, c
109.3	CBC	a, b, c
501.2	CBC	a, b, c
903.2	CBC	a, b, c
903.4.1	CBC	a, b, e

CODE ADOPTED

Adoption of California Building Standards Commission Codes

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

- 15.10 The 2016 California Building Code, Title 24, Part 2 of the California Code of Regulations, including the following Appendices only: Chapter 1 (Administrative), as further amended herein, Chapter I (Patio Covers) and Chapter J (Grading).
- 15.11 The 2016 California Residential Code, Title 24, Part 2.5 of the California Code of Regulations.
- 15.20 The 2016 California Electrical Code, Title 24, Part 3 of the California Code of Regulations.
- 15.30 The 2016 California Mechanical Code, Title 24, Part 4 of the California Code of Regulations.
- 15.35 The 2016 California Plumbing Code, Title 24, Part 5 of the California Code of Regulations.
- ~~15.50 The International Property Maintenance Code, 2006 edition, as published by the International Code Council. Repeal in its entirety.~~
- ~~15.55 Solar Energy Code. Repeal in its entirety.~~
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- 15.70 The 2016 California Administrative Code, Title 24, Part 1, Chapters 4, 5 and 8 only
- 15.75 The 2016 California Energy Code, Title 24, Part 6 of the California Code of Regulations.
- 15.80 The 2016 California Elevator Safety Construction Code, Title 24, Part 7 of the California Code of Regulations.
- 15.85 The 2016 California Historical Building Code, Title 24, Part 8 of the California Code of Regulations.
- 15.90 The 2016 California Referenced Standards Code, Title 24, Part 9 of the California Code of Regulations.

15.91 The 2016 California Green Building Standards Code, Title
24, Part 11 of the California Code of Regulations.

15.95 Penalties

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

109.2 Schedule of permit fees:

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

304.3 Plan review fees:

When submittal documents are required by other sections of this code, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fees shall be 65 percent of the building permit fees as indicated in Section 304.3 of the 1997 Uniform Administrative Code.

109.3 Building permit valuations:

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

501.2 Address Illumination:

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

Address numbers shall be illuminated for buildings constructed after January 1, 2011. Light sources used to comply with this section shall be controlled by a photoelectric device or by a circuit supplied by a house meter which is used to provide other required lighting during hours of darkness. No switch or other similar device shall be installed. Buildings constructed prior to this date shall comply with all other address requirements

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

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

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

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

Section 903.2:

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

(a) New commercial, industrial and R occupancies.

(1)Exceptions:

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

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

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

903.4.1 Monitoring

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

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

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

Exceptions:

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

~~(b) Backflow prevention device test valves located in limited area sprinkler system supply piping shall be locked in the open position. In occupancies required to be equipped with a fire alarm system, the backflow preventer valves shall be electrically supervised by a tamper switch installed in accordance with NFPA 72 and separately annunciated.~~

Section 8 Filing of Ordinance

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

Section 9 Effective Date and Publication

This Ordinance shall take effect thirty days after its adoption and published in summary format prior to adoption and within fifteen (15) days after its adoption in a newspaper of general circulation published and circulated in the City of Willows.

INTRODUCED and passed first reading on the 11th day of October, 2016.

PASSED AND ADOPTED by the City Council of the City of Willows on the 25th day of October 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Gary Hansen, Mayor

ATTEST:

Natalie Butler, City Clerk



AGENDA ITEM

TO: Honorable Mayor Hansen and Members of the City Council

FROM: Steve Soeth, Public Works Director

SUBJECT: Wave hiring freeze and fill vacant Public Works Maintenance I Position.

RECOMMENDATION:

It is recommended that the City Council wave the hiring freeze and allow the Public Works Director to hold interviews and to bring a candidate to the City Manager for appointment.

SITUATION (or BACKGROUND):

On June 30, 2016 a Maintenance I position became vacant, on July 1, 2016 the City wide hiring freeze went into effect. In the months that followed the city advertised a part time Maintenance I position the response to that advertisement was limited. In September the city advertised a full time Maintenance I Position in an effort to gauge interest before coming to Council. Staff feels there is a sufficient applicant pool to conduct interviews.

FINANCIAL CONSIDERATIONS:

The vacant position is funded in the 2016/2017 budget. There has been budgetary savings realized over the last four months due to the vacancy.

NOTIFICATION:

An advertisement ran in the Valley Mirror to gauge interest.

ALTERNATE ACTIONS:

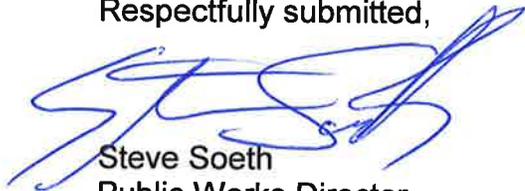
Request additional information from Staff

Reject staff recommendation

RECOMMENDATION:

That the City Council approve by motion to wave the hiring freeze and allow the Public Works Director to hold interviews and to bring forward a candidate to the City Manager for appointment into the Maintenance I position.

Respectfully submitted,



Steve Soeth
Public Works Director



Wayne Peabody
Interim City Manager



AGENDA ITEM

TO: Wayne Peabody, Interim City Manager
FROM: Jason Dahl, Chief of Police
SUBJECT: Filling two (2) Upcoming Police Officer Vacancies

RECOMMENDATION

It is recommended that the City Council approve by motion to lift the hiring freeze to allow the Police Department to recruit and replace two (2) Police Officer positions. One of the positions the City is required to maintain under the USDOJ grant. The second position is for an officer that is leaving on October 28, 2016.

SITUATION (or BACKGROUND):

In June of 2012, the City of Willows received a hiring grant for a Police Officer position from the United States Department of Justice (USDOJ). The original award date of the grant was from 6/1/2012 to 5/31/2015. The grant required the City to hire a Police Officer to be paid for 3 years by the grant funding and retain the Officer position for a 4th year under General Funds. However, the dates of the grant were modified due to the inability to hire a qualified candidate and the fact that the City was unable to draw down the award funds. This caused the grant expiration date to move to February 28, 2017 (with an additional year of funding under the General Fund to 2018).

Under the grant guidelines, the City is required to maintain the position awarded under the grant, not the specific officer. The grant funding can be moved to an officer with military experience. If the position becomes vacant during the grant period, the City is required to take active and timely steps to fill the position with a new officer to complete the retention requirement.

In July of 2016, the City of Willows implemented a hiring freeze on all of the City's departments due to budget constraints/concerns.

On September 28th of 2016, the Police Department was notified that the officer who was hired under the grant funding will be resigning from the Department on 12/1/16.

On October 14th of 2016, the Police Department was notified that a second officer was resigning from the Police Department effective October 28, 2016.

The Chief of Police is requesting authorization to lift the hiring freeze for two replacement Police Officer positions and begin the recruitment process.

FINANCIAL CONSIDERATIONS:

An increase in overtime for staffing shortages will occur due to the vacancies created and the time that it takes to hire and train the replacement officers.

ALTERNATE ACTIONS

The City Council may choose to request additional information from staff or provide additional direction to staff regarding the matter.

RECOMMENDATION

It is recommended that the City Council approve by motion to lift the hiring freeze to allow the Police Department to recruit and replace two Police Officer positions.

Respectfully submitted,



Jason Dahl
Chief of Police

Attachments:

None



AGENDA ITEM

TO: Mayor Hansen and Members of the Willows City Council
FROM: Wayne Peabody, Interim City Manager
SUBJECT: Letter to County Board of Supervisors in Support of Cal Water

RECOMMENDATION

It is Recommended that the City Council Discuss and, by Consensus, Direct Staff Regarding Submission of a Letter to the Glenn County Board of Supervisors in support of Cal Water to Have a Membership Seat on the Private Pumper Committee.

SITUATION (or BACKGROUND):

The State of California has enacted the Sustainable Groundwater Management Act (SGMA), in which Glenn County is looking at developing a County-Wide Groundwater Sustainability Agency.

The City of Willows has land-use authority, and we possibly have the option to participate directly in this process, but since California Water Service Company ("Cal Water") is the water purveyor for our Community, they would be able to provide a much higher level of expertise than City Staff or Legislators. The City would like to defer our seat to Cal Water, but Cal Water is unable to be on the SGMA Board, due to the fact that they have no land use authority in the City of Willows.

Through many meetings of the GSA governance subcommittee, a possible solution went before the Glenn County Board of Supervisors on October 18, which was to develop a Private Pumper Advisory Sub Committee. Cal Water has placed an application to be on the subcommittee.

City Staff wishes to have the Council consider submitting a letter to the Board of Supervisors, urging their consideration to allow Cal Water to sit on the Private Pumper Advisory Committee. A draft letter is attached for Council consideration.

FINANCIAL CONSIDERATIONS:

None

NOTIFICATION

None

ALTERNATE ACTIONS

By Consensus, Council may direct Staff to:

- Prepare the letter for the Mayor's signature as submitted
- Provide edits to the proposed letter and then prepare for the Mayor's signature
- Decline to submit letter of support

RECOMMENDATION

It is Recommended that the City Council Discuss and, by Consensus, Direct Staff Regarding Submission of a Letter to the Glenn County Board of Supervisors in support of Cal Water to Have a Membership Seat on the Private Pumper Committee.

Respectfully submitted,


Wayne Peabody
Interim City Manager

Attachment:

Draft Letter of Support



October 25, 2016

Members of the Glenn County Board of Supervisors
526 W. Sycamore Street, Suite B1
Willows, CA 95988

Dear Honorable Board Members:

On behalf of the Willows City Councilmembers, please honor our request to have California Water Service Company ("Cal Water") appointed to the Private Pumper Subcommittee. The City of Willows is in a unique set of circumstances as it pertains to the Sustainable Groundwater Management Act, and appointment of Cal Water to the Private Pumper Subcommittee appears to be the best way to have the voice of the residents of the greater Willows area represented.

While the City of Willows maintains land use rights within its corporate City Limits, the City does not provide water service to our residents. That service has been franchised to Cal Water. As such, developing our own Sustainable Groundwater Agency was not a practical approach to compliance with the SGMA. The catch-22 occurs as Cal Water does not maintain the land use rights, so it cannot sit on the SGMA Board unless invited.

We appreciate the approach in forming the Private Pumper Subcommittee greatly, as it provides a practical approach to receiving input from non-public entities as we move forward in SGMA compliance. In naming Cal Water to this subcommittee, it not only provides a voice for the residents of the Willows area (as a number of residents, primarily in the Willows Community Services District, are not residents of the City but are in the Cal Water system), but also to our neighbors in Hamilton City, where Cal Water serves as the water purveyor as well.

As noted, in naming Cal Water to the subcommittee, a very large portion of the County's population base (Willows and Hamilton City) will be represented by the appointment of Cal Water. This provides the most reasonable method of creating such representation. Please consider Geoff Fulks' application to the subcommittee as an application by Cal Water, and appoint Cal Water.

Sincerely, on behalf of the Willows City Council,

Gary L. Hansen
Mayor