



Willows City Council Regular Meeting

August 24, 2021
Willows City Hall
7:00 p.m.

Agenda

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

City Council
Larry Domenighini, Mayor
Gary Hansen, Vice Mayor
Kerri Warren, Council Member
Joe Flesher, Council Member
Jeff Williams, Council Member

Interim City Manager
Marti Brown

City Clerk
Tara Rustenhoven

1. **CALL TO ORDER-** 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **CEREMONIAL MATTERS (Proclamations, Recognitions, Awards)**
 - a. Reading of a Proclamation "A Day To Remember"

5. **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 when recognized by the Mayor/Vice Mayor; however, no formal action will be taken unless a majority consensus of the Council directs staff to place the item on a future agenda. Public is advised to limit discussion to one presentation per individual. While not required, please state your name and address for the record. (Oral communications will be limited to three minutes)

6. **CONSENT AGENDA**

Consent items are considered to be routine by the City Council and will be enacted in one motion. There will be no separate discussion on these items unless a 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, payroll & direct deposit check registers Z45117- Z45141, 38952-38958, 051393-051434.
- b. By motion, adopt a resolution entitled; **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS ESTABLISHING FY 2021-22 APPROPRIATION LIMIT.**
- c. By motion, adopt a resolution entitled; **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS, STATE OF CALIFORNIA, TO APPROVE AN AMENDMENT TO THE JOINT POWERS AGREEMENT TO PROVIDE TRANSPORTATION SERVICES.**

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.

7. REGULAR BUSINESS AGENDA/ITEMS REQUIRING COUNCIL ACTION

- a. By motion, authorize the Interim City Manager, or her designee, to execute a two-year contract with Andy Heath, Finance Consultant, not to exceed \$75,000 for financial consulting services to the City of Willows.
- b. Consideration by City Council of the City of Willows for censure of Councilmember Williams for inappropriate conduct toward city staff.

8. COUNCIL/ STAFF REPORTS/COMMENTS

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

9. 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 COUNSEL-ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Gov. Code Section §54956.9
Number of Cases: 1

10. ADJOURNMENT

This agenda was posted on August 19, 2021


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



PROCLAMATIONS



City of Willows *Proclamation*

“A DAY TO REMEMBER”

WHEREAS, the unprovoked attacks of September 11, 2001, upon America by foreign terrorists have thrust the United States and other countries into a war it never envisioned, militarily or diplomatically; and

WHEREAS, the challenges facing all the civilized people of the world as they relate to the war on terrorism will not end until those fanatics responsible are eliminated or brought to justice; and

WHEREAS, America is fully committed to ensure our freedoms remain unfettered and sovereign for all generations, now and forever; and

WHEREAS, world opinion needs to remain focused upon the eradication of these inhuman acts perpetrated around the globe; and

WHEREAS, one way to accomplish this is to NEVER FORGET that those innocent victims did not die in vain; and

WHEREAS, America can fight back by reminding the world that the deaths of these people will always be remembered, and they will be forever loved; and

WHEREAS, a noble and appropriate way to accomplish this is through the annual celebration of their living; and

WHEREAS, this commemoration should be held each September 11 throughout the land to include:

- The promotion of global peace and goodwill;
- The demonstration of America’s resolve and perseverance to win the war on terrorism;
- The advancement of responsible citizenship;
- The encouragement of patriotism and love of county; and
- The poignant remembrance of those innocent victims who died on September 11 as heroes one and all.

NOW, THEREFORE, BE IT PROCLAIMED that I, Larry Domenighini, Mayor of the City of Willows and on behalf of the City Council and the Citizens of the City of Willows, issue this Proclamation to memorialize those men, women, and children who lost their lives; and

BE IT FURTHER PROCLAIMED that this Proclamation be publicized for all to see, and know that the citizens of Willows remember with eternal respect those lives which were suddenly, without cause, and pointlessly taken on September 11, 2001--**May They Forever Rest in Peace and Abide in our Memories.**

PROCLAIMED this 24th day of August, 2021.

Larry Domenighini, Mayor





CONSENT AGENDA



PERIOD

08/06/2021 TO 08/18/2021

Payroll Direct Deposit Z45117 TO Z45141

General Checking 38952 TO 38958

Check Register 051393 TO 051434

APPROVAL DATE 08/24/2021

APPROVED _____

REPORT.: 08/18/21
RUN...: 08/18/21 Time: 10:11
Run By.: Katie Butler

CITY OF WILLOWS
Check Register

Check Number	Date	Payroll Date	**Employee** Num	Name	Actual Period	Fiscal Period	Gross Amount
Z45117	08/20/21	08/15/21	BUT01	BUTLER, KATIE LEEANN	08-21	02-22	1934.31
Z45118	08/20/21	08/15/21	RUS01	RUSTENHOVEN, TARA L	08-21	02-22	2131.99
Z45119	08/20/21	08/15/21	EHO00	EHORN, MARIA ANNETTE	08-21	02-22	2205.23
Z45120	08/20/21	08/15/21	BOW00	BOWERS, LINDA S	08-21	02-22	252.00
Z45121	08/20/21	08/15/21	BRI00	BRIONES, BRENDA VALENZU	08-21	02-22	196.00
Z45122	08/20/21	08/15/21	DUN00	DUNCAN, ROSE A	08-21	02-22	1556.31
Z45123	08/20/21	08/15/21	ESP00	Espeland, Sam Kinsey	08-21	02-22	378.00
Z45124	08/20/21	08/15/21	OLI00	OLIVER, LINDA F	08-21	02-22	294.00
Z45125	08/20/21	08/15/21	RAN00	RANDOLPH, ABIGAIL S	08-21	02-22	126.00
Z45126	08/20/21	08/15/21	SIL00	SILVA, EMILY M	08-21	02-22	126.00
Z45127	08/20/21	08/15/21	SPE02	SPENCE, KYLIEGH C	08-21	02-22	371.00
Z45128	08/20/21	08/15/21	VAR00	Vargas, Giovanni	08-21	02-22	518.00
Z45129	08/20/21	08/15/21	BOB00	BOBADILLA, PEDRO D	08-21	02-22	50.00
Z45130	08/20/21	08/15/21	HUT04	HUTSON, KRISTINA RENEE	08-21	02-22	354.32
Z45131	08/20/21	08/15/21	ABO00	ABOLD, STEVEN B	08-21	02-22	1856.72
Z45132	08/20/21	08/15/21	MCM00	MCMAHON, SHARON M	08-21	02-22	188.16
Z45133	08/20/21	08/15/21	SEN00	SENGMANY, SITXAY	08-21	02-22	640.00
Z45134	08/20/21	08/15/21	VAS01	VASQUEZ, PEDRO CEASAR	08-21	02-22	2056.16
Z45135	08/20/21	08/15/21	ENO00	ENOS, KYLE	08-21	02-22	3213.36
Z45136	08/20/21	08/15/21	PEA04	PEABODY, ROBERT WAYNE	08-21	02-22	5105.72
Z45137	08/20/21	08/15/21	PET02	PETERSEN, MATTHEW	08-21	02-22	1824.69
Z45138	08/20/21	08/15/21	CAR03	CARLSON, JOSHUA D	08-21	02-22	1749.40
Z45139	08/20/21	08/15/21	MIN00	MINGS, MICHAEL E	08-21	02-22	1572.46
Z45140	08/20/21	08/15/21	PFY00	PFYL, NATISA N	08-21	02-22	3182.64
							31882.47
							=====

REPORT : 08/18/21
RUN... : 08/18/21 Time: 10:23
Run By : Katie Butler

CITY OF WILLOWS
Check Register
*** CHECK REVERSAL ***

PAGE: 001
ID #: PRCR
CTL: WIL

Check Number	Date	Payroll Date	**Employee** Num Name	Actual Period	Fiscal Period	Gross Amount	Tax Amount	Deduction Amount	Check Amount
Z45129	08/20/21	08/20/21	BOB00 BOBADILLA, PEDRO D	08-21	02-22	-50.00	-4.43	-45.57	.00
						-50.00	-4.43	-45.57	.00

REPORT.: 08/18/21
RUN...: 08/18/21 Time: 14:14
Run By.: Katie Butler

CITY OF WILLOWS
Check Register

PAGE: 001
ID #: PRCR
CTL.: WIL

Check Number	Date	Payroll Date	**Employee** Num	Name		Actual Fiscal Period Period	Gross Amount	Tax Amount	Deduction Amount	Check Amount
Z45141	08/20/21	08/20/21	RUS01	RUSTENHOVEN, TARA	L	08-21 02-22	89.87	14.02	75.85	.00
							89.87	14.02	75.85	.00

REPORT.: 08/18/21
 RUN ON.: 08/18/21 Time: 10:57
 RUN BY.: Katie Butler

CITY OF WILLOWS

PAGE: 001
 ID #: SPVR
 CTL.: WIL

Vendor Check Register Print

Number	Date	Vendor/Organization	Invoice Id	Date	Description/Reference	Period	Amount	Amount Paid	
38952	08/18/21	EDD01 EMPLOYMENT DEVELOP.DEPT.	C10818	08/18/21	STATE INCOME TAX	08-21	724.92	724.92	
38953	08/18/21	EDD02 EMPLOYMENT DEVELOPMENT DEP	C10818	08/18/21	SDI	08-21	371.09		
38953	08/18/21	EDD02 EMPLOYMENT DEVELOPMENT DEP	1C10818	08/18/21	SDI	08-21	-1.60	370.49	
38954	08/18/21	ICM01 ICMA RETIREMENT TRUST 457	C10818	08/18/21	DEFERRED COMP - ICMA	08-21	411.11	411.11	
38955	08/18/21	NAT00 NATIONWIDE RETIREMENT SOLU	C10818	08/18/21	USCM DEF. COMP.	08-21	784.92	784.92	
38956	08/18/21	PER01 P.E.R.S.	C10818	08/18/21	PERS PAYROLL REMITTANCE	08-21	5441.88	5441.88	
38957	08/18/21	UMP00 UMPQUA BANK	C10818	08/18/21	DIRECT DEPOSIT	08-21	21754.93		
38957	08/18/21	UMP00 UMPQUA BANK	1C10818	08/18/21	DIRECT DEPOSIT	08-21	-45.57	21709.36	
38958	08/18/21	UMP01 UMPQUA BANK - MYTAXPAYER	C10818	08/18/21	FEDERAL INCOME TAX	08-21	2218.04		
38958	08/18/21	UMP01 UMPQUA BANK - MYTAXPAYER	1C10818	08/18/21	FICA	08-21	3834.70		
38958	08/18/21	UMP01 UMPQUA BANK - MYTAXPAYER	2C10818	08/18/21	MEDICARE	08-21	896.86		
38958	08/18/21	UMP01 UMPQUA BANK - MYTAXPAYER	4C10818	08/18/21	FICA	08-21	-6.20		
38958	08/18/21	UMP01 UMPQUA BANK - MYTAXPAYER	5C10818	08/18/21	MEDICARE	08-21	-1.46	6941.94	
TOTAL DISBURSED...								36384.62	36384.62

Invoice No	Description	Invoice Date	Actual Period	Tm	G/L	Discount Account	No	Gross Amount	Discount Amount	Net Amount			
											Due Date	Fiscal	
Check #.: 051393 Check Date.: 08/06/21 Vendor I.D.: AFF00 (AFFORDABLE COMPUTER SOLUTIONS)													
6219-	WORK FOR THE LIBRARY	08/02/21	08-21					1919.15	.00	1919.15			
		08/06/21	02-22										

Check #.: 051394 Check Date.: 08/06/21 Vendor I.D.: BAR01 (WILLOWS AUTO PARTS)													
608529-	RIVETS	07/21/21	08-21	A				17.90	.00	17.90			
		08/06/21	02-22										

Check #.: 051395 Check Date.: 08/06/21 Vendor I.D.: BID01 (BIDWELL H2O)													
10226-	POU COOLER RENT	07/31/21	08-21					225.00	.00	225.00			
		08/06/21	02-22										

Check #.: 051396 Check Date.: 08/06/21 Vendor I.D.: COM16 (COMCAST CABLE)													
C10804-	MONTH END BILL FOR ACCOUNT ENDING 5941	07/24/21	08-21					155.94	.00	155.94			
		08/06/21	02-22										

Check #.: 051397 Check Date.: 08/06/21 Vendor I.D.: COR10 (CORNING LUMBER WILLOWS)													
210716549-	PLYWOOD & TITE BOND GLUE	07/28/21	08-21					75.81	.00	75.81			
		08/06/21	02-22										

Check #.: 051398 Check Date.: 08/06/21 Vendor I.D.: CUR01 (L.N. CURTIS & SONS)													
511851-	ROUTINE ANNUAL FLOW TEST SERVICES	07/28/21	08-21	A				3659.33	.00	3659.33			
		08/06/21	02-22										

Check #.: 051399 Check Date.: 08/06/21 Vendor I.D.: FAI03 (FAILSAFE TESTING LLC)													
11743-	TESTING FOR FIRE EQUIPMENT	07/27/21	08-21					2830.75	.00	2830.75			
		08/06/21	02-22										

Check #.: 051400 Check Date.: 08/06/21 Vendor I.D.: FED00 (FEDEX)													
745237101-	SHIPPING FEES	07/30/21	08-21					37.77	.00	37.77			
		08/06/21	02-22										

Check #.: 051401 Check Date.: 08/06/21 Vendor I.D.: FGL00 (FGL ENVIRONMENTAL)													
175422A-	BACTI ANALYSIS	07/22/21	08-21					22.00	.00	22.00			
		08/06/21	02-22										

Check #.: 051402 Check Date.: 08/06/21 Vendor I.D.: GAN01 (GANDY-STALEY OIL CO.)													
C10805-	JULY 2021 STATEMENT	07/31/21	08-21	A				1118.47	.00	1118.47			
		08/06/21	02-22										

Check #.: 051403 Check Date.: 08/06/21 Vendor I.D.: HOU00 (HOUSING TOOLS)													
2096-	LABOR COMPLIANCE	08/03/21	08-21					7890.00	.00	7890.00			
		08/06/21	02-22										
2114-	ASSESSMENTS AND DRAFT & REVIEWS	08/04/21	08-21					7800.00	.00	7800.00			
		08/06/21	02-22										
								** Vendor's Subtotal ----->			15690.00	.00	15690.00

Check #.: 051404 Check Date.: 08/06/21 Vendor I.D.: INK01 (THE INKWELL)													
C10804-	OFFICE SUPPLIES	07/30/21	08-21	A				0.72	.00	0.72			
		08/06/21	02-22										

Check #.: 051405 Check Date.: 08/06/21 Vendor I.D.: JER00 (JEREMY'S PEST STOMPERS)													
84212-	AUGUST PEST CONTROL FOR FIREHOUSE	08/04/21	08-21					40.00	.00	40.00			
		08/06/21	02-22										

Invoice No	Description	Check #.	Check Date.	Vendor I.D.	Fiscal Yr	Actual Period	Discount G/L	Account No	Gross Amount	Discount Amount	Net Amount	
												Due Date
Check #.: 051406 Check Date.: 08/06/21 Vendor I.D.: MEN02 (MENDES SUPPLY COMPANY)												
052495A-	FILTRATION KIT & LINERS					07/29/21 08/06/21	08-21 02-22		64.35	.00	64.35	
Check #.: 051407 Check Date.: 08/06/21 Vendor I.D.: MJB01 (MJB WELDING SUPPLY, INC.)												
1351517-	CYLINDER RENTAL					07/31/21 08/06/21	08-21 02-22	A	43.40	.00	43.40	
Check #.: 051408 Check Date.: 08/06/21 Vendor I.D.: NOR43 (ACCESS)												
8917970-	SHRED BINS FOR 7-1-21 & 7-29-21					07/31/20 08/06/21	08-21 02-22		524.60	.00	524.60	
Check #.: 051409 Check Date.: 08/06/21 Vendor I.D.: SEI01 (ROY SEILER, C.P.A.)												
30369-	PROFESSIONAL SERVICES					07/29/21 08/06/21	08-21 02-22	A	1694.00	.00	1694.00	
Check #.: 051410 Check Date.: 08/06/21 Vendor I.D.: SEV00 (INFRAMARK, LLC)												
66192-	BASE OPERATING AND REPAIRNG					08/02/21 08/06/21	08-21 02-22		48895.17	.00	48895.17	
Check #.: 051411 Check Date.: 08/06/21 Vendor I.D.: USB02 (US BANK)												
449187244-	Equip. Maint.					08/02/21 08/06/21	08-21 02-22		604.99	.00	604.99	
Check #.: 051412 Check Date.: 08/06/21 Vendor I.D.: USB04 (U.S. BANK CORPORATE PAYMENT SYSTEMS)												
C10805-	JULY'S MONTH STATEMENT					07/22/21 08/06/21	08-21 02-22		2486.83	.00	2486.83	
Check #.: 051413 Check Date.: 08/06/21 Vendor I.D.: VER02 (VERIZON WIRELESS)												
988498607-	Telephone Exp.					07/26/21 08/06/21	08-21 02-22		187.30	.00	187.30	
Check #.: 051414 Check Date.: 08/06/21 Vendor I.D.: WIL17 (WILLDAN)												
713398-	PRINCIPAL PLANNER					07/30/21 08/06/21	08-21 02-22		10976.00	.00	10976.00	
Check #.: 051415 Check Date.: 08/06/21 Vendor I.D.: WILHD (WILLOWS HARDWARE, INC.)												
253194-	SAW BLADE					07/28/21 08/06/21	08-21 02-22	A	23.57	.00	23.57	
256025-	SEMI GLASS					07/29/21 08/06/21	08-21 02-22	A	19.27	.00	19.27	
258771-	TAPE					07/30/21 08/06/21	08-21 02-22	A	12.86	.00	12.86	
259358-	KEYS					07/30/21 08/06/21	08-21 02-22	A	10.78	.00	10.78	
									** Vendor's Subtotal ----->	66.48	.00	66.48
									** Total Checks Paid ----->	91335.96	.00	91335.96

REPORT.: Aug 06 21 Friday
 RUN.: Aug 06 21 Time: 13:28
 Run By.: Katie Butler

CITY OF WILLOWS
 Automatic Check Listing/Update
 Control Date.: 08/06/21 Cash Account No.: 000 1045

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

Invoice No	Description	Invoice Date	Actual Period	Discount		Gross Amount	Discount Amount	Net Amount
		Due Date	Fiscal Tm	G/L	Account No			
Check #: 051416 Check Date.: 08/06/21		Vendor I.D.: RGS01 (REGIONAL GOVERNMENT SERVICES)						
12252-	RECRUITMENT FOR ACCTS MGR	06/30/21	08-21			1420.00	.00	1420.00
		08/06/21	02-22					
12267-	RECRUITMENT CM	06/30/21	08-21			780.04	.00	780.04
		08/06/21	02-22					
12268-	CONTRACT SERVICE FOR JUNE -HR	06/30/21	08-21			666.25	.00	666.25
		08/06/21	02-22					
** Vendor's Subtotal ----->						2866.29	.00	2866.29
** Total Checks Paid ----->						2866.29	.00	2866.29

Invoice No	Description	Invoice Date	Actual Period	Discount G/L	Discount Account No	Gross Amount	Discount Amount	Net Amount
		Due Date	Fiscal Tm					
Check #.: 051417 Check Date.: 08/11/21 Vendor I.D.: ABO00 (STEVE ABOLD)								
C10809-	Pub. Wks. Tool Parks/Pub.	08/09/21	08-21			200.00	.00	200.00
		08/11/21	02-22					
Check #.: 051418 Check Date.: 08/11/21 Vendor I.D.: AME02 (AMERIPRIDE UNIFORM SVCS.)								
102578642-	CLEANING UNIFORMS	07/27/21	08-21			100.22	.00	100.22
		08/11/21	02-22					
102582157-	CLEANING UNIFORMS	08/03/21	08-21			100.22	.00	100.22
		08/11/21	02-22					
102585726-	CLEANING UNIFORMS	08/10/21	08-21			102.22	.00	102.22
		08/11/21	02-22					
** Vendor's Subtotal ----->						302.66	.00	302.66
Check #.: 051419 Check Date.: 08/11/21 Vendor I.D.: BAR01 (WILLOWS AUTO PARTS)								
609317-	TIE ROD SUPPLIES	07/30/21	08-21	A		121.07	.00	121.07
		08/11/21	02-22					
609358-	V BELT	07/30/21	08-21	A		29.12	.00	29.12
		08/11/21	02-22					
** Vendor's Subtotal ----->						150.19	.00	150.19
Check #.: 051420 Check Date.: 08/11/21 Vendor I.D.: COL08 (COLE HUBER LLP)								
37699-	GENERAL COUNSEL SERVICES	07/31/21	08-21			17137.46	.00	17137.46
		08/11/21	02-22					
37700-	FINANCE POLICY REVIEW	07/31/21	08-21			3330.00	.00	3330.00
		08/11/21	02-22					
** Vendor's Subtotal ----->						20467.46	.00	20467.46
Check #.: 051421 Check Date.: 08/11/21 Vendor I.D.: COM16 (COMCAST CABLE)								
C10810-	BILL FOR JUNE 2021	08/10/21	08-21			145.94	.00	145.94
		08/11/21	02-22					
Check #.: 051422 Check Date.: 08/11/21 Vendor I.D.: COR10 (CORNING LUMBER WILLOWS)								
210816781-	80LB TYPE S MORTAR MIX	08/05/21	08-21			28.93	.00	28.93
		08/11/21	02-22					
Check #.: 051423 Check Date.: 08/11/21 Vendor I.D.: EWI00 (EWING IRRIG. PRODUCTS, INC)								
14947149-	4-INCH POP UP ROTOR	08/10/21	08-21			443.36	.00	443.36
		08/11/21	02-22					
Check #.: 051424 Check Date.: 08/11/21 Vendor I.D.: GLE09 (GLENN CO. OFFICE OF EDUCATION)								
20210805-	LIVE SCAN	08/05/21	08-21	A		20.00	.00	20.00
		08/11/21	02-22					
Check #.: 051425 Check Date.: 08/11/21 Vendor I.D.: INT16 (INTERSTATE BATTERY SYSTEM OF REDDING)								
30059596-	PARTS FOR #32 MOWER	07/27/21	08-21			109.27	.00	109.27
		08/11/21	02-22					
Check #.: 051426 Check Date.: 08/11/21 Vendor I.D.: ITF01 (INDUSTRIAL TRUCK & FARM)								
574792-	REDUCING NIPPLE	08/03/21	08-21	A		0.71	.00	0.71
		08/11/21	02-22					
Check #.: 051427 Check Date.: 08/11/21 Vendor I.D.: IWO00 (iWorQ SYSTEMS)								
195754-	PERMIT MANAGEMENT FOR SPT 2021- AUG 2022	08/02/21	08-21			2600.00	.00	2600.00
		08/11/21	02-22					

Invoice No	Description	Check #.	Check Date.	Vendor I.D.	Invoice		Discount	Gross	Discount	Net	
					Date	Actual Period					Account No

		051428	08/11/21	MEN02 (MENDES SUPPLY COMPANY)							
052649-	BATHROOM SUPPLIES				07/27/21	08-21		178.87	.00	178.87	
					08/11/21	02-22					

		051429	08/11/21	OFF05 (OFFICE DEPOT, INC.)							
5554001-	OFFICE SUPPLIES				07/30/21	08-21 A		196.16	.00	196.16	
					08/11/21	02-22					

		051430	08/11/21	PEA00 (WAYNE PEABODY)							
C10809-	TECH ALLOWANCE FOR AUG 2021				08/09/21	08-21		200.00	.00	200.00	
					08/11/21	02-22					

		051431	08/11/21	SAC08 (SACRAMENTO VALLEY MIRROR)							
361-	LEGAL ASVERTISING				08/04/21	08-21 A		164.00	.00	164.00	
					08/11/21	02-22					

		051432	08/11/21	SAF03 (SAFETY TIRE SERVICE)							
48918-	FLAT REPAIR				08/04/21	08-21		117.97	.00	117.97	
					08/11/21	02-22					

		051433	08/11/21	WILHD (WILLOWS HARDWARE, INC.)							
255048-	SUPPLIES FOR WEED EATER				08/10/21	08-21 A		34.29	.00	34.29	
					08/11/21	02-22					
259262-	SHARPENING FOR CHAIN SAWS				07/22/21	08-21 A		73.23	.00	73.23	
					08/11/21	02-22					

								** Vendor's Subtotal ----->	107.52	.00	107.52

								** Total Checks Paid ----->	25433.04	.00	25433.04
								=====			

REPORT.: Aug 11 21 Wednesday
RUN...: Aug 11 21 Time: 15:08
Run By.: Katie Butler

CITY OF WILLOWS
Automatic Check Listing/Update
Control Date.: 08/11/21 Cash Account No.: 000 1045

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

Invoice No	Description	Invoice	Actual	Discount		Gross	Discount	Net
		Date	Period	G/L	Account No			
		Due Date	Fiscal Yr					
Check #.: 051434 Check Date.: 08/11/21		Vendor I.D.: HOL00 (JOYCE HOLDER)						
C10811-	WEED ABATEMENT REIMBURSEMENT	08/11/21	08-21			187.98	.00	187.98
		08/11/21	02-22					
** Total Checks Paid ----->						187.98	.00	187.98

AGENDA ITEM

TO: Honorable Mayor & City Council
FROM: Marti Brown, Interim City Manager
SUBJECT: FY 2021-22 Appropriation Limit

RECOMMENDATION

Adopt a resolution establishing the FY 2021-22 Appropriation Limit for the City of Willows

SITUATION (or BACKGROUND):

The City is required to establish its appropriations limit annually by Council resolution. The appropriation limitation imposed by Propositions 4 and 111 creates a restriction on the amount of revenue that can be appropriated in any fiscal year. The limit is based on the actual appropriations during the 1978-79 fiscal year and is increased each year using the growth of population and inflation. Not all revenues are restricted by the limit, only those that are designated as "proceeds of taxes" are included.

The City's appropriation limit for fiscal year 2021-22 is \$12,004,073. With qualified proceeds of taxes \$3,093,675 for the year, the City is \$8,910,938 under the limit. The City Auditor has applied testing procedures to the worksheets.

FINANCIAL CONSIDERATIONS:

No direct financial consideration as the City is below the Appropriation Limit for FY 2021-22.

NOTIFICATION

None Required.

ALTERNATE ACTIONS

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

RECOMMENDATION

Adopt a resolution establishing the FY 2021-22 Appropriation Limit for the City of Willows.

Respectfully submitted,

/s/ Marti Brown

Marti Brown
Interim City Manager

Attachments:

Resolution
City of Willows Appropriations Limit Worksheets - Fiscal Year 2021-22



**City of Willows
Resolution XX-2021**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS
ESTABLISHING FY 2021-22 APPROPRIATION LIMIT

WHEREAS, Proposition 4, which was passed by the electorate, at a special election held on November 6, 1979, added Article XIII B to the Constitution to place various limitations on the fiscal powers of local government; and

WHEREAS, Proposition 111 amended Article XIII B requiring the city to choose adjustment factors annually; and

WHEREAS, the adjustment factors used to determine the FY 2021-22 appropriation limit are the California per capita income increase and county population growth.

NOW, THEREFORE, BE IT RESOLVED that the City of Willows' FY 2021-22 Appropriation Limit is \$12,004,073.

PASSED AND ADOPTED by the City Council of the City of Willows this 24th day of August, 2021, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

Larry Domenighini, Mayor

APPROVED AS TO FORM:

ATTESTED:

David G. Ritchie, City Attorney

Tara Rustenhoven, City Clerk

ROY R. SEILER
CERTIFIED PUBLIC ACCOUNTANT

201C North Tehama
Willows, CA 95988

Phone: 530-934-8841
Fax: 530-934-8849
Roy.Seiler@yahoo.com

Wayne Peabody and
Members of the City Council
Willows, California

Management is responsible for the accompanying **Appropriation Limit Worksheets** No. 1 through No. 7 for the City of Willows, California (City) for the 2021-2022 fiscal year. I have performed compilation engagements in accordance with **Statements on Standards for Accounting and Review Services** promulgated by the Accounting and Review Services Committee of the AICPA. I did not audit or review the financial statements nor was I required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, I do not express an opinion, a conclusion, nor provide any form of assurance on these financial statements.

I am not independent with respect to the City of Willows

July 27, 2021



Roy R. Seiler, CPA



May 2021

Dear Fiscal Officer:

Subject: Price Factor and Population Information

Appropriations Limit

California Revenue and Taxation Code section 2227 requires the Department of Finance (Finance) to transmit an estimate of the percentage change in population to local governments. Each local jurisdiction must use their percentage change in population factor for January 1, 2021, in conjunction with a change in the cost of living, or price factor, to calculate their appropriations limit for fiscal year 2021-22. Attachment A provides the change in California's per capita personal income and an example for utilizing the price factor and population percentage change factor to calculate the 2021-22 appropriations limit. Attachment B provides the city and unincorporated county population percentage change. Attachment C provides the population percentage change for counties and their summed incorporated areas. The population percentage change data excludes federal and state institutionalized populations and military populations.

Population Percent Change for Special Districts

Some special districts must establish an annual appropriations limit. California Revenue and Taxation Code section 2228 provides additional information regarding the appropriations limit. Article XIII B, section 9(C) of the California Constitution exempts certain special districts from the appropriations limit calculation mandate. The code section and the California Constitution can be accessed at the following website: <http://leginfo.legislature.ca.gov/faces/codes.xhtml>.

Special districts required by law to calculate their appropriations limit must present the calculation as part of their annual audit. Any questions special districts have on this requirement should be directed to their county, district legal counsel, or the law itself. No state agency reviews the local appropriations limits.

Population Certification

The population certification program applies only to cities and counties. California Revenue and Taxation Code section 11005.6 mandates Finance to automatically certify any population estimate that exceeds the current certified population with the State Controller's Office. **Finance will certify the higher estimate to the State Controller by June 1, 2021.**

Please Note: The prior year's city population estimates may be revised. The per capita personal income change is based on historical data. Given the stay-at-home orders due to COVID-19, growth in the coming years may be substantially lower than recent trends.

If you have any questions regarding this data, please contact the Demographic Research Unit at (916) 323-4086.

KEELY MARTIN BOSLER

Director

By:

/s/ Erika Li

Erika Li

Chief Deputy Director

Attachment

- A. **Price Factor:** Article XIII B specifies that local jurisdictions select their cost of living factor to compute their appropriation limit by a vote of their governing body. The cost of living factor provided here is per capita personal income. If the percentage change in per capita personal income is selected, the percentage change to be used in setting the fiscal year 2021-22 appropriation limit is:

Per Capita Personal Income

Fiscal Year (FY)	Percentage change over prior year
2021-22	5.73

- B. Following is an example using sample population change and the change in California per capita personal income as growth factors in computing a 2021-22 appropriation limit.

2021-22:

Per Capita Cost of Living Change = 5.73 percent
 Population Change = -0.46 percent

Per Capita Cost of Living converted to a ratio: $\frac{5.73 + 100}{100} = 1.0573$

Population converted to a ratio: $\frac{-0.46 + 100}{100} = 0.9954$

Calculation of factor for FY 2021-22: $1.0573 \times 0.9954 = 1.0524$

Fiscal Year 2021-22

Attachment B
Annual Percent Change In Population Minus Exclusions*
January 1, 2020 to January 1, 2021 and Total Population, January 1, 2021

County City	Percent Change	--- Population Minus Exclusions ---		Total Population
	2020-2021	1-1-20	1-1-21	1-1-2021
Glenn				
Orland	1.83	8,374	8,527	8,527
Willows	-0.16	6,243	6,233	6,233
Unincorporated	0.26	14,881	14,919	14,919
County Total	0.61	29,498	29,679	29,679

*Exclusions include residents on federal military installations and group quarters residents in state mental institutions, state and federal correctional institutions and veteran homes.

CITY OF WILLOWS
 FISCAL YEAR 2021-2022

APPROPRIATIONS LIMIT GUIDELINES

USERS FEES VERSUS COSTS (Enterprise Funds)

WORKSHEET #1

BUDGET X ACTUAL

Program Areas

	Water	Sewer	Sewer Industries	TOTAL
A. COSTS REASONABLY BORNE	6,192	1,727,874		1,734,066
B. FEES:	7,500	1,602,182		1,609,682
FEE REVENUE	7,500	1,602,182		1,609,682
C. AMOUNT FEE EXCEEDS COST (i.e., TAX PROCEEDS)	1,308	(125,692)	0	(124,384)
D. AMOUNT OF FEE REVENUE GREATER THAN COST				(124,384)
E. Use the results to complete Worksheet #2				

CITY OF WILLOWS
FISCAL YEAR 2021-2022

APPROPRIATIONS LIMIT GUIDELINES

CALCULATION OF PROCEEDS OF TAXES

WORKSHEET #2

BUDGET X ACTUAL

REVENUES	PROCEEDS OF TAXES	NON-PROCEEDS OF TAXES	TOTAL
----------	----------------------	--------------------------	-------

TAXES:

PROPERTY TAX	872,500		872,500
SALES & USE TAX	1,500,000		1,500,000
BUSINESS LICENSE TAX	20,000		20,000
UTILITY USERS TAX			0
TRANSIENT OCCUPANCY TAX	650,000		650,000
SPECIAL POLICE OR FIRE	18,500		18,500
ADMISSIONS TAX			0
PARKING TAX			0
OTHER TAXES			0

FROM STATE:

MOTOR VEHICLE IN LIEU	630		630
TRAILER COACH IN LIEU			0
OFF-HIGHWAY VEHICLES			0
GASOLINE TAX (Includes SB-1)		160,000	160,000
TRANSPORTATION		60,000	60,000
CIGARETTE TAX			0
HOMEOWNERS' RELIEF TAX	7,500		7,500
WILLIAMSON OPEN SPACE			0
TIDELANDS TRUST			0
POST REIMBURSEMENTS			0
REPEALED SUBVENTIONS:			0
LIQUOR LICENSE TAX			0
HIGHWAY CARRIERS			0
FINANCIAL AID TO LOCALS			0
BUSINESS INVENTORY			0
LIBRARY GRANTS		64,000	64,000
REAL PROP TRANSFER TAX	19,000		19,000
OTHER		120,000	120,000

**APPROPRIATIONS LIMIT GUIDELINES
WORKSHEET # 2
CONTINUED**

OTHER GOVERNMENTS:

**COUNTY LIBRARY ALLOCATION
COMMUNITY DEVELOPMENT
HOUSING
DISASTER RELIEF
OTHER**

	55,500	55,500
	0	0
	-	0
		0
		0

LOCALLY RAISED:

**SPECIAL BEN ASSESSMENTS
LICENSES AND PERMITS
BUSINESS LICENSES
FRANCHISE FEES
DEVELOPMENT FEES
RENTS, ROYALTIES, PENALTIES
FINES AND FORFEITURES
CHARGES FOR SERVICES
USER FEES (From Worksheet # 1)
OTHER MISC.**

		0
	54,000	54,000
		0
	195,000	195,000
	1,500	1,500
	27,000	27,000
	5,000	5,000
	122,876	122,876
	1,609,682	1,609,682
	6,500	6,500

SUB-TOTAL (For Worksheet # 3)

3,088,130	2,481,058	5,569,188
-----------	-----------	-----------

**INTEREST EARNINGS
(From Worksheet # 3)**

5,545	4,455	10,000
-------	-------	--------

**TOTAL REVENUE
(use for worksheet #4)**

3,093,675	2,485,513	5,579,188
-----------	-----------	-----------

RESERVE WITHDRAWALS

	429,054	429,054
--	---------	---------

TOTAL OF THESE FUNDS

3,093,675	2,914,567	6,008,242
-----------	-----------	-----------

OTHER FUNDS NOT INCLUDED

		0
--	--	---

GRAND TOTAL

3,093,675	2,914,567	6,008,242
-----------	-----------	-----------

CITY OF WILLOWS
FISCAL YEAR 2021-2022

APPROPRIATIONS LIMIT GUIDELINES

INTEREST EARNINGS PRODUCED BY TAXES

WORKSHEET #3

	AMOUNT	SOURCES
A. TAX PROCEEDS NOT INCLUDING INTEREST	3,088,130	(WORKSHEET #2)
B. MINUS EXCLUSIONS	0	(WORKSHEET #7)
C. NET INVESTED TAXES	3,088,130	(A-B)
D. TOTAL REVENUES NOT INCLUDING INTEREST	5,569,188	(WORKSHEET #2)
E. TAX PROCEEDS AS A PERCENT OF BUDGET	55.45%	
F. INTEREST EARNINGS	10,000	
G. AMOUNT OF INTEREST EARNED FROM TAXES	5,545	(E*F)
H. AMOUNT OF INTEREST EARNED FROM NON-TAXES	4,455	(F-G)

CITY OF WILLOWS
FISCAL 2021-2022

APPROPRIATIONS LIMIT GUIDELINES

APPROPRIATIONS SUBJECT TO LIMITATION

WORKSHEET #4

	AMOUNT	SOURCES
A. PROCEEDS OF TAXES	3,093,675	(WORKSHEET #2)
B. EXCLUSIONS	0	(WORKSHEET #7)
C. APPROPRIATIONS SUBJECT TO LIMITATIONS	3,093,675	(A-B)
D. CURRENT YEAR LIMIT	12,004,073	(WORKSHEET #6)
E. OVER/(UNDER) LIMIT	(8,910,398)	(C-D)

CITY OF WILLOWS
FISCAL YEAR 2021-2022

APPROPRIATIONS LIMIT GUIDELINES

POPULATION INCREASE

WORKSHEET #5

LIMITATION COMPUTATION:	CITY		COUNTY	
	POPULATION	PERCENT	POPULATION	PERCENT
1987-1988	01/01/86	5154	22875	
	01/01/87	5238	22867	-0.03%
1988-1989	01/01/87	5208	22867	
	01/01/88	5273	23180	1.37%
1989-1990	01/01/88	5269	23180	
	01/01/89	5302	23588	1.76%
1990-1991	01/01/89	5331	23588	
	01/01/90	5479	24473	3.75%
1991-1992	01/01/90	5936	24473	
	01/01/91	6092	25241	3.14%
1992-1993	01/01/91	6082	25241	
	01/01/92	6167	25693	1.79%
1993-1994	01/01/92	6180	25693	
	01/01/93	6324	26240	2.13%
1994-1995	01/01/93	6310	26240	
	01/01/94	6325	26431	0.73%
1995-1996	01/01/94	6335	26431	
	01/01/95	6472	26990	0.73%
1996-1997	01/01/95	6290	26219	
	01/01/96	6357	27195	1.02%
1997-1998	01/01/96	6367	26529	
	01/01/97	6388	26695	.63%
1998-1999	01/01/97	6382	26673	
	01/01/98	6388	26861	.70%
1999-2000	01/01/98	6364	26759	
	01/01/99	6387	26943	.29%
2000-2001	01/01/99	6370	26765	
	01/01/00	6392	27107	0.84%
2001-2002	01/01/01	6286	26688	
	01/01/02	6251	26707	0.07%

The Demographic Research Unit has adopted a revised method of estimating population for the cities and counties. This revised method has been used to adjust the 1/1/95 population figures.

CITY OF WILLOWS
FISCAL YEAR 2021-2022

APPROPRIATIONS LIMIT GUIDELINES

POPULATION INCREASE

WORKSHEET #5

LIMITATION COMPUTATION:		CITY		COUNTY	
		POPULATION	PERCENT	POPULATION	PERCENT
2002-2003	01/01/02	6236		26635	
	01/01/03	6282	0.74%	26952	1.19%
2003-2004	01/01/03	6355		27273	
	01/01/04	6385	0.47%	27630	1.31%
2004-2005	01/01/04	6400		27824	
	01/01/05	6438	0.59%	28197	1.34%
2005-2006	01/01/05	6456		28155	
	01/01/06	6432	-0.37%	28540	1.37%
2006-2007	01/01/06	6392		28364	
	01/01/07	6469	1.20%	28791	1.51%
2007-2008	01/01/07	6453		28709	
	01/01/08	6502	0.76%	29085	1.31%
2008-2009	01/01/08	6472		29070	
	01/01/09	6486	0.22%	29239	0.58%
2009-2010	01/01/09	6480		29212	
	01/01/10	6505	0.39%	29434	0.76%
2010-2011	01/01/10	6165		28004	
	01/01/11	6144	-0.34%	28153	0.53%
2011-2012	01/01/11	6165		28004	
	01/01/12	6144	-0.34%	28153	0.53%
2012-2013	01/01/12	6129		28116	
	01/01/13	6161	0.52%	28247	0.47%
2013-2014	01/01/13	6137		28136	
	01/01/14	6154	0.28%	28255	0.42%
2014-2015	01/01/14	6226		28596	
	01/01/15	6206	-0.32%	28630	0.12%
2015-2016	01/01/15	6119		28579	
	01/01/16	6213	1.54%	28668	0.31%
2016-2017	01/01/16	6198		28543	
	01/01/17	6187	-0.18%	28635	0.32%

The Demographic Research Unit has adopted a revised method of estimating population for the cities and counties. This revised method has been used to adjust the 1/1/95 population figures.

CITY OF WILLOWS
 FISCAL YEAR 2021-2022

APPROPRIATIONS LIMIT GUIDELINES

POPULATION INCREASE

WORKSHEET #5

LIMITATION COMPUTATION:

CITY		COUNTY	
POPULATION	PERCENT	POPULATION	PERCENT

2017-2018	01/01/17	6066		28634	
	01/01/18	6064	-0.03%	28696	0.22%
2018-2019	01/01/18	6273		28762	
	01/01/19	6282	0.14%	29132	1.29%
2019-2020	01/01/19	6080		28598	
	01/01/20	6208	2.11%	29316	2.51%
2020-2021	01/01/20	6208		29316	
	01/01/21	6233	0.40%	29679	1.24%

The Demographic Research Unit has adopted a revised method of estimating population for the cities and counties. This revised method has been used to adjust the 1/1/95 population figures.

CITY OF WILLOWS
 FISCAL YEAR 2021-2022

APPROPRIATIONS LIMIT GUIDELINES

APPROPRIATIONS LIMIT

WORKSHEET #6

	Amount	Source
A. LAST YEARS LIMIT	11,214,457	
B. ADJUSTMENT FACTORS		
1. Population %	1.0124	Worksheet #5 State Finance or Assessor
2. Inflation %	1.0573	
Total Adjustment %	1.07041052	
C. ANNUAL ADJUSTMENT	789,616	(B1 * B2)
D. OTHER ADJUSTMENTS		
1. Lost Responsibility	0	
2. Transfers to Private	0	
3. Transfers to Fees	0	
4. Assumed Responsibility	0	
Subtotal	0	
E. TOTAL ADJUSTMENT	789,616	(C+D)
F. THIS YEAR'S APPROPRIATION LIMIT	12,004,073	(A+E)

CITY OF WILLOWS
FISCAL YEAR 2021-2022

APPROPRIATIONS LIMIT GUIDELINES

EXCLUDED APPROPRIATIONS

WORKSHEET # 7

<u>EXCLUSION CATEGORY</u>	<u>AMOUNT</u>
A. COURT ORDERS	<input type="text" value="0"/>
B. FEDERAL MANDATES	<input type="text" value="0"/>
C. QUALIFIED CAPITAL OUTLAY	<input type="text" value="0"/>
D. QUALIFIED DEBT SERVICE	<input type="text" value="0"/>
TOTAL EXCLUDABLE	<input type="text" value="0"/>

GLENN COUNTY REGIONAL TRANSIT COMMITTEE

Gary Hansen, City of Willows, Chair
Paul Barr, County of Glenn, Vice Chair
Dennis Hoffman, City of Orland
Keith Corum, County of Glenn
Bruce Roundy, City of Orland
Kerri Warren, City of Willows
Joe Flesher, City of Willows (Alternate)
Grant Carmon, County of Glenn (Alternate)

225 N. Tehama Street
Willows, California 95988

Donald Rust
Executive Director

(530) 934-6540
FAX (530) 934-6103
transit@countyofglenn.net

CITY OF WILLOWS BOARD REPORT

Submitted on behalf of the Glenn County Regional Transit Committee

EXECUTIVE SUMMARY

The Glenn County Regional Transit Committee (Glenn Transit Service) is requesting ratification of an amendment to the Joint Powers Agreement (JPA) for transportation services to formally recognize the administrative shift from the Public Works Agency to the Planning and Community Development Services Agency.

RECOMMENDATION(S):

Adopt Resolution to "Approve an Amendment to the Joint Powers Agreement to Provide Transportation Services" and authorize the Mayor to execute Joint Powers Agreement, Amendment No. 2, transferring the administration of the County's public transportation services from the Public Works Agency to the Planning and Community Development Services Agency.

HISTORY AND BACKGROUND:

The Regional Transit Committee was formed through a JPA between the City of Willows, the City of Orland and the County of Glenn to provide transit service to the county region.

The JPA was previously amended in 2012 to allow for the appointment of alternates to the Committee.

FISCAL/PERSONNEL IMPACT(S):

None at this time.

ANALYSIS/DISCUSSION

Section 11 of the JPA requires any amendments be approved in writing by an appointed representative from each jurisdiction.

RESOLUTION NO. _____
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS, STATE OF CALIFORNIA, TO APPROVE AN AMENDMENT TO THE JOINT POWERS AGREEMENT TO PROVIDE TRANSPORTATION SERVICES

* * *

WHEREAS, the Joint Powers Agreement to Provide Transportation Services, which created Glenn Transit Service/Regional Transit Committee, was established on October 20, 1987; and

WHEREAS, the City of Willows is a recipient of Transportation Development Act funds under California Government Code section 29530 et seq.; and

WHEREAS, the City of Willows is desirous to continue the development of public transportation serving the Glenn County region.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WILLOWS AS FOLLOWS:

1. The Willows City Council approves Amendment #2 to the Joint Powers Agreement to Provide Transportation Services to formally recognize the shift in administration from the Glenn County Public Works Agency to the Glenn County Planning and Development Services Agency; and
2. The Willows City Council authorizes the mayor to sign the agreement to amend the Joint Powers Agreement to Provide Transportation Services.

THE FOREGOING RESOLUTION WAS PASSED AND ADOPTED by the Willows
City Council of the County of Glenn, State of California, at a regular meeting held on the ____
day of _____ 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

**LARRY DOMENIGINI, MAYOR
CITY OF WILLOWS**

ATTEST:

**TARA RUSTENHOVEN
CITY CLERK**

JOINT POWERS AGREEMENT TO PROVIDE TRANSPORTATION SERVICES

AMENDMENT #2

This AMENDMENT, is authorized by the Regional Transit Committee, made the _____ day of _____, 2021, by and between the COUNTY OF GLENN, a political subdivision of the State of California, hereinafter referred to as "County," and the Cities of Willows and Orland, hereinafter referred to as "Cities," to the original agreement made October 20, 1987.

WITNESSETH:

WHEREAS, the Transportation Development Act of 1971 (Government Code Section 29530 et seq.) provides for the transfer of transportation funds to local governmental entities; and

WHEREAS, both the County and the Cities are recipients of such funds; and

WHEREAS, The County and the Cities seek to amend the Joint Powers Agreement to reflect the change in the administration of the Glenn Transit Service.

NOW, THEREFORE, the parties hereto mutually agree to amend Paragraph 5 as follows:

5. ADMINISTRATION. The administration of the Glenn Transit Service may be provided by the Glenn County Department of Planning & Community Development Services. While engaged in such administration all personnel of the Glenn County Department of Planning & Community Development Services shall be considered and remain County Employees. The powers and duties related to administration shall include, but not be limited to:

- a. Maintenance of records and files.
- b. Communication and coordination with contractors.
- c. Advertising and coordination with the Public.
- d. Preparation of proposed annual budget.
- e. Negotiate contracts on behalf of the Glenn Transit Service for transportation services; all contracts shall be submitted to the board of the GTS for approval.
- f. Serve as staff to the RTC.
- g. Prepare quarterly fiscal reports showing receipts, disbursements, and fund balance.

In WITNESS WHEREOF, the parties have executed this agreement on the date written above.

COUNTY OF GLENN:

ATTEST:

Thomas Arnold, Chair
Glenn County Board of Supervisors

Clerk of the Board of Supervisors
Glenn County

APPROVED AS TO FORM:

William J. Vanasek
County Counsel, Glenn County

CITY OF ORLAND:

APPROVED AS TO FORM:

Bruce Roundy
Mayor, City of Orland

Gregory P. Einhorn
City Attorney

CITY OF WILLOWS:

APPROVED AS TO FORM:

Larry Domenighini
Mayor, City of Willows

David Ritchie
City Attorney

GLENN COUNTY CLERK'S COPY

Cont #100

10-88
4R

1 JOINT POWERS AGREEMENT TO PROVIDE TRANSPORTATION SERVICES

2 * * *

3 THIS AGREEMENT is made this 20th day of October, 1987,
4 by and between the COUNTY OF GLENN, a political subdivision of the
5 State of California, hereinafter referred to as "County", and the
6 Cities of Willows and Orland, hereinafter referred to as "Cities."

7 WITNESSETH:

8 WHEREAS, the Transportation Development Act of 1971 (Govern-
9 ment Code Section 29530 et seq.) provides for the transfer of
10 transportation funds to local governmental entities; and

11 WHEREAS, both the County and the Cities are recipients of
12 such funds; and

13 WHEREAS, the County and the Cities are desirous of developing
14 a public transportation system that will serve the needs of the
15 people within the region of Glenn County;

16 NOW, THEREFORE, the parties hereto mutually agree as follows:

17 1. PURPOSE. The purpose of this agreement is to provide for
18 a joint exercise of powers for the purpose of providing and main-
19 taining a public transportation system within the County of Glenn,
20 including the Cities.

21 2. GLENN TRANSIT SERVICE / REGIONAL TRANSIT COMMITTEE.
22 There is hereby established, the Glenn Transit Service (GTS). The
23 governing body of the GTS shall consist of a committee of six
24 representatives, known as the Regional Transit Committee (RTC).
25 Each party agrees to appoint two representatives to the RTC. The
26 RTC shall have the following powers and duties:

- 1 a. Establish fares.
- 2 b. Approve level of Service.
- 3 c. Monitor public response.
- 4 d. Oversee and review the operation of the service.
- 5 e. Adopt annual budget.
- 6 f. Seek appropriate funding for the service.
- 7 g. Make and enter into contracts for transportation
- 8 services.
- 9 h. Incur debts, liabilities, and obligations which
- 10 shall be solely the debts, liabilities, and obligations of
- 11 the Glenn Transit Service.

12 3. OPERATION. The operation of GTS may be provided by
13 private parties under contract with GTS.

14 4. INSURANCE. Each contractor shall provide to GTS admini-
15 strative staff, a certificate or certificates of insurance or
16 other such form of documentation, evidencing coverage for compre-
17 hensive automobile liability insurance for all operations con-
18 ducted under contract with GTS, in limits of not less than those
19 provided in the contract. In addition each contractor shall
20 provide similar evidence of coverage for worker's compensation
21 insurance (pursuant to statutory limit requirements) and employers
22 liability insurance (as required by contract) in connection with
23 operations contracted.

24 5. ADMINISTRATION. The administration of the Glenn Transit
25 Service may be provided by the Glenn County Department of Public
26 Works. While engaged in such administration all personnel of the

1 Glenn County Department of Public Works shall be considered and
2 remain County Employees. The powers and duties related to admini-
3 stration shall include, but not be limited to:

- 4 a. Maintenance of records and files.
- 5 b. Communication and coordination with contractors.
- 6 c. Advertising and coordination with the Public.
- 7 d. Preparation of proposed annual budget.
- 8 e. Negotiate contracts on behalf of the Glenn Transit
9 Service for transportation services, all contracts
10 shall be submitted to the board of the GTS for approval.
- 11 f. Serve as staff to the RTC.
- 12 g. Prepare quarterly fiscal reports showing receipts,
13 disbursements, and fund balance.

14 6. BUDGET. Staff shall submit a proposed budget for the
15 ensuing fiscal year by January 1 of each year. The RTC shall
16 consider and act upon the proposed budget by March 1 of any year.
17 The annual budget may be modified during the fiscal year by
18 approval of a majority of the RTC.

19 7. FUNDING. Funding for the 1987-88 fiscal year shall be
20 those funds currently held in the enterprise fund known as Glenn
21 County Transit Service (Fund #428). Funding for subsequent years
22 shall be contributed by the parties to this agreement, utilizing
23 Transportation Development Act funds requested from the Glenn
24 County Transportation Commission. Requests for funds shall be
25 made on an annual basis and the parties shall request sufficient
26 funds to maintain and operate the Glenn Transit Service within the

1 assigned areas.

2 8. FINANCE. The Treasurer of the County of Glenn shall act
3 as Treasurer for the GTS and shall be the depository and have
4 custody of all moneys of the GTS. The Auditor of the County of
5 Glenn shall have authority to draw warrants to pay demands against
6 GTS upon approval by the RTC. The Auditor shall provide for
7 accountability of all funds.

8 9. EFFECTIVE DATE. After this agreement has been executed
9 by all parties, GTS shall commence operation as an agency on
10 October 10, 1987.

11 10. TERMINATION.

12 a. Any party hereto may terminate this agreement at
13 the end of any fiscal year by giving 90 days written notice
14 thereof to the other parties and to the Glenn County Trans-
15 portation Commission.

16 b. In the event of termination, and after all monetary
17 obligations have been met, any remaining funds shall be
18 returned to the Glenn County Transportation Commission and
19 credit shall be given to each party hereto in proportion to
20 such party's contribution of allocated funds to the program
21 during the current fiscal year.

22 11. AMENDMENT. This agreement may be amended only by a
23 written amendment signed by an authorized representative of each
24 of the parties to the agreement.

25 //

26 //

1 12. EXECUTION BY COUNTERPART. This agreement may be exe-
2 cuted in any number of counterparts and when so executed, each
3 such counterpart shall be deemed to be an original hereof.

4 IN WITNESS WHEREOF, the parties have executed this agreement
5 on the date written above.

6 APPROVED AS TO FISCAL
7 AND BUDGETARY CONTROL:
8 Joseph W. Sites
9 JOSEPH W. SITES
*GLENN COUNTY AUDITOR-CONTROLLER

COUNTY OF GLENN
BY: James E. Mann
JAMES E. MANN,
CHAIRMAN, BOARD OF SUPERVISORS

October 20, 1987

10 ATTEST:
11 Milton E. Walker
12 MILTON E. WALKER
COUNTY CLERK-RECORDER

13 APPROVED AS TO FORM:
14 Devon L. Workman
15 DEVON L. WORKMAN
COUNTY COUNSEL, GLENN COUNTY

16 APPROVED AS TO FORM:
17 _____
CITY ATTORNEY

CITY OF WILLOWS
BY: R. J. [Signature]

18 APPROVED AS TO FORM:
19 _____
20 CITY ATTORNEY

CITY OF ORLAND
BY: _____

21
22
23
24
25
26

1 12. EXECUTION BY COUNTERPART. This agreement may be exe-
2 cuted in any number of counterparts and when so executed, each
3 such counterpart shall be deemed to be an original hereof.

4 IN WITNESS WHEREOF, the parties have executed this agreement
5 on the date written above.

6 APPROVED AS TO FISCAL
7 AND BUDGETARY CONTROL:

COUNTY OF GLENN

8 _____
9 JOSEPH W. SITES,
10 GLENN COUNTY AUDITOR-CONTROLLER

BY: _____
11 JAMES E. MANN,
12 CHAIRMAN, BOARD OF SUPERVISORS

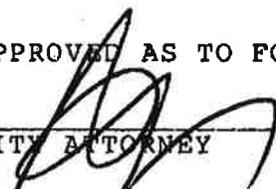
13 ATTEST:

14 _____
15 MILTON E. WALKER
16 COUNTY CLERK-RECORDER

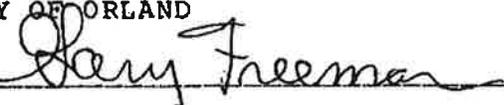
17 APPROVED AS TO FORM:
18 
19 _____
20 DEVON L. WORKMAN
21 COUNTY COUNSEL, GLENN COUNTY

22 APPROVED AS TO FORM:
23 _____
24 CITY ATTORNEY

CITY OF WILLOWS
BY: _____

25 APPROVED AS TO FORM:
26 

CITY ATTORNEY

CITY OF ORLAND
BY: 

MINUTE ORDER
BOARD OF SUPERVISORS
GLENN COUNTY, CALIFORNIA

(October 20, 1987)

24. TRANSPORTATION PROGRAM

(Glenn Transit Service - Executed Agreement with Cities of Willows and Orland Establishing Service and the Regional Transit Committee; and Regional Transit Committee - Appointed Members)

Also Present: Daniel B. Landon, Glenn County Transportation Commission Executive Director

Matter Under Consideration:

Recommendation of the Glenn County Transportation Commission Executive Director Daniel B. Landon, on behalf of the Commission, to execute Joint Powers Agreement between the County of Glenn and the Cities of Willows and Orland to provide and maintain public transportation system within the County of Glenn, including the cities, which Agreement would:

- a. Establish the Glenn Transit Service (GTS), to commence operation as an agency on October 10, 1987, which shall be administered by the Glenn County Department of Public Works, with funding for 1987-88 fiscal year from Glenn County Transit Service enterprise funds, and subsequent years utilizing Transportation Development Act Funds requested by the Glenn County Transportation Commission;
- b. Establish the Regional Transit Committee (RTC) as the governing body of the Glenn Transit Service to consist of 6 members (2 representing the County and 2 each representing the cities);

and if Agreement is approved, consider recommendation to appoint 2 of the current Glenn County Transportation Commission members (currently Supervisors Mann, Edwards, and Cooper) to serve on the Regional Transit Committee.

Proceedings:

On motion of Supervisor Pride, seconded by Supervisor Overton, it was unanimously ordered to:

- a. Execute the aforesaid Joint Powers Agreement;
- b. Appoint Supervisors Mann and Cooper to serve on the Regional Transit Committee.



REGULAR BUSINESS



Date: August 24, 2021
To: City Council
From: Marti Brown, Interim City Manager
Subject: Contract for Finance Consulting

Recommendation:

By motion, authorize the Interim City Manager, or her designee, to execute a two-year contract with Andy Heath, Finance Consultant, in an amount not to exceed \$75,000 at a rate of \$135 per hour for financial consulting services to the City of Willows.

Rationale for Recommendation:

There has been no management in the Finance Department for the past year and, as a result, the Department has lacked consistent oversight and continuity of finance related duties and transactions by an experienced public sector financial professional. Singular and focused oversight of the entire Finance Department operation is needed including scrutiny of the day-to-day operations, the City's long term financial sustainability, recommendations for improvements, and implementation of best public sector financial practices.

Background:

For more than a year, the City of Willows has been without a Finance Director and adequate staffing in the Finance Department. Since the departure of the previous Finance Director, Finance Department activities and duties have been dispersed and undertaken by several individuals and contract consultants. There has not been one responsible party overseeing all aspects of the Finance Department and ensuring consistency and continuity of duties, internal controls and that best practices are being instituted. While the City has repeatedly conducted recruitment efforts for both a Finance Director and Accounts Manager, until now, those efforts have been unsuccessful in attracting qualified candidates. Therefore, staff strongly recommends hiring Mr. Heath who has the full range of financial acumen necessary to oversee the Finance Department, recommend improvements, and repair the Departmental structure, function and implementation of standard accounting practices.

Discussion & Analysis:

Staff recommends employing the services of Mr. Andy Heath at a rate of \$135 per hour for a not-to-exceed contract amount of \$75,000 for a two-year period. The scope of work for his services would include the following:

- Evaluate internal controls and procedures, recommend improvements as necessary;
- Review and evaluate the City Budget and Financial Statements;
- Review, prepare and file annual reports (as necessary);
- Review and evaluate City's General Ledger/ Accounting System (e.g., validation of balances), recommend improvements as necessary;
- Recommend conversion of financial software platform to more modern enterprise system, and assist City with conversion as needed;
- Assist City with preparation for the annual audit; and
- Other financial consulting needs as requested by the City Manager.

Fiscal Impact:

Staff recommends using salary savings from the vacant Finance Department position in account 301.4001.050. Should the Council authorize the Interim City Manager to execute an agreement with Mr. Heath, the contract would be spread over two fiscal years and there would be approximately \$55,000 remaining in salary savings in the Finance Department for FY 2021-22.

Attachments:

1. Resume – Andy Heath

ANDREW E. HEATH

EDUCATION

San Jose State University, San Jose, CA
Bachelor of Science Degree - Business Administration / Accounting (Dec., 1990)
Master of Arts Degree - Economics (May, 1995)

DeAnza Community College, Cupertino, CA
Associate of Arts Degree - Accounting (June, 1989)

Lynbrook High School, San Jose, CA
Graduated June, 1983

**SUPPLEMENTAL
COURSES &
AFFILIATIONS**

Treasurer - AFSCME Local 101, 1991-1996
Treasurer - MEF/CEO Legal Trust Fund, 1991-1993
City of San Jose Organizational Development Facilitator Academy – December 1995
Treasurer – Castlemont Home and School (PTA) Club, 2002 - 2005
Treasurer – Cmte to Elect Matthew Dean (CUHSD Board of Trustees) – 2004 - 2010
President – Northern California Cities Self Insurance Fund - 2008
Government Finance Officers Association Member – 2005 - Present
Graduate – Leadership Auburn – June 2007
Treasurer – Auburn Little League Board of Directors, 2009 - 2015
Head Coach - Little League of Palo Alto, 1991-1994; Auburn Little League, 2008
Manager - Moreland Little League, 2002 – 2005; Auburn Little League, 2007

EMPLOYMENT

January 2017 – Present

Municipal Finance Consultant / Contractor – See List at End of Resume

July 2013- January 2017

Deputy County Executive / Assistant County Executive Officer – Placer County
Responsibilities:

- Manage, develop and facilitate preparation of the annual countywide operating and capital budget
- Develop and recommend finance and budget policy strategies consistent with the County's goals and objectives
- Work closely with countywide departments on overall policy development and recommendation
- Assist with development of countywide agenda items taken to the Board of Supervisors
- Brief Board Members on fiscal and policy items as required
- Act as County Executive in the absence of the County Executive Officer

May 2005 – July 2013

Finance / Administrative Services Director – City of Auburn

Responsibilities:

- Management of the day-to-day operations of the City's Finance, Human Resources, Information Technology and Risk Management Programs
- Develop and recommend financing strategies consistent with the City's goals and objectives
- Prepare and deliver financial and administrative reports to the City Manager and City Council
- Prepare annual budget and facilitate annual audit
- Redevelopment / Successor Agency management – Facilitation of dissolution requirements
- Administer the City's insurance programs and serve as board member to the NCCSIF JPA.

Andrew E. Heath

EMPLOYMENT, cont.

January 2002 – May 2005

Deputy Director – City of San Jose Finance Department
(Treasury Division)

Responsibilities:

- Management of the day-to-day operations of the Finance Department Treasury Division
- Coordinate and manage four section managers (Banking and Investments / Revenue Collection / Administrative Citations and Utility Billing Services / Cash Management)
- Prepare and deliver reports to the City's Making Government Work Better Committee regarding investments and revenue collection
- Work with Finance Department Senior Staff to develop and implement the strategy and vision for the Finance Department
- Participate in Citywide strategy- and policy-sessions as a senior manager from the Finance Department (Council and Intergovernmental Policy Cabinets / legislative committees – PG&E Franchise, Transient Occupancy Tax Increase, New City Hall One-Stop Cashiering)
- Guide and professionally develop Treasury Division staff

April 2001 – February 2002

Division Manager / Project Manager – City of San Jose Finance Department
(Administration Division)

Responsibilities:

- Manage enterprise-wide upgrade of Human Resource / Payroll System serving 8,000+ City employees
- Facilitate communication to project stakeholders including the Project's Steering Committee, Citywide departments, special interest groups, and the City's Finance and Infrastructure Council Committee
- Facilitate the hiring and management of various consultants assisting with the system upgrade
- Coordinated fast-tracked development of Request for Qualifications (RFQ) to procure consulting services to assist with system upgrade
- Establishment and coordination of an in-house, cross-departmental functional and technical team charged with the common goal of upgrading the PeopleSoft system in an aggressive timeframe
- Maintain working contacts with project clients – PeopleSoft, Acuent

Nov. 1997 – April 2001

Principal Accountant – City of San Jose Finance Department (Accounting Division)

Responsibilities:

- Manage the City's Utility Billing Services (Refuse billing) Fiscal Services section – 210,000+ Citywide accounts / \$40 million annual revenues (staff of 12 employees)
- Manage the City's Payroll Section generating a bi-weekly payroll for 8,000+ City employees (staff of 8 employees)
- Assist with the implementation of a new Human Resource / Payroll System (PeopleSoft) – Finance Department Lead
- Finance Department Safety Liaison to Citywide Committee
- Sports Chairperson – California Society of Municipal Finance Officer's Annual Conference Committee (Feb. 2001)
- Prepare special projects including revenue/fiscal analyses, Request for Proposal (RFP) development, financial statement preparation

Andrew E. Heath

EMPLOYMENT, cont.

October 1996 – Nov. 1997

Senior Analyst – City of San Jose Finance Department (Treasury Division)

Responsibilities:

- Manage City's Administrative Citation Program – Implement new Citation programs / manage revenue generation and appeals process (staff of 2 employees)
- Prepare and manage Treasury Division Budget
- Facilitate special projects including revenue/fiscal analyses (jet fuel sales tax / utility user tax)

October 1991 – October 1996

Accountant II - City of San Jose Finance Department (Accounting Division)

Responsibilities:

- Grant accounting for various Citywide grants - ensure compliance with federally mandated expenditure guidelines, assist departments with accounting administration
- Deferred Compensation Program accounting – Prepare monthly reconciliation of deferrals / withdrawals, prepare presentations to City's Deferred Compensation Advisory Committee
- Prepare Citywide financial statements – Manage accounting for assigned funds leading to preparation of financial statements for City's Comprehensive Annual Financial Report
- Network (Computers on every desk)

Consulting / Contracting:

Municipal Financial Services Consulting

- Urban Futures, Inc. (2017-2019)
 - o City of Desert Hot Springs
 - o City of Pomona
 - o City of Upland
 - o City of San Bernardino
 - o City of Millbrae
- City of Grass Valley (active since October 2016)
 - o Appointed Finance Director
- City of Auburn (active since November 2017)
 - o Appointed Finance Director
- City of Colusa (2008-2020)
- City of Alhambra (2017-2019)
- City of Marysville (2019)
- City of California City (2018 / 2021)
- Stanislaus Consolidated Fire Protection District (2019 / 2021)
- Placer Hills Fire District (2021)
- City of Patterson (2017)
- Auburn Cemetery District (2017)
- City of Gridley (2009-2010)
- Auburn Recreation District (2007)

Additional Employment History and References Available Upon Request



Date: **AUGUST 24, 2021**

To: **MAYOR AND CITY COUNCIL MEMBERS**

From: **STAFF**

Subject: **CONSIDERATION BY CITY COUNCIL OF THE CITY OF WILLOWS FOR CENSURE OF COUNCILMEMBER WILLIAMS FOR INAPPROPRIATE CONDUCT TOWARD CITY STAFF**

Recommendation: Staff recommends that Council follow the procedure recommended in this staff report, provide Councilmember Williams with an opportunity to be heard, discuss any potential censure and (if Council determines by majority vote following a properly seconded motion), provide the specific reasons for any censure and direct staff to draft a resolution containing those reasons for signature.

Rationale for Recommendation: A legislative body such as the City Council of the City of Willows, has the inherent power and right to censure the conduct of its members. A censure by the City Council constitutes and is to be treated as an official expression of disapproval or criticism. A censure is generally understood to be "an official reprimand or condemnation; an authoritative expression of disapproval or blame." (*Black's Law Dictionary* (10th ed. 2014).) The City Council has authority to censure an individual Councilmember. (*Braun v. City of Taft* (1984) 154 Cal.App.3d 332, 347-348.)

Background: This item is placed on the agenda to allow Council to consider a resolution for censure based on the factual findings from the final report of Workplace Investigation completed by neutral outside investigator David Stallard Investigations into allegations that councilmember Williams engaged in misconduct toward City staff and to allow councilmember Williams an opportunity to respond to those factual findings.

Discussion & Analysis: Although a censure represents the opinion of at least a majority of the members of the City Council, it is not accompanied by the imposition of any fine, suspension, loss of compensation or benefits or any other form of penalty or discipline. Censure does not remove an elected official from office however may serve an important purpose by stating to the public that certain behavior is unacceptable to the other council members.

A censure proceeding is not a judicial proceeding and is not subject to judicial rules of evidence, direct or cross-examination of witnesses, or admissibility of evidence. Notwithstanding, a councilmember who is the subject of a censure is entitled to due process, with notice, and must be provided with an opportunity to respond to the proposed censure and any underlying factual circumstances that led to it. This opportunity for the subject member to be heard (respond) must occur following notice, and in open session (61 Ops. Cal. Atty. Gen 10 (1978)). Councilmember Williams and his attorney, Richard Harriman, were provided with a copy of this Agenda item once completed and distributed to all members of the City Council.

The following process is recommended:

- 1) A censure discussion should be placed on the agenda for a City Council meeting (this is being done with this agenda report).
- 2) The agenda item should outline the reasons for the consideration of a censure and provide notice to the subject member as to when the Council intends to hear the matter.
- 3) The discussion over a potential censure should be scheduled for deliberation in open session (61 Cal. Ops. Atty. Gen. 10 (1978)).
- 4) The subject member should be afforded an opportunity to be heard before a decision by council is made, however formal rules of evidence do not apply, including the right to cross-examination (*Binkley v. City of Long Beach* (1993) 16 Cal.App.4th 1975, 1809)
- 5) The public may comment on the agenda item.
- 6) Any Councilmember may ask questions or provide comments regarding the matters presented.
- 7) At this point in the proceedings, any Councilmember wishing to make a motion may do so. The primary options for a motion include: a) Taking no action to censure the member; b) Deny the censure; c) approve a censure. If a motion is made to approve a censure, the motion should specify clear and fact-specific reasons for the censure action and direct staff to prepare the resolution setting forth those reasons. Subject to a second, Councilmembers should deliberate on any motion and, upon completion of deliberations, a vote should be taken on the motion. All Councilmembers including those that are the potential subject of a censure may vote on any motion.

Fiscal Impact: None

Attachments: Final Confidential Report of Investigation (Redacted) – To be provided prior to the meeting



STALLARD WORKPLACE
INVESTIGATIONS

DAVE STALLARD | ATTORNEY AT LAW

DSWPI.COM
dave@dsmpi.com
530.383.2770

CONFIDENTIAL INVESTIGATIVE REPORT

Report Concerning Complaint by [REDACTED]

City of Willows

June 30, 2021

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B. [REDACTED] 9

C. [REDACTED] 10

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CONFIDENTIAL REPORT

I. INTRODUCTION

On April 13, 2021, the City of Willows ("the City") retained Stallard Workplace Investigations to conduct an impartial investigation of a complaint brought by [REDACTED] regarding City Councilmember Jeff Williams. David Stallard was the principal investigator.

Briefly, [REDACTED] complained that Williams referred to her as "little lady" on several occasions, and during an incident on March 10, 2021, told her he was hoping to find her alone in the office and asked her personal questions about politics, raising children, her fiancé, and her fiancé's family.

Within the scope of the investigation, the undersigned sought to answer the following questions:

1. Did Williams greet [REDACTED] by calling her "little lady"?
2. Did Williams tell [REDACTED] he "was waiting for you to be alone" and that he "didn't want a paper trail"?
3. Did Williams ask [REDACTED] how she could think about having children if she didn't follow politics?
4. Did Williams ask [REDACTED] about her relation to [REDACTED] and tell her she should not tell people of their association?

Once the scope of the investigation was determined, the investigator operated with complete independence as to witness identification, interview content, and preparation of findings.

This is a Confidential Investigative Report ("Report"). It contains detailed information, witness accounts, relevant documentation, analyses, and findings relating to the allegations. It is anticipated that this Report will be maintained confidentially by the decision-makers and will not be disseminated except as required by law or as determined by the decision-makers.

II. WITNESSES AND DOCUMENTS

A. Witnesses

Because of the coronavirus pandemic, the investigator did not interview witnesses in person but instead conducted video interviews of the following individuals:

Name of Interviewee	Title	Date(s) of Interview
[REDACTED]	[REDACTED]	April 19, 2021
[REDACTED]	[REDACTED]	April 20, 2021 (via Zoom) and May 24, 2021 (via phone)
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	April 28, 2021
Jeff Williams	City Councilmember	May 7, 2021 and June 18, 2021

CONFIDENTIAL REPORT

The investigator admonished the witnesses to keep the contents of the interview confidential, and explained that the report of findings would be treated as confidential, subject to the limitations of the City's policies and the law. The investigator also informed the witnesses of the governing policies prohibiting retaliation for either bringing a claim or participating in an investigation.

Quotations in this Report are not verbatim recitations of witnesses' statements. Quotations are cited as accurately as possible from the undersigned's notes.

B. Documents

The investigation included a review of documents. Not all documents reviewed are attached to this Report. The following documents that were reviewed are attached to this Report:

	Document
1	[REDACTED] handwritten notes, dated March 10, 2021
2	[REDACTED] dated March 5, 2021

III. ALLEGATIONS

[REDACTED]

[REDACTED] said that during a conversation on March 10, 2021, City Councilmember Jeff Williams had made several comments that made her uncomfortable.

1. "Little Lady" Comments

[REDACTED]

[REDACTED] she was in her office when she heard the pin pad on the door, and Councilmember Jeff Williams came in.² [REDACTED] said that Williams greeted her by saying, "Good morning little lady." [REDACTED] said that Williams called her "little lady" every time he saw her — about 10 times total. She said she did not like the name and noted that Williams did not refer to anyone else in the office by a nickname.

[REDACTED]

¹ [REDACTED]

CONFIDENTIAL REPORT

2. "Paper Trail" and "Alone" Comments

[REDACTED] said Williams then said, "I was waiting for you to be alone. I came because I didn't want a paper trail." [REDACTED] said the comment was "weird," and she was concerned because it was the only day that she was alone at City Hall. She said Williams lived nearby and could see City Hall from his house, so she was concerned that he was watching her.

[REDACTED] said she "was thrown off" by the comments about a paper trail and being alone, [REDACTED]
[REDACTED]
[REDACTED]

3. Politics and Personal Information

[REDACTED] said Williams started talking about politics and told her that he followed politics religiously. [REDACTED] said she told Williams she did not pay attention to politics, and he asked her, "Well how do you plan on having kids if you don't pay attention to politics?" [REDACTED] said the comment was upsetting, because her politics and her decision to have a child — or not have a child — were none of his business.

[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED] said Williams continued, asking her, "Are you even engaged, or married?" [REDACTED] said the question was confusing, but she confirmed that yes, she was engaged. Williams then asked her whom she was engaged to, and she told him she was engaged to [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] She said that Williams "made a face" and said, "I wouldn't tell people that." [REDACTED] said the remark was rude and offensive.

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

CONFIDENTIAL REPORT

[REDACTED] said she stopped Williams and told him she did not want to mix work with local politics.

4. Council Stipend Payment

[REDACTED] said Williams then got around to the issue he come for in the first place. [REDACTED] said Williams told her that he thought he was overpaid when he received his City Council stipend payment.

[REDACTED]

[REDACTED]

[REDACTED] said Williams thought he was overpaid because he had been paid for March 2021, and it was only March 10. [REDACTED] said Williams asked her, "What if I quit in the middle of March? You've overpaid me." [REDACTED] said she replied that she saw his point, [REDACTED]

[REDACTED] notes she had reviewed [REDACTED] [REDACTED] also said to pay stipends at the beginning of the month.

[REDACTED] said that Williams accepted the explanation [REDACTED] but said he still thought it should be paid at the end of the month.

[REDACTED]

5. Conversation with [REDACTED] and Report

[REDACTED]

[REDACTED]

[REDACTED]

CONFIDENTIAL REPORT

██████████ said she initially was not going to report what had happened, but that because she was shaken, ██████████

██████████ she also made notes of the conversation. (See Exhibit 1.)

6. Other Encounters with Williams

██████████ said on another occasion, she was at work with a runny nose. She said she had a roll of toilet paper on her desk, which she used to wipe her nose. She said that Williams came by and gave her a box of tissues. She said she thanked him but thought the situation was awkward. She said, "I don't think he's malicious. But I think he's trying to butter me up to get me on his side."

7. Final Remarks

██████████ said she was concerned by Williams's comment about ██████████ because when she got married ██████████ she "would have a target on my back." She said she also wanted to feel safe coming to work and did not want to feel like she was being watched. She said that she was now "a little jumpy."

IV. RESPONSE TO ALLEGATIONS

Jeff Williams is a City Councilmember for the City, a position he was sworn in to on December 8, 2020, after he was elected in November 2020. Williams also served on the City Council from 2014 through 2018.⁵

1. Conversation with ██████████

Williams said he recalled an early morning conversation he had with ██████████⁶ Williams said he went to the City Hall office around 7:30 or 7:40 a.m. because he wanted to discuss an overpayment of his City Council stipend. Williams said he was not watching to see when ██████████ came to City Hall in the morning, and he knew she would be there because he went during business hours, which were 7:30 a.m. to 5:30 p.m.

Williams said when he came in and greeted ██████████ she said she was not feeling well due to allergies. He said he told ██████████ He said he also saw a roll of toilet paper on ██████████ desk, which she was using to wipe her nose. Williams said

⁵ Also present during the interview was Williams's attorney, Richard Harriman.

⁶ Williams said he believed the date of the conversation was March 4, 2021, based on a grocery receipt he had. Williams explained that ██████████ had complained of allergies, and he bought her some tissues when he went to the grocery store after speaking with her. In order to confirm the timeline, the investigator requested a record of Williams's stipend payment. That payment record is dated March 5, 2021. (See Exhibit 2.)

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he was on his way to the grocery store, so he also bought tissues, which he gave to [REDACTED] after he purchased them.

2. Council Stipend

Williams said Councilmembers received a \$250 per month stipend. He said that he had not been paid at all up until then, and when he was paid in March, he got a check for \$1000, which he thought was \$250 too much. Williams said he believed he was only entitled to \$750 for December, January, and February.

Williams said he thought [REDACTED] had made an error, and because he knew that [REDACTED] he did not want to get her in trouble, so he approached her about it directly. He said he did not take the issue to [REDACTED] because [REDACTED] and "I didn't want her to lose her job over a silly error." When asked if the City policy was for councilmembers to go through the City Manager for requests, Williams said that looking back, it would have been following protocol to go through [REDACTED]

Williams said he asked [REDACTED] about the payment, and [REDACTED] told him that [REDACTED] said the City paid in advance. Williams said he replied that he thought that odd, because if he quit that day, he would not be entitled to the March stipend, but that if [REDACTED] said it was okay, then Williams was fine with it.

[REDACTED]

3. Comments to [REDACTED]

Williams said he did not think he had greeted [REDACTED] by saying, "Good morning little lady." Williams said he would typically say, "Good morning young lady." Williams said that he had "a memory defect" regarding remembering names, so he would generally refer to people as "young lady," "ma'am," or "sir" depending on if they were younger than him, older than him, or male.⁷ Williams said that [REDACTED] gave no indication that she was upset by his greeting style.

Williams said he did not tell [REDACTED] "I was waiting for you to be alone," saying that instead, he told her, "I wanted to speak to you privately." Williams said he did not say, "I didn't want a paper trail." He said he did not recall asking [REDACTED] was in the office or where [REDACTED] was.

4. Personal Conversation

Williams said he asked [REDACTED] if her family was from Willows. He said [REDACTED] replied no, [REDACTED] Williams said that [REDACTED] named her fiancé, and that he did not recall the first name, but the last name was [REDACTED]. He said he asked [REDACTED] if her fiancé was related to [REDACTED]

[REDACTED] Williams said he told [REDACTED]

⁷ Williams said that he was sometimes unable to recall the names of people he had worked with for 30 years.

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Williams said he did not make a face when [REDACTED] said [REDACTED]. He said he did not say, "I wouldn't tell people that" regarding [REDACTED] relationship to [REDACTED]. He said he did not say that [REDACTED] did not like him, and that he had told [REDACTED] that [REDACTED].

Williams said he did tell [REDACTED] that [REDACTED] did not care for him (Williams) "because I asked too many questions." He said he did not recall if he told [REDACTED] [REDACTED] were close.

Williams said that [REDACTED] and that she had told the people [REDACTED] that her personal life and her professional life were separate.

Williams said he did not ask [REDACTED] about politics or the City Council agenda. He said he did not recall asking her about having children.

5. [REDACTED]

[REDACTED]

V. WITNESS EVIDENCE

A. [REDACTED]

[REDACTED] is the [REDACTED]. She reports to [REDACTED].

[REDACTED] said that City Hall generally opened at 7:30 a.m., [REDACTED].

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said she recalled that on the day in question,⁸ she came into the parking lot, saw Williams's car, and wondered why he was there early.

1. Conversation Between Williams and [REDACTED]

[REDACTED] said she went in and sat at her desk and could hear [REDACTED] and Williams talking. [REDACTED]

[REDACTED] She said she heard them talking about City and national politics, and heard Williams ask [REDACTED] if she paid attention to the City's agenda. She said she heard [REDACTED]

[REDACTED] said she heard Williams's reply something along the lines of "you probably should, it affects you," referencing the agenda, and then heard [REDACTED] say she did not talk about politics. [REDACTED] said she did not recall Williams or [REDACTED] mention or talk about children.

[REDACTED] said she next heard Williams ask [REDACTED] if she was engaged, and when [REDACTED] replied yes, Williams asked to whom. [REDACTED] then replied that she was engaged to [REDACTED] which led to a pause, and Williams asking her, "Any relation to [REDACTED] [REDACTED] then replied yes, [REDACTED]

[REDACTED]

[REDACTED] said [REDACTED] responded that she did not tell people at work about her connection to [REDACTED] because of the kind of response she got from Williams. [REDACTED] said [REDACTED] told him, "Work is work. Home is home. And that's where I leave it."

2. Conversation with [REDACTED]

[REDACTED] said after Williams left, [REDACTED] came over to her and said she was really uncomfortable due to the exchange with Williams.

[REDACTED] said [REDACTED] told her that Williams said, "Oh good, I was hoping to catch you alone," and that he looked to see if [REDACTED] was in, even though he knew [REDACTED] was not there. [REDACTED] so Williams had known that [REDACTED] would not be at City Hall. She said [REDACTED] told her that Williams knowing that [REDACTED] would be in the office alone made her more uncomfortable.

[REDACTED] said [REDACTED] told her that Williams had said he was going to email, but that he "didn't want a paper trail," because he thought [REDACTED] had made a mistake and wanted to raise it without bringing it to [REDACTED]

[REDACTED] said [REDACTED] said she was not sure if she should report the incident [REDACTED] [REDACTED] said she told [REDACTED] and that if it had happened to her, she would report it.

⁸ [REDACTED] said she did not recall the date [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

2. Other Information

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

c. [REDACTED]

[REDACTED]

[REDACTED]

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VI. FINDINGS AND DISCUSSION

The findings in this Confidential Investigative Report do not reach questions of law as to whether the alleged misconduct supports a violation of applicable laws, but instead are factual findings. The undersigned utilizes a legal analysis in reaching the determinations in this Report. These determinations, however, are not intended to equate to a finding that applicable laws were violated.

The investigator analyzed the facts and determined whether the allegations were with or without merit under a preponderance of the evidence standard. "Preponderance of the evidence," for purposes of this Report, means that the evidence on one side outweighs, or is more than, the evidence on the other side. This is a qualitative, not quantitative, standard.

The investigator has drawn the conclusions in this Report from the totality of the evidence and a thorough analysis of all the facts, and where necessary, has made credibility determinations. The investigator considered and gave appropriate weight to information that might be considered to be hearsay in legal proceedings. Finally, while numerous hours were spent reviewing documents and interviewing witnesses, this Report does not purport to include every detail as described by the individuals involved. Rather, it assesses the important facts as they pertain to the incidents investigated.

1. Did Williams greet [REDACTED] by calling her "little lady"?

Sustained. A preponderance of the evidence supports a finding that Williams greeted [REDACTED] by calling her "little lady."

[REDACTED] alleged that Williams had greeted her by calling her "little lady" about 10 times, including on the morning of March 10. Williams responded that he said "good morning young lady" to [REDACTED] when he greeted her.

The accounts here are close. There is little difference between "young lady" and "little lady." Both are a diminutive way to address someone, and both reference gender. While it might be true that "young lady" is less patronizing than "little lady," both terms only reinforce the relative power difference between Williams and [REDACTED] making Williams's explanation a distinction without much difference. It is understandable that either term would make [REDACTED] uncomfortable, as both are subtle reminders of the structural power differences between them. The same dynamic also makes it understandable why [REDACTED] did not mention to Williams that she did not like being referred to in that way.

[REDACTED] account that Williams called her "little lady" was corroborated indirectly by [REDACTED]. While [REDACTED] did not overhear Williams refer to [REDACTED] as "little lady" on March 10 or at any other time, she did corroborate that [REDACTED] had previously mentioned that Williams referred to [REDACTED] as "little lady," and that it had become an inside joke between the two of them. This account, along with [REDACTED] handwritten notes that she made after the encounter with Williams, makes it more likely that the exchange took place as [REDACTED] described, and it was not just a one-off. [REDACTED] made a note of it shortly after it happened, had time to reflect on the comment other times, and discussed it with [REDACTED] on more than one occasion.

For his part, Williams's assertion that he meant no offense and that [REDACTED] had never indicated she was upset by his greeting style was generally corroborated by [REDACTED]. [REDACTED] said she did not have

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the fact that witnesses did not appear to exaggerate or overstate Williams's words or conduct [REDACTED]
[REDACTED] So, [REDACTED]
[REDACTED] this did not diminish their credibility regarding what they directly observed.
[REDACTED]
[REDACTED] a preponderance of the evidence supports a finding that Williams told [REDACTED] "was waiting for you to be alone" and that he "didn't want a paper trail."

3. Did Williams ask [REDACTED] how she could think about having children if she didn't follow politics?

Sustained. A preponderance of the evidence supports a finding that Williams spoke to [REDACTED] about politics and asked her how she could think about having children if she did not follow politics.

[REDACTED] alleged that Williams talked about politics, asked her if she followed the City agenda, and asked her how she could have children if she did not follow politics. Williams denied talking about politics or the City agenda with [REDACTED] and said he did not recall talking about children.

Part of [REDACTED] account here was directly corroborated by [REDACTED] who said she heard [REDACTED] and Williams mentioning the City agenda. This is noteworthy, because it is different from [REDACTED] account in the prior two findings, where she said she did not perceive the alleged comments directly, but only heard about them from [REDACTED] afterward. [REDACTED] making this distinction between what she perceived directly and what she heard from [REDACTED] tends to make her account more credible — she is not trying to overstate what she observed. This makes it more likely that the conversation about politics and the City agenda went as described by [REDACTED]

[REDACTED] said she did not overhear Williams or [REDACTED] mentioning children. She did recall Williams saying something along the lines of it being worth paying attention to the City agenda because it affected [REDACTED] future. Because Williams's alleged comments about children were uncorroborated, this finding comes down to credibility. In this instance, [REDACTED] was able to partially corroborate [REDACTED] account — that Williams did discuss the City agenda — while Williams denied discussing the agenda. Given this, it is more likely the conversation occurred as [REDACTED] and [REDACTED] described it. This is not to suggest that Williams intentionally lied, but it does follow that [REDACTED] who made notes the same day of the conversation, and had key parts of her account corroborated by [REDACTED] is a more accurate reporter of that conversation and therefore more credible where that conversation is concerned. Indeed, while a small point, Williams appears incorrect about the date of the discussion, which he thought was March 4 based on a shopping receipt. However, the fact that the Exhibit 2 [REDACTED] is dated March 5 makes that very unlikely. This mix-up, while slight, tends to further reduce Williams's credibility regarding the conversation. Therefore, based on the foregoing, it is more likely than not that the conversation went as [REDACTED] described, so a preponderance of the evidence supports a finding that Williams spoke to [REDACTED] about politics and asked her how she could think about having children if she did not follow politics.

4. Did Williams ask [REDACTED] about her relationship to [REDACTED] and tell her she should not tell people of their association?

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Sustained. A preponderance of the evidence supports a finding that Williams asked [REDACTED] about her relationship to [REDACTED] and told her she should not tell people of their association.

[REDACTED] alleged that Williams asked if her fiancé was related to [REDACTED] and when [REDACTED] confirmed that that was the case, Williams told her she should not tell people that. Williams said he did not make that comment, and had told [REDACTED]

[REDACTED] account was partially corroborated by [REDACTED] who reported hearing Williams ask if [REDACTED] was engaged and then ask about the relationship with [REDACTED]. While [REDACTED] did not report hearing the comment "I wouldn't tell people that," she did corroborate [REDACTED] account that Williams said that [REDACTED]

Again, [REDACTED] account more closely mirrors [REDACTED] account than that of Williams — who denied saying that [REDACTED]. As in the prior finding, this suggests that [REDACTED] is a more credible reporter of this conversation. While it is worth considering that [REDACTED] and [REDACTED] openly displayed a bias against Williams, [REDACTED] here, their accounts are compelling. [REDACTED] and [REDACTED] have little reason to fabricate the alleged comments, and the details they provided are things that would tend to stand out and make them memorable. For those reasons, a preponderance of the evidence supports a finding that Williams asked [REDACTED] about her relationship to [REDACTED] and told her she should not tell people of their association.

Respectfully submitted,



David Stallard

Exhibit 1

REDACTED

Exhibit 2

REDACTED