



Willows City Council Regular Meeting

June 9, 2020
Willows City Hall
7:00 p.m.

City Council
Kerri Warren, Mayor
Larry Domenighini, Vice Mayor
Gary Hansen, Council Member
Lawrence Mello, Council Member
Joe Flesher, Council Member

Interim City Manager
Wayne Peabody

City Clerk
Tara Rustenhoven

201 North Lassen Street
Willows, CA 95988
(530) 934-7041

Agenda

NOTICE:

Pursuant to N-25-20 issued by Governor Gavin Newsom suspending portions of the Brown Act, the June 9, 2020 Willows City Council meeting will be OPEN to the public. We will be limiting the number of members of the public physically present in Council chambers at City Hall in order to observe recommended social distancing practices. Members of the public who choose to attend in person are strongly advised to wear a mask or other face covering, and to wash their hands and use hand sanitizer frequently, in addition to maintaining at least six feet of distance between themselves and any others who are not members of their household to minimize the possibility of transmission of the COVID-19 virus. For those members of the public who are at high-risk or prefer not to attend in-person, the City is also providing a mechanism through which they may attend the meeting telephonically by following the instructions below.

Dial in Number: (605) 313-5611

Access Number: 404150

1. **CALL TO ORDER- 7:00 p.m.**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **PUBLIC COMMENT/WRITTEN COMMUNICATIONS**
 - a. **Public Comments:** Members of the public wishing to address the Council on any item(s) not on the agenda may do so at this time by stating your name and address. Then please wait until you are recognized by the Mayor or Vice Mayor. No formal action will be taken unless the matter is placed on a future agenda. Each member of the public attending in person or caller will be limited to three (3) minutes. If you are calling in to provide public comment, use the call-in information below:

Dial in Number: (605) 313-5611

Access Number: 404150

5. 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 Council Member requests, in which event the item will be removed from the consent agenda. It is recommended that the Council:

- a. Approval of general checking and payroll checks 50284-50309 and 38632-38637.
- b. Approval of minutes of the Special Meeting-Sewer Rate Adjustment Public Hearing Proposition 218 Meeting held on May 21, 2020.
- c. Approval of minutes of the Regular City Council Meeting held on May 26, 2020.

Comments from the public are welcome. The Mayor will allow an opportunity for comments related to Public Hearings or any 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.

6. PUBLIC HEARING

- a. Conduct a public protest hearing, open and review any received ballots and adopt a resolution entitled; **A RESOLUTION APPROVING THE ANNUAL ENGINEER’S REPORT, CONFIRMING THE ASSESSMENT DIAGRAM AND THE ANNUAL ASSESSMENT AMOUNTS AND AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2020-2021 FOR THE CITY OF WILLOWS LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT ZONE A-BIRCH STREET VILLAGE, ZONE B-WALMART, ZONE C-SOUTH WILLOWS COMMERCIAL AND INDUSTRIAL CENTER (PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972).**
- b. Conduct a public hearing allowing the parcels indicated on Exhibit “A” to be abated by the City of Willows contractor. Those persons returning self-abatement notices were allowed a time extension of 10 days to complete the work themselves. If after this date, these parcels have not been abated, the City Contractor will perform the work.
- c. Conduct a public hearing, consider reading by title only and passage of the first reading of the attached two ordinances entitled;
 - i. **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS AMENDING WILLOWS MUNICIPAL CODE CHAPTER 18.50.030 (USES PERMITTED WITH A CONDITIONAL USE PERMIT) WITH OTHER TEXT TO REMAIN UNCHANGED.**
 - ii. **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS AMENDING WILLOWS MUNICIPAL CODE CHAPTER 18.110.090 (NONCONFORMIN USES) WITH OTHER TEX TO REMAIN UNCHANGED.**

7. REGULAR BUSINESS AGENDA/ITEMS REQUIRING COUNCIL ACTION

- a. **Adopt a resolution entitled; ANNUAL RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS CONSENTING TO THE EXTENSION OF SERVICE CHARGES IMPOSED ON IMPROVED REAL PROPERTY WITHIN THE INCORPORATED AREA OF THE CITY OF WILLOWS FOR FISCAL YEAR 2020/2021 FOR THE USE AND/OR ABILITY TO USE THE GLENN COUNTY SOLID WASTE SYSTEM.**
- b. **Select two councilmembers to serve as a Planning Commission Selection Subcommittee and approve the proposed schedule and procedures for the appointment of one individual to fill the vacant seat of Dana Owens, with the remaining term expiring on December 31, 2023.**
- c. **Adopt a resolution entitled; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS APPROVING THE AGREEMENT FOR DISPATCH SERVICES BETWEEN THE CITY OF WILLOWS AND CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION FOR SERVICES FROM JULY 1, 2020 TO JUNE 30, 2021.**
- d. **Adopt a resolution entitled; RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS EXTENDING AND AMENDING THE EXISTING AGREEMENT WITH THE WILLOWS EMPLOYEES' ASSOCIATION THROUGH JUNE 30, 2021.**
- e. **By motion, Award the Contract for Administrative Services for Grant No. 18-HOME-12557 to Housing Tools and direct the Interim City Manager to negotiate contract terms.**
- f. **Adopt a resolution entitled; RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS: (A) ORDERING SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY, A MEASURE RELATING TO THE ESTABLISHMENT OF A THREE-QUARTER CENT SPECIAL SALES, TRANSACTIONS AND USE TAX, (B) AUTHORIZING THE MAYOR TO SUBMIT BALLOT ARGUMENTS IN FAVOR OF THE MEASURE, AND (C) DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURE.**
- g. **Adopt a resolution entitled; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF GLENN TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2020 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO SECTION 10403 OF THE CALIFORNIA ELECTIONS CODE.**

8. COUNCIL/ STAFF REPORTS/COMMENTS

- a. Staff Reports/Comments:
- b. Council Reports/Comments:

9. RECESS TO CLOSED SESSION

- a. PUBLIC COMMENT: Pursuant to Government Code Section §54954.3, the public will have an opportunity to directly address the legislative body on the item below prior to the Council convening into closed session. Public Comments are generally restricted to three minutes.
- b. CONFERENCE WITH LEGAL COUNCIL-PENDING LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Gov. Code Section §54956.9:
Number of Cases: 2
- c. CONFERENCE WITH LABOR NEGOTIATOR: Pursuant to Gov. Code §54957.6

Agency Negotiators:

Interim City Manager Wayne Peabody
Administrative Services Director Tim Sailsbery

Employee Organizations:

Willows Public Safety Association

10. ADJOURNMENT

This agenda was posted on June 4, 2020



Tara Rustenhoven, City Clerk

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

In compliance with the Americans with Disabilities Act, the City of Willows will make available to members of the public any special assistance necessary to participate in this meeting. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132). The public should contact the City Clerk's office at 934-7041 to make such a request. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

The City of Willows is an Equal Opportunity Provider



CONSENT AGENDA



Period

5/21/2020 TO 6/3/2020

General Checking 50284 TO 50309

Payroll Direct Deposit - TO -

Payroll Checks 38632 TO 38637

APPROVAL DATE 6/9/2020

APPROVED _____

CITY OF WILLOWS
 Cash Disbursement Detail Report
 Check Listing for 05-20 Bank Account.: 1045

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
050284	05/27/20	ATR00	AIRGAS NCN	101.58	.00	101.58	910105293	OXYGEN
				163.08	.00	163.08	910126654	OXYGEN
			Check Total.....:	264.66	.00	264.66		
050285	05/27/20	ALV03	ALVES DOOR COMPANY, INC.	183.28	.00	183.28	7558	DOOR INSTALLATION
050286	05/27/20	ATT01	A.T.& T.	1015.82	.00	1015.82	C00526	TELEPHONE EXP. 4/19-5/18/
050287	05/27/20	CAL01	CALIFORNIA WATER SERVICE	2278.81	.00	2278.81	C00527	WATER EXPENSE4/14-5/11/20
050288	05/27/20	CLE03	CLEARWAY ENERGY LLC	11312.07	.00	11312.07	331604	SOLAR ELECTRICITY 4/1-4/3
050289	05/27/20	COM16	COMCAST CABLE	160.94	.00	160.94	C00526	FD INTERNET 5/19-6/16/20
050290	05/27/20	COR02	CORBIN WILLITS SYSTEMS	416.03	.00	416.03	C005151	CONT.SERV. FINANCEJUNE 20
050291	05/27/20	CUR01	L.N. CURTIS & SONS	97.28	.00	97.28	390249	VALVE RETAINER
050292	05/27/20	DEM01	DEMCO, INC.	193.13	.00	193.13	6797314	LIBRARY SUPPLIES
050293	05/27/20	FGL00	FGL ENVIRONMENTAL	22.00	.00	22.00	072968A	BACTI ANALYSIS
050294	05/27/20	GLE21	GLENN CO. SHERIFFS DEPT.	117494.89	.00	117494.89	40820-02	CONTRACTUAL LAW ENFORCEME
050295	05/27/20	GRA13	GRANT MANAGEMENT ASSOCIAT	2475.00	.00	2475.00	2	LEAP PROPOSAL DEVELOPMENT
050296	05/27/20	GRE09	GREAT NORTHERN EQUIPMENT	281.08	.00	281.08	320552	TREE SERVICE SUPPLIES
050297	05/27/20	HAL01	STEVEN HALSEY ELECTRIC	120.00	.00	120.00	23844	SERVICE CALL
050298	05/27/20	LEM01	CAROL LEMENAGER	100.00	.00	100.00	C00527	REFUND POOL DONATION
050299	05/27/20	MAT01	MATSON & ISOM TECHNOLOGY	20.00	.00	20.00	24297IN	DOMAIN REGISTRATION
050300	05/27/20	NEC00	NEC FINANCIAL SERVICES LL	268.08	.00	268.08	2306558	PHONE SYSTEM LEASE
050301	05/27/20	NSW00	NSWTS	110.00	.00	110.00	832	MONTHLY SERVICE CHARGE
050302	05/27/20	OFF05	OFFICE DEPOT, INC.	68.71	.00	68.71	383263001	OFFICE SUPPLIES
				309.94	.00	309.94	383956001	TONER
			Check Total.....:	378.65	.00	378.65		
050303	05/27/20	RAY03	RAY MORGAN COMPANY	63.28	.00	63.28	2968518	PROF. SERVICES GENERAL OF
				152.67	.00	152.67	2968519	PROF. SERVICES GENERAL OF
			Check Total.....:	215.95	.00	215.95		
050304	05/27/20	SAC08	SACRAMENTO VALLEY MIRROR	164.00	.00	164.00	16495	LEGAL AD/PLANNING
050305	05/27/20	THR00	3CORE	2567.50	.00	2567.50	1103	CDBG CONTRACT
050306	05/27/20	TRU00	TRUE BLUE PROPANE	25.98	.00	25.98	5915	PROPANE FILL
050307	05/27/20	WAL07	WAL-MART COMMUNITY	364.63	.00	364.63	C00527	MAY STMT PER ATTACHED
050308	05/27/20	WIL07	WILLOWS CHAMBER	2500.00	.00	2500.00	C00521	SEMI-ANNUAL CONTRIBUTION
050309	05/27/20	WIL17	WILLDAN	8583.25	.00	8583.25	713082	CONTACT PLANNING THROUGH
				9984.50	.00	9984.50	713105	CONTRACT PLANNING THROUGH
				8332.50	.00	8332.50	713138	CONTRACT PLANNING THROUGH
			Check Total.....:	26900.25	.00	26900.25		
			Cash Account Total.....:	169930.03	.00	169930.03		
			Total Disbursements.....:	169930.03	.00	169930.03		
			Cash Account Total.....:	.00	.00	.00		



**ACTION MINUTES OF THE WILLOWS CITY COUNCIL
SPECIAL MEETING-SEWER RATE ADJUSTMENT PUBLIC
HEARING IN ACCORDANCE WITH PROPOSITION 218 MEETING
HELD MAY 21, 2020**

*Meeting audio is available at the City of Willows website. This is not a live feature. Audio recordings are posted the succeeding business day following the scheduled City Council Meeting.
Please visit www.cityofwillows.org for free PodBean recordings.*

1. Mayor Warren called the meeting to order at 7:00 p.m.
2. The meeting opened with the Pledge of Allegiance led by Hansen.

3. Roll Call:

Council Members Present: Council Members Flesher, Hansen, Mello, Vice Mayor Domenighini, Mayor Warren

Council Members Absent:

Staff Present: Interim City Manager Wayne Peabody, Administrative Services Director Tim Sailsbery, City Clerk Tara Rustenhoven

4. Public Comment/ Written Communications: No public comments or written communications.

Interim City Manager Wayne Peabody requested taking public comments during the June 22, 2020 Special Meeting if continued.

5. Council Discussion and Possible Adoption of a Resolution entitled:

“A Resolution of the City Council of The City of Willows Establishing Sewer User Fees.”

It is requested that Council move to Item 5A and open the Public Hearing and move to continuance of this Item and Item 5A.

5A. Public Hearing:

Proposed 5-Year Rate Increase Program for the City of Willows Sewer Enterprise Fund.

Mayor Warren opened the meeting and continued on to item 6.

6. Continuance of Council Discussion and Possible Adoption (5) and Public Hearing (5A):

Due to current restrictions on public gatherings, the City Council will, by motion, continue the Council Discussion and Possible Adoption of a Resolution (Item 5 above) and Public Hearing (Item 5A above) to Monday, June 22, 2020, at 6:00 p.m.

Action:

Motion: Council Member Hansen/Second: Council Member Flesher

Moved to approve the continuance of Council Discussion and Possible Adoption of a resolution listed above and item 5, and the Public Hearing item 5a, Monday June 22, 2020 at 6:00 p.m.

The motion passed unanimously 5/0 carried by the following voice vote:

AYES: Flesher, Hansen, Mello, Vice Mayor Domenighini, Mayor Warren

NOES:

ABSENT:

ABSTAIN:

7. Adjournment:

The Meeting was adjourned at 6:04 p.m.

Dated: June 3, 2020

Tara Rustenhoven, City Clerk



ACTION MINUTES OF THE WILLOWS CITY COUNCIL REGULAR MEETING HELD MAY 26, 2020

Meeting audio is available at the City of Willows website. This is not a live feature. Audio recordings are posted the succeeding business day following the scheduled City Council Meeting.

Please visit www.cityofwillows.org for free PodBean recordings.

1. Mayor Warren called the meeting to order at 7:00 p.m.
2. The meeting opened with the Pledge of Allegiance led by Council Member Hansen.

3. Roll Call:

Council Members Present: Council Members Flesher, Hansen, Mello, Vice Mayor Domenighini, Mayor Warren

Council Members Absent:

Staff Present: Interim City Manager Wayne Peabody, Administrative Services Director Tim Sailsbery, City Attorney Robert Hunt, City Engineer John Wanger, City Clerk Tara Rustenhoven

Mayor Warren held a moment of silence for former Planning Commissioner Dana Owens.

4. Public Comment/ Written Communications:

Mayor Warren read an email sent by Jeff Williams.

5. Consent Agenda:

- a. Approval of general checking, payroll & direct deposit check registers 50251-50283, Z10759-Z10776, 38624-38630.
- b. Approval of minutes of the Regular City Council Meeting held on May 12, 2020.

Action:

Motion: Council Member Hansen/Second: Council Member Flesher

Moved to approve the Consent Agenda as presented above and the following item(s).

The motion passed unanimously 5/0 carried by the following voice vote:

AYES: Flesher, Hansen, Mello, Vice Mayor Domenighini, Mayor Warren

NOES:

ABSENT:

ABSTAIN:

6. Regular Business/Items Requiring Council Action:

- a. By motion, retain the law firm of Cole Huber LLP as the new City Attorney for the City of Willows and execute the Cole Huber law firm's Legal Services Agreement by Council.

Action:

Motion: Council Member Mello /Second: Council Member Hansen

Move by motion, retain the law firm of Cole Huber LLP as the new City Attorney for the City of Willows and execute the Cole Huber law firm's Legal Services Agreement by Council.

The motion passed unanimously 5/0 carried by the following voice vote:

AYES: Flesher, Hansen, Mello, Vice Mayor Domenighini, Mayor Warren

NOES:
ABSENT:
ABSTAIN:

b. Adopt a Resolution entitled; **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS AUTHORIZING APPLICATION FOR, AND RECEIPT OF, LOCAL GOVERNMENT PLANNING SUPPORT GRANT PROGRAM FUNDS.**

Action:

Motion: Council Member Mello/Second: Vice Mayor Domenighini

Moved to adopt a Resolution entitled; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS AUTHORIZING APPLICATION FOR, AND RECEIPT OF, LOCAL GOVERNMENT PLANNING SUPPORT GRANT PROGRAM FUNDS.

The motion passed unanimously 5/0 carried by the following roll call:

AYES: Flesher, Hansen, Mello, Vice Mayor Domenighini, Mayor Warren

NOES:

ABSENT:

ABSTAIN:

c. Direct staff to establish a date and time for the Budget Workshop for the week of June 1st.

By consensus, the Budget Workshop will be June 1, 2020 at 3:00 p.m.

d. By motion, Direct the Interim City Manager to enter into a separate agreement with Coastland Civil Engineering for contract Community Development Services Director Services and Negotiate Duration, and Conditions of the Agreement.

Action:

Council Member Hansen/Second: Council Member Mello

By motion direct the Interim City Manager to enter into a separate agreement with Coastland Civil Engineering for contract Community Development Services Director Services and Negotiate Duration, and Conditions of the Agreement.

The motion passed unanimously 5/0 carried by the following voice vote:

AYES: Flesher, Hansen, Mello, Vice Mayor Domenighini, Mayor Warren

NOES:

ABSENT:

ABSTAIN:

e. Adopt a Resolution entitled; **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS AWARDDING A CONTRACT FOR ENGINEERING, BUILDING PLAN REVIEW, FIRE PLAN REVIEW, AND BUILDING INSPECTION SERVICES TO COASTLAND CIVIL ENGINEERING AND DIRECT THE INTERIM CITY MANAGER TO NEGOTIATE FINAL TERMS, DURATION, AND CONDITIONS OF THE AGREEMENT.**

Action:

Motion: Council Member Hansen/Second: Council Member Flesher

Adopt a Resolution entitled; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS AWARDDING A CONTRACT FOR ENGINEERING, BUILDING PLAN REVIEW, FIRE PLAN REVIEW, AND BUILDING INSPECTION SERVICES TO COASTLAND CIVIL ENGINEERING AND DIRECT THE INTERIM CITY MANAGER TO NEGOTIATE FINAL TERMS, DURATION, AND CONDITIONS OF THE AGREEMENT.

Council Member /Second: Council Member

The motion passed unanimously 5/0 carried by the following roll call vote:

AYES: Flesher, Hansen, Mello, Vice Mayor Domenighini, Mayor Warren

NOES:

ABSENT:

ABSTAIN

7. Council/Staff Reports/Comments:

a. Staff Reports/Comments:

- Interim City manager provided the Glenn county Sheriff's report for the month of April.
- Glenn County Sheriff and OES has release the City been release to Phase 3A. Guidelines can be found on the Glenn County website www.countyofglenn.net

b. City Council Reports Comments: Council gave comments/reports on activities and various meetings they attended.

8. Recess to Closed Session:

a. PUBLIC COMMENT Pursuant to Government Code Section §54954.3, the public will have an opportunity to directly address the legislative body on the item below prior to the Council convening into closed session. Public Comments are generally restricted to three minutes.

b. CONFERENCE WITH LEGAL COUNCIL-ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Gov. Code Section §54956.9:

Number of Cases: 2

c. CONFERENCE WITH LABOR NEGOTIATOR: Pursuant to Gov. Code §54957.6

Agency Negotiators:

Interim City Manager Wayne Peabody

Finance Director Tim Sailsbery

Employee Organizations:

Willows Public Safety Association

Willows Employee Association

Council Entered into closed session at 7:39 p.m.

Council reconvened into open session at 8:41 p.m.

Announcement of any action taken in closed session:

Council gave direction for labor negotiations.

9. Adjournment:

The Meeting was adjourned at 8:41 p.m.

Dated: June 3, 2020

Tara Rustenhoven, City Clerk



PUBLIC HEARING

AGENDA ITEM

June 9, 2020

TO: Wayne Peabody, Interim City Manager
FROM: Tim Sailsbery, Administrative Services Director
SUBJECT: Landscaping and Lighting Special Assessment District – Authorization to Levy Assessments

RECOMMENDATION

Conduct the required public protest hearing, open and review any received ballots and consider the attached resolution approving the Engineer's Report as filed, confirming the assessment diagram and amounts as set forth therein and authorizing the levy and collection of assessments for the Fiscal Year 2020-21

SUMMARY

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

The Landscaping and Lighting Act requires that the City undertake certain proceedings for any fiscal year in which assessments are to be levied and collected. These proceedings are typically accomplished at three separate Council meetings. The first action (appointing an Engineer of Work and directing the preparation of the annual Engineer's Report) was completed by the Council on January 28, 2020. The second action (receiving the Preliminary Engineer's Report and setting the date of the required public protest hearing) was completed on May 12, 2020. Tonight is the third and final step in the process – conduct the public protest hearing, approve the Engineer's Report as presented or as amended tonight and authorize the levy of assessments for FY 2020-21.

Attached to this staff report is the Engineer's Report as prepared by Coastland Civil Engineering. Because the Council did not request any changes to the preliminary report filed on May 12, 2020, the proposed assessments shown in this report have not changed from the preliminary report. If there are no changes from the City Council at this time, the proposed assessments shown in the report will be passed on to the County Assessor's office for inclusion on the tax roles.

In brief, the attached report outlines costs for FY 2020-21, summarizes the projected costs for FY 2020-21 and provides the proposed overall assessments. In order to keep up with inflation, the estimated maximum annual assessments are proposed to increase by the allowable annual CPI (year 2019) of +2.5%.for Zones A, B and C. The raised maximum annual assessment for Zone A is now \$518.72 per unit, the raised maximum annual assessment for Zone B is now \$7,368.87 per unit and the raised maximum annual assessment for Zone C is now \$70,925.92 for the zone.

The estimated maximum annual assessment will increase for Zones A however the actual amount that will be levied and collected during FY 2020-21 will be decreased from the FY 2019-20 assessment by \$18.32 to \$110.00 per unit. This amount is below the allowed maximum annual assessment for Zone A.

The estimated maximum annual assessment will increase for Zone B however the actual amount that will be levied and collected during FY 2020-21 will be decreased from the FY 2019-20 assessment by \$563.74 to \$2,451.08 per unit.

The estimated maximum annual assessment will increase for Zone C and as maintenance efforts are anticipated to increase from six to nine months this year, the actual amount that will be levied and collected during FY 2020-21 will increase from the FY 2019-20 assessment by \$278.64 to \$3,438.48 for the Zone.

During FY 2008-09, the Council implemented a minimum reserve balance of 10% to 20%. By using some of each Zone's reserves to reduce their respective assessments, it is noted that the projected FY 2020-21 Assessment District reserve for all zones will still be within that range. The reserve amounts will be reviewed again next year and reduced again if necessary.

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

FINANCIAL CONSIDERATIONS - All costs associated with this assessment district (operation, maintenance and administration) are recovered through the assessments. All anticipated costs are shown in the budget in the Engineer's Report. The total proposed Assessment District budget for Fiscal Year 2020-21 is \$33,605.07. The funding source is from proposed assessment revenues levied and collected during FY 2020-21 along with existing Zone A, Zone B and Zone C reserves.

NOTIFICATION

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

ALTERNATE ACTIONS

None recommended.

RECOMMENDATION

Conduct the required public protest hearing and consider the attached resolution approving the Engineer's Report as filed, confirming the assessment diagram and amounts as set forth therein, authorizing the levy and collection of assessments for the Fiscal Year 2020-21

Respectfully submitted,

/s/ John Wanger

John Wanger
City Engineer

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

**CITY OF WILLOWS
CITY COUNCIL
RESOLUTION NO. -2020**

**A RESOLUTION APPROVING THE ANNUAL ENGINEER'S REPORT, CONFIRMING THE
ASSESSMENT DIAGRAM AND THE ANNUAL ASSESSMENT AMOUNTS AND AUTHORIZING THE
LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2020-21 FOR THE
CITY OF WILLOWS LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT
ZONE A – BIRCH STREET VILLAGE
ZONE B – WALMART
ZONE C – SOUTH WILLOWS COMMERCIAL AND INDUSTRIAL CENTER
(PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972)**

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

WHEREAS, the City Council of the City of Willows intends to levy and collect assessments within the Assessment District during FY 2020-21, and the lands to be assessed are located within the City of Willows corporate boundaries, Glenn County; and

WHEREAS, on January 28, 2020, the City Council adopted a resolution appointing Coastland Civil Engineering as the Engineer of Work, directing the preparation and filing of the annual FY 2020-21 Engineer's Report, and describing the potential changes to the Assessment District; and

WHEREAS, on May 12, 2020, the City Council adopted a resolution of intention to levy and collect assessments, preliminarily approving the Engineer's Report for FY 2020-21, and setting the times and dates of the public information meeting and public hearing pursuant to section 22624 of the Streets and Highways Code; and

WHEREAS, for FY 2020-21 there are annexations proposed into a new Zone C (South Willows Commercial and Industrial Center); and

WHEREAS, pursuant to California Constitution Article XIII D, notices and ballots were mailed out to the property owners whose property is proposed for annexation into Zone C; and

WHEREAS, in order to keep up with inflation and to recognize noticing/voting requirements for increasing the maximum annual assessments, Zone C will have a maximum annual assessment, and allow annual cost of living adjustments in accordance with the annual Consumer Price Index (CPI). The annual CPI is based on the All Urban Consumers (San Francisco Area) CPI from the U. S. Department of Labor, Bureau of Labor Statistics; and

WHEREAS, for Zone A, in order to keep up with inflation the FY 2020-21 maximum annual assessment per unit will be adjusted up by the allowable CPI to \$518.72; and

WHEREAS, for Zone B, in order to keep up with inflation the FY 2020-21 maximum annual assessment per unit will be adjusted up by the allowable CPI to \$7,368.87; and

WHEREAS, for Zone C, in order to keep up with inflation the FY 2020-21 maximum annual assessment for the zone will be adjusted up by the allowable CPI to \$70,925.92; and

WHEREAS, the proposed FY 2020-21 annual assessment to levy and collect for Zone A is proposed to be reduced to \$110.00 per unit; and

WHEREAS, the proposed FY 2020-21 annual assessment to levy and collect for Zone B is proposed to be reduced to \$2,451.08 per unit; and

WHEREAS, the proposed FY 2020-21 annual assessment to levy and collect for Zone C is proposed to be increased to \$3,438.48 per unit; and

WHEREAS, notice of the public protest hearing was given by publication in accordance with the Landscaping and Lighting Act of 1972; and

WHEREAS, on June 9, 2020 the City Council conducted a public hearing and gave every interested person an opportunity to comment on the FY 2020-21 Engineer's Report either in writing or orally and the City Council has considered each comment; and

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

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

1. Approves the annual FY 2020-21 Engineer's Report as prepared and filed
2. Confirms the assessment diagram and assessment amounts as set forth in the FY 2020-21 Engineer's Report and any amendments incorporated at the City Council's direction and hereby authorizes the levy and collection of the annual assessments set forth in said report for the FY 2020-21, for each of the following Zones:
 - Zone A - Birch Street Village
 - Zone B - Walmart
 - Zone C - South Willow Commercial and Industrial Center
3. Adjusts the estimated maximum annual assessment for Zone A, Zone B and Zone C by the allowed CPI factor of +2.5% from the FY 2019-20 maximum annual assessment level as allowed by the original formation and annexation proceedings in order to keep up with inflation
4. Sets the maximum annual assessments for FY 2020-21 to \$518.72 per unit for Zone A, \$7,368.87 per unit for Zone B and \$70,925.92 for the zone for Zone C
5. Sets the FY 2020-21 amount to levy and collect for Zone A at \$110.00 per unit and for Zone B at \$2,451.08 per unit and for Zone C at \$3,438.48 per unit
6. Adopts this resolution pursuant to Section 22631 of the Street and Highway Code.

It is hereby certified that the foregoing Resolution No. _____ -2020 was duly introduced and duly adopted by the City Council of the City of Willows at its regular meeting held on this 9th day of June, 2020 by the following Roll Call vote:

AYES in favor of:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTESTED:

Kerri Warren, Mayor

Tara Rustenhoven, City Clerk



**ANNUAL ENGINEER'S REPORT
FOR
CITY OF WILLOWS
LANDSCAPING & LIGHTING ASSESSMENT DISTRICT
FY 2020-21**

FOR FINAL REVIEW

**City of Willows
County of Glenn
State of California**

June 2020

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

**CITY OF WILLOWS LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT
FY 2020-21**

(Pursuant to the Landscaping and Lighting Act of 1972)

The undersigned respectfully submits, as directed by the City Council of the City of Willows on January 28, 2020, the enclosed Engineer's Report on the 9th day of June 2020.

COASTLAND CIVIL ENGINEERING INC.

By: 
John L. Wanger, RCE 43148, Exp. 3/31/22



I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was filed with me on the ____ day of _____, 2020.

By: _____
Tara Rustenhoven, City Clerk, City of Willows
Glenn County, California

I HEREBY CERTIFY that the enclosed Final Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Willows, California, on the ____ day of _____, 2020.

By: _____
Tara Rustenhoven, City Clerk, City of Willows
Glenn County, California

I HEREBY CERTIFY that the enclosed Final Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was filed with the County Auditor of the County of Glenn on the ____ day of _____, 2020.

By: _____
Tara Rustenhoven, City Clerk, City of Willows
Glenn County, California

**ANNUAL ENGINEER'S REPORT FOR
CITY OF WILLOWS
LANDSCAPING & LIGHTING ASSESSMENT DISTRICT**

(Pursuant to the Landscaping & Lighting Act of 1972)

FY 2020-21

Coastland Civil Engineering, the Engineer of Work for the City of Willows Landscaping & Lighting Assessment District, City of Willows, Glenn County, California, submits this annual Engineer's Report, as directed by the City Council on January 28, 2020 pursuant to Sections 22565 and 22620 of the California Streets & Highways Code.

History of the Assessment District

The City of Willows Landscaping & Lighting Assessment District (Assessment District) was formed in October of 2005 to provide funding for the operation and maintenance of landscaping and streetlights within the public right-of-way for the Birch Street Village development, which has been designated as Zone A. In order to levy and collect assessments each fiscal year, the Landscaping & Lighting Act of 1972 requires the preparation and filing of annual Engineer's Reports. During these annual proceedings, cost estimates are developed for the operation and maintenance of the Assessment District improvements for the upcoming fiscal year. Further, as new subdivisions are created within the Willows city limits, they can be annexed into the Assessment District on an annual basis.

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

For FY 2020-21, the creation of a Zone C is proposed to recover costs associated with the South Willows Commercial and Industrial Center. This Engineer's report will outline estimated expenditures to operate and maintain landscaping, weed abatement, utilities, and street lights. The procedures required for establishing a new zone will be followed as specified in Section 22605-22613 of the Streets and Highways codes, which requires noticing, a public information meeting and a public hearing.

City of Willows Assessment District Zones and FY 2020-21 Budget

The overall proposed Assessment District budget for FY 2020-21 is \$33,605.07, which is higher than last year (\$28,546.66) due to the additional months of maintenance required for Zone C, which was new last year. The following sections describe each assessment zone, its proposed budget for FY 2020-21, and any changes from the previous year.

Zone A – Birch Street Village

Zone A was created for the Birch Street Village Subdivision to provide funding for the operation and maintenance of landscaping and lighting, including turf, ground cover, shrubs, trees, plants, irrigation systems, masonry walls, fencing, entryway monuments, street lights and associated

appurtenances located within the right-of-way. These improvements are shown in the Assessment Diagram in Part F of this Report.

Annual landscaping expenses may include the repair, removal or replacement of any landscape improvement, damaged irrigation facilities, diseased landscaping, weed and brush clearing, and any other allowable maintenance items per Section 22531 of the California Streets and Highways Code. Annual lighting expenses include utility, maintenance, and replacement costs. Administrative expenditures include the costs of managing the assessment district zone.

The FY 2020-21 Zone A assessment is proposed to be \$110.00 per unit. This is \$18.32 per unit lower than last year. The total proposed Zone A budget for FY 2020-21 is \$3,963.35. This is an 18% decrease from the FY 2019-20 budget due to lower overhead costs. Existing excess reserves will be used to cover a portion of the proposed budget.

The estimated reserve fund balance for Zone A is projected to be above the Council approved reserve budget range of 10%-20% at the start of FY 2020-21. As no special projects are required at this time, existing excess reserves will be used to cover a portion of the proposed budget. It should be noted that the Zone A assessments may need to increase next year if excess reserves are not available to reduce assessments.

Zone B – Walmart

Zone B provides funding for three street lights on North Airport Road alongside the Walmart development, and two traffic signals with street lights at the intersection of North Airport Road and West Wood Street (Highway 162), as shown on the Zone B Assessment Diagram in Part F of this report.

Annual expenses include utility, maintenance, replacement, and administrative expenditures. Replacement costs for street-lights and traffic signals will be funded from a ‘knockdown fund’, as described below under the ‘Knockdown Replacement Fund’ heading.

The budget for this zone is \$2,806.08. This is an 18% decrease from the FY 2019-20 budget due to lower overhead costs. The FY 2020-21 assessment is proposed to be \$2,451.08 per unit, which is \$563.74 per unit lower than last year. Existing excess reserves will be used to cover a portion of the proposed budget.

The estimated annual reserve fund balance is anticipated to be above the desired reserve range at the start of FY 2020-21. As no special projects are required at this time and the maximum knockdown reserve level has been reached, some of the reserves will be used to lower the reserve balance. If additional reserves continue to be available next year, they may be used for special projects or to reduce next year’s assessments. If they are not available, assessments may need to increase.

Zone C – South Willows Commercial and Industrial Center

In FY 2019-20, Zone C was created for the South Willows Commercial and Industrial Center development. Zone C covers the costs of landscape, weed abatement, and lighting improvements in the right-of-way or public parcels created as part of the South Willows Commercial and Industrial Center. The assessed improvements for the initial phase of construction includes four street lights on Harvest Drive, one street light on S. Tehama Street, landscaped areas on either side

of Harvest Drive and weed abatement areas on the north and south side of the development in the detention ponds created for the development. The improvements will benefit six parcels this fiscal year. These improvements are shown on the Zone C Assessment Diagram in Part F of this report.

Full buildout of this area shows further subdivision of the largest parcel which may potentially create a total of 21 buildable parcels and a wetlands area as shown on the approved tentative map for this development. Although the tentative map shows 21 parcels, the final number of parcels is subject to change in the future, as the ultimate lot configurations depend on development.

Annual landscaping expenses may include the repair, removal or replacement of any landscape improvement, damaged irrigation facilities, diseased landscaping, weed and brush clearing, and any other allowable maintenance items per Section 22531 of the California Streets and Highways Code. Annual lighting expenses include utility, maintenance and replacement expenditures. Administrative expenditures include the costs of managing the assessment district zone. Replacement costs for street lights will be funded from a 'knockdown fund' and landscape replacement costs will be funded from a 'landscape replacement fund, both described below.

The FY 2020-21 budget for this zone is \$26,835.64, an increase of 15% due to the anticipated increase in maintenance from the projected 6 months in FY 2019-20 to 9 months in FY 2020-21. Due to delayed development, excess reserves were used to reduce the FY 2020-21 assessment. With a total of 5.5 units for Zone C this year, the assessment for FY 2020-21 is proposed to be \$3,438.48 per unit.

Landscape Replacement Fund – Zone C

While specific budget items, such as utility, repairs, landscaping maintenance and administrative costs are incurred annually, some items, such as new mulch, irrigation and plant replacement will be required at greater intervals. Pursuant to Streets and Highways Code Section 22660, money for any non-annual line items may be collected through annual installments that the City will place in a fund specific for this work. Monies collected for any non-annual landscape maintenance item(s) are shown in Part B, of this report with the designation "Landscape Replacement".

It is anticipated that funds for new mulch will need to accumulate to \$2,000 and be expended up to once every five years, or as otherwise needed.

It is anticipated that funds for replanting will need to accumulate to \$9,000 and be expended up to once every 10 years, or as otherwise needed.

It is anticipated that funds for irrigation replacement will need to accumulate to \$18,000 and be expended up to once every twenty years, or as otherwise needed.

These accumulation levels will be allowed to increase in the future if the estimated cost of these landscape maintenance items increase. This increase in costs may increase the annual assessment however it will not increase the annual assessment higher than the maximum assessment allowed.

Knockdown Replacement Fund – Zones B and C

While most budget items, such as utility, maintenance and administrative costs are incurred annually, costs for repairing or replacing street lights and signals will be expended only upon

damage or destruction of an existing light or signal. Pursuant to Code Section 22660, replacement funds will be collected in Zone B and Zone C in a knockdown fund over the course of five fiscal years through annual installments. Monies collected for this purpose are shown in Part B of this report under the heading "Knockdown Replacement". The knockdown replacement fund will accumulate to a maximum \$5,000 balance, with the maximum balance allowed to increase in the future if the estimated replacement cost increases. Once this maximum balance is reached, there will be no additional accumulation of funds for that budget item until an expenditure to replace or repair a knocked-down light has occurred, or the estimated replacement cost has increased. Once the knockdown funds are expended, the rebuilding of the fund will start in the following year's budget and spread over a maximum of five years.

Cost Index Information – All Zones

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

For FY 2020-21, the maximum annual assessment for Zones A, B and C are proposed to be adjusted up by +2.50% as allowed by the latest annual (2019) CPI.

Proposition 218 and Special Benefits

In 1996, California voters approved Proposition 218 which grants local governments the ability to create assessment districts, and to levy and collect assessments. This law, now a part of the California Constitution (Articles XIII C and XIII D), stipulates that a parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred upon that parcel. "Special benefit" is defined as "a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large.

The Annual Engineer's Report must identify the special benefits conferred upon assessed parcels through the improvements and services funded by the District. The Report must also identify any general benefit conferred upon the public at large by those same improvements and services. The annual costs of said improvements and services must be apportioned between the two. The cost of services attributable to a general benefit may not be assessed.

For the City of Willows, the special benefits and general benefits provided by the various improvements, where furnished through the Assessment Districts, are described below.

Benefits of Landscaping

Landscaping improvements may include turf, mulch, plantings, irrigation systems, masonry walls, fencing, and landscape appurtenances. These landscaping improvements provide the following special benefits to each assessed parcel within the zone:

- Enhanced desirability of properties through association with the landscaping,
- Improved aesthetic appeal of the neighborhood, and

- Improved air quality from additional vegetation.

Each assessed parcel within a zone receives a particular and distinct special benefit from the maintenance of the landscaping within that zone even though the landscaping may not be adjacent to each parcel. Further, although members of the general public may walk or drive through a zone and appreciate the aesthetic appeal of the maintained landscaping, this does not necessarily confer a general benefit to the public at large.

Benefits of Street Lighting

Street lighting provided by the Assessment District must meet adopted City standards for lighting, including spacing requirements. Therefore, each assessed parcel within the zone receives approximately equal and special benefit for:

- Enhanced neighborhood, pedestrian and vehicle safety, and
- Increased neighborhood, pedestrian and vehicle security.

Each assessed parcel within a zone receives a particular and distinct special benefit from the lighting and maintenance thereof within that zone even though the lights may not be adjacent to each parcel.

Although members of the general public may walk or drive through a zone and appreciate the increased safety and security resulting from improved street lighting, this does not necessarily confer a general benefit to the public at large.

Benefits of Enhanced Traffic Control

The maintenance of traffic control improvements may include the utility costs, maintenance and replacement of traffic signals and street lighting. Traffic control often provides a combination of special and general benefits, which may include:

- Enhanced pedestrian and vehicle safety,
- Ease of access/egress, and
- Improved safety of the intersection.

Each assessed parcel within a zone receives a particular and distinct special benefit from the maintenance of the traffic control improvements within that zone even though there may be another access route to that parcel.

The general public may also benefit from improved traffic control, particularly when the improvements are located on highways and major arterial roads that serve many parcels outside of the assessed zone. The portion of enhanced safety and accessibility resulting from traffic control improvements conferred upon the public must be quantified and separated from the portion of special benefits conferred upon the assessed properties for each zone.

FY 2020-21 Engineer's Report Format

This Engineer's Report consists of the following Parts:

- PART A - Plans and Specifications (Page 9)** - This portion of the Engineer's Report describes any plans and specifications that may be needed for the installation of the improvements. If plans and specifications exist, they are filed with the City Clerk. Although separately bound, the plans and specifications are part of this Engineer's Report and are included in it by reference.
- PART B - Budget Cost Estimates (Page 10)** – Budget cost estimates associated with the operations and maintenance of the described improvements for each Zone are described in Part B of this report. In addition to an overall budget summary for Zone A, Zone B, and Zone C, a detailed FY 2020-21 Budget sheet and a FY 2020-21 Summary of Fund Balance sheet is provided for each Zone.
- PART C - Assessment (Page 17)** – A listing of the annual assessment on each benefited parcel of land in Zone A, Zone B, and Zone C within the Assessment District. The assessment amount is the estimated cost each parcel will contribute during FY 2020-21 towards the operation and maintenance of their respective Zone within the Assessment District, as well as their portion of the 5-year installment payment for the installation of the improvements.
- PART D - Method of Apportionment of Assessment (Page 20)** - A statement of the method used by Engineer of Work to determine the amount proposed to be assessed against each parcel within Zone A, Zone B, and Zone C of the Assessment District. Additionally, this section describes the maximum assessment allowable and any inflationary adjustments.
- PART E - Property Owners List (Page 25)** - Names and addresses of the owners of real property listed within for this Assessment District, as shown on the last equalized assessment roll for taxes. The Assessor Parcel Number (A.P.N.) keys the list into the Assessment Roll of Part C.
- PART F - Assessment Diagrams (Page 28)** – The Assessment Diagrams (maps) showing all of the parcels of real property within Zone A, Zone B, and Zone C of the Assessment District. The assessment number keys the diagram Part C – Assessment Roll.

PART A

PLANS AND SPECIFICATIONS

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

PART B
FY 2020-21 Budget Cost Estimates

For FY 2020-21, the total budget summary for Willows Landscaping & Lighting Assessment District is as follows:

	<u>As Filed With the City</u>	<u>As Preliminarily Approved</u>	<u>As Finally Approved At the Public Hearing</u>
Zone A:	\$ 3,963.35	\$ 3,963.35	
Zone B:	\$ 2,806.08	\$ 2,806.08	
Zone C:	\$ 26,835.64	\$ 26,835.64	
Total:	\$ 33,605.07	\$ 33,605.07	

Detailed budgets for Zones A, B, and C are provided in this section. Also included is the Summary of Fund Balance sheet.

CITY OF WILLOWS
Landscaping and Lighting Assessment District
Fiscal Year 2020-21
Zone A - Birch Street Village
Budget

Item	2019-20 Budget	2020-21 Budget
Engineers Report	\$1,513.00	\$842.50
Legal Services	\$100.00	\$100.00
Landscape Maintenance	\$1,400.00	\$1,400.00
Lighting Utilities & Maintenance	\$1,300.00	\$1,300.00
County Assessor Fees (3.5% of Revenue)	\$164.25	\$138.72
Contingency	\$215.63	\$182.13
Total Expenses	\$4,692.88	\$3,963.35
Contribution from Reserves	\$330.00	\$223.35
Total Assessment Costs	\$4,362.88	\$3,740.00
Total Assessment Revenue	\$4,362.88	\$3,740.00
Estimated Number of Units in Zone A	34.0	34.0
Proposed Assessment per Unit for Zone A*	\$128.32	\$110.00

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

CITY OF WILLOWS
Landscaping and Lighting Assessment District
Fiscal Year 2020-21
Zone A - Birch Street Village
Summary of Fund Balance

	<u>2020-21</u>
Estimated Starting Reserve Fund on July 1	\$1,000.00
Estimated Interest Earned	\$20.00
Estimated Revenue	\$3,740.00
Total Estimated Funds Available	\$4,760.00
Total Estimated Expenditures	\$3,963.35
Estimated Ending Reserve Fund on June 30	\$796.65

CITY OF WILLOWS
Landscaping and Lighting Assessment District
Fiscal Year 2020-21
Zone B - Walmart
Budget

Item	2019-20 Budget	2020-21 Budget
Engineers Report	\$1,008.00	\$561.70
Legal Services	\$100.00	\$100.00
Lighting Utilities & Maintenance	\$1,800.00	\$1,800.00
Knockdown Replacement	\$0.00	\$0.00
County Assessor Fees (3.5% of Revenue)	\$116.02	\$98.21
Contingency	\$290.80	\$246.17
Total Expenses	\$3,314.82	\$2,806.08
Contribution from Reserves	\$300.00	\$355.00
Total Assessment Costs	\$3,014.82	\$2,451.08
Total Assessment Revenue	\$3,014.82	\$2,451.08
Estimated Number of Units in Zone B	1.0	1.0
Proposed Assessment per Unit for Zone B*	\$3,014.82	\$2,451.08

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

CITY OF WILLOWS
Landscaping and Lighting Assessment District
Fiscal Year 2020-21
Zone B - Walmart
Summary of Fund Balance

	<u>2020-21</u>
Est. Starting Annual Reserve Fund on July 1	\$800.00
Est. Starting Knockdown Reserve Fund on July 1	\$5,000.00
Estimated Interest Earned	\$116.00
Estimated Annual Revenue	\$2,451.08
Estimated Knockdown Revenue	\$0.00
Total Estimated Annual Funds Available	\$3,367.08
Total Estimated Knockdown Funds Available	\$5,000.00
Total Estimated Annual Expenditures	\$2,806.08
Total Estimated Knockdown Expenditures	\$0.00
Est. Ending Annual Reserve Fund on June 30	\$561.00
Est. Ending Knockdown Reserve Fund on June 30	\$5,000.00

CITY OF WILLOWS
Landscaping and Lighting Assessment District
Fiscal Year 2020-21
Zone C - S. Willows Commercial and Industrial Center
Budget

Item	2019-20 Budget	2020-21 Budget
	6 months	9 months
Engineers Report	\$5,979.00	\$4,995.80
Legal Services	\$500.00	\$750.00
Weed Abatement	\$7,500.00	\$11,250.00
Landscape Maintenance & Utilities	\$2,848.00	\$4,272.00
Lighting Utilities & Maintenance	\$325.00	\$487.50
Knockdown Replacement Funding	\$500.00	\$750.00
Landscape Replacement Funding	\$1,100.00	\$1,650.00
County Assessor Fees (3.5% of Revenue)	\$509.60	\$764.39
Contingency	\$1,277.36	\$1,915.95
Total Expenses	\$20,538.96	\$26,835.64
Contribution from Reserves	\$0.00	\$7,924.00
Total Assessment Costs	\$20,538.96	\$18,911.64
Total Assessment Revenue	\$20,538.96	\$18,911.64
Estimated Number of Units in Zone C	6.5	5.5
Proposed Assessment per Unit for Zone C*	\$3,159.84	\$3,438.48

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

CITY OF WILLOWS
Landscaping and Lighting Assessment District
Fiscal Year 2020-21
Zone C - S. Willows Commercial and Industrial Center
Summary of Fund Balance

	<u>2020-21</u>
Est. Starting Annual Reserve Fund on July 1	\$11,950.36
Est. Starting Knockdown Reserve Fund on July 1	\$500.00
Est. Starting Landscape Replacement Reserve Fund on July 1	\$1,100.00
 Estimated Interest Earned	 \$0.00
 Estimated Annual Revenue collected	 \$16,511.64
Estimated Knockdown Replacement Revenue collected	\$750.00
Estimated Landscape Replacement Revenue collected	\$1,650.00
 Total Estimated Funds Available	 \$32,462.00
 Total Estimated Annual Expenditures	 \$24,435.64
Estimated Knockdown Expenditure	\$0.00
Total Estimated Landscape Replacement Expenditures	\$0.00
 Est. Ending Annual Reserve Fund on June 30	 \$4,026.36
Est. Ending Knockdown Reserve Fund on June 30	\$1,250.00
Est. Ending Landscape Replacement Reserve Fund on June 30	\$2,750.00

PART C

FY 2020-21 ASSESSMENT ROLL

The total proposed Assessment District revenues for FY 2020-21 consist entirely of assessments associated with Zones A, B, and C, as follows:

\$ 3,740.00	From Zone A
\$ 2,451.08	From Zone B
\$ 18,911.64	From Zone C

The breakdown of FY 2020-21 annual assessments per parcel is shown in Table 1 of this report. The lines and dimensions of each parcel are shown on the maps in the office of the County Assessor of the County of Glenn.

Table 1
CITY OF WILLOWS
Landscaping and Lighting Assessment District
Fiscal Year 2020-21

Zone A - Birch Street Village

APN	Assessment Diagram Number	Land Use Code	Land Use Type	Units	Assessment Amount	Owner Name	Address
001-071-009-000	26	R1XX	Single Family	1	\$110.00	Tovar, Bradford & Tovar, Jillian McGarr	320 S. Humboldt Ave Willows, CA 95988
001-071-010-000	27	R1XX	Single Family	1	\$110.00	Nungaray, Jose T A & Arteaga Lorena C J/T	330 S Humboldt Ave, Willows, CA 95988
001-071-011-000	28	R1XX	Single Family	1	\$110.00	Medina Humberto	340 S Humboldt Ave, Willows, CA 95988
001-071-012-000	29	R1XX	Single Family	1	\$110.00	Pollock Robert R	350 S Humboldt Ave, Willows, CA 95988
001-071-013-000	30	R1XX	Single Family	1	\$110.00	Baczkowski, Thomas W.	360 S Humboldt Ave, Willows, CA 95988
001-071-014-000	31	R1XX	Single Family	1	\$110.00	Sexton, Dominick & Kelly Rose	370 S. Humboldt Ave, Willows, CA 95988
001-071-015-000	32	R1XX	Single Family	1	\$110.00	Towes, Randel & Roberta J/T	380 S. Humboldt Ave, Willows, CA 95988
001-071-016-000	33	R1XX	Single Family	1	\$110.00	Hernandez J A Palomino & Palomino Hilda	1330 W. Humboldt Ave, Willows, CA 95988
001-071-017-000	34	R1XX	Single Family	1	\$110.00	Cox, Thomas L Jr. S/S	1320 W. Humboldt Ave, Willows, CA 95988
001-071-018-000	16	R1XX	Single Family	1	\$110.00	Kumar Priti	199 N Humboldt Ave, Willows, CA 95988
001-071-019-000	15	R1XX	Single Family	1	\$110.00	Street Amy L & Street Timothy R	451 El Dorado Ave, Willows, CA 95988
001-071-020-000	14	R1XX	Single Family	1	\$110.00	Cromwell, Wendy	461 El Dorado Ave, Willows, CA 95988
001-071-021-000	17	R1XX	Single Family	1	\$110.00	Femino, Andrea	431 El Dorado Ave, Willows, CA 95988
001-071-022-000	18	R1XX	Single Family	1	\$110.00	Donnelly, Michael D & Carolyn M	421 El Dorado Ave, Willows, CA 95988
001-071-023-000	19	R1XX	Single Family	1	\$110.00	Martinez, Ramiro Licea & Licea Yesenia J/T	381 El Dorado Ave, Willows, CA 95988
001-071-024-000	20	R1XX	Single Family	1	\$110.00	Ngo Cuong Bach & Tra Thuy Thanh Thi TRS	371 El Dorado Ave, Willows, CA 95988
001-071-025-000	21	R1XX	Single Family	1	\$110.00	Feeney, Kevin J TRS	65 Lindauer Lane, Red Bluff, CA 96088
001-071-026-000	22	R1XX	Single Family	1	\$110.00	Tafolla, Guillermo Arias & Arias Ana	351 El Dorado Ave, Willows, CA 95988
001-071-027-000	23	R1XX	Single Family	1	\$110.00	Baker Nicole C	341 El Dorado Ave, Willows, CA 95988
001-071-028-000	24	R1XX	Single Family	1	\$110.00	Moiser, Steven M & Moiser, Lisa L.	331 El Dorado Ave, Willows, CA 95988
001-071-029-000	25	R1XX	Single Family	1	\$110.00	Clark Janie C TRS	321 El Dorado Ave, Willows, CA 95988
001-071-030-000	13	R1XX	Single Family	1	\$110.00	Lederer, Eric M	PO Box 1298, Willows, CA 95988
001-071-031-000	12	R1XX	Single Family	1	\$110.00	Hernandez Jaime & Hernandez Gabriela	320 El Dorado Ave, Willows, CA 95988
001-071-032-000	11	R1XX	Single Family	1	\$110.00	Barragan, Ruban J.	330 El Dorado Ave, Willows, CA 95988
001-071-033-000	10	R1XX	Single Family	1	\$110.00	Jaramillo Jose Luis & Jaramillo Brenda	340 El Dorado Ave, Willows, CA 95988
001-071-034-000	9	R1XX	Single Family	1	\$110.00	Sigala, Yesenia J & Reymundo J/T	350 El Dorado Ave, Willows, CA 95988
001-071-035-000	8	R1XX	Single Family	1	\$110.00	Huston, Evan C & Amanda R TRS	831 Fifth St, Orland, CA 95963
001-071-036-000	7	R1XX	Single Family	1	\$110.00	Corriea Larry G	475 S Culver St, Willows, CA 95988
001-071-037-000	6	R1XX	Single Family	1	\$110.00	Salas, Crystal A & Sengmany, Rakxat J/T	380 El Dorado Ave, Willows, CA 95988
001-071-038-000	5	R1XX	Single Family	1	\$110.00	Bobadilla, Pedro D & Raygoza Marisol J/T	410 El Dorado Ave, Willows, CA 95988
001-071-039-000	4	R1XX	Single Family	1	\$110.00	Gutierrez, Alejandro & Gutierrez Ashley M J/T	420 El Dorado Ave, Willows, CA 95988
001-071-040-000	3	R1XX	Single Family	1	\$110.00	Drazkowski Tonia & Scott Lindsay B Co Trs	111 S Villa #8 Willows, CA 95988
001-071-041-000	2	R1XX	Single Family	1	\$110.00	Irwin Dennis L	440 El Dorado Ave, Willows, CA 95988
001-071-042-000	1	R1XX	Single Family	1	\$110.00	Southam Boyd & Southam Stephanie	450 El Dorado Ave, Willows, CA 95988
Lot A	Lot A	Null	Easement	0	\$0.00	Null	Null
Total				34	\$3,740.00		

Table 1 (continued)

Zone C - S. Willows Commercial and Industrial Center

APN	Assessment Diagram Number	Land Use Code	Land Use Type	Units	Assessment Amount	Owner Name	Address
017-170-034-000	36	GVXX	Governmental Vacant	0	\$0.00	City of Willows	201 North Lassen St, Willows, CA 95988
017-170-037-000	37	GXXX	Governmental Waste	0	\$0.00	City of Willows	201 North Lassen St, Willows, CA 95988
017-170-051-000	38	RVAX	Residential Vacant, Ag	0.5	\$1,719.24	California Land Invest LLC	316 California Ave #350, Reno, NV 89509
017-350-001-000	41	RVAX	Residential Vacant, Ag	0	\$0.00	California Land Invest LLC	316 California Ave #350, Reno, NV 89509
017-350-002-000	40	RVAX	Residential Vacant, Ag	1	\$3,438.48	California Land Invest LLC	316 California Ave #350, Reno, NV 89509
017-350-003-000	39	RVAX	Residential Vacant, Ag	1	\$3,438.48	California Land Invest LLC	316 California Ave #350, Reno, NV 89509
017-350-004-000	42	RVAX	Residential Vacant, Ag	1	\$3,438.48	California Land Invest LLC	316 California Ave #350, Reno, NV 89509
017-350-005-000	43	RVAX	Residential Vacant, Ag	1	\$3,438.48	California Land Invest LLC	316 California Ave #350, Reno, NV 89509
017-350-006-000	44	RVAX	Residential Vacant, Ag	1	\$3,438.48	California Land Invest LLC	316 California Ave #350, Reno, NV 89509
Total				5.5	\$18,911.64		

Zone B - Walmart

APN	Assessment Diagram Number	Land Use Code	Land Use Type	Units	Assessment Amount	Owner Name	Address
017-210-052-000	35	CEXX	Commercial Retail Outlet	1	\$2,451.08	Walmart RE Business Trust c/o Walmart Tax Dept #2053	P.O. Box 8050, Bentonville, AR 72712-8050
Total				1	\$2,451.08		

PART D

METHOD OF APPORTIONMENT OF ASSESSMENT

This section describes the manner by which the annual assessment has been apportioned (spread) to the assessed parcels within each Zone:

Zone A – Birch Street Village

Zone A includes the maintenance of the landscaping and street lighting located within the right-of-way of Birch Street Village. The parcels within the zone receive a direct and special benefit from the landscaping and street lighting, which include enhanced desirability of properties within the zone, improved aesthetic appeal of the neighborhood, improved air quality, enhanced safety and security for the neighborhood, pedestrians, and vehicles.

Although members of the general public may walk or drive through a zone and appreciate the aesthetic appeal of the maintained landscaping, this does not necessarily confer a general benefit to the public at large and, in any case, is determined to be negligible relative to the special benefits conferred upon the parcels within a particular zone.

Land use codes from the County of Glenn were used to determine the basic use units assigned to each parcel. The following basic use units reflect the relative special benefit accruing to parcels of land within Zone A:

1. Developed parcel	1 unit
2. Vacant, developable parcel	½ unit
3. Undevelopable parcel	0 units

Accordingly, the annual assessment cost per parcel shall be obtained by dividing the total Zone A annual assessment cost by the total number of units within Zone A.

Zone B – Walmart

Zone B includes the maintenance of three street lights on North Airport Boulevard and a 4-way traffic signal with street lights at the intersection of West Wood Street and North Airport Road. The special and general benefits for each improvement, and the portions thereof, are described below.

Street Lights

The single parcel within Zone B, Walmart, receives direct and special benefits from the street lights on North Airport Boulevard. The special benefits include enhanced safety and security for the neighborhood, pedestrians, and vehicles. Each parcel within a zone receives a particular and distinct special benefit from the lighting and maintenance thereof within that zone even though the lights may not be adjacent to each parcel.

Although members of the general public may walk or drive through a zone and appreciate the increased safety and security resulting from improved street lighting, this does not necessarily confer a general benefit to the public at large and, in any case, is determined to be negligible relative to the special benefits conferred upon the parcels within a particular zone.

Land Use codes as received from the County of Glenn are used to determine the basic use units to be assigned to each parcel. The following basic use units reflect the relative special benefit accruing to parcels of land within Zone B:

- | | |
|-------------------------------|---------|
| 1. Developed parcel | 1 unit |
| 2. Vacant, developable parcel | ½ unit |
| 3. Undevelopable parcel | 0 units |

Accordingly, the annual assessment cost per parcel shall be obtained by dividing the total Zone B annual assessment cost by the total number of units within Zone B.

Traffic Signal:

The four-way traffic signal system, consisting of four traffic signals, street lighting and controller, was installed at the intersection of West Wood Street and North Airport Road to address traffic congestion resulting from the expanded Walmart Super Store. Prior to the Walmart development, there was no need for a traffic signal at this intersection.

Walmart, the sole parcel within Zone B, receives direct and special benefits from the 4-way traffic. These special benefits include enhanced safety and security for the neighborhood, pedestrians, and vehicles, as well as ease of access and egress, and improved safety of the intersection. West Wood Street also carries traffic not associated with Walmart, and therefore the enhanced traffic control also confers a general benefit to the public at large.

The enhanced traffic control provided to north/south traffic on North Airport Road is considered to be a special benefit principally to Walmart as the traffic control in that direction serves their primary entrance to the north. Comparatively, there is very little traffic directed to the south, which serves the local Willows airport, and the general benefit provided in this direction is considered negligible.

The enhanced traffic control provided to east/west traffic along State Highway 162 is considered to provide primarily a general benefit to the public at large.

Therefore, the direct and special benefits provided to Zone B for improved traffic control in the north-south direction is considered to be one-half of the total traffic control benefits. The remaining one-half of the traffic control benefits, conferred on east-west traffic along State Highway 162, is considered a general benefit to the public.

The annual assessment cost for special benefits conferred to Zone B for traffic control shall be one-half of the total costs of providing and maintaining the 4 signals, lights and controller plus associated costs. The remainder of the costs associated with this signal is paid for by Caltrans, as West Wood Street is a State highway. This is indicated on the Assessment Diagram as 2 traffic signals.

Accordingly, the method by which the single Zone B parcel shall be assessed for traffic signal costs is the total estimated cost of maintenance and operation of the City's portion of the traffic signal (including lights), half the cost of the controller, and the administrative costs associated with this zone.

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

Zone C – South Willows Commercial and Industrial Center

Zone C includes weed abatement, and the maintenance of landscaping and street lighting located within the South Willows Commercial and Industrial Center. The parcels within the zone receive a direct and special benefit from the weed abatement, landscaping and street lighting, which include enhanced desirability of properties within the zone, improved aesthetic appeal of the neighborhood, improved air quality, and enhanced safety and security for the neighborhood, pedestrians, and vehicles.

Although members of the general public may walk or drive through a zone and appreciate the increased safety and security resulting from improved street lighting or the aesthetic appeal of the maintained landscaping, this does not necessarily confer a general benefit to the public at large and, in any case, is determined to be negligible relative to the special benefits conferred upon the parcels within a particular zone.

Land Use codes as received from the County of Glenn are used to determine the basic use units to be assigned to each parcel. For FY 2020-21, however, it is known that five of the six developable parcels in Zone C will be developed by July 1, 2020. As such, the use units applied to these parcels will be set based upon this updated information. The following basic use units reflect the relative special benefit accruing to parcels of land within Zone C:

1. Developed parcel	1 unit
2. Vacant, developable parcel	½ unit
3. Undevelopable parcel	0 units

Accordingly, the annual assessment cost per unit shall be obtained by dividing the total Zone C annual assessment cost by the total number of units within Zone C.

A knockdown replacement fund will be established for Zone C to cover expenses associated with replacing a streetlight if it is damaged or destroyed by a vehicle. At this time, the overall knockdown fund cost to be accumulated over a 5-year period is \$5,000 (estimated expenses for manpower and equipment for replacing one streetlight). Once a fund balance of \$5,000 is attained, no additional monies shall be collected for this fund until there is the need to replace one of the streetlights.

The Zone C total knockdown replacement fund to be accumulated over 5 years is \$5,000. This amount, \$5,000, divided by five years equals an annual knockdown replacement cost of \$1,000.

The annual knockdown replacement cost per unit shall be obtained by dividing the Zone C annual knockdown replacement cost (\$1,000) by the total number of units within Zone C (as defined in this section above).

A landscape replacement fund will be established for Zone C to cover expenses associated with long-term landscaping items such as new bark mulch, plants, and replacement of the irrigation system, as needed. The overall landscape replacement fund costs are as follows:

Landscape Replacement Fund Costs		
New bark mulch to be replaced every five years:	\$2,000	(\$8,000 over 20 years)
New plants to be replaced over 10 years:	\$9,000	(\$18,000 over 20 years)
Irrigation system replacement every 20 years:	\$18,000	<u>(\$18,000 over 20 years)</u>
		\$44,000 over 20 years

The total landscape replacement fund to be accumulated over 20 years is \$44,000. This amount, \$44,000, divided by twenty years equals an annual landscape replacement fund of \$2,200 for this zone.

The annual landscape replacement cost per unit shall be obtained by dividing the annual landscape replacement fund cost (\$2,200) by the total number of units within Zone C (as defined in this section above).

MAXIMUM ALLOWABLE ASSESSMENT AND INFLATIONARY FACTORS

In 2005, the original Engineer’s Report stated that assessments may be adjusted each year to account for inflation of costs and services in accordance with the Bay Area (San Francisco-Oakland-San Jose) Consumer Price Index (CPI) for all urban consumers, or 3%, whichever is greater. An Annual CPI increase has been applied for each year, however it should be noted that, due to the economic climate, from FY 2010-11 through FY 2016-17 the implemented increase was less than 3%.

The CPI adjustments to the Maximum Allowed Assessment per Parcel from FY 2016-17 through FY 2020-21 are shown as follows:

Maximum Allowable Assessment Analysis								
Assessment Year	Allowed Annual CPI Increase		Zone A Birch Street Village		Zone B Walmart		Zone C S. Willows Commercial & Industrial Center	
	Year	%	Allowed Adjustment Amount	Total Assessment Maximum (per Unit)	Allowed Adjustment Amount	Total Assessment Maximum (per Unit)	Allowed Adjustment Amount	Total Assessment Maximum (per Zone)
FY 2016-17	2015	2.60%	\$11.69	\$461.34	\$166.08	\$6,553.66		
FY 2017-18	2016	3.00%	\$13.84	\$475.18	\$196.61	\$6,750.27		
FY 2018-19	2017	2.90%	\$13.78	\$488.96	\$195.76	\$6,946.03		
FY 2019-20 Zone C original Assessment	2018	3.50%	\$17.11	\$506.07	\$243.11	\$7,189.14		\$69,196.02
FY 2020-21	2019	2.50%	\$12.65	\$518.72	\$179.73	\$7,368.87	\$1,729.90	\$70,925.92

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

PART E

FY 2020-21 PROPERTY OWNERS LIST

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

**Table 2
CITY OF WILLOWS
Landscaping and Lighting Assessment District
Fiscal Year 2020-21**

Zone A - Birch Street Village, Zone B - Walmart, and Zone C South Willows Commercial & Industrial Center

APN	Assessment Diagram Number	Owner Name	Mailing Address
001-071-009-000	26	Tovar, Bradford & Tovar, Jillian Mc Garr Nungaray, Jose T A & Arteaga Lorena C J/T	320 S. Humboldt Ave Willows, CA 95988
001-071-010-000	27	Medina Humberto	330 S Humboldt Ave, Willows, CA 95988
001-071-011-000	28	Pollock Robert R	340 S Humboldt Ave, Willows, CA 95988
001-071-012-000	29	Baczkowski, Thomas W.	350 S Humboldt Ave, Willows, CA 95988
001-071-013-000	30	Sexton, Dominick & Kelly Rose	360 S Humboldt Ave, Willows, CA 95988
001-071-014-000	31	Towes, Randel & Roberta J/T	370 S. Humboldt Ave, Willows, CA 95988
001-071-015-000	32	Hernandez J A Palomino & Palomino Hilda	380 S. Humboldt Ave, Willows, CA 95988
001-071-016-000	33	Cox, Thomas L Jr. S/S	1330 W. Humboldt Ave, Willows, CA 95988
001-071-017-000	34	Kumar Priti	199 N Humboldt Ave, Willows, CA 95988
001-071-018-000	16	Street Amy L & Street Timothy R	199 N Humboldt Ave, Willows, CA 95988
001-071-019-000	15	Cromwell, Wendy	451 El Dorado Ave, Willows, CA 95988
001-071-020-000	14	Femino, Andrea	461 El Dorado Ave, Willows, CA 95988
001-071-021-000	17	Donnelly, Michael D & Carolyn M	431 El Dorado Ave, Willows, CA 95988
001-071-022-000	18	Martinez, Ramiro Licea & Licea Yesenia J/T	421 El Dorado Ave, Willows, CA 95988
001-071-023-000	19	Ngo Cuong Bach & Tra Thuy Thanh Thi TRS	381 El Dorado Ave, Willows, CA 95988
001-071-024-000	20	Feeney, Kevin J TRS	371 El Dorado Ave, Willows, CA 95988
001-071-025-000	21	Tafolla, Guillermo Arias & Arias Ana	65 Lindauer Lane, Red Bluff, CA 96088
001-071-026-000	22	Baker Nicole C	351 El Dorado Ave, Willows, CA 95988
001-071-027-000	23	Moiser, Steven M & Moiser, Lisa L.	341 El Dorado Ave, Willows, CA 95988
001-071-028-000	24	Clark Janie C TRS	331 El Dorado Ave, Willows, CA 95988
001-071-029-000	25	Lederer, Eric M	321 El Dorado Ave, Willows, CA 95988
001-071-030-000	13	Hernandez Jaime & Hernandez Gabriela	PO Box 1298, Willows, CA 95988
001-071-031-000	12	Barragan, Ruban J.	320 El Dorado Ave, Willows, CA 95988
001-071-032-000	11	Jaramillo Jose Luis & Jaramillo Brenda	330 El Dorado Ave, Willows, CA 95988
001-071-033-000	10	Sigala, Yesenia J & Reymundo J/T	340 El Dorado Ave, Willows, CA 95988
001-071-034-000	9	Huston, Evan C & Amanda R TRS	350 El Dorado Ave, Willows, CA 95988
001-071-035-000	8	Corriea Larry G	831 Fifth St, Orland, CA 95963
001-071-036-000	7	Salas, Crystal A & Sengmany, Rakxat J/T	475 S Culver St, Willows, CA 95988
001-071-037-000	6	Bobadilla, Pedro D & Raygoza Marisol J/T	380 El Dorado Ave, Willows, CA 95988
001-071-038-000	5	Gutierrez, Alejandro & Gutierrez Ashley M J/T	410 El Dorado Ave, Willows, CA 95988
001-071-039-000	4	Draskowski Tonia & Scott Lindsay B Co Trs	420 El Dorado Ave, Willows, CA 95988
001-071-040-000	3	Irwin Dennis L	111 S Villa #8 Willows, CA 95988
001-071-041-000	2	Southam Boyd & Southam Stephanie	440 El Dorado Ave, Willows, CA 95988
001-071-042-000	1	Lot A	450 El Dorado Ave, Willows, CA 95988
Lot A	Lot A	Null	Null

Table 2 (Continued)

APN	Assessment Diagram Number	Owner Name	Mailing Address
017-170-034-000	36	City of Willows	201 North Lassen St, Willows, CA 95988
017-170-037-000	37	City of Willows	201 North Lassen St, Willows, CA 95988
017-170-051-000	38	California Land Invest LLC	316 California Ave #350, Reno, NV 89509
017-350-001-000	41	California Land Invest LLC	316 California Ave #350, Reno, NV 89509
017-350-002-000	40	California Land Invest LLC	316 California Ave #350, Reno, NV 89509
017-350-003-000	39	California Land Invest LLC	316 California Ave #350, Reno, NV 89509
017-350-004-000	42	California Land Invest LLC	316 California Ave #350, Reno, NV 89509
017-350-005-000	43	California Land Invest LLC	316 California Ave #350, Reno, NV 89509
017-350-006-000	44	California Land Invest LLC	316 California Ave #350, Reno, NV 89509
017-210-052-000	35	Walmart RE Business Trust c/o Walmart Tax Dept #2053	P.O. Box 8050, Bentonville, AR 72712-8050

PART F

FY 2020-21 ASSESSMENT DIAGRAM

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

Zone A

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

Zone B

All the land lying within the Walmart Super Store Development, known at the Assessor's Office of the County of Glenn as Assessor's Parcel Number 017-210-052-000.

Zone C

All the land lying within the South Willows Commercial and Industrial Center development, known at the Assessor's Office of the County of Glenn as Assessor's Parcel Numbers 017-170-034-000, 017-170-037-000, 017-170-051-000 and 017-350-039-000 through 017-350-044-000.

CITY OF WILLOWS

LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT

ASSESSMENT DIAGRAM

ZONE A - BIRCH STREET VILLAGE



VICINITY MAP

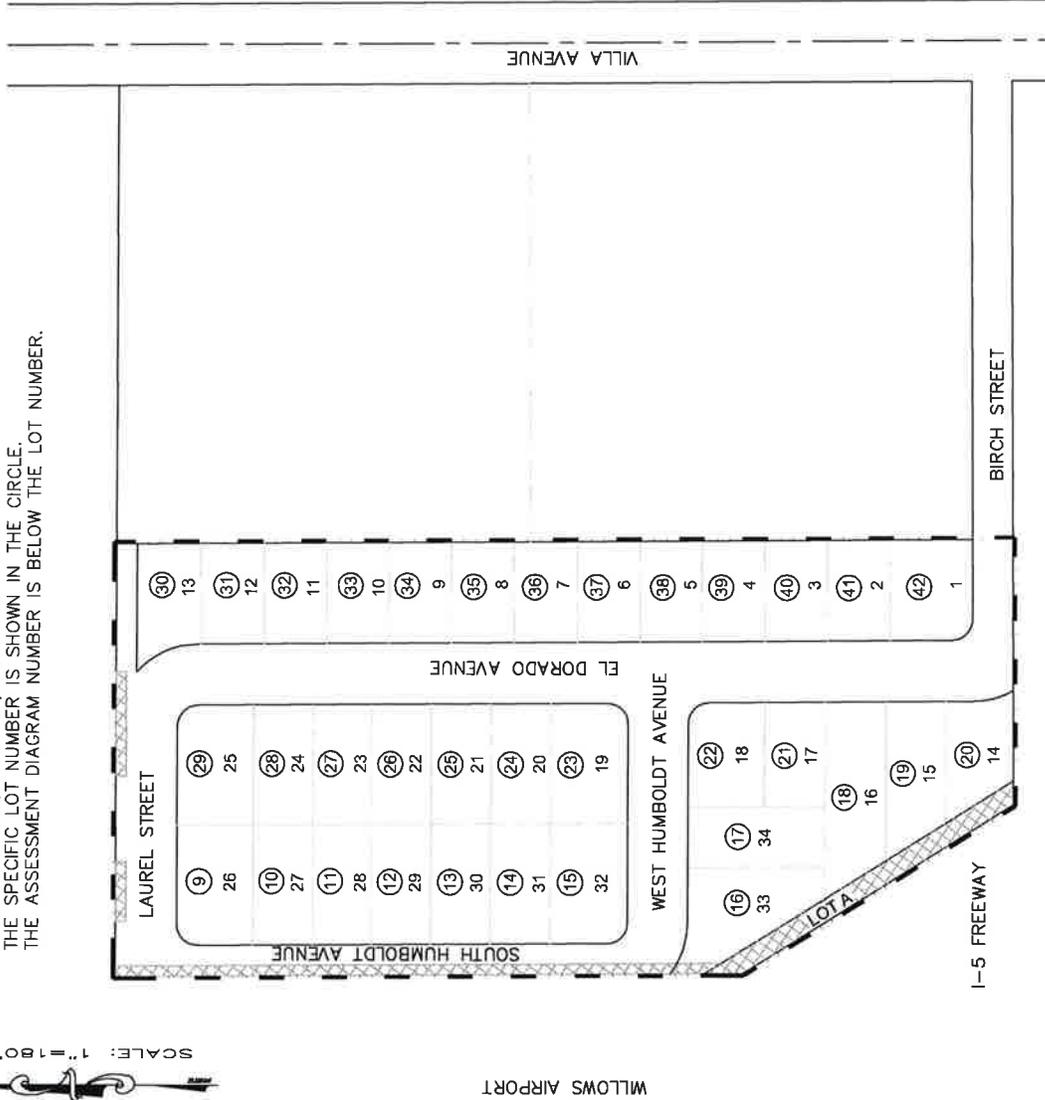
- Landscape Maintenance Area
- Assessment District Boundary

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

PREPARED FOR
CITY OF WILLOWS
GLENN COUNTY CALIFORNIA
2020-2021 FISCAL YEAR

APN: BOOK 001, PAGE 07, BLOCK 1.
THE SPECIFIC LOT NUMBER IS SHOWN IN THE CIRCLE.
THE ASSESSMENT DIAGRAM NUMBER IS BELOW THE LOT NUMBER.

SCALE: 1" = 180'

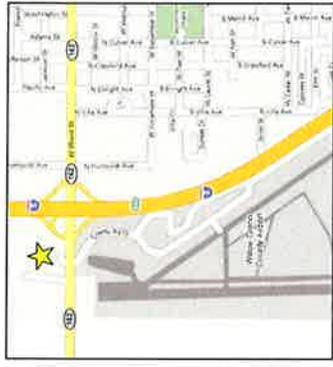
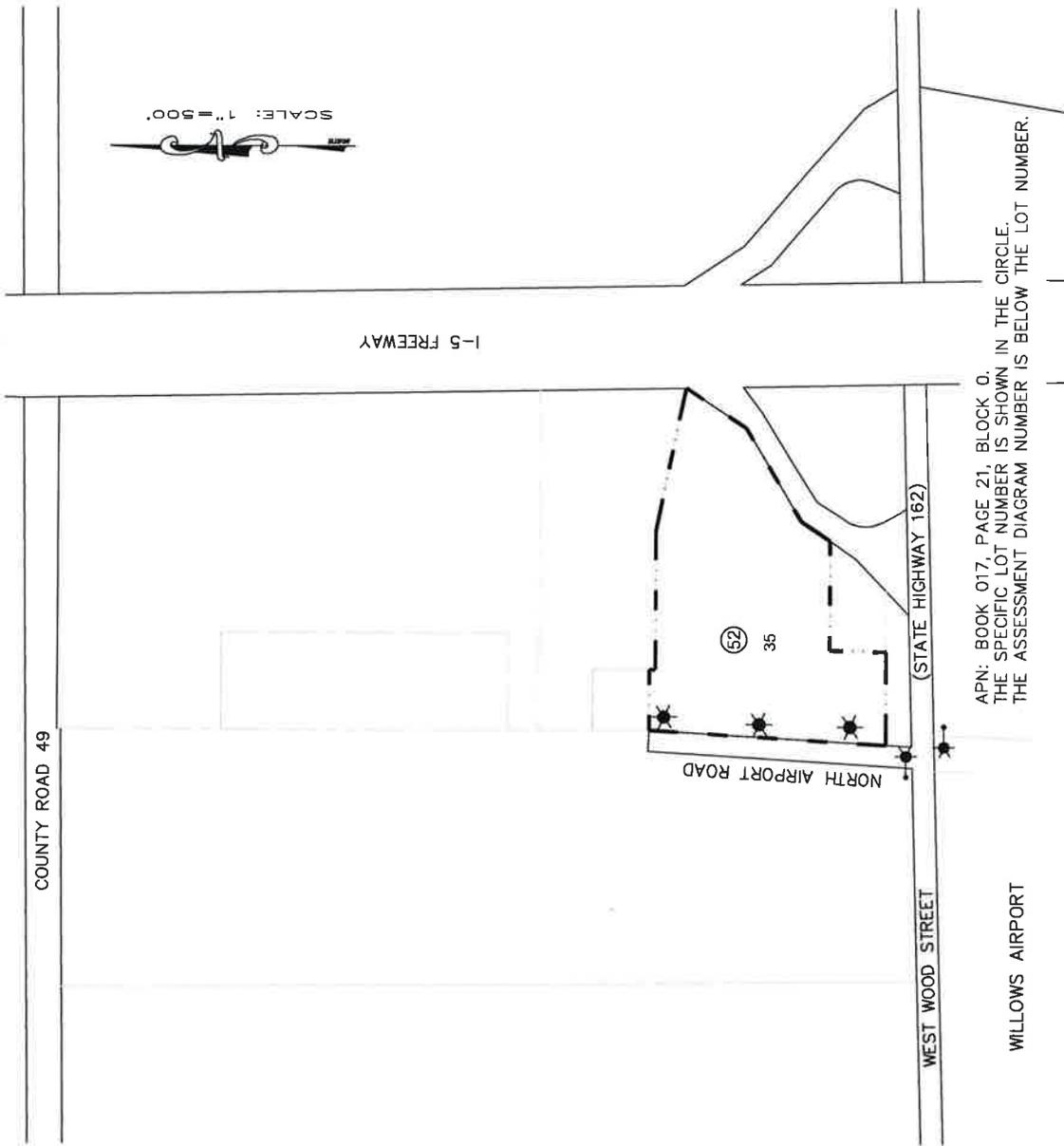


WILLOWS AIRPORT



Coastland Civil Engineering, Inc.
1400 Nacatomas Avenue, Santa Rosa, CA 95405
707.571.8865 707.571.8807 Fax

CITY OF WILLOWS
LANDSCAPING AND LIGHTING
ASSESSMENT DISTRICT
ASSESSMENT DIAGRAM
ZONE B - WALMART



- ★ Zone B traffic signal with street light locations
- ★ Zone B street light locations
- - - Assessment District Boundary

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

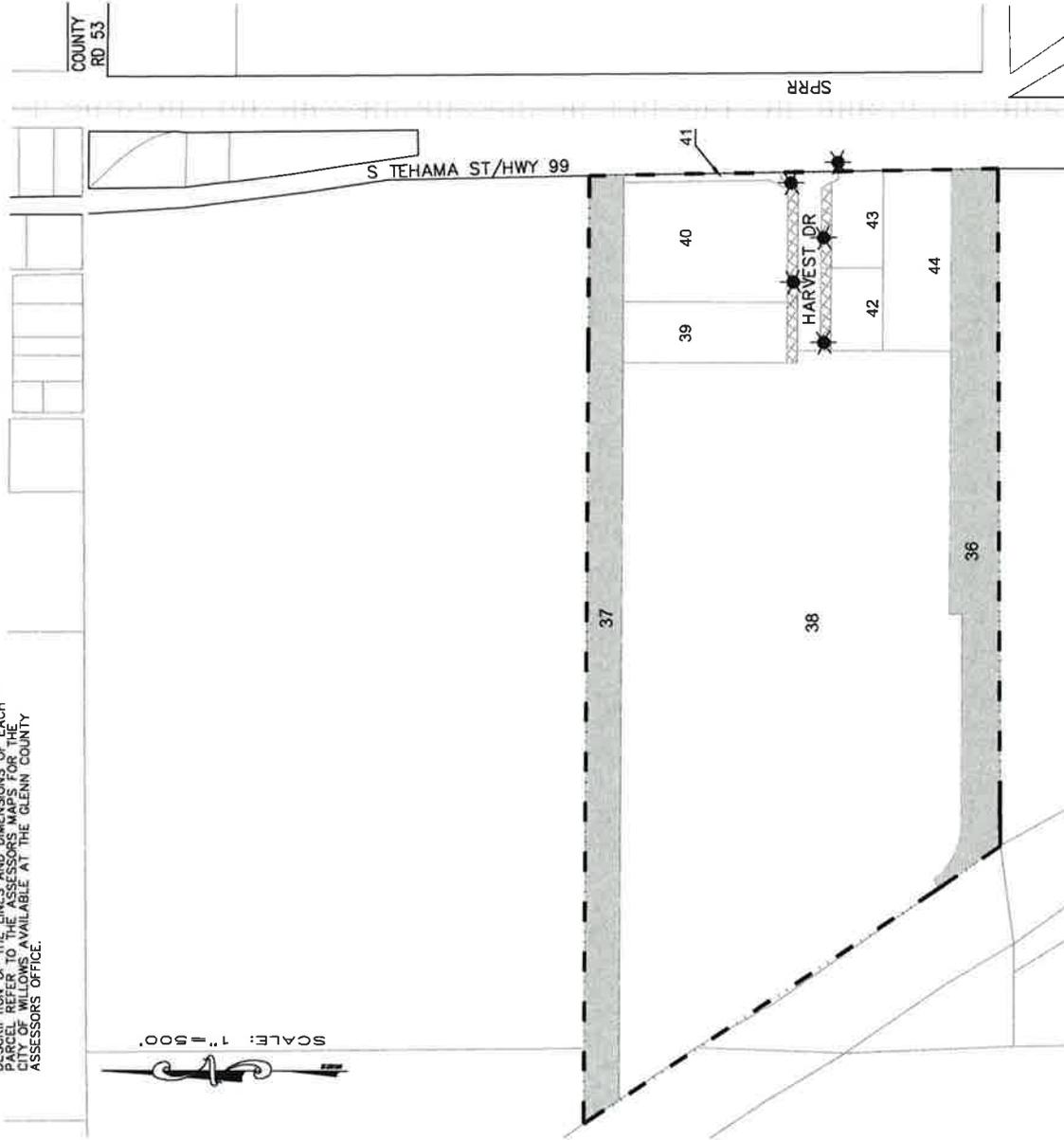
APN: BOOK 017, PAGE 21, BLOCK 0.
 THE SPECIFIC LOT NUMBER IS SHOWN IN THE CIRCLE.
 THE ASSESSMENT DIAGRAM NUMBER IS BELOW THE LOT NUMBER.

Coastland Civil Engineering, Inc.
 1400 Neatomas Avenue, Santa Rosa, CA 95405
 707.571.8605 707.571.8607 Fax

PREPARED FOR
CITY OF WILLOWS
 GLENN COUNTY CALIFORNIA
 2020-2021 Fiscal Year

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

SCALE: 1" = 500'



CITY OF WILLOWS

LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT

ASSESSMENT DIAGRAM

ZONE C - SOUTH WILLOWS COMMERCIAL AND INDUSTRIAL CENTER



VICINITY MAP

38 Assessment Diagram Number. See Table 2 of this report for the corresponding Assessor's Parcel Number.

★ Zone C street light locations

▨ Landscape Maintenance Area

▨ Weed Abatement of Detention Ponds

- - - Assessment District Boundary



Coastland Civil Engineering, Inc.
 1400 Nectomas Avenue, Santa Rosa, CA 95405
 707.571.8005

PREPARED FOR
CITY OF WILLOWS
 GLENN COUNTY CALIFORNIA
 2020-2021 FISCAL YEAR

June 9, 2020

AGENDA ITEM

TO: Honorable Mayor Warren and Members of the City Council
FROM: Wayne Peabody, Interim City Manager
SUBJECT: 2020 Weed Abatement- Public Hearing

RECOMMENDATION

This is a public hearing and it is in order at this time for the Council to declare that the parcels indicated on Exhibit "A" to be abated by the City contractor. Those persons returning self-abatement notices were allowed a time extension of 10 days to complete the work themselves. If after this date these parcels have not been abated, the City contractor will perform the work.

SITUATION (or BACKGROUND):

On April 28, 2020 the City Council adopted a resolution declaring rubbish, refuse, and weeds to be a public nuisance. The City Fire Department has made a survey of the areas in the City that are a nuisance and has notified the property owners that they must remove this nuisance or the City will perform this task and bill the property owner accordingly.

It is required by the Government Code 39560 thru 39588 that there is to be a fixed time for any appeals to be considered by the Council from any of the property owners. The time fixed for this appeal was 7:00 p.m., Tuesday July 28, 2020. At this time the Council shall hear any objections from the property owner, and by motion, upon the conclusion of the hearing, the Council shall allow or overrule any objections. The Council may continue the hearing if they desire any additional information on any particular site. If no objections have been made, or after the City Council has disposed of those made, it shall order the Fire Chief to abate the nuisance.

FINANCIAL CONSIDERATIONS

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

NOTIFICATION

Local Media Outlets
Willows PSA
Willows Public Works

ALTERNATE ACTIONS

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

RECOMMENDATION

This is a public hearing and it is in order at this time for the Council to declare that the parcels indicated on Exhibit "A" to be abated by the City contractor. Those persons returning self-abatement notices were allowed a time extension of 10 days to complete the work themselves. If after this date these parcels have not been abated, the City contractor will perform the work.

Respectfully submitted,

Wayne Peabody
Interim City Manger

Attachments:

Exhibit A: 2020 Weed Abatement Parcel list
(attachment to be distributed on th
Night of the meeting)

June 9, 2020

AGENDA ITEM

TO: Honorable Mayor Warren and City Council Members
FROM: Karen Mantele, Principal Planner
SUBJECT: Introduction of Ordinance Amending Sections of Chapter 18.50.030 and 18.110.090 of the Willows Municipal Code Regarding Residential Use within the Entryway Zoning District

SUMMARY

The proposed Ordinances allow for; (1) an exception to the code under non-conforming uses (with criteria), and (2) allows for application of a Use Permit under the Entryway Zoning District.

BACKGROUND/ANALYSIS:

The Entryway Zone was established in June of 2000 and encompasses 80 parcels on both sides of Wood Street. Prior to the Entryway zoning district, Wood Street was a combination of three separate zoning districts. The District runs on the north side of Wood Street from Pacific Avenue to Tehama, and on the south side of the street begins at the car wash and extends down to the alleyway just east of Shasta Street, with two breaks in between to accommodate the Glenn County Hospital and Willows High School, which are in the Public Facilities and Services District.

The purpose of the district reads; *The Entryway or E district is intended to apply to arterial streets leading into downtown, where a mix of commercial, office, and residential uses is appropriate in an aesthetically appealing corridor, in which new developments and modifications to existing developments shall occur in accordance with design guidelines. Permitted uses and uses permitted with a conditional use permit are intended to be compatible with residential uses within and adjacent to the E district.*

This purpose statement does mention “residential uses” as being appropriate in this corridor, in accordance with design guidelines for the Entryway District. Any development is also subject to the Architectural Board of Review Code Section. It appears that the intent of creating this zoning district was to incorporate residential uses, as there are several existing residential structures within this zoning district that were built prior to this zone change, and the requirement for any new commercial buildings is to have a residential look to the design. Section 18.50.030(1) states *Permitted uses in the R-2 district, as set forth in WMC 18.35.030.* However, Section 18.35.030 does not list any residential uses. Furthermore, within Section 18.50.050(1) Other regulations, it states Residential Uses. Minimum lot area, front, side, and rear setbacks, maximum building height, maximum lot coverage and parking requirements for residential uses shall be subject to the regulations of the residential zone(s) in which the use is considered a principally permitted use. It appears the intent was to regulate residential

uses; however, none are listed as either permitted or conditionally permitted within the Entryway zoning district.

Over the past several years Staff has been approached regarding use of vacant lots for residential uses within the Entryway zone. As was discussed prior, any proposals for such a residential land use had to be turned down because the code did not allow such a use. Therefore, because of recent requests for residential uses in the Entryway zone, Staff has contemplated how to accommodate a request for residential use in the future. In reviewing the current zoning map, it appears there are 39 parcels which sit behind Wood Street that could be affected, and four (4) are vacant parcels included within that figure. As a result, Staff brought forth two draft text amendments to the City's Municipal Code/Zoning Ordinance to the Planning Commission on May 20, 2020 for review. The consensus of the Commission was to bring forth a resolution to the City Council for consideration.

In accordance with Section 18.20.030(1) notice of this public hearing was published in the local newspaper ten (10) days prior to the public hearing.

FINANCIAL CONSIDERATIONS

None known at this time

NOTIFICATION

Notice of the June 9, 2020 City Council public hearing was published in the Sacramento Valley Mirror on May 30, 2020.

CITY COUNCIL OPTIONS

1. Adopt the Ordinances as written and proposed
2. Direct staff to revise the proposed Ordinances to include and/or delete language
3. Take no action

RECOMMENDATION:

- (1) Introduce and waive the first reading of Ordinance 2020-_____, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS AMENDING WILLOWS MUNICIPAL CODE CHAPTER 18.50.030 (USES PERMITTED WITH A CONDITIONAL USE PERMIT) with other text remaining unchanged.
- (2) Introduce and waive the first reading of Ordinance 2020-_____ "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS AMENDING WILLOWS MUNICIPAL CODE CHAPTER 18.110.090 (NON-CONFORMING USES) with other text remaining unchanged.

ATTACHMENTS:

- (1) Planning Commission Resolution
- (2) Ordinance amending Chapter 18.50.030
- (3) Ordinance amending Chapter 18.110.090

Respectfully submitted,



Karen Mantele
Principal Planner

Approved by:



Wayne Peabody
Interim City Manager

PC RESOLUTION NO. 05-2020

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS
RECOMMENDING THE CITY COUNCIL APPROVE ZONING TEXT AMENDMENTS TO THE
MUNICIPAL CODE/ZONING ORDINANCE AS LISTED ON EXHIBIT A WITH OTHER TEXT
REMAINING UNCHANGED**

WHEREAS, the City of Willows has initiated two zoning text amendments to the City’s Municipal Code, specifically to Sections 18.50.030; 18.110.090; and,

WHEREAS, notices of the Planning Commission meeting held on May 20, 2020, were published in a newspaper of general circulation in the City in accordance with law, and,

WHEREAS, the Planning Commission did, on May 20, 2020, hold a public hearing review and consider all public oral and written comments, letters and documents, staff reports, and all other supporting documents, City codes and regulations which are a part of the Record; and,

WHEREAS, the Planning Commission finds that the Amendments to the Municipal Code/Zoning Ordinance, as proposed in attached Exhibit A are consistent with the General Plan; and

WHEREAS, the Planning Commission finds that the text amendment proposal is considered exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3).

**NOW THEREFORE, THE PLANNING COMMISSION OF THE CITY OF WILLOWS
RESOLVES AS FOLLOWS:**

1. The above recitals are true and correct and constitute a part of the findings made by the Planning Commission in approving this Resolution.
2. The project (amendments to the Municipal Code/Zoning Ordinance) will not have a significant effect on the environment.
3. The Planning Commission finds that the project is exempt from the California Environmental Quality Act per Section 15061(b)(3).

IT IS HEREBY CERTIFIED that the foregoing Resolution was duly adopted at a regular meeting of the Planning Commission of the City of Willows on Wednesday, the 20th day of May 2020, by the following vote, to wit:

AYES: Wood, Mueller, Hansen, Griffith
 NOES: 0
 ABSTAIN: 0
 ABSENT: 0

APPROVED: _____
 Robert Griffith, Chairperson

ATTEST: _____
 Maria Ehorn, Recording Secretary

EXHIBIT A

Proposed Zoning Text Amendments Areas in **RED** are draft proposed language

1. Entryway Zoning District

18.50.030 Uses permitted with a conditional use permit. The following uses and structures are permitted in the E district only if a conditional use permit has first been secured. Uses and structures which, in the opinion of the planning commission, are similar to the following may be permitted if a conditional use permit has first been secured:

- (1) Permitted uses in the R-2 district, as set forth in WMC 18.35.030.
- (2) Pet shops and veterinary offices.
- (3) Mortuaries and funeral parlors.
- (4) Private schools.
- (5) Bed and breakfast establishments with five or fewer guest quarters.
- (6) Martial arts or exercise studios.
- (7) Health clubs.
- (8) Residential uses as authorized under WMC 18.110.090(9). [Ord. 744-19 § 1, 2-26-19; Ord. 664-00 § 14B.03, 6-27-00; Ord. 632-91 § 14B.03, 10-22-91].
- (9) Residential use as authorized under WMC 18.110.090(10)

2. 18.110.090 Nonconforming uses.

(10) Residential Use Exemption: Existing vacant property located within the Entryway zoning district may be allowed for use as a single-family residential unit by way of a conditional use permit from the planning commission; subject to the following criteria: (a) the parcel shall not abut Wood Street; (b) the parcel shall abut another residential use; (c) the parcel shall comply with WMC Section 18.50.050(1) The planning commission is authorized to approve, conditionally approve or deny a request subject to appeal provisions of WMC 18.135.060

ORDINANCE NO. 2020-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS AMENDING WILLOWS MUNICIPAL CODE CHAPTER 18.50.030 (USES PERMITTED WITH A CONDITIONAL USE PERMIT) WITH OTHER TEXT TO REMAIN UNCHANGED

Adopted by the City Council of the

City of Willows

On Date of _____, 2020

WHEREAS, the City Council of the City of Willows adopted Ordinance 664-00 on June 27, 2000, regulating the uses allowed within the Entryway district with a conditional use permit; and

WHEREAS, the City Council desires to modify the uses within this District by allowing residential use, with criteria, within the Entryway zone by way of a conditional use permit.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WILLOWS DOES ORDAIN as follows:

Section 1. The above recitals are true and correct, and incorporated herein.

Section 2. The City Council does hereby amend Chapter 18.50.030 (Entryway District) of the Willows Municipal Code, adding a residential use to the code with a conditional use permit by adding subparagraph (9) to read:

“(9) Residential use as authorized under WMC 18.110.090(10)”

Section 3: The City Council of the City of Willows finds that the foregoing amendment and adoption of Ordinance No. _____ is consistent with the General Plan, all applicable specific plans and the City of Willows Zoning Ordinance.

Section 4: The City Council of the City of Willows further finds that the project is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3). and Planning Commission Resolution No.04-2020 passed prior to the adoption of this amendment.

Section 5. Severability. Should any provision of this ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this ordinance or the application of this ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

Section 6. Judicial Review. The time within which judicial review must be sought is governed by California Code of Civil Procedure Section 1094.6.

Section 7. *Effective Date.* This ordinance shall take effect and be in force thirty (30) days after its adoption as provided by Government Code Section 36937.

Section 8. *Posting.* The City Clerk shall cause this Ordinance to be published and/or posted within fifteen days after its adoption.

This ordinance was introduced at a regular meeting of the City Council of the City of Willows, held on the 9th of June, 2020, and adopted at a regular meeting of the City of Willows, held on the 9th of June, 2020, by the following vote, to wit:

AYES, COUNCILMEMBERS _____

NOES, COUNCILMEMEBERS _____

ABSENT, COUNCILMEMBERS _____

KERRI WARREN, MAYOR

APPROVED AS TO FORM:

THE CITY ATTORNEYS OFFICE

DAVID RITCHIE, CITY ATTORNEY

ATTEST:

TARA RUSTENHOVEN, CITY CLERK

ORDINANCE NO. 2020-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS AMENDING WILLOWS MUNICIPAL CODE CHAPTER 18.110.090 (NONCONFORMING USES) WITH OTHER TEXT TO REMAIN UNCHANGED

Adopted by the City Council of the

City of Willows

On Date of _____, 2020

WHEREAS, the City Council of the City of Willows adopted Ordinance 632-91 on October 22, 1991, which established protective regulations which are consistent with the general plan for the uses of land, and

WHEREAS, the City Council desires to modify the uses within the Entryway District by allowing an exemption within the Entryway District for residential use, with criteria, by way of a conditional use permit.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WILLOWS DOES ORDAIN as follows:

Section 1. The above recitals are true and correct, and incorporated herein.

Section 2. The City Council does hereby amend Chapter 18.110-090 (Nonconforming Uses) of the Willows Municipal Code, adding an exception to the code allowing residential with criteria by adding subparagraph (10) to read:

(10) Residential Use Exemption: Existing vacant property located within the Entryway zoning district may be allowed for use as a single-family residential unit by way of a conditional use permit from the planning commission; subject to the following criteria: (a) the parcel shall not abut Wood Street; (b) the parcel shall abut another residential use; (c) the parcel shall comply with WMC Section 18.50.050(1) The planning commission is authorized to approve, conditionally approve or deny a request subject to appeal provisions of WMC 18.135.060.

Section 3: The City Council of the City of Willows finds that the foregoing amendment and adoption of Ordinance No. _____ is consistent with the General Plan, all applicable specific plans and the City of Willows Zoning Ordinance.

Section 4: The City Council of the City of Willows further finds that the project is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) and Planning Commission Resolution No.04-2020 passed prior to the adoption of this amendment.

Section 5. Severability. Should any provision of this ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision

of this ordinance or the application of this ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

Section 6. *Judicial Review.* The time within which judicial review must be sought is governed by California Code of Civil Procedure Section 1094.6.

Section 7. *Effective Date.* This ordinance shall take effect and be in force thirty (30) days after its adoption as provided by Government Code Section 36937.

Section 8. *Posting.* The City Clerk shall cause this Ordinance to be published and/or posted within fifteen days after its adoption.

This ordinance was introduced at a regular meeting of the City Council of the City of Willows, held on the 9th of June, 2020, and adopted at a regular meeting of the City of Willows, held on the 9th of June, 2020, by the following vote, to wit:

AYES, COUNCILMEMBERS _____

NOES, COUNCILMEMEBERS _____

ABSENT, COUNCILMEMBERS _____

KERRI WARREN, MAYOR

APPROVED AS TO FORM:
THE CITY ATTORNEYS OFFICE

DAVID RITCHIE, CITY ATTORNEY

ATTEST:

TARA RUSTENHOVEN, CITY CLERK



REGULAR BUSINESS

June 9, 2020

AGENDA ITEM

TO: Honorable Mayor Hansen and Members of the City Council
FROM: Wayne Peabody, Interim City Manager
SUBJECT: **ANNUAL RESOLUTION CONSENTING TO THE IMPOSITION OF Fiscal Year 2019/2020 SOLID WASTE MANAGEMENT PARCEL FEE**

RECOMMENDATION

Adopt a resolution consenting to the extension of service charges imposed on improved real property within the incorporated area of the City of Willows for Fiscal Year 2020/2021 for the use and/or ability to use the Glenn County Solid Waste System.

SITUATION (or BACKGROUND):

Each residential, commercial, and industrial parcel within the City is charged a fee for disposal of solid waste at the Glenn County Disposal site.

Sections 5470 -5473 of the California Health and Safety Code provide for the Board of Supervisors of any county to establish a schedule of fees to be imposed for the operation and maintenance of county waste disposal sites. Section 5471 also provides that prior to imposing this fee, the Board of Supervisors shall obtain the consent of the legislative bodies of the cities.

For the fiscal year 2020/2021 the parcel fee is proposed to be \$42.74 per unit. This reflects no increase from the previous year.

FINANCIAL CONSIDERATIONS

None

ALTERNATE ACTIONS

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

RECOMMENDATION

Adopt a resolution consenting to the extension of service charges imposed on improved real property within the incorporated area of the City of Willows for Fiscal Year 2019/2020 for the use and/or ability to use the Glenn County Solid Waste System.

Respectfully submitted,



Wayne Peabody
Interim City Manger

Attachments:

Exhibit A: Resolution XX-2020

June 9, 2020

**CITY OF WILLOWS
RESOLUTION NO. XX-2020**

**ANNUAL RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS CONSENTING TO THE
EXTENSION OF SERVICE CHARGES IMPOSED ON IMPROVED REAL PROPERTY WITHIN THE
INCORPORATED AREA OF THE CITY OF WILLOWS FOR FISCAL YEAR 2020/2021 FOR THE USE
AND/OR ABILITY TO USE THE GLENN COUNTY SOLID WASTE SYSTEM**

WHEREAS, California Health and Safety Code Section 5471 authorizes the setting and collection of charges for services and facilities furnished by the County in connection with water, sewer, and/or sanitation; and

WHEREAS, California Health and Safety Code Section 5471 dictates that revenues derived from the collection of charges for services shall be used only for the acquisition, construction, reconstruction, maintenance, operation of those water, sewer, and/or sanitation systems; and

WHEREAS, California Health and Safety Code Section 5473 provides for said fees to be collected on the tax roll; and

WHEREAS, the Glenn County Board of Supervisors has determined that it is in the best interest of the residents, businesses, and property owners in the County to have the ability to use the Glenn County Solid Waste System; and

WHEREAS, the Willows City Council, as a member of the Glenn County Waste Management Agency, supports the operation of the Glenn County Solid Waste System; and

WHEREAS, the City of Willows does not have a City solid waste disposal site;

NOW THEREFORE, BE IT RESOLVED that the Willows City Council does hereby consent to the extension of an annual fee of \$42.74 to be imposed upon each dwelling unit and commercial/industrial establishment located on the real improved property within the incorporated areas of the City for the purpose of using or having the ability to use the Glenn County Solid Waste Disposal System.

THIS RESOLUTION was passed by the Willows City Council this 9th day of June 2020 by the following roll call vote

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Kerri Warren, Mayor

Tara Rustenhoven, City Clerk

AGENDA ITEM

TO: Honorable Mayor Kerry Warren and Members of the City Council

FROM: Tara Rustenhoven, City Clerk

SUBJECT: Planning Commission Vacancy

RECOMMENDATION:

Select two Council Members to serve as a Planning Commission Selection Subcommittee and approve the proposed schedule and procedures for the appointment of one individual to fill the vacant seat of Dana Owens, with the remaining term expiring on December 31, 2023.

SUMMARY:

In accordance with the Willows City Code, appointments to the Planning Commission are made by the Mayor with approval of the City Council.

Proposed schedule presented for Council's consideration:

- June 09, 2020 – Selection of two Council members to act as Selection Committee to review applications and conduct interviews.
- Provide notice of the upcoming Planning Commission vacancy to the local news media and post on City Website.
- June 15, 2020 through 4:00 p.m. on July 13, 2020 – Accept letters of interest and/or applications.
- July 14, 2020 through July 22, 2020 – Review of applications and interview of Candidates by the Selection Committee.
- July 28, 2020 – Anticipated appointments to be made by the City Council.

FINANCIAL CONSIDERATIONS:

None at this time.

NOTIFICATION:

-Publish Notifications of vacancies to both the Media and City Website

ALTERNATE ACTIONS:

No Alternatives are recommended.

June 09, 2020

RECOMMENDATION:

Select two Council Members to serve as a Planning Commission Selection Subcommittee and approve the proposed schedule and procedures for the appointment of one individual to fill the vacant seat of Dana Owens, with the remaining term expiring on December 31, 2023.

Respectfully Submitted,



Tara Rustenhoven
City Clerk

Approved by:



Wayne Peabody
Interim City Manager/Fire Chief

AGENDA ITEM

TO: Honorable Mayor Warren and Members of the City Council

FROM: Wayne Peabody, Fire Chief/ Interim City Manager

SUBJECT: Extension of Agreement for Dispatch Services

RECOMMENDATION

Adopt the Resolution of the City Council Approving the agreement for dispatch services between City of Willows and California Department of Forestry and Fire Protection.

SUMMARY

The City of Willows and Willows Rural Fire Protection District entered into agreement in 2019 for dispatching of our agencies. Since that time, we have seen an great improvement in Response times, Firefighter safety and Public safety.

There has been no increase in base fee from last years contract, the cost will be shared based upon call volume between Willows Rural and the City of Willows.

FINANCIAL CONSIDERATIONS

\$40,000 was allocated as part of the approved 2020/21 Budget. As it appears the annual payment will be more than budget by \$16,775.00, Staff will return to Council for additional appropriation once the exact amount is known with the costs sharing with Willows Rural Fire Protection District. The cost per call is around \$56

NOTIFICATION

Willows Volunteer Fire Department
Willows Public Safety Association
Willows Rural Fire Protection District

ALTERNATE ACTIONS

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

RECOMMENDATION

Adopt the Resolution of the City Council Approving the agreement for dispatch services between City of Willows and California Department of Forestry and Fire Protection.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Wayne Peabody". The signature is stylized with a large initial "W" and a long, sweeping underline.

Wayne Peabody
Fire Chief
Interim City Manager

ATTACHMENTS

Resolution
Agreement Number 2CA04893

**CITY OF WILLOWS
RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS APPROVING THE
AGREEMENT FOR DISPATCH SERVICES BETWEEN THE CITY OF WILLOWS AND CALIFORNIA
DEPARTMENT OF FORESTRY AND FIRE PROTECTION FOR SERVICES FROM JULY 1, 2020 to
JUNE 30, 2021**

BE IT RESOLVED by the City Council of the CITY OF WILLOWS, that said Council does hereby approve the agreement with the California Department of Forestry and Fire Protection (CAL FIRE) dated 07-01-2020. This agreement provides dispatch services during the State fiscal year 2020/2021.

BE IT FURTHER RESOLVED that Kerri Warren, MAYOR is hereby authorized to sign and execute said agreement on behalf of the CITY OF WILLOWS.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council held on Tuesday the 9th day of June 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Kerri Warren, MAYOR

ATTEST:

TARA RUSTENHOVEN, CITY CLERK

ATTACHMENT B

**COÖPERATIVE FIRE PROGRAMS
FIRE PROTECTION REIMBURSEMENT AGREEMENT**
LG-1 REV. 01/2017

AGREEMENT NUMBER	2CA04893
REGISTRATION NUMBER:	

1. This Agreement is entered into between the State Agency and the Local Agency named below:

STATE AGENCY'S NAME
California Department of Forestry and Fire Protection – (CAL FIRE)

LOCAL AGENCY'S NAME
CITY OF WILLOWS

2. The term of this Agreement is: July 1, 2020 through June 30, 2021

3. The maximum amount of this Agreement is: \$ 56,775.00
Fifty six thousand seven hundred seventy five dollars and no cents

4. The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of the Agreement.

Exhibit A – Scope of Work – Includes page 2 (contact page) in count for Exhibit A	4	pages
Exhibit B – Budget Detail and Payment Provisions	2	pages
Exhibit C – General Terms and Conditions	7	pages
Exhibit D – Additional Provisions	6	pages
Exhibit E – Description of Other Services	1	pages

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

LOCAL AGENCY		<i>California Department of General Services Use Only</i>
LOCAL AGENCY'S NAME City of Willows		
BY (Authorized Signature) <i>[Signature]</i>	DATE SIGNED(Do not type)	
PRINTED NAME AND TITLE OF PERSON SIGNING Gary Hansen, Mayor		
ADDRESS 201 N Lassen, Willows, CA 95988		
STATE OF CALIFORNIA		
AGENCY NAME California Department of Forestry and Fire Protection		
BY (Authorized Signature) <i>[Signature]</i>	DATE SIGNED(Do not type)	
PRINTED NAME AND TITLE OF PERSON SIGNING Don Gordon, Assistant Deputy Director, Cooperative Fire Protection, Training & Safety		
ADDRESS P.O. Box 944246, Sacramento, CA 94244-2460		

EXHIBIT A
COOPERATIVE FIRE PROGRAMS
FIRE PROTECTION REIMBURSEMENT AGREEMENT

The project representatives during the term of this agreement will be:

CAL FIRE Unit Chief:		Local Agency:	City of Willows
Name:	Christine Thompson	Name:	Gary Hansen
Phone:	(530) 528-5199	Phone:	(530) 934-7041
Fax:	(530) 529-8538	Fax:	(530) 934-7042

All required correspondence shall be sent through U.S. Postal Service by certified mail and directed to:

CAL FIRE Unit Chief:		Local Agency:	City of Willows
Section/Unit:	Tehama-Glenn Unit	Section/Unit:	
Attention:	Lore Loucks	Attention:	Gary Hansen
Address:	604 Antelope Blvd.	Address:	201 N Lassen, Willows, CA 95988
Phone:	(530) 528-5199	Phone:	(530) 934-7041
Fax:	(530) 528-5138	Fax:	(530) 934-7042

Send an additional copy of all correspondence to:

CAL FIRE
Cooperative Fire Services
P.O. Box 944246
Sacramento, CA 94244-2460

AUTHORIZATION

As used herein, Director shall mean Director of CAL FIRE. This agreement, its terms and conditions are authorized under the Public Resources Code Sections 4141, 4142, 4143 and 4144, as applicable.

EXHIBIT A
SCOPE OF WORK

Under Public Resources Code Section 4114 and other provisions of law, STATE maintains fire prevention and fire suppression forces including the necessary equipment, personnel, and facilities required to prevent and extinguish forest fires.

The purpose of this agreement is to provide mutually advantageous fire and emergency services through an effective consolidated organization, wherein the STATE is primarily financially responsible for protecting natural resources from vegetation fires and the LOCAL AGENCY is primarily financially responsible for protecting life and property from fires and other emergencies. The LOCAL AGENCY shall have sole authority to establish the fire protection organization and structure needed to meet the determined level of service. This level of service may be based on the LOCAL AGENCY governing board's established fiscal parameters and assessment of risks and hazards. LOCAL AGENCY personnel providing services under this agreement may include any one or a combination of the following: regular employees, persons temporarily employed and commonly known as volunteers, paid-call firefighters, or others temporarily employed to perform any emergency work or emergency service including, but not limited to fire prevention, fire suppression and emergency medical response.

To comply with the STATE's mandate for full cost recovery of goods and services provided for others, the LOCAL AGENCY shall be responsible for all STATE costs, both direct and indirect, required to execute the terms of this agreement. These costs shall include, but not be limited to: required training and associated post coverage, employee uniform and Personal Protective Equipment (PPE) costs.

1. FIRE PROTECTION SERVICES TO BE PROVIDED BY THE STATE

STATE provides a modern, full service fire protection and emergency incident management agency that provides comprehensive fire protection and other emergency incident response. STATE designs regional fire protection solutions for urban and rural communities by efficiently utilizing all emergency protection resources. Regional solutions provide the most effective method of protecting the citizens of California at local, county and state levels.

Fire protection services to be provided by STATE under this agreement shall include the following: (check boxes below that apply)

1) Emergency Fire Protection, Medical and Rescue Response: services include commercial, residential, and wildland fire protection, prevention and investigation; hazardous materials incident response; emergency vehicle extrication; hazardous conditions response (flooding, downed power lines, earthquake, terrorist incident, etc.); emergency medical and rescue response; and public service assistance. Also included are management support services that include fire department administration, training and safety, personnel, finance and logistical support.

2) Basic Life Support Services: emergency medical technician (EMT) level emergency medical response providing first aid, basic life support (BLS), airway management, administration of oxygen, bleeding control, and life support system stabilization until patients are transported to the nearest emergency care facility.

3) Advanced Life Support Services: paramedic level emergency medical response providing early advanced airway management, intravenous drug therapy, and life support system stabilization until patients are transported to the nearest emergency care facility.

4) Dispatch Services: provide fire department 9-1-1 emergency dispatch by CAL FIRE Fire/Emergency Command Center (ECC). CAL FIRE will be responsible for fire/emergency

dispatching emergency resource units covered under this agreement. The CAL FIRE ECC is staffed with a Battalion Chief, three or more Fire Captains and Communications Operators to provide 24/7 year-round coverage. There is always an officer of Captain rank or higher to serve as the shift supervisor and command officer. CAL FIRE uses an integrated Computer Aided Dispatch (CAD) system using the latest technology, to direct the closest available resources to all emergency incidents.

5) Fire Code Inspection, Prevention and Enforcement Services: CAL FIRE has staff Fire Inspectors serving under the direction of the LOCAL AGENCY Fire Marshal to provide services to the area covered by this agreement. Fire Code Enforcement will normally be available five days per week, with emergency or scheduled enforcement inspections available seven days per week. Fire Prevention and Investigation services will be provided by CAL FIRE Prevention Officers trained in arson, commercial, and wildland fire investigation. Officers are available by appointment for site visits and consultations. Officers are trained at CAL FIRE's Peace Officer Standard Training (POST) certified law enforcement training academy and they cooperate effectively with all local, state and federal law enforcement agencies.

6) Land Use/ Pre-Fire Planning Services – CAL FIRE staff will provide community land use planning, administration of Pre-Fire project work, including community outreach, development of community education programs, project quality control, maintenance of project records and submittal of progress reports, completion of required environmental documentation, acquisition of required permits and completion of other associated administrative duties.

7) Disaster planning services (listed in Exhibit E, Description of Other Services, attached hereto and made a part of this agreement)

8) Specific service descriptions and staffing coverage, by station (listed in Exhibit E, Description of Other Services, attached hereto and made a part of this agreement)

9) Extended Fire Protection Service Availability (Amador)

2. ADMINISTRATION

Under the requirements of California Public Resources Code Section 4114 and other provisions of law, STATE maintains fire prevention and firefighting services as outlined in Exhibit D, Schedule B of this agreement.

- A. Director shall select and employ a Region Chief who shall, under the direction of the Director/Chief Deputy Director, manage all aspects of fire prevention and fire protection services and forestry-related programs.
- B. Director will select and employ a Unit Chief who shall, under the supervision and direction of Director/Region Chief or a lawful representative, have charge of the organization described in Exhibit D, Schedules A, B and C included hereto and made a part of this agreement.
- C. LOCAL AGENCY shall appoint the Unit Chief as the LOCAL AGENCY Fire Chief for all Emergency Fire Protection, Medical and Rescue Response Agreements, pursuant to applicable statutory authority. The Unit Chief may delegate this responsibility to qualified staff.
- D. The Unit Chief may dispatch personnel and equipment listed in Exhibit D, Schedules A, B and C from the assigned station or location under guidelines established by LOCAL AGENCY and approved by STATE. Personnel and/or equipment listed in Exhibit D, Schedule B may be dispatched at the sole discretion of STATE.

- E. The Unit Chief shall exercise professional judgment consistent with STATE policy and his or her employment by STATE in authorizing or making any assignments to emergencies and other responses, including assignments made in response to requests for mutual aid.
- F. Except as may be otherwise provided for in this agreement, STATE shall not incur any obligation on the part of LOCAL AGENCY to pay for any labor, materials, supplies or services beyond the total set forth in the respective Exhibit D, Schedules A and C, as to the services to be rendered pursuant to each Schedule.
- G. Nothing herein shall alter or amend or be construed to alter or amend any Collective Bargaining Agreement or Memorandum of Understanding between the State of California and its employees under the State Employer-Employee Relations Act.

3. SUPPRESSION COST RECOVERY

As provided in Health and Safety Code (H&SC) Section 13009, STATE may bring an action for collection of suppression costs of any fire caused by negligence, violation of law, or failure to correct noticed fire safety violations. When using LOCAL AGENCY equipment and personnel under the terms of this agreement, STATE may, at the request of LOCAL AGENCY, bring such an action for collection of costs incurred by LOCAL AGENCY. In such a case LOCAL AGENCY appoints and designates STATE as its agent in said collection proceedings. In the event of recovery, STATE shall deduct fees and litigation costs in a proportional percentage amount based on verifiable and justifiable suppression costs for the fire at issue. These recovery costs are for services provided which are beyond the scope of those covered by the local government administrative fee.

In all such instances, STATE shall give timely notice of the possible application of H&SC Section 13009 to the representative designated by LOCAL AGENCY.

4. MUTUAL AID

When rendering mutual aid or assistance as authorized in H&SC Sections 13050 and 13054, STATE may, at the request of LOCAL AGENCY, demand payment of charges and seek reimbursement of LOCAL AGENCY costs for personnel, equipment and operating expenses as funded herein, under authority given by H&SC Sections 13051 and 13054. STATE, in seeking said reimbursement pursuant to such request of LOCAL AGENCY, shall represent LOCAL AGENCY by following the procedures set forth in H&SC Section 13052. Any recovery of LOCAL AGENCY costs, less expenses, shall be paid or credited to LOCAL AGENCY, as directed by LOCAL AGENCY.

In all such instances, STATE shall give timely notice of the possible application of H&SC Sections 13051 and 13054 to the officer designated by LOCAL AGENCY.

5. PROPERTY PURCHASE AND ACCOUNTING

LOCAL AGENCY shall be responsible for all costs associated with property required by personnel to carry out this agreement. Employee uniform costs will be assessed to the LOCAL AGENCY through the agreement billing process. Personal Protective Equipment (PPE) costs shall be the responsibility of the LOCAL AGENCY. By mutual agreement, PPE meeting the minimum specifications established by the STATE may be purchased directly by the LOCAL AGENCY. Alternately, the STATE will supply all PPE and the LOCAL AGENCY will be billed for costs incurred.

All property provided by LOCAL AGENCY and by STATE for the purpose of providing fire protection services shall be marked and accounted for by the Unit Chief in such a manner as to conform to the regulations, if any, established by the parties for the segregation, care, and use of the respective properties.

EXHIBIT B
BUDGET DETAIL AND PAYMENT PROVISIONS

1. PAYMENT FOR SERVICES

- A. LOCAL AGENCY shall pay STATE actual cost for fire protection services pursuant to this agreement an amount not to exceed that set forth in Exhibit D, Schedule A for each fiscal year. STATE shall prepare an Exhibit D, Schedule A each year, which shall be the basis for payment for the entire fiscal year for which services are provided.
- B. Any other funds designated by LOCAL AGENCY to be expended under the supervision of or for use by a Unit Chief for fire protection services shall be set forth in Exhibit D, Schedule C. This clause shall not limit the right of LOCAL AGENCY to make additional expenditures, whether under Exhibit D, Schedule C or otherwise.
- C. STATE shall invoice LOCAL AGENCY for the cost of fire protection services on a quarterly basis as follows:
- 1) For actual services rendered by STATE during the period of July 1 through September 30, by an invoice filed with LOCAL AGENCY on or after December 10.
 - 2) For actual services rendered by STATE during the period October 1 through December 31, by an invoice filed with LOCAL AGENCY on or after December 31.
 - 3) For actual services rendered by STATE during the period January 1 through March 31, by an invoice filed with LOCAL AGENCY on or after March 31.
 - 4) For the estimated cost of services during the period April 1 through June 30, by an invoice filed in advance with LOCAL AGENCY on or after March 1.
 - 5) A final statement shall be filed with LOCAL AGENCY by October 1 following the close of the fiscal year, reconciling the payments made by LOCAL AGENCY with the cost of the actual services rendered by STATE and including any other costs as provided herein, giving credit for all payments made by LOCAL AGENCY and claiming the balance due to STATE, if any, or refunding to LOCAL AGENCY the amount of any overpayment.
 - 6) All payments by LOCAL AGENCY shall be made within thirty (30) days of receipt of invoice from STATE, or within thirty (30) days after the filing dates specified above, whichever is later.
 - 7) The STATE reserves the right to adjust the frequency of billing and payment to a monthly cycle with a thirty (30) day written notice to the LOCAL AGENCY when:
 - a. The Director predicts a cash flow shortage, or
 - b. When determined by the Region Chief, after consulting with the Unit Chief and the LOCAL AGENCY Contract Administrator, that the LOCAL AGENCY may not have the financial ability to support the contract at the contract level.
- D. Invoices shall include actual or estimated costs as provided herein of salaries and employee benefits for those personnel employed, charges for operating expenses and equipment and the administrative charge in accordance with Exhibit D, Schedule A. When "contractual rates" are indicated, the rate shall be based on an average salary plus all benefits. "Contractual rates" means an all-inclusive rate established in Exhibit D, Schedule A for total costs to STATE, per specified position, for 24-hour fire protection services during the period covered.

- E. STATE shall credit the LOCAL AGENCY, or cover behind at no cost, for the costs of Non-post (e.g. Fire Marshal, Training Officer, etc.) positions and equipment assigned to STATE responsibility fires or other STATE funded emergency incidents. The STATE shall notify the LOCAL AGENCY when this occurs.

2. COST OF OPERATING AND MAINTAINING EQUIPMENT AND PROPERTY

The cost of maintaining, operating, and replacing any and all property and equipment, real or personal, furnished by the parties hereto for fire protection purposes, shall be borne by the party owning or furnishing such property or equipment unless otherwise provided for herein or by separate written agreement.

3. BUDGET CONTINGENCY CLAUSE

- A. If the LOCAL AGENCY's governing authority does not appropriate sufficient funds for the current year or any subsequent years covered under this Agreement, which results in an inability to pay the STATE for the services specified in this Agreement, the LOCAL AGENCY shall promptly notify the STATE and this Agreement will terminate pursuant to the notice periods required herein.
- B. If funding for any fiscal year is reduced or deleted by the LOCAL AGENCY for purposes of this program, the LOCAL AGENCY shall promptly notify the STATE, and the STATE shall have the option to either cancel this Agreement with no liability occurring to the STATE, or offer an agreement amendment to LOCAL AGENCY to reflect the reduced amount, pursuant to the notice terms herein.
- C. If the STATE Budget Act does not appropriate sufficient funds to provide the services for the current year or any subsequent years covered under this Agreement, which results in an inability to provide the services specified in this Agreement to the LOCAL AGENCY, the STATE shall promptly notify the LOCAL AGENCY, and this Agreement will terminate pursuant to the notice periods required herein.
- D. If funding for any fiscal year is reduced or deleted by the STATE Budget Act for purposes of this program, the STATE shall promptly notify the LOCAL AGENCY, and the LOCAL AGENCY shall have the option to either cancel this Agreement with no liability occurring to the LOCAL AGENCY, or offer an agreement amendment to LOCAL AGENCY to reflect the reduced services, pursuant to the notice terms herein.
- E. Notwithstanding the foregoing provisions in paragraphs A and B above, the LOCAL AGENCY shall remain responsible for payment for all services actually rendered by the STATE under this Agreement regardless of LOCAL AGENCY funding being reduced, deleted or not otherwise appropriated for this program. The LOCAL AGENCY shall promptly notify the STATE in writing of any budgetary changes that would impact this Agreement.
- F. LOCAL AGENCY and STATE agree that this Budget Contingency Clause shall not relieve or excuse either party from its obligation(s) to provide timely notice as may be required elsewhere in this Agreement.

EXHIBIT C
GENERAL TERMS AND CONDITIONS

1. **APPROVAL:** This Agreement is of no force or effect until signed by both parties and approved by the Department of General Services, if required. STATE will not commence performance until such approval has been obtained.
2. **AMENDMENT:** This agreement may be amended by mutual consent of LOCAL AGENCY and STATE. No amendment or variation of the terms of this Agreement shall be valid unless made in writing, signed by the parties and approved as required. No oral understanding or Agreement not incorporated in the Agreement is binding on any of the parties.

If during the term of this agreement LOCAL AGENCY shall desire a reduction in STATE civil service employees assigned to the organization provided for in Exhibit D, Schedule A, LOCAL AGENCY shall provide 120 days written notice of the requested reduction. Notification shall include the following: (1) The total amount of reduction; (2) The firm effective date of the reduction; and (3) The number of employees, by classification, affected by a reduction. If such notice is not provided, LOCAL AGENCY shall reimburse STATE for relocation costs incurred by STATE as a result of the reduction. Personnel reductions resulting solely from an increase in STATE employee salaries or STATE expenses occurring after signing this agreement and set forth in Exhibit D, Schedule A to this agreement shall not be subject to relocation expense reimbursement by LOCAL AGENCY.

If during the term of this agreement costs to LOCAL AGENCY set forth in any Exhibit D, Schedule A to this agreement increase and LOCAL AGENCY, in its sole discretion, determines it cannot meet such increase without reducing services provided by STATE, LOCAL AGENCY shall within one hundred twenty (120) days of receipt of such Schedule notify STATE and designate which adjustments shall be made to bring costs to the necessary level. If such designation is not received by STATE within the period specified, STATE shall reduce services in its sole discretion to permit continued operation within available funds.

3. **ASSIGNMENT:** This Agreement is not assignable by the LOCAL AGENCY either in whole or in part, without the consent of the STATE in the form of a formal written amendment.
4. **EXTENSION OF AGREEMENT:**
 - A. One year prior to the date of expiration of this agreement, LOCAL AGENCY shall give STATE written notice of whether LOCAL AGENCY will extend or enter into a new agreement with STATE for fire protection services and, if so, whether LOCAL AGENCY intends to change the level of fire protection services from that provided by this agreement. If this agreement is executed with less than one year remaining on the term of the agreement, LOCAL AGENCY shall provide this written notice at the time it signs the agreement and the one year notice requirement shall not apply.
 - B. If LOCAL AGENCY fails to provide the notice, as defined above in (A), STATE shall have the option to extend this agreement for a period of up to one year from the original termination date and to continue providing services at the same or reduced level as STATE determines would be appropriate during the extended period of this agreement. Six months prior to the date of expiration of this agreement, or any extension hereof, STATE shall give written notice to LOCAL AGENCY of any extension of this agreement and any change in the level of fire protection services STATE will provide during the extended period of this agreement. Services provided and obligations incurred by STATE during an extended period shall be accepted by LOCAL AGENCY as services and obligations under the terms of this agreement.

- C. The cost of services provided by STATE during the extended period shall be based upon the amounts that would have been charged LOCAL AGENCY during the fiscal year in which the extended period falls had the agreement been extended pursuant hereto. Payment by LOCAL AGENCY for services rendered by STATE during the extended period shall be as provided in Exhibit B, Section 1, B of this agreement.
5. **AUDIT:** STATE, including the Department of General Services and the Bureau of State Audits, and LOCAL AGENCY agree that their designated representative shall have the right to review and to copy any records and supporting documentation of the other party hereto, pertaining to the performance of this agreement. STATE and LOCAL AGENCY agree to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated, and to allow the auditor(s) of the other party access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. STATE and LOCAL AGENCY agree to a similar right to audit records and interview staff in any subcontract related to performance of this Agreement. (Gov. Code §8546.7, Pub. Contract Code §10115 et seq., CCR Title 2, Section 1896).
6. **INDEMNIFICATION:** Each party, to the extent permitted by law, agrees to indemnify, defend and save harmless the other party, its officers, agents and employees from (1) any and all claims for economic losses accruing or resulting to any and all contractors, subcontractors, suppliers, laborers and any other person, firm, or corporation furnishing or supplying work services, materials or supplies to that party and (2) from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by that party, in the performance of any activities of that party under this agreement, except where such injury or damage arose from the sole negligence or willful misconduct attributable to the other party or from acts not within the scope of duties to be performed pursuant to this agreement; and (3) each party shall be responsible for any and all claims that may arise from the behavior and/or performance of its respective employees during and in the course of their employment to this cooperative agreement.
7. **DISPUTES:** LOCAL AGENCY shall select and appoint a "Contract Administrator" who shall, under the supervision and direction of LOCAL AGENCY, be available for contract resolution or policy intervention with the STATE's Region Chief when, upon determination by the designated STATE representative, the Unit Chief acting as LOCAL AGENCY's Fire Chief under this agreement faces a situation in which a decision to serve the interest of LOCAL AGENCY has the potential to conflict with STATE interest or policy. Any dispute concerning a question of fact arising under the terms of this agreement which is not disposed of within a reasonable period of time by the LOCAL AGENCY and STATE employees normally responsible for the administration of this agreement shall be brought to the attention of the CAL FIRE Director or designee and the Chief Executive Officer (or designated representative) of the LOCAL AGENCY for joint resolution. For purposes of this provision, a "reasonable period of time" shall be ten (10) calendar days or less. STATE and LOCAL AGENCY agree to continue with the responsibilities under this Agreement during any dispute.
8. **TERMINATION FOR CAUSE/CANCELLATION:**
- A. If LOCAL AGENCY fails to remit payments in accordance with any part of this agreement, STATE may terminate this agreement and all related services upon 60 days written notice to LOCAL AGENCY. Termination of this agreement does not relieve LOCAL AGENCY from providing STATE full compensation in accordance with terms of this agreement for services actually rendered by STATE pursuant to this agreement.

B. This agreement may be cancelled at the option of either STATE or LOCAL AGENCY at any time during its term, with or without cause, on giving one year's written notice to the other party. Either LOCAL AGENCY or STATE electing to cancel this agreement shall give one year's written notice to the other party prior to cancellation.

9. **INDEPENDENT CONTRACTOR:** Unless otherwise provided in this agreement LOCAL AGENCY and the agents and employees of LOCAL AGENCY, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees or agents of the STATE.

10. **NON-DISCRIMINATION CLAUSE:** During the performance of this agreement, LOCAL AGENCY shall be an equal opportunity employer and shall not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS) mental disability, medical condition (e.g.cancer), age (over 40), marital status, denial of family care leave, veteran status, sexual orientation, and sexual identity. LOCAL AGENCY shall insure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. LOCAL AGENCY shall comply with the provisions of the Fair Employment and Housing Act (Gov. Code §12990 (a-f) et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code Section 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations, are incorporated into this Agreement by reference and made a part hereof as if set forth in full. LOCAL AGENCY shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other Agreement.

In addition, LOCAL AGENCY acknowledges that it has obligations relating to ethics, Equal Employment Opportunity (EEO), the Fire Fighter's Bill of Rights Act (FFBOR), and the Peace Officer's Bill of Rights Act (POBOR). LOCAL AGENCY shall ensure that its employees comply with all the legal obligations relating to these areas. LOCAL AGENCY shall ensure that its employees are provided appropriate training.

11. **TIMELINESS:** Time is of the essence in the performance of this agreement.

12. **COMPENSATION:** The consideration to be paid STATE, as provided herein, shall be in compensation for all of STATE's expenses incurred in the performance hereof, including travel, per Diem, and taxes, unless otherwise expressly so provided.

13. **GOVERNING LAW:** This agreement is governed by and shall be interpreted in accordance with the laws of the State of California.

14. **CHILD SUPPORT COMPLIANCE ACT:** "For any Agreement in excess of \$100,000, the LOCAL AGENCY acknowledges in accordance with Public Contract Code 7110, that:

A. The LOCAL AGENCY recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and

B. The LOCAL AGENCY, to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the California Employment Development Department."

15. **UNENFORCEABLE PROVISION:** In the event that any provision of this Agreement is unenforceable or held to be unenforceable, then the parties agree that all other provisions of this Agreement have force and effect and shall not be affected thereby.

16. **COMPLIANCE WITH THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)**

The STATE and LOCAL AGENCY have a responsibility to comply with the provisions of the 1996 Federal Health Insurance Portability and Accountability Act (HIPAA) and the 2001 State Health Insurance Portability and Accountability Implementation Act. HIPAA provisions become applicable once the association and relationships of the health care providers are determined by the LOCAL AGENCY. It is the LOCAL AGENCY'S responsibility to determine their status as a "covered entity" and the relationships of personnel as "health care providers", "health care clearinghouse", "hybrid entities", business associates", or "trading partners". STATE personnel assigned to fill the LOCAL AGENCY'S positions within this Agreement, and their supervisors, may fall under the requirements of HIPAA based on the LOCAL AGENCY'S status. It is the LOCAL AGENCY'S responsibility to identify, notify, train, and provide all necessary policy and procedures to the STATE personnel that fall under HIPAA requirements so that they can comply with the required security and privacy standards of the act.

17. **LIABILITY INSURANCE**

The STATE and LOCAL AGENCY shall each provide proof of insurance in a form acceptable to the other party at no cost one to the other, to cover all services provided and use of local government facilities covered by this agreement. If LOCAL AGENCY is insured and/or self-insured in whole or in part for any losses, LOCAL AGENCY shall provide a completed Certification of Self Insurance (Exhibit D, Schedule E) or certificate of insurance, executed by a duly authorized officer of LOCAL AGENCY. Upon request of LOCAL AGENCY the STATE shall provide a letter from DGS, Office Risk and Insurance Management executed by a duly authorized officer of STATE. If commercially insured in whole or in part, a certificate of such coverage executed by the insurer or its authorized representative shall be provided.

Said commercial insurance or self-insurance coverage of the LOCAL AGENCY shall include the following:

- A. Fire protection and emergency services - Any commercial insurance shall provide at least general liability for \$5,000,000 combined single limit per occurrence.
- B. Dispatch services – Any commercial insurance shall provide at least general liability for \$1,000,000 combined single limit per occurrence.
- C. The CAL FIRE, State of California, its officers, agents, employees, and servants are included as additional insured's for purposes of this contract.
- D. The STATE shall receive thirty (30) days prior written notice of any cancellation or change to the policy at the addresses listed on page 2 of this agreement.

18. **WORKERS COMPENSATION:** (only applies where local government employees/volunteers are supervised by CAL FIRE, as listed in Exhibit D Schedule C. STATE contract employees' workers compensation is included as part of the contract personnel benefit rate).

- A. Workers' Compensation and related benefits for those persons, whose use or employment is contemplated herein, shall be provided in the manner prescribed by California Labor Codes, State Interagency Agreements and other related laws, rules, insurance policies, collective bargaining agreements, and memorandums of understanding.

- B. The STATE Unit Chief administering the organization provided for in this agreement shall not use, dispatch or direct any non STATE employees, on any work which is deemed to be the responsibility of LOCAL AGENCY, unless and until LOCAL AGENCY provides for Workers' Compensation benefits at no cost to STATE. In the event STATE is held liable, in whole or in part, for the payment of any Worker's Compensation claim or award arising from the injury or death of any such worker, LOCAL AGENCY agrees to compensate STATE for the full amount of such liability.
- C. The STATE /LOCAL AGENCY shall receive proof of Worker's Compensation coverage and shall be notified of any cancellation and change of coverage at the addresses listed in Section 1.
19. **CONFLICT OF INTEREST:** LOCAL AGENCY needs to be aware of the following provisions regarding current or former state employees. If LOCAL AGENCY has any questions on the status of any person rendering services or involved with the Agreement, the STATE must be contacted immediately for clarification.

Current State Employees (Public Contract Code §10410):

- 1) No officer or employee shall engage in any employment, activity or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any state agency, unless the employment, activity or enterprise is required as a condition of regular state employment.
- 2) No officer or employee shall contract on his or her own behalf as an independent contractor with any state agency to provide goods or services.

Former State Employees (Public Contract Code §10411):

- 1) For the two-year period from the date he or she left state employment, no former state officer or employee may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements or any part of the decision-making process relevant to the contract while employed in any capacity by any state agency.
- 2) For the twelve-month period from the date he or she left state employment, no former state officer or employee may enter into a contract with any state agency if he or she was employed by that state agency in a policy-making position in the same general subject area as the proposed contract within the 12-month period prior to his or her leaving state service.

If LOCAL AGENCY violates any provisions of above paragraphs, such action by LOCAL AGENCY shall render this Agreement void. (Public Contract Code §10420)

Members of boards and commissions are exempt from this section if they do not receive payment other than payment of each meeting of the board or commission, payment for preparatory time and payment for per diem. (Public Contract Code §10430 (e))

20. **LABOR CODE/WORKERS' COMPENSATION:** LOCAL AGENCY needs to be aware of the provisions which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions, and LOCAL AGENCY affirms to comply with such provisions before commencing the performance of the work of this Agreement. (Labor Code Section 3700)
21. **AMERICANS WITH DISABILITIES ACT:** LOCAL AGENCY assures the State that it complies with the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis

of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA. (42 U.S.C. 12101 et seq.)

22. **LOCAL AGENCY NAME CHANGE:** An amendment is required to change the LOCAL AGENCY'S name as listed on this Agreement. Upon receipt of legal documentation of the name change the STATE will process the amendment. Payment of invoices presented with a new name cannot be paid prior to approval of said amendment.
23. **RESOLUTION:** A county, city, district, or other local public body must provide the STATE with a copy of a resolution, order, motion, or ordinance of the local governing body which by law has authority to enter into an agreement, authorizing execution of the agreement.
24. **AIR OR WATER POLLUTION VIOLATION:** Under the State laws, the LOCAL AGENCY shall not be: (1) in violation of any order or resolution not subject to review promulgated by the State Air Resources Board or an air pollution control district; (2) subject to cease and desist order not subject to review issued pursuant to Section 13301 of the Water Code for violation of waste discharge requirements or discharge prohibitions; or (3) finally determined to be in violation of provisions of federal law relating to air or water pollution.
25. **AFFIRMATIVE ACTION.** STATE certifies its compliance with applicable federal and State hiring requirements for persons with disabilities, and is deemed by LOCAL AGENCY to be in compliance with the provisions of LOCAL AGENCY'S Affirmative Action Program for Vendors.
26. **DRUG AND ALCOHOL-FREE WORKPLACE.** As a material condition of this Agreement, STATE agrees that it and its employees, while performing service for LOCAL AGENCY, on LOCAL AGENCY property, or while using LOCAL AGENCY equipment, shall comply with STATE's Employee Rules of Conduct as they relate to the possession, use, or consumption of drugs and alcohol.
27. **ZERO TOLERANCE FOR FRAUDULENT CONDUCT IN LOCAL AGENCY SERVICES.** STATE shall comply with any applicable "Zero Tolerance for Fraudulent Conduct in LOCAL AGENCY Services." There shall be "Zero Tolerance" for fraud committed by contractors in the administration of LOCAL AGENCY programs and the provision of LOCAL AGENCY services. Upon proven instances of fraud committed by the STATE in connection with performance under the Agreement, the Agreement may be terminated consistent with the termination for cause/cancellation term, Exhibit C, section 8, subsection B, of Cooperative Fire Programs Fire Protection Reimbursement Agreement, LG-1, between the California Department of Forestry and Fire Protection (CAL FIRE) and the LOCAL AGENCY.
28. **CONFIDENTIAL INFORMATION.** "Confidential information" means information designated by CAL FIRE and/or the LOCAL AGENCY disclosure of which is restricted, prohibited or privileged by State and federal law. Confidential Information includes, but is not limited to, information exempt from disclosure under the California Public Records Act (Government Code Sections 6250 et seq.) Confidential Information includes but is not limited to all records as defined in Government Code section 6252 as well as verbal communication of Confidential Information. Any exchange of Confidential Information between parties shall not constitute a "waiver" of any exemption pursuant to Government Code section 6254.5

CAL FIRE and LOCAL AGENCY personnel allowed access to information designated as Confidential Information shall be limited to those persons with a demonstrable business need for such access. CAL FIRE and LOCAL AGENCY agree to provide a list of authorized personnel in writing as required by Government Code section 6254.5(e). CAL FIRE and the LOCAL

Contractor Name: CITY OF WILLOWS

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AGENCY agree to take all necessary measures to protect Confidential Information and shall impose all the requirements of this Agreement on all of their respective officers, employees and agents with regards to access to the Confidential Information. A Party to this Contract who experiences a security breach involving Confidential Information covered by this Contract, agrees to promptly notify the other Party of such breach

29. **ENTIRE AGREEMENT**: This agreement contains the whole agreement between the Parties. It cancels and supersedes any previous agreement for the same or similar services.

EXHIBIT D
ADDITIONAL PROVISIONS

EXCISE TAX: State of California is exempt from federal excise taxes, and no payment will be made for any taxes levied on employees' wages. STATE will pay any applicable State of California or local sales or use taxes on the services rendered or equipment or parts supplied pursuant to this agreement. The STATE may pay any applicable sales and use tax imposed by another state.

Schedules

The following Schedules are included as part of this agreement (check boxes if they apply):

- A. Fiscal Display, PRC 4142 AND/OR PRC 4144** - STATE provided LOCAL AGENCY funded fire protection services. STATE-owned vehicles shall be operated and maintained in accordance with policies of STATE at rates listed in Exhibit D, Schedule A.
- B. STATE Funded Resource** - A listing of personnel, crews and major facilities of the STATE overlapping or adjacent to the local agency area that may form a reciprocal part of this agreement.
- C. LOCAL AGENCY Provided Local Funded Resources** - A listing of services, personnel, equipment and expenses, which are paid directly by the local agency, but which are under the supervision of the Unit Chief.
- D. LOCAL AGENCY Owned STATE Maintained Vehicles** - Vehicle information pertaining to maintenance responsibilities and procedures for local agency-owned vehicles that may be a part of the agreement.

LOCAL AGENCY-owned firefighting vehicles shall meet and be maintained to meet minimum safety standards set forth in Title 49, Code of Federal Regulations; and Titles 8 and 13, California Code of Regulations.

LOCAL AGENCY-owned vehicles that are furnished to the STATE shall be maintained and operated in accordance to LOCAL AGENCY policies. In the event LOCAL AGENCY does not have such policies, LOCAL AGENCY-owned vehicles shall be maintained and operated in accordance with STATE policies. The cost of said vehicle maintenance and operation shall be at actual cost or at rates listed in Exhibit D, Schedule D.

Exhibit D, Schedule D is incorporated into this section if LOCAL AGENCY-owned vehicles listed in Exhibit D, Schedule D are to be operated, maintained, and repaired by STATE.

LOCAL AGENCY assumes full responsibility for all liabilities associated therewith in accordance with California Vehicle Code Sections 17000, 17001 et seq. STATE employees operating LOCAL AGENCY-owned vehicles shall be deemed employees of LOCAL AGENCY, as defined in Vehicle Code Section 17000. Except where LOCAL AGENCY would have no duty to indemnify STATE under Exhibit C, Section 6 for all LOCAL AGENCY-owned vehicles operated or used by employees of STATE under this agreement.

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LOCAL AGENCY employees, who are under the supervision of the Unit Chief and operating STATE-owned motor vehicles, as a part of the duties and in connection with fire protection and other emergency services, shall be deemed employees of STATE, as defined in Vehicle Code Section 17000 for acts or omissions in the use of such vehicles. Except where STATE would have no duty to indemnify LOCAL AGENCY under Exhibit C, Section 6.

- E. Certification of Insurance** - Provider Insurance Certification and/or proof of self-insurance.

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EXHIBIT D, SCHEDULE A

STATE FUNDED RESOURCES

FISCAL DISPLAY

PRC 4142

NAME OF AGENCY: City of Willows

Contract number: 2CA04893

INDEX: 2500

PCA: 27640

Fiscal Year: 2020/2021

This is Schedule A of Cooperative Agreement originally dated July 1, 2020, by and between CAL FIRE of the State of California and LOCAL AGENCY.

(See Attached)

EXHIBIT D, SCHEDULE B

STATE FUNDED RESOURCES

NAME OF LOCAL AGENCY: City of Willows

This is Schedule B of Cooperative Agreement originally dated July 1, 2020, by and between CAL FIRE of the State of California and LOCAL AGENCY.

FISCAL YEAR: 2020/2021

Unit Administration

- 1 - Battalion Chief
- 5 - Fire Captains: ECC
- 1.5 – Communication Operators

EXHIBIT D, SCHEDULE E

This is Schedule E of Cooperative Agreement originally dated July 1, 2020, by and between the CAL FIRE of the State of California and LOCAL AGENCY

NAME OF LOCAL AGENCY: City of Willows

The CAL FIRE, State of California and its officers, agents, employees, and servants are included as additional insured for the purposes of this contract. The State shall receive thirty (30) days prior written notice of any cancellation or change to the policy at the addresses listed in LG1, Page 2.

FISCAL YEAR: 2020/2021

**SELF-INSURANCE CERTIFICATION BY LOCAL AGENCY FOR
TORT LIABILITY**

This is to certify that LOCAL AGENCY has elected to be self-insured under the self-insurance provision provided in Exhibit C, Section 17.

By: _____
Signature Printed Name

Title

**SELF-INSURANCE CERTIFICATION BY LOCAL AGENCY
FOR
WORKER'S COMPENSATION BENEFITS**

This is to certify that LOCAL AGENCY has elected to be self-insured for Workers' Compensation benefits which comply with Labor Code Section 3700 as provided in Exhibit C, Section 18.

By: _____
Signature Printed Name

Title

**SELF-INSURANCE CERTIFICATION BY LOCAL AGENCY
FOR
LOCAL AGENCY-OWNED VEHICLES**

This is to certify that LOCAL AGENCY has elected to be self-insured for local agency-owned vehicles under the self-insurance provision provided in Exhibit D, Schedule D.

By: _____
Signature Printed Name

Title

Exhibit E
DESCRIPTION OF OTHER SERVICES

The Red Bluff Emergency Command Center will provide the following services:

Serve as the secondary public safety answering point for emergency service requests within the following jurisdictions: City of Willows. Emergency callers will be transferred to and interrogated by the Red Bluff Emergency Command Center.

Provide dispatching services for City of Willows.

Perform call taking and dispatching services utilizing existing CAL FIRE computer aided dispatch system (CAD), radio, internet, and telephone infrastructure within the Red Bluff Emergency Command Center.

CAL FIRE will be responsible for maintaining the existing CAL FIRE VHF Radio between the Red Bluff Emergency Command Center and Red Mountain Vault.

Provide City of Willows, access to dispatch report records via the CAL FIRE reporting program.

Provide City of Willows a district wide repeated radio frequency as a command frequency for dispatching calls.

City of Willows will be responsible for the following:

Labor and costs associated with the purchasing, upgrading, and maintaining all fixed radio infrastructure (radios, antennas, base station radios, etc.) required for the communication between City of Willows and the Red Bluff Emergency Command Center.

Labor and costs associated with the purchasing, upgrading, maintaining, and programming of all mobile radio infrastructure (mobile radios, handie talkies, pagers, etc.).

Providing the Red Bluff Emergency Command Center dispatch response plans, including copies of all auto and mutual aid agreements.

Ensuring all field user radio communications and interactions with the Red Bluff Emergency Command Center are in accordance with the TGU Radio Communications Guide and FCC requirements.

Providing Red Bluff Emergency Command Center with timely map data updates.

All costs associated with the programming, updating, or changing of Red Bluff Emergency Command Center radios (alert tone changes, frequency changes, repeater changes, etc.) at request of or to meet the needs of the City of Willows.

All services beyond those listed may require contract review which may lead to additional costs.

AGENDA ITEM

TO: Wayne Peabody, Interim City Manager

FROM: Tim Sailsbery, Administrative Services Director

SUBJECT: Labor Agreement Extension with the Willows Employees' Association

RECOMMENDATION

Adopt the Resolution of the City Council of the City of Willows Extending and Amending the Existing Agreement with the Willows Employees' Association through June 30, 2021

SITUATION (or BACKGROUND):

At the March 10, 2020 City Council meeting, the Council directed Staff to begin negotiations on a new labor agreement with the Willows Employees' Association. Unfortunately, the economic shut down associated with COVID-19 followed before negotiations started, and the tenor of the negotiation process changed dramatically.

Staff and representatives of the WEA commenced negotiations under these circumstances, and the resulting Agreement to Extend and Amend is the result of those negotiations. The WEA has agreed to extend the agreement for one year (to 6/30/21) with several non-financial amendments (see Exhibit "A" to the resolution).

Special thanks to Michael Mings and Joshua Carlson of the WEA, as they did an outstanding job of representing their membership and maintaining a professional atmosphere at the table. The City is grateful for their time and efforts to reach an extension agreement.

NOTIFICATION

Willows Employees' Association Representatives following adoption of resolution

ALTERNATE ACTIONS

1. Adopt the Resolution
2. Table the Resolution and Seek Additional Information
3. Reject Resolution and direct additional negotiation

June 9, 2020

RECOMMENDATION

Adopt the Resolution of the City Council of the City of Willows Extending and Amending the Existing Agreement with the Willows Employees' Association through June 30, 2021

Respectfully submitted,

/s/ Tim Sailsbery

Tim Sailsbery
Administrative Services Director

Attachments

- Resolution
- Exhibit "A" to the Resolution

**CITY OF WILLOWS
RESOLUTION XX-2020**

Resolution of the City Council of the City of Willows Extending and Amending the Existing Agreement with the Willows Employees' Association through June 30, 2021

WHEREAS, On March 10, 2020, the Willows City Council directed staff to commence negotiation of terms and conditions of a Memorandum of Understanding between the Willows Employees' Association and the City of Willows; and

WHEREAS, City representatives have met and conferred with representatives of the Willows Employees' Association; and

WHEREAS, the results of these negotiations are attached as Exhibit "A" (City of Willows/Willows Employees' Association Agreement to Contract Extension)

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Willows authorizes the Interim City Manager to execute the Agreement to Contract Extension with the Willows Employees' Association effective July 1, 2020 through June 30, 2021

PASSED AND ADOPTED by the Willows City Council, this 9th day of June, 2020 by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

ATTEST:

Kerri Warren, Mayor

Tara Rustenhoven, City Clerk

EXHIBIT A

City of Willows
Willows Employees Association
Agreement to Contract Extension

Except as otherwise noted, the labor agreement adopted between the Willows Employees' Association and the City of Willows for the period of 7-1-17 to 6-30-20 shall be extended for a period of one year, with a new expiration of 06-30-21.

1)-Both parties agree to an update the memorandum of understanding and personnel rules to reflect items in place, plus any items agreed upon in current negotiations. Both parties shall review said updates and attempt to have completed documents for City Council adoption 120 days after extension/ratification of contract extension and agreed upon terms. Both parties further acknowledge and agree that the memorandum of understanding and personnel rules contain verbiage that has been changed or superseded by agreements subsequent to 2002, and such items will be changed.

2)-Notification of Use of Sick Leave- Add the verbiage "Sick leave shall be taken in an increment of no less than two (2) hours" to existing clause. Clause will read as follows:

Notification of Use of Sick Leave: In order to receive compensation while absent on sick leave, the employee shall notify his/her immediate superior or the City Manager prior to or within four (4) hours after the time set for beginning his/her daily duties or as may be specified by the head of his/her department. When absence is for more than one workday, the employee may be required to file a physician's certificate or a personal affidavit with the City Manager stating the cause of the absence. ***Sick leave shall be taken in an increment of no less than two (2) hours***

3)-Death In Immediate Family- The existing clause shall be stricken and replaced with, " Not more than three (3) days of paid bereavement leave shall be granted taken in case an employee's presence is required elsewhere because of the death of members of the employee's immediate family. The immediate family shall consist of spouse, children, parents, siblings or other individuals whose relationship with the employee is that of a dependent."

Death In Immediate Family: ~~Not more than five (5) days sick leave each calendar year may be taken in case an employee's presence is required elsewhere because of sickness, disability, or death of members of his/her immediate family. The immediate family shall consist of the spouse, children, parents, brothers, sisters, or other individuals whose relationship to the employee is that of a dependent or near dependent. In each such case, the City Manager shall grant such sick leave only when, in his/her opinion, the relationship of the sick or disabled person to the employee warrants such use of sick leave.~~

Death In Immediate Family-Not more than three (3) days of paid bereavement leave shall be granted taken in case an employee's presence is required elsewhere because of the death of members of the

employee's immediate family. The immediate family shall consist of spouse, children, parents, siblings or other individuals whose relationship with the employee is that of a dependent.

4)-Rest Periods- Add the verbiage "Supervisor and/or Department Head will make every effort to allow for the 15 minute break period to be added to a later break time or at the end of shift where the employee did not receive the break period in that work day" to existing clause. Clause will read as follows:

During each normal working day, the employees are entitled to two 15 minute rest periods -- one in the a.m. and one in the p.m. However, both parties to this agreement recognize that under certain circumstances the rest periods would not be practical and, therefore, would not be allowed. ***Supervisor and/or Department Head will make every effort to allow for the 15 minute break period to be added to a later break time or at the end of shift where the employee did not receive the break period in that work day.***

5)-Work Period- The existing clause shall be stricken and replaced with, "***Work period for Public Works and Sewer Employees in membership shall be 10 hours a day, 4 days a week. A designated representative of the Willows Employees' Association must sign an alternate work schedule form, acknowledging that the 10-hour work days will be paid at straight time.***

Work period for Library employees in membership shall be 8 hours a day, 5 days a week.

All scheduling shall be under the authority of the Department Head or his/her designee. "

~~The work period for all employees shall be eight (8) hours per day forty (40) hours per week. The department head shall have the authority to alter the daily work schedule.~~

Work period for Public Works and Sewer Employees in membership shall be 10 hours a day, 4 days a week. A designated representative of the Willows Employees' Association must sign an alternate work schedule form, acknowledging that the 10-hour work days will be paid at straight time.

Work period for Library employees in membership shall be 8 hours a day, 5 days a week.

All scheduling shall be under the authority of the Department Head or his/her designee.

Michael Mings
Member Representative, Willows Employees' Assn.

Wayne Peabody
Interim City Manager

June 9, 2020

AGENDA ITEM

TO: Wayne Peabody, Interim City Manager
FROM: Tim Sailsbery, Administrative Services Director
SUBJECT: Contract Award for Administrative Services For Grant No. 18-HOME-12557

RECOMMENDATION

By Motion, Award the Contract for Administrative Services for Grant No. 18-HOME-12557 to Housing Tools and direct the Interim City Manager to negotiate contract terms

SITUATION (or BACKGROUND):

The City has been awarded and is in the process of completing the documentation to accept Contract No. 18-HOME-12557. This grant assists in funding of the 24-unit apartment complex to be built on West Sycamore Street. The nature of a number of the administrative requirements are outside the scope of in-house staff, and representatives of the California Department of Housing and Community Development ("HCD") have advised that contract planning and engineering staff may not be directly engaged to perform such services. These services must go through the RFP process.

Council approved the distribution of a Request for Proposal at the May 12 meeting. Staff distributed the RFP to organizations from a list provided by the CA. Dept of Housing and Community Development, and two entities responded, Housing Tools and RL Hastings and Associates. Both proposals were rated and scored by the Community Development Services Director and the Administrative Services Director in accordance with rating criteria noted in the RFP, and it was determined to recommend Housing Tools for contract award.

FINANCIAL CONSIDERATIONS:

TBD-Maximum General and Administrative Allowance in the Grant is \$50,000

NOTIFICATION

Proposing Firms Upon Council Decision

June 9, 2020

ALTERNATE ACTION

- Approve as Recommended
- Reject Recommendation
- Request Further Information

RECOMMENDATION

By Motion, Award the Contract for Administrative Services for Grant No. 18-HOME-12557 to Housing Tools and direct the Interim City Manager to negotiate contract terms

Respectfully submitted,

/s/ Tim Sailsbery

Tim Sailsbery
Administrative Services Director

Attachment-Evaluation Criteria
Scoring Summary

ATTACHMENT

EVALUATION CRITERIA	RATING POINTS
Administrative Subcontractor=s proposal for addressing the Scope of Work items and approach to projects.	30
Specific experience of the Administrative Subcontractor in the areas of State of California HOME Administrative Subcontractor services.	55
Knowledge of various other housing and community development programs which may further the grant purpose.	5
Availability and accessibility to CITY staff.	5
Administrative Subcontractor Fee.	<u>5</u>
TOTAL	100

- B. CITY staff will then exercise its discretion in selecting a firm and will negotiate and contract in accordance with that City selection.
- C. The CITY reserves the right to award a contract to the firm or individual that presents the proposal which, in the sole judgment of the City, best serves the interest of the City.

The CITY reserves the right to reject any or all proposals and to waive minor irregularities

City of Willows
Score Sheet Talley
Administrative Services-Grant 18-HOME-12557

	Home Tools	RL Hastings
Soeth	90	87
Sailsbery	90	88
	180	175

June 9, 2020

AGENDA ITEM

TO: Hon. Mayor and City Council Members
FROM: Wayne Peabody, Interim City Manager
SUBJECT: **FIRE AND EMERGENCY MEDICAL SERVICES SALES TAX MEASURE**

SUMMARY

The current staffing and equipment of the Willows Fire Department is entirely inadequate to provide safety and emergency medical services to the citizens of Willows. It is imperative that additional funding be provided to meet the needs of this department and protect the people and property of the City of Willows.

SITUATION

CURRENTLY:

1. There is only one (1) firefighter on duty at a time. This situation is inherently unsafe for both the people of Willows and the firefighter. Generally, the firefighter must wait for volunteers to respond in order to be even marginally effective.
2. Willows is experiencing a significant drop in volunteer firefighters. Nationally there has been a massive reduction in local volunteerism, and Willows has not escaped this trend.
3. The people of Willows currently receive sub-par and unacceptable emergency medical services. The Willows Fire Department suffers a significant lack of Advanced Life Support (ALS) care in the pre-hospital setting. Currently Willows emergency medical services personnel wait up to 45 minutes for ALS care to arrive because of an ambulance shortage in the region. 45 minutes is the difference between life and death in many cases.
4. Lack of up-to-date medical equipment and tools, as well as an aging firefighting vehicle fleet hamper the department's efforts.

IF SALES TAX MEASURE IS PASSED:

1. The Willows Fire Department will be able to provide a higher level of medical care than currently available, directly improving survival rates of the critically ill.
2. The Willows Fire Department will have great added emergency capacity in adding four (4) additional firefighters, provide them necessary training and firefighting apparatus, thus improving the safety of the public and first responders.

Staff Report re Fire & Emergency Medical Services Sales Tax Measure

3. Medical and firefighting equipment and vehicles can be updated to provide greater safety to the people of Willows and those first responders who serve them.

4. The people of Willows will no longer have to rely on dwindling numbers of volunteers to provide their fire safety and emergency medical services.

IF THE SALE TAX MEASURE IS REJECTED:

1. The people of Willows will continue to receive sub-par and unacceptable emergency medical services, despite the best efforts of the dedicated Willows Fire Department personnel.

2. Willows Firefighters will continue to respond to emergency calls for service as they always have, and do their best to protect the people of Willows from injury or death with limited manpower, vehicles and tools currently available while awaiting for the arrival of advanced life support from elsewhere.

3. Without additional funding, it is likely that the Willows Fire Department will no longer be able to staff the department 24/7, placing a dangerous and unrealistic expectation of adequate fire and emergency medical service from the Willows volunteers.

FINANCIAL CONSIDERATIONS

1. There will be no additional financial burden to the City of Willows.

2. The sales tax, if enacted, will raise approximately \$832,000 per year.

3. If not enacted, the City Council will be burdened with attempting to find additional funds for the Willows Fire Department if it wants to continue a staffed department providing any level of fire safety and emergency medical services.

RECOMMENDATION:

Adopt a **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS: (A) ORDERING SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY, A MEASURE RELATING TO THE ESTABLISHMENT OF A THREE-QUARTER CENT SPECIAL SALES, TRANSACTIONS AND USE TAX, (B) AUTHORIZING THE MAYOR TO SUBMIT BALLOT ARGUMENTS IN FAVOR OF THE MEASURE, AND (C) DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURE.**

Respectfully submitted,


Wayne Peabody
Interim City Manager

Attachments:

1. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS:
(A) ORDERING SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY, A MEASURE RELATING TO THE ESTABLISHMENT OF A THREE-QUARTER CENT SPECIAL SALES, TRANSACTIONS AND USE TAX, (B) AUTHORIZING THE MAYOR TO SUBMIT BALLOT ARGUMENTS IN FAVOR OF THE MEASURE, AND (C) DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURE.

2. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS ADDING CHAPTER 3.15.085 TO TITLE 3 OF THE WILLOWS MUNICIPAL CODE IMPOSING A THREE-QUARTER OF ONE PERCENT SALES, TRANSACTION AND USE TAX ENTITLED "PUBLIC SAFETY SALES TAX MEASURE" TO BE ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION INCLUDING PROVISIONS FOR CITIZENS' OVERSIGHT AND ACCOUNTABILITY.

RESOLUTION NO. 2020-___

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS:
(A) ORDERING SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY,
A MEASURE RELATING TO THE ESTABLISHMENT OF A THREE-QUARTER
CENT SPECIAL SALES, TRANSACTIONS AND USE TAX,
(B) AUTHORIZING THE MAYOR TO SUBMIT BALLOT ARGUMENTS
IN FAVOR OF THE MEASURE, AND
(C) DIRECTING THE CITY ATTORNEY TO PREPARE AN
IMPARTIAL ANALYSIS OF THE MEASURE**

WHEREAS, the City of Willows (“City”) may impose a local sales, transactions and use tax increase for specific purposes with the approval of two-thirds (2/3) of voters in the City; and

WHEREAS, the City has adopted an ordinance adding Chapter 3.15.085 to the Willows Municipal Code, entitled “The City of Willows Fire and Emergency Medical Three-Quarter Cent Sales, Transactions and Use Tax” (the “Ordinance”); and

WHEREAS, Chapter 3.15.085 of the Willows Municipal Code establishes a special Three-quarters cent sales, transactions and use tax to be administered by the California Department of Tax and Fee Administration (the “Sales Tax”); and

WHEREAS, the Ordinance, attached hereto and incorporated herein as Exhibit A, would implement the Sales Tax which, if approved by two-thirds of qualified voters, would take effect no earlier than April 1st, 2020; and

WHEREAS, the City of Willows Planning Administrator has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that this activity is not a “Project” as defined under Section 15378 of the State CEQA Guidelines because it is a financing decision without commitment to a specific project which may result in a potentially significant physical impact on the environment; therefore, pursuant to Section 15378(b)(4) of the State CEQA Guidelines, the actions proposed are not subject to CEQA; and

WHEREAS, pursuant to Revenue and Taxation Code Section 7285.91 and California Elections Code Section 9222, the City Council desires to submit the Ordinance to the electorate at the General Election to be held on Tuesday, November 3, 2020; and

WHEREAS, the City Council also desires to authorize the Mayor to submit ballot arguments in favor of the measure,

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

1. All of the foregoing recitals are true and correct and incorporated herein.
2. The City Council pursuant to its right and authority, does hereby order submitted to the voters at the General Election on November 3, 2020, the following question:

Shall the measure to provide adequate fire and emergency medical services within the City of Willows by enacting a ¾ cent sales, transaction and use tax, until the voters decide otherwise, generating an estimated \$_____ million annually for City’s fire and emergency medical services, with all funds staying in Willows, with citizen oversight and independent audits, be adopted?	YES	
	NO	

This question requires the approval of two-thirds of qualified voters voting.

3. That the proposed Ordinance to be submitted to the voters is attached as Exhibit “A” and incorporated into this resolution by this reference.
4. Pursuant to California Elections Code Section 9282, the City Council hereby acknowledges its authority, and the authority of any individual voter who is eligible to vote on the measure, or bona fide association of citizens, or any combination of voters and associations, to submit a written argument, not to exceed 300 words, for or against the measure, and authorizes the Mayor to submit arguments in favor of the measures, on behalf of the City Council. Arguments must be submitted to the Glenn County Elections Officer and may be changed until and including the date fixed by the Glenn County Elections Officer, after which no arguments for or against the measure may be submitted, withdrawn or changed.
5. Pursuant Elections Code section 9285, rebuttal arguments will be allowed. The rebuttal arguments may not exceed 250 words. Rebuttal arguments must be submitted to the Glenn County Elections Officer, and may be changed until and including the date fixed by the Glenn County Elections Officer, after which no rebuttal arguments for or against the proposed measure may be submitted to the City Clerk.
6. Pursuant to California Elections Code Section 9280, the City Clerk is directed to transmit a copy of the measure to the City Attorney. The City Attorney is directed to prepare an impartial analysis of the measure, not to exceed 500 words in length, showing the effect of the measure on the existing law and the operation of t h e measure, and transmit such impartial analyses to the Glenn County Elections Officer by the date fixed by the Glenn County Elections Officer.
7. The City Clerk is hereby directed to forthwith file a certified copy of this resolution with the Board of Supervisors and the Registrar of Voters of the County of Glenn and to issue instructions to the Registrar of Voters to take any and all steps necessary for the holding of the election.
8. The City Clerk shall certify to the passage and adoption of this resolution by a two-thirds vote of all members of the City Council, as required by Revenue & Taxation Code section 7285.9, and file it with the City’s original resolutions.

ADOPTED at a regular meeting of the City Council of the City of Willows on the 9th day of June, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Kerri Warren, Mayor

ATTEST:

Tara Rustenhoven, City Clerk

Presented by Approved as to form by:

City Attorney

ORDINANCE NO. __-2020**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS ADDING CHAPTER 3.15.085 TO TITLE 3 OF THE WILLOWS MUNICIPAL CODE IMPOSING A THREE-QUARTER OF ONE PERCENT SALES, TRANSACTION AND USE TAX ENTITLED “PUBLIC SAFETY SALES TAX MEASURE” TO BE ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION INCLUDING PROVISIONS FOR CITIZENS’ OVERSIGHT AND ACCOUNTABILITY.**

WHEREAS, the City of Willows is charged with providing fire protection services and emergency medical services to the residents and property owners of the City of Willows (“Public Safety Services”); and

WHEREAS, the City Council of the City of Willows has determined that it is in the best interests of the residents and property owners of the City of Willows to prevent significant Public Safety Services reductions; and

WHEREAS, the City Council of the City of Willows wishes to provide appropriate levels of Public Safety Services to the residents and property owners of the City of Willows; and

WHEREAS, the City Council has determined that the City’s current financial resources are insufficient to maintain appropriate and acceptable levels of Public Safety Services; and

WHEREAS, the City Council has determined that it is necessary to increase funding for Public Safety Services through the imposition of a special sales tax and use tax (as defined in Chaps. 3.15.060 and 3.15.080, respectively, of the Willows Municipal Code) of three-quarters of one percent (0.75%); and

WHEREAS, the Public Safety Advisory Committee (PSAC) reviewed the funding necessary to maintain appropriate and acceptable levels of Public Safety Services in the City of Willows and has determined that current funding will not meet those basic needs on an ongoing and long-term basis; and

WHEREAS, the City has conducted public outreach to explore the most critical needs and priorities with respect to addressing the City’s public safety services, including meeting with residents, business owners, and other stakeholders; and

WHEREAS, at the February 26, 2019 Willows City Council meeting, the Interim City Manager was directed to report back to the Willows City Council with a plan to address the perceived chronic underfunding of the Public Safety Services within the City, with such plan considering all options, including: i) alternative service models that may improve effectiveness and reduce costs; and ii) potential funding sources; and

- Community and stakeholder feedback/input on priorities for delivery of public safety services,
- Short and long-term staffing level standards for Willows Fire Department (WFD),
- Response times for Priority 1 and Priority 2 emergency calls for WFD,
- Report on condition, aging, operability and projected remaining life of all safety apparatus and equipment required to respond to emergencies by the WFD,
- Consideration of alternate public safety service delivery models,
- Fiscal forecasts and impacts; and
- Options for addressing the projected deterioration of the WFD's ability to respond to public emergencies; and

WHEREAS, at the May 19, 2020 Willows Public Safety Committee meeting, after considering City staff's presentation of the public safety report which identified public safety critical needs as well as funding options, the Committee directed the Interim City Manager to return with an item, for Council consideration, to place a $\frac{3}{4}$ cent general sales, transaction and use (collectively referred to herein as "sales") tax on the ballot in 2020; and

WHEREAS, the City has determined that the enactment of a special local sales tax would allow the City to significantly address the critical public safety needs; and

WHEREAS, pursuant to Article XIII C, Sec. 2(d) of the California Constitution, and California Revenue and Taxation Code Section 7285.91, the City has the authority to enact a local sales tax for specific purposes with the approval of two-thirds (2/3) of voters in the City voting in an election on the issue; and

WHEREAS, the City Council directed staff to prepare for submittal to the voters an ordinance enacting a three-quarter cent sales tax consistent with all applicable general purpose tax laws, including measures providing for citizens' oversight, separate accounting and independent audits; and

WHEREAS, proposed Chapter 3.15.085 of the Willows Municipal Code, set forth below, establishes a sales, transactions and use tax to be administered by the California Department of Tax and Fee Administration consistent with City Council direction,

NOW, THEREFORE, subject to approval by an affirmative, two-thirds majority vote of the people as required by law, the People of the City of Willows do ordain as follows:

SECTION 1:

The Willows Municipal Code is hereby revised to add Chapter 3.15.085 as set forth below, thereby enacting a general local sales, transactions and use tax within the City of Willows, to be administered by the California Department of Tax and Fee Administration:

**CHAPTER 3.15.085
WILLOWS THREE-QUARTER CENT TRANSACTIONS AND USE TAX**

A. **TITLE.** This ordinance shall be known as the Willows Three-Quarter Cent Sales Tax Ordinance. The City of Willows hereinafter shall be called "City." This Ordinance shall be applicable in the incorporated territory of the City.

B. OPERATIVE DATE. "Operative Date" means the first day of the first calendar quarter commencing more than 110 days after the adoption of this ordinance, the date of such adoption being as set forth below.

C. PURPOSE. This Ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted to accomplish those purposes:

1. To impose a general retail sales, transactions and use tax, in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285.9 of Part 1.7 of Division 2 which authorizes the City to adopt this tax ordinance which shall be operative if a two-thirds vote of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.

2. To adopt a general retail sales, transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

3. To adopt a general retail sales, transactions and use tax ordinance that imposes a tax and provides a measure therefore that can be administered and collected by the California Department of Tax and Fee Administration in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the California Department of Tax and Fee Administration in administering and collecting the California State Sales and Use Taxes.

4. To adopt a general retail sales, transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions of this Ordinance.

D. CONTRACT WITH STATE.

Prior to the Operative Date, City shall contract with the California Department of Tax and Fee Administration to perform all functions incident to the administration and operation of this transactions and use tax Ordinance; provided, that if the City shall not have contracted with the California Department of Tax and Fee Administration prior to the Operative Date, it shall nevertheless so contract, and in such a case the Operative Date shall be the first day of the first calendar quarter following the effective date of such a contract.

E. SALES AND TRANSACTIONS TAX RATE.

For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the City at the rate of three-quarter of one percent (0.75%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the Operative Date of this Ordinance.

F. PLACE OF SALE.

For the purposes of this Ordinance, all retail sales are consummated at the place of business of the

retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the State sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the California Department of Tax and Fee Administration.

G. USE TAX RATE.

An excise tax is hereby imposed on the storage, use or other consumption in the City of tangible personal property purchased from any retailer on and after the Operative Date of this Ordinance for storage, use or other consumption in said territory at the rate of three-quarter of one percent (0.75%) of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

H. ADOPTION OF PROVISIONS OF STATE LAW.

Except as otherwise provided in this Ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this Ordinance as though fully set forth herein.

I. LIMITATIONS ON ADOPTION OF STATE LAW AND COLLECTION OF USE TAXES.

In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

A. Wherever the State of California is named or referred to as the taxing agency, the name of this City shall be substituted therefor. However, the substitution shall not be made when:

1. The word "State" is used as part of the title of the State Controller, State Treasurer, State Treasury, or the Constitution of the State of California;

2. The result of that substitution would require action be taken by or against this City or any agency, officer, or employee thereof, rather than by or against the California Department of Tax and Fee Administration, in performing the functions incident to the administration or operation of this Ordinance.

3. In those sections, including but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:

a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code; or

b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the State under the said provision of that code.

4. In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

B. The word "City" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

J. PERMIT NOT REQUIRED.

If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this Ordinance.

K. EXEMPTIONS AND EXCLUSIONS.

A. There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

B. There are exempted from the computation of the amount of transactions tax the gross receipts from:

1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.

2. Sales of property to be used outside the City which is shipped to a point outside the City, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the City shall be satisfied:

a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Chapter 2 of Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-City address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

b. With respect to commercial vehicles, by registration to a place of business out-of-City and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

3. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this Ordinance.

4. A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this Ordinance.

5. For the purposes of subsections (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

C. There are exempted from the use tax imposed by this Ordinance, the storage, use or other consumption in this City of tangible personal property;

1. The gross receipts from the sale of which have been subject to a transactions tax under any State-administered transactions and use tax ordinance.

2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this Ordinance.

4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the Operative Date of this Ordinance.

5. For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

6. Except as provided in subparagraph (7), a retailer engaged in business in the City shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the City or participates within the City in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the City or through any representative, agent, canvasser, solicitor, subsidiary, or person in the City under the authority of the retailer.

7. "A retailer engaged in business in the City" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division

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3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the City.

D. Any person subject to use tax under this Ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumptions of which is subject to the use tax.

L. AMENDMENTS OF REVENUE AND TAXATION CODE

All amendments subsequent to the effective date of this Ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this Ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this Ordinance.

M. ENJOINING COLLECTION FORBIDDEN.

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the City, or against any officer of the State or the City, to prevent or enjoin the collection under this Ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

N. AMENDMENTS BY CITY COUNCIL.

The following amendments to this Ordinance must be approved by the voters of the City: increasing the tax rate; revising the methodology for calculating the tax, such that a tax increase would result; imposing the tax on transactions and uses not previously subject to the tax (unless such amendment occurs automatically by operation of law); or terminating the tax. The City Council may otherwise amend this Ordinance without submitting the amendment to the voters for approval in any manner which does not constitute a tax "increase" as that term is defined in Government Code section 53750(h).

O. USE OF PROCEEDS.

The proceeds from the tax imposed by this Ordinance shall be used only for public safety services, including but not limited to fire services and emergency medical services.

P. CITIZENS' OVERSIGHT AND ACCOUNTABILITY.

In order to provide for citizens' oversight, transparency and accountability in connection with expenditures of tax revenues generated under the terms of this Ordinance, the City shall do the

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following:

A. Line Item Accounting. All revenue generated by the tax shall be accounted in the General Fund as a separate line item entitled “Local Sales, Transactions and Use Tax – Measure ‘X’ Revenues.” Measure __ Revenues and expenditures will be tracked and accounted for by City Finance Department staff in accordance with Generally Accepted Accounting Principles (GAAP), and presented annually in a report (the “Finance Department Report”) to the Citizens’ Oversight Committee (“COC”) created pursuant to subdivision D, below

B. Annual Submittal of Measure X Public Safety Expenditure Plan. If Measure ‘X’ is approved by the voters, beginning in Fiscal Year 2021-22, and for each subsequent year, prior to City Council consideration of the City’s annual budget, City staff will prepare and present to the COC for its review a spending plan for the Measure ‘X’ Revenues. Such plan (the “Measure ‘X’ Spending Plan”) shall be (1) include specific proposals for near term expenditures; and (2) a plan for expenditures for the next ten-years to address the critical needs of the fire and emergency response services in the City. After review by the COC, the Measure ‘X’ Spending Plan for the upcoming Fiscal Year shall be incorporated into the City Manager’s proposed budget, and then presented to the City Council for its consideration and action, in its discretion, as part of the City’s annual budget process. The City Council must consider for approval the expenditure of projected Measure ‘X’ Revenues as a separate line item category in each year’s budget. The COC’s duties under this section shall continue until and unless the City Council appoints another commission, committee, or group to be responsible for reporting to the City Council, pursuant to section D., below.

C. Annual, Independent Audit. Beginning with the fiscal year 2021-22, the City’s independent auditors shall, as part of their annual audit of the City’s financial statements, review the collection and expenditure of Measure ‘X’ Revenues.

D. Measure X Oversight Committee. Prior to the Operative Date, the City shall create and convene a Citizens’ Oversight Committee (“COC”). The function of the COC shall be to review and report on City compliance with the terms of this Ordinance and the spending guidelines contained in the City Council Intended Public Safety Expenditure Plan and each Measure X Spending Plan presented to and approved by the City Council thereafter. The COC shall operate in accordance with the Ralph M. Brown Act, which includes requirements that meetings be noticed in advance and held in public. The COC shall be created by City Council ordinance consistent with the terms of this Section adopted no later than 150 days following the date of the election at which Measure X is approved by the voters. If the City Council elects to disband the COC, the City’s Growth Management Oversight Commission, or an appropriate alternative citizens’ group or committee designated by the City Council, shall be responsible for reporting to the City Council, in a manner to be determined by the City Council, regarding the collection and expenditure of Measure X Revenues and the resulting impacts on public safety.

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Q. SEVERABILITY.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

Such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. This People of the City of Willows hereby declare that they would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof and intend that the invalid portions should be severed and the balance of the Ordinance be enforced.

SECTION 2:

The City Clerk shall be authorized to replace the terms "Measure X" wherever they appear in this Ordinance with the respective ballot designations determined by the County Registrar before this Ordinance is codified.

SECTION 3:

Upon approval by the voters, the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause it to be published according to law.

It is hereby certified that this Ordinance was duly adopted by the voters at the November 3, 2020 election and took effect 10 days following adoption of a resolution declaring the results of the election at a regular meeting of the City Council held on November 10, 2020: by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Kerri Warren, Mayor
City of Willows

Tara Rustenhoven, City Clerk
City of Willows

**CITY OF WILLOWS
ORDINANCE __-2020**

Presented by: Approved as to form by:

R. Wayne Peabody
Interim City Manager

Robert Hunt
City Attorney

**WILLOWS CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND CITY COUNCIL MEMBERS

**FROM: DAVID G. RITCHIE, CITY ATTORNEY
TARA RUSTENHOVEN, CITY CLERK**

**RE: NOVEMBER 3, 2020 GENERAL MUNICIPAL ELECTION
RESOLUTIONS**

DATE: JUNE 9, 2020

SUMMARY

The City Council is requested to adopt the resolutions necessary for the City's municipal election to be called and consolidated with the 2020 General Statewide Election that is conducted by Glenn County Elections Department.

DISCUSSION

The General Municipal Election for the City of Willows is to be held in consolidation with the General Statewide Election on November 3, 2020, for the election of three (3) Council Members for four-year terms of office. Terms of office will expire for the Council Member positions currently held by the following individuals: Kerri Warren, Larry Mello and Gary Hansen.

Call & Consolidation

It is required that the City Clerk request the Board of Supervisors to issue instructions to the Glenn County Election Department regarding consolidation with the Statewide General Election and to authorize certain procedures for the conduct of said election. Previously, the City has passed Ordinance No. 581-83 that consolidates the City Elections with the statewide general election in November of each even-numbered year.

Notice of Election

The Notice of Election must be published not earlier than the 127th day (June 29) and not later than the 113th day (July 13) before the municipal election. The Notice of Election must contain the date of the election, the offices for which candidates may file, and specify whether each open office is for full or short terms.

Candidate Statement

A candidate may file a Candidate Statement of Qualifications to be printed in the sample ballot, not to exceed 200 or 400 words. Glenn County has estimated the cost of candidate statements at \$500.00. The City may determine the maximum length of candidate

statements and determine whether the cost of candidate statements be paid by the City or borne by each candidate individually. The draft resolution provides for a 200 word limit for candidate statements, and requires that candidates remit a deposit of \$500.00, at the time of filing their candidacy for office with the City Clerk, for inclusion of their candidate statement in the voter pamphlet for the November 3, 2020 election.

Resolution of Tie Vote

The attached resolution specifies that in the event a tie vote is determined and certified by the County Clerk-Recorder, that where necessary the successful candidate shall be chosen by lot.

FISCAL IMPACT

RECOMMENDATIONS

1. Adopt Resolution No. __-2020 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF GLENN TO RENDER SPECIFIED SERVICES TO THE CITY OF WILLOWS RELATING TO THE CONDUCT OF CITY MUNICIPAL ELECTIONS TO BE HELD ON NOVEMBER 3, 2020 - THE DATE OF THE STATEWIDE GENERAL ELECTION, PURSUANT TO SECTION 22003 OF THE CALIFORNIA ELECTIONS CODE.

Respectfully submitted,

/s/ Tara Rustenhoven

Tara Rustenhoven
City Clerk

/s/ David G. Ritchie

David G. Ritchie
City Attorney

ATTACHMENTS – RESOLUTION No. __-2020

**CITY OF WILLOWS
RESOLUTION NO. ___-2020**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF GLENN TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2020 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO SECTION 10403 OF THE CALIFORNIA ELECTIONS CODE

WHEREAS, the City Council of the City of Willows called a General Municipal Election to be held on November 3, 2020, for the purpose of the election of (3) members of the City Council - (four-year term); and

WHEREAS, it is desirable that the General Municipal Election be consolidated with the Statewide General Election to be held on the same date and that within the city precincts, polling places and election officers of the two elections be the same, and that the County Election Department of the County of Glenn canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WILLOWS DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That pursuant to the requirements of section 10403 of the California Elections Code, the Board of Supervisors of the County of Glenn is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 3, 2020 for the purpose of the election of three (3) members of the City of Willows City Council - (four year term).

Section 2. That the County Election Department is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

Section 3. That the Board of Supervisors is requested to issue instructions to the County Election Department to take any and all steps necessary for the holding of the consolidated election.

Section 4. That the City of Willows recognizes that additional costs may be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

Section 5. That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the County Election Department of the County of Glenn.

PASSED AND ADOPTED by the Willows City Council at a meeting on June 9, 2020, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

APPROVED:

Kerri Warren, Mayor

APPROVED AS TO FORM:

ATTEST:

David G. Ritchie, City Attorney

Tara Rustenhoven, City Clerk

**BRIEF MUNICIPAL ELECTION CALENDAR
FOR THE NOVEMBER 3, 2020 GENERAL ELECTION**

EXHIBIT A

June 29 through July 13

During this period, the city clerk must publish a **notice of election** one time in a newspaper of general circulation in the city. (Elections Code § 12101) The notice must state:

- The date and hours of the election
- The offices to be filled, specifying full or short terms

July 6

Deadline for city to submit **rules for candidate statements of education and qualifications** to the county elections official.

- Determines whether statements shall be limited to 200 words or 400 words;
- Determines whether candidates or the city shall bear the cost of publishing the statements in the voter pamphlet. (E.C. § 13307)

Suggested deadline for city to determine whether **tie votes** shall be resolved by lot or a runoff election to be conducted on a Tuesday not less than 40 nor more than 125 days after the certification of the election that resulted in a tie. (E.C. § 10551)

July 13 through August 7

Candidate **nomination period**. Nomination documents must be obtained from and filed with the city clerk during normal office hours as posted. Candidates must collect the signatures of not less than 20 and not more than 30 registered voters. The nomination papers shall contain an affidavit of the nominee that he will accept the office if elected. Only registered voters of the city may circulate nomination papers for city offices. (E.C. §§ 10220-10227)

Candidates may not **withdraw** after August 7.

A candidate, at his option, who wishes to have his **candidate statement of education and qualifications** included in the voter sample ballot pamphlet must file the statement and pay the printing cost deposit (if the city will not bear the cost) at the time the declaration is filed. The deposit is \$500. (E.C. § 13307)

July 14 (Suggested Deadline)

Submit *Resolution Requesting Consolidation and Order of Election, Notice of Measure Submitted to Voters, and Request for Specified Election Services*.

The last day for the county board of supervisors to **approve a resolution** from the city requesting consolidation of a **ballot measure** with the statewide election is August 7; a copy of the resolution must be sent to the county elections official. The resolution must set forth the exact form of the question as it is to appear on the ballot. (E.C. §§ 10002, 10403)

August 7

Deadline for filing a *Tax-Rate Statement for Bond Measures*. (E.C. § 9401)

August 8

Suggested date for the county elections official to publish a notice inviting **direct arguments for and against** ballot measures and establishing a deadline of approximately 10 days hence for arguments to be submitted. (E.C. § 9163)

August 8 to August 12

Possible **nomination period extension**.

If the eligible incumbent fails to file nomination papers by 5 p.m. on August 8, then any person other than the incumbent shall have until 5 p.m. on August 12 to file nomination papers for the office. If there is no incumbent eligible to be elected, then there shall be no extension. (E.C. § 10225)

August 12

If by 5 p.m. there are **no nominees or only one nominee** for an elective city office, the city council may decide to fill the office by appointment - or proceed with the election. (E.C. § 10229)

Prior to the council's action, the city clerk must publish a one-time notice of the facts and options. The council may not appoint until five days after this publication.

If no appointment is made by August 20, the election is held for that office.

NOTE: No appointment shall be made if any other citywide office or measure is on the ballot; the election is held regardless of insufficient nominees.

August 14

Deadline for city clerk to file with the county elections official the **names of city candidates** to appear on the ballot. (E.C. § 10403)

August 18- August 27

Rebuttal arguments must be filed by the authors of the selected direct arguments not more than 10 days after the final date for filing direct arguments. (E.C. § 9167)

September 8 to October 20

Every person who desires to be a write-in candidate shall file a Statement of Write-in Candidacy and Nomination papers during this time. (E.C. § 8062, 10220, 10228)

September 24 to October 13

The county elections official mails **sample ballots** to voters that include polling place information and an absentee ballot application. (E.C. § 13303)

October 19

15-day Close of Registration (E.C. § 2102)

October 27

The city clerk shall publish not later than one week before the election, the **names of city candidates** in the order they will appear on the ballot, and the respective offices for which they have been nominated. Publication shall be at least one week prior to Election Day. (E.C. § 12110)

The city clerk shall publish one time a **synopsis of city measures**. (E.C. § 12111)

Tuesday, November 3

Election Day. Our office will open at 7:00 a.m. and close at 8:00 p.m.

November 5

The county elections official begins the **official canvass**. (E.C. § 15300, 15360)

When the canvass is complete, the county elections official shall submit the certified results to the county board of supervisors, who shall declare elected those candidates having the highest number of votes. (E.C. § 15400)

November 27

No later than the fourth Friday following the election, the city council shall meet and pass a resolution reciting the fact of the election and its results, and **install the newly elected officers**. (E.C. §§ 10262, 10263)