



Willows City Council Regular Meeting

November 9, 2021

Willows City Hall

6:00 p.m.

City Council
Larry Domenighini, Mayor
Gary Hansen, Vice Mayor
Kerri Warren, Council Member
Jeff Williams, Council Member
Robert Griffith, Council Member

Interim City Manager
Marti Brown

City Clerk
Tara Rustenhoven

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

Agenda

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **CHANGES TO THE AGENDA**
5. **PUBLIC COMMENT & CONSENT CALENDAR FORUM**

All matters on the Consent Calendar are considered routine and are approved by one motion and vote, unless Councilmembers or the City Manager first requests that a matter be removed for separate discussion and action. Individuals wishing to address the City Council concerning Consent Calendar items or regarding matters that are not already on the agenda are invited to make oral comments of up to three minutes at this time. Please address your comments to the Mayor and Councilmembers, and not to staff and/or the audience. By State law, the Council is not permitted to undertake any action or discussion on any item not appearing on the posted agenda. If you have any documentation that you would like distributed to the City Council, please mail it to the City Clerk at 201 North Lassen Street, Willows, CA 95988 or email it to: rustenhoven@cityofwillows.org

a. **Register Approval**

Recommended Action: Approve general checking, payroll, and direct deposit check registers Z45263-Z45288, 39011-39029, 051630-051670

Contact: Marti Brown, Interim City Manager, mbrown@cityofwillows.org.

b. **Minute Approval**

Recommended Action: Approve the Minutes of the October 26, 2021 Regular City Council Meeting.

Contact: Tara Rustenhoven, City Clerk, rustenhoven@cityofwillows.org.

6. PUBLIC HEARING

a. **Draft Housing Element Update 2021-2029**

Recommended Action: Review and provide comments on the Draft 2021-2029 Housing Element Update prepared by Housing Tools and adopt and forward to State Department of Housing & Community Development for review and final approval.

Contact: Karen Mantele, Principal Planner, kmantele@cityofwillows.org
[City of Willows Housing Element Draft Part 1 & Part 2](#)

7. DISCUSSION & ACTION CALENDAR

All matters in this section of the Agenda are discussed and will be acted on individually. Individuals wishing to address the City Council concerning any of these items are invited to make oral comments of up to three minutes at this time. Please address your comments to the Mayor and Councilmembers, and not to staff and/or the audience. When the Mayor calls for public comment, please raise your hand to be acknowledged. While not required, the City requests that you please state your name clearly for the audio recording. By State law, the Council is not permitted to undertake any action or discussion on any item not appearing on the posted agenda. If you have any documentation that you would like distributed to the City Council, please mail it to the City Clerk at 201 North Lassen Street, Willows, CA 95988 or email it to: trustenhoven@cityofwillows.org.

a. **Execute a Contract to hire a new Auditor**

Recommended Action: Authorize the Interim City Manager, or her designee, to execute a contract with Smith & Newell CPAs for budget auditing services for Fiscal Year 2020-21 in an amount not to exceed \$42,000.

Contact: Marti Brown, Interim City Manager, mbrown@cityofwillows.org

b. **Customer Satisfaction Survey, Planning, Communication and Community Engagement Services**

Recommended Action: Authorize the Interim City Manager, or her designee, to execute an agreement with The Lew Edwards Group for a Customer Satisfaction Survey and Community Engagement Services in an amount not to exceed \$40,000.

Contact: Marti Brown, Interim City Manager, mbrown@cityofwillows.org

c. **Planning Commission Vacancy and Appointment Process**

Recommended Action: Approve the proposed schedule to recruit and appoint one Planning Commissioner to fill the vacant position on the Willows Planning Commission.

Contact: Marti Brown, Interim City Manager, mbrown@cityofwillows.org

8. COMMENTS & REPORTS

- a. City Council Comments & Reports
- b. City Manager’s Report

9. CLOSED SESSION

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.

- a. Public Employee Appointment (City Manager (§ 54957))

10. ADJOURNMENT

This agenda was posted on November 5, 2021



Maria Ehorn, Minute 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 CALENDAR



PERIOD

10/21/2021 TO 11/03/2021

Payroll Direct Deposit Z45263 TO Z45288

General Checking 39011 TO 39029

Check Register 051630 TO 051670

APPROVAL DATE 11/09/2021

APPROVED _____

REPORT.: 10/26/21
 RUN...: 10/26/21 Time: 10:44
 Run By.: Katie Butler

CITY OF WILLOWS
 Check Register

Check Number	Date	Payroll Date	**Employee** Num	Name	Actual Period	Fiscal Period	Gross Amount
39011	10/29/21	10/24/21	BEA00	BEATTY, RYAN	10-21	04-22	56.00
39012	10/29/21	10/24/21	GAR03	GARCIA, DAVID	10-21	04-22	56.00
39013	10/29/21	10/24/21	LAR00	LARA , ANDRES J	10-21	04-22	56.00
39014	10/29/21	10/24/21	LAR01	LARA, ANGEL	10-21	04-22	52.50
39015	10/29/21	10/24/21	LAR03	LARA, JOEL	10-21	04-22	48.30
39016	10/29/21	10/24/21	LED02	LEDERER, MANUEL A	10-21	04-22	67.50
Z45263	10/29/21	10/24/21	BRO01	Brown, Martha	10-21	04-22	5653.85
Z45264	10/29/21	10/24/21	BUT01	BUTLER, KATIE LEEANN	10-21	04-22	1904.31
Z45265	10/29/21	10/24/21	RUS01	RUSTENHOVEN, TARA L	10-21	04-22	2221.85
Z45266	10/29/21	10/24/21	EHO00	EHORN, MARIA ANNETTE	10-21	04-22	2205.23
Z45267	10/29/21	10/24/21	ARE00	Arellanes, Ashley Marie	10-21	04-22	364.00
Z45268	10/29/21	10/24/21	BIA00	BIANCHINI, ANN L	10-21	04-22	56.00
Z45269	10/29/21	10/24/21	BOW00	BOWERS, LINDA S	10-21	04-22	112.00
Z45270	10/29/21	10/24/21	BRI00	BRIONES, BRENDA VALENZU	10-21	04-22	280.00
Z45271	10/29/21	10/24/21	DUN00	DUNCAN , ROSE A	10-21	04-22	1528.62
Z45272	10/29/21	10/24/21	OLI00	OLIVER, LINDA F	10-21	04-22	217.00
Z45273	10/29/21	10/24/21	RAN00	RANDOLPH, ABIGAIL S	10-21	04-22	182.00
Z45274	10/29/21	10/24/21	SIL00	SILVA, EMILY M	10-21	04-22	112.00
Z45275	10/29/21	10/24/21	SPE02	SPENCE, KYLIEGH C	10-21	04-22	476.00
Z45276	10/29/21	10/24/21	VAR00	Vargas, Giovanni	10-21	04-22	518.00
Z45277	10/29/21	10/24/21	FLO00	Flowerdew, Nick	10-21	04-22	56.00
Z45278	10/29/21	10/24/21	HER00	HERNANDEZ-SE, RICARDO	10-21	04-22	56.00
Z45279	10/29/21	10/24/21	HUT04	HUTSON, KRISTINA RENEE	10-21	04-22	461.96
Z45280	10/29/21	10/24/21	ABO00	ABOLD, STEVEN B	10-21	04-22	2112.66
Z45281	10/29/21	10/24/21	MCM00	MCMAHON, SHARON M	10-21	04-22	188.16
Z45282	10/29/21	10/24/21	SEN00	SENGMANY, SITXAY	10-21	04-22	384.00
Z45283	10/29/21	10/24/21	VAS01	VASQUEZ, PEDRO CEASAR	10-21	04-22	2772.79
Z45284	10/29/21	10/24/21	ENO00	ENOS, KYLE	10-21	04-22	2332.89
Z45285	10/29/21	10/24/21	PET02	PETERSEN, MATTHEW	10-21	04-22	1833.93
Z45286	10/29/21	10/24/21	STE05	STEPHENS, KYRA	10-21	04-22	3294.72
Z45287	10/29/21	10/24/21	MIN00	MINGS, MICHAEL E	10-21	04-22	1928.97
Z45288	10/29/21	10/24/21	PFY00	PFYL, NATISA N	10-21	04-22	3390.20
							34979.44
							=====

REPORT.: 10/26/21
 RUN ON.: 10/26/21 Time: 11:05
 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	
39017	10/26/21	EDD01 EMPLOYMENT DEVELOP.DEPT.	C11012	10/12/21	STATE INCOME TAX	10-21	-4.12		
39017	10/26/21	EDD01 EMPLOYMENT DEVELOP.DEPT.	C11026	10/26/21	STATE INCOME TAX	10-21	878.27	874.15	
39018	10/26/21	EDD02 EMPLOYMENT DEVELOPMENT DEP	C11012	10/12/21	SDI	10-21	-18.21		
39018	10/26/21	EDD02 EMPLOYMENT DEVELOPMENT DEP	C11026	10/26/21	SDI	10-21	410.28	392.07	
39019	10/26/21	ICM01 ICMA RETIREMENT TRUST 457	C11026	10/26/21	DEFERRED COMP - ICMA	10-21	200.00	200.00	
39020	10/26/21	NAT00 NATIONWIDE RETIREMENT SOLU	C11026	10/26/21	USCM DEF. COMP.	10-21	1514.92		
39020	10/26/21	NAT00 NATIONWIDE RETIREMENT SOLU	1C11026	10/26/21	USCM DEF. COMP. MTCH	10-21	269.23	1784.15	
39021	10/26/21	PER01 P.E.R.S.	C11026	10/26/21	FERS PAYROLL REMITTANCE	10-21	4461.18	4461.18	
39022	10/26/21	UMP00 UMPQUA BANK	C11026	10/26/21	DIRECT DEPOSIT	10-21	23359.51	23359.51	
39023	10/26/21	UMP01 UMPQUA BANK - MYTAXPAYER	C11012	10/12/21	FEDERAL INCOME TAX	10-21	-56.17		
39023	10/26/21	UMP01 UMPQUA BANK - MYTAXPAYER	C11026	10/26/21	FEDERAL INCOME TAX	10-21	2705.73		
39023	10/26/21	UMP01 UMPQUA BANK - MYTAXPAYER	1C11012	10/12/21	FICA	10-21	-188.20		
39023	10/26/21	UMP01 UMPQUA BANK - MYTAXPAYER	1C11026	10/26/21	FICA	10-21	4239.68		
39023	10/26/21	UMP01 UMPQUA BANK - MYTAXPAYER	2C11012	10/12/21	MEDICARE	10-21	-44.02		
39023	10/26/21	UMP01 UMPQUA BANK - MYTAXPAYER	2C11026	10/26/21	MEDICARE	10-21	991.54	7648.56	
TOTAL DISBURSED...								38719.62	38719.62

REPORT.: 10/28/21
RUN ON.: 10/28/21 Time: 14:32
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
39024	10/28/21	AFL01 AFLAC- FLEX ONE	C11031	10/31/21	OTHER - AFLAC	10-21	673.54	673.54
39025	10/28/21	CYP00 CYPRESS ANCILLARY BENEFITS	C11031	10/31/21	DENTAL\VISION	10-21	1536.02	1536.02
39026	10/28/21	GOL01 GOLDEN STATE RISK MANAGEME	C11031	10/31/21	MEDICAL	10-21	14647.00	14647.00
39027	10/28/21	VOID THIS CHECK IS VOIDED						
39028	10/28/21	UNI17 UNITED PUBLIC EMPLOYEES AS	C11031	10/31/21	PUBLIC SAFETY DUES	10-21	131.52	131.52
39029	10/28/21	WIL01 WILLOWS EMPLOYEES ASSOC.	C11031	10/31/21	EMPLOYEES ASSOC.DUES	10-21	13.00	13.00
TOTAL DISBURSED...							17001.08	17001.08

Invoice No	Description	Invoice Date	Actual Period	Discount G/L	Account No	Discount Amount	Gross Amount	Discount Amount	Net Amount
Check #: 051630 Check Date.: 10/21/21 Vendor I.D.: AME02 (AMERIPRIDE UNIFORM SVCS.)									
0028053-	CLEANING UNIFORMS FOR PUBLIC WORKS	10/12/21	10-21				92.65	.00	92.65
		10/21/21	04-22						
0031550-	CLEANING UNIFORMS FOR PW	10/19/21	10-21				92.65	.00	92.65
		10/21/21	04-22						
** Vendor's Subtotal ----->							185.30	.00	185.30
Check #: 051631 Check Date.: 10/21/21 Vendor I.D.: BAR01 (WILLOWS AUTO PARTS)									
615663-	OIL & CABIN AIR FILTERS	10/12/21	10-21 A				72.21	.00	72.21
		10/21/21	04-22						
Check #: 051632 Check Date.: 10/21/21 Vendor I.D.: CAL04 (CALIFORNIA DEPT. OF JUSTICE)									
536416-	FED LVL VOLTEER	10/06/21	10-21				105.00	.00	105.00
		10/21/21	04-22						
Check #: 051633 Check Date.: 10/21/21 Vendor I.D.: DRO00 (DROPBOX INC.)									
36XSQRVQT-	DROP BOX PLUS 9-24-21 TO 9-24-22	11/24/21	10-21				119.88	.00	119.88
		10/21/21	04-22						
Check #: 051634 Check Date.: 10/21/21 Vendor I.D.: MEN02 (MENDES SUPPLY COMPANY)									
053977-	BLK LINER	09/29/21	10-21				178.42	.00	178.42
		10/21/21	04-22						
Check #: 051635 Check Date.: 10/21/21 Vendor I.D.: MID03 (MIDWEST TAPE)									
501088805-	MULTIPLEMOVIES WIDE SCREEN	10/07/21	10-21				230.14	.00	230.14
		10/21/21	04-22						
501127413-	INFERNO WIDESCREEN	10/14/21	10-21				9.64	.00	9.64
		10/21/21	04-22						
** Vendor's Subtotal ----->							239.78	.00	239.78
Check #: 051636 Check Date.: 10/21/21 Vendor I.D.: NEC00 (NEC FINANCIAL SERVICES LLC)									
002442115-	PHONE SYSTEM PAYMENT	10/08/21	10-21				268.08	.00	268.08
		10/21/21	04-22						
Check #: 051637 Check Date.: 10/21/21 Vendor I.D.: RGS01 (REGIONAL GOVERNMENT SERVICES)									
12560-	CONTRACT SERVICES FOR SEPT- HR	09/30/21	10-21				1075.00	.00	1075.00
		10/21/21	04-22						
12561-	CONTRACT SERVICES FOR SEPT- CM	09/30/21	10-21				1261.08	.00	1261.08
		10/21/21	04-22						
12562-	CONTRACT SERVICES FOR SEPT- CSD	09/30/21	10-21				1562.08	.00	1562.08
		10/21/21	04-22						
** Vendor's Subtotal ----->							3898.16	.00	3898.16
Check #: 051638 Check Date.: 10/21/21 Vendor I.D.: TES00 (TESCO CONTROLS, INC)									
0074869-	MISC PART/ BATTERY & CHARGER	10/15/21	10-21				128.70	.00	128.70
		10/21/21	04-22						
Check #: 051639 Check Date.: 10/21/21 Vendor I.D.: THR00 (3CORE)									
1246-	CDBG CONTRACT 17	09/30/21	10-21				3968.75	.00	3968.75
		10/21/21	04-22						
Check #: 051640 Check Date.: 10/21/21 Vendor I.D.: WILHD (WILLOWS HARDWARE, INC.)									
255676-	FIXED CHAIN SAW	10/12/21	10-21 A				30.00	.00	30.00
		10/21/21	04-22						
261217-	BATTERIES	10/20/21	10-21 A				10.71	.00	10.71
		10/21/21	04-22						
262011-	EDGE BLADE AND 6PK 1 GAL HP VETRA	10/12/21	10-21 A				28.09	.00	28.09
		10/21/21	04-22						
262432-	EDGER BLADE	10/15/21	10-21 A				1.93	.00	1.93
		10/21/21	04-22						

Invoice No	Description	Invoice	Actual	Tm	G/L	Discount Account No	Gross Amount	Discount Amount	Net Amount
		Date	Period						
Check #: 051640 Check Date.: 10/21/21		Vendor I.D.: WILHD (WILLOWS HARDWARE, INC.)							
263409-	HALDGEN BILB & SPRINKLER	10/14/21	10-21	A			8.56	.00	8.56
		10/21/21	04-22						
** Vendor's Subtotal ----->							79.29	.00	79.29
Check #: 051641 Check Date.: 10/21/21		Vendor I.D.: WILHI (WILLOWS ACE HARDWARE)							
74484-	TRAY & DISH DRAINER	10/14/21	10-21				28.94	.00	28.94
		10/21/21	04-22						
74690-	HOSE VACUUM	10/20/21	10-21				11.23	.00	11.23
		10/21/21	04-22						
** Vendor's Subtotal ----->							40.17	.00	40.17
** Total Checks Paid ----->							9283.74	.00	9283.74

Invoice No	Description	Check #.	Check Date.	Invoice	Actual	G/L	Discount Account No	Gross Amount	Discount Amount	Net Amount	
				Due Date	Fiscal						Period
		051642	10/27/21	Vendor I.D.: ATT01 (A.T. & T.)							
C11025-	Telephone Exp.09-19-21 TO 10-18-21			10/19/21 10-21 A 10/27/21 04-22				1306.05	.00	1306.05	
		051643	10/27/21	Vendor I.D.: BAK06 (BAKER & TAYLOR BOOKS)							
203624187-	NEW PRINT MAT. WILLOWS LIB.			10/01/21 10-21 10/27/21 04-22				577.80	.00	577.80	
		051644	10/27/21	Vendor I.D.: BID01 (BIDWELL H2O)							
11050-	COOLER RENTAL- OCT 2021			10/21/21 10-21 10/27/21 04-22				175.00	.00	175.00	
		051645	10/27/21	Vendor I.D.: CAL01 (CALIFORNIA WATER SERVICE CO.)							
C11027-	Water & Sewer			10/15/21 10-21 A 10/27/21 04-22				6215.25	.00	6215.25	
		051646	10/27/21	Vendor I.D.: COR02 (CORBIN WILLITS SYSTEMS)							
00C110151-	Cont.Serv. Finance			10/15/21 10-21 A 10/27/21 04-22				432.84	.00	432.84	
		051647	10/27/21	Vendor I.D.: DEM01 (DEMCO, INC.)							
7016575-	4 PKG DIGITAL SINGLE			09/30/21 10-21 A 10/27/21 04-22				251.10	.00	251.10	
		051648	10/27/21	Vendor I.D.: HUT02 (EVAN HUTSON)							
C11025-	LIVE SCAN			10/20/21 10-21 10/27/21 04-22				69.00	.00	69.00	
		051649	10/27/21	Vendor I.D.: INK01 (THE INKWELL)							
3311-	1 1/2 BINDER			10/22/21 10-21 A 10/27/21 04-22				4.25	.00	4.25	
		051650	10/27/21	Vendor I.D.: RIC02 (JOHN RICHTER)							
C11026-	ENCROACHMENT PERMIT REIMBURSEMENT			10/26/21 10-21 10/27/21 04-22				194.00	.00	194.00	
		051651	10/27/21	Vendor I.D.: SAC08 (SACRAMENTO VALLEY MIRROR)							
478-	LEGAL ADVERTISING			10/20/21 10-21 A 10/27/21 04-22				196.80	.00	196.80	
		051652	10/27/21	Vendor I.D.: TIT00 (TITUS PROPERTIES)							
C11027-	SEWER SERVICE CHARGE REFUND			10/27/21 10-21 10/27/21 04-22				1446.84	.00	1446.84	
		051653	10/27/21	Vendor I.D.: TRA02 (TRACTOR SUPPLY CREDIT PLAN)							
317848-	BLM POLY SUIT JACKET & BIB			10/24/21 10-21 10/27/21 04-22				48.25	.00	48.25	
		051654	10/27/21	Vendor I.D.: VAS01 (PEDRO C VASQUEZ)							
C11027-	BOOT ALLOWANCE REIMBURSEMENT			10/20/21 10-21 10/27/21 04-22				100.00	.00	100.00	
		051655	10/27/21	Vendor I.D.: WAL07 (WAL-MART COMMUNITY)							
163826708-	MONTHLY BILL 9-21-21 TO 10-7-21			10/19/21 10-21 10/27/21 04-22				333.39	.00	333.39	
								** Total Checks Paid ----->	11350.57	.00	11350.57

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Invoice	No Description	Invoice	Actual	Tm	Discount	Gross	Discount	Net	
		Date	Period						G/L
Check #.: 051656 Check Date.: 11/03/21		Vendor I.D.: BAR01 (WILLOWS AUTO PARTS)							
616604-	FUEL OIL MIX & FINAL CHARGE 50 50	10/22/21	11-21	A		104.15	.00	104.15	
		11/03/21	05-22						
Check #.: 051657 Check Date.: 11/03/21		Vendor I.D.: BAR03 (BARNES & NOBLE)							
C11101-	BOOKS FOR WILLOWS LIBRARY	10/26/21	11-21			159.70	.00	159.70	
		11/03/21	05-22						
Check #.: 051658 Check Date.: 11/03/21		Vendor I.D.: COM16 (COMCAST CABLE)							
C11101-	SERVICE FOR ACCT ENDING 6196 FOR OCT 19-NOV 18	10/14/21	11-21			150.94	.00	150.94	
		11/03/21	05-22						
C11102-	SERVICE FOR ACT ENDING 5941 FOR OCT29-NOV28, 2021	10/24/21	11-21			145.94	.00	145.94	
		11/03/21	05-22						
		** Vendor's Subtotal ----->				296.88	.00	296.88	
Check #.: 051659 Check Date.: 11/03/21		Vendor I.D.: GAN01 (GANDY-STALEY OIL CO.)							
C11103-	FIRE DEPT FUEL FOR OCT 2021	10/31/21	11-21	A		782.14	.00	782.14	
		11/03/21	05-22						
C11104-	FUEL FOR PUBLIC WORKS OCT 2021	10/31/21	11-21	A		2605.10	.00	2605.10	
		11/03/21	05-22						
		** Vendor's Subtotal ----->				3387.24	.00	3387.24	
Check #.: 051660 Check Date.: 11/03/21		Vendor I.D.: GLE48 (GLENN LOCAL AGENCY FORMATION COMMISSION)							
C11101-	GLENN LAFCO 2021-22	10/25/21	11-21			10350.00	.00	10350.00	
		11/03/21	05-22						
Check #.: 051661 Check Date.: 11/03/21		Vendor I.D.: MID03 (MIDWEST TAPE)							
501161289-	WIDESCREEN FOR WILLOWS LIBRARY	10/21/21	11-21			71.78	.00	71.78	
		11/03/21	05-22						
Check #.: 051662 Check Date.: 11/03/21		Vendor I.D.: OFF05 (OFFICE DEPOT, INC.)							
206112370-	PAPER, HIGHLIGHTERS AND BINDERS	10/26/21	11-21	A		130.85	.00	130.85	
		11/03/21	05-22						
Check #.: 051663 Check Date.: 11/03/21		Vendor I.D.: PET04 (P.F. PETTIBONE & CO.)							
181247-	B.W. MINUTE BOOK & GREEN SPECKLED PAPER	10/28/21	11-21	A		101.50	.00	101.50	
		11/03/21	05-22						
Check #.: 051664 Check Date.: 11/03/21		Vendor I.D.: PGE01 (PG & E)							
C11102-	UTILITY ELECTRIC FOR 9/15/21 TO 10/13/21	11/01/21	11-21	A		10458.03	.00	10458.03	
		11/03/21	05-22						
Check #.: 051665 Check Date.: 11/03/21		Vendor I.D.: RAC00 (RACKLEY COMPANY, INC.)							
C11102-	REIMBURSEMENT FOR TRUCK DAMAGES	11/02/21	11-21			4792.94	.00	4792.94	
		11/03/21	05-22						
Check #.: 051666 Check Date.: 11/03/21		Vendor I.D.: RAY03 (RAY MORGAN COMPANY)							
3499972-	WATER SYSTEM	10/25/21	11-21	A		63.28	.00	63.28	
		11/03/21	05-22						
Check #.: 051667 Check Date.: 11/03/21		Vendor I.D.: USB02 (US BANK)							
456471879-	Equip. Maint.	11/02/21	11-21			401.07	.00	401.07	
		11/03/21	05-22						

Invoice No	Description	Invoice		Tm	G/L	Discount Account No	Gross Amount	Discount Amount	Net Amount	
		Date	Period							

	Check #.: 051668	Check Date.:	11/03/21	Vendor I.D.:	USB04 (U.S. BANK CORPORATE PAYMENT SYSTEMS)					
C11103-	US BILL 9-23 TO 10-22-21	11/01/21	11-21				777.40	.00	777.40	
		11/03/21	05-22							

	Check #.: 051669	Check Date.:	11/03/21	Vendor I.D.:	WIL17 (WILLDAN)					
713461-	PRINCIPAL PLANNER	10/25/21	11-21				8223.99	.00	8223.99	
		11/03/21	05-22							

	Check #.: 051670	Check Date.:	11/03/21	Vendor I.D.:	WILHD (WILLOWS HARDWARE, INC.)					
263366-	EXTENSION CORDS	10/20/21	11-21	A			98.63	.00	98.63	
		11/03/21	05-22							
							** Total Checks Paid ----->	39417.44	.00	39417.44
							=====	=====	=====	



ACTION MINUTES OF THE WILLOWS CITY COUNCIL REGULAR MEETING HELD OCTOBER 26, 2021

Agenda item 5b

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 Domenighini called the meeting to order at 7:00 p.m.
2. The meeting opened with the Pledge of Allegiance led by Council Member Warren.
3. **Oath of Office:** City Clerk Tara Rustenhoven swore in newly appointed City Council Member Robert Griffith
4. **Roll Call:**
Council Members Present: Council Members Williams, Griffith, Warren, Vice Mayor Hansen, Mayor Domenighini
Council Members Absent:
Staff Present: Interim City Manager Marti Brown, City Attorney David Ritchie, Library Director Jody Meza, and City Clerk Tara Rustenhoven
GCSO Staff Present: Sheriff Warren

5. **Changes to the Agenda:** No changes were made.

6. Ceremonial Matters (Proclamations, Recognitions, Awards)

a. Mayor Domenighini presented the Veterans Day Proclamation to Barbara Laducer.

On behalf Barbara Laducer, member of the American Legion Auxiliary presented the City Council and City Clerk a Certificate of Appreciation, in recognition and appreciation of the outstanding service and assistance.

7. Public Comment & Consent Calendar:

Forrest Sprague-801 Applewood Way, provided written communication regarding previously submitted written communication back on April 5, 2021.

Council Member Williams wanted clarification on whether or not written communication letters that are submitted, would be attached to the minutes.

- a. Approval of general checking, payroll & direct deposit check registers Z45235-Z45262, 38997-39010, 051597-051629.
- b. Approval of minutes of the September 28, 2021 Regular City Council Meeting, October 12, 2021 Special City Council Meeting, and October 12, 2021, Regular City Council Meeting.

Action:

Motion: Council Member Warren/Second: Vice Mayor Hansen

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: Williams, Griffith, Warren, Vice Mayor Hansen, Mayor Domenighini

NOES:

ABSENT:

ABSTAIN:

8. Presentations:

a. Lisa Hunter gave a presentation for the Colusa Subbasin Groundwater Sustainability Plan.

9 Discussion & Action Calendar:

a. Authorize the Interim City Manager to increase the part-time Children's Librarian salary from \$14.00-\$17.02 to \$16.21-\$19.70 per hour.

Action:

Motion: Council Member Williams/Second: Council Member Warren

Moved to authorize the Interim City Manager to increase the part-time Children's Librarian salary from \$14.00-\$17.02 to \$16.21-\$19.70 per hour.

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

AYES: Williams, Warren, Vice Mayor Hansen, Mayor Domenighini

NOES:

ABSENT:

ABSTAIN:

b. Authorize the Interim City Manager to execute a Memorandum of Understanding (MOU) with the County of Glenn for dispatch services for Fire and Emergency Medical Services (EMS) in an amount not to exceed \$30,000.

Council Member Warren recused herself from the meeting regarding this item.

Action:

Motion: Vice Mayor Hansen/Second: Council Member Griffith

Moved to authorize the Interim City Manager to execute a Memorandum of Understanding (MOU) with the County of Glenn for dispatch services for Fire and Emergency Medical Services (EMS) in an amount not to exceed \$30,000.

The motion passed unanimously 4/0 carried by the following voice vote:

AYES: Williams, Griffith, Vice Mayor Hansen, Mayor Domenighini

NOES:

ABSENT:

ABSTAIN: Warren

c. Authorize the Interim City Manager to execute an agreement and contract with HdL Companies to manage the City of Willow's business license program and services, as well as a business license ordinance tax and fee study, for an amount not to exceed \$32,000.

Jason Grant-Local Business Owner appreciates that council is finding ways of keeping this inhouse and not contracting out.

Lisa Davis agreed with what Mr. Grant had said.

Action:

Motion: Council Member Griffith/Second: Vice Mayor Hansen

Moved to authorize the Interim City Manager to execute an agreement and contract with HdL Companies to

manage the City of Willow's business license program and services, as well as a business license ordinance tax and fee study, for an amount not to exceed \$32,000.

The motion passed 4/1 carried by the following voice vote:

AYES: Griffith, Warren, Vice Mayor Hansen, Mayor Domenighini

NOES: Williams

ABSENT:

ABSTAIN:

Interim City Manager suggested to Mayor Domenighini to switch item 10 and 11.

11. Closed Session:

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.

a. Conference with Legal Counsel-Existing Litigation §54956.9, Name of Case: City of Willows v. Lucky B. Wyatt II Superior Court County of Glenn Case No. 21CV02682.

b. Public Employee Appointment (§54957) Title: City Manager

Council recessed into closed session at 8:51 p.m.

Council reconvened into open session at 9:22 p.m.

Announcement of any action taken in closed session:

Mayor Domenighini reported no reportable action and direction was given to staff.

10. Comments & Reports:

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

b. City Managers Report

- Wanted to notify Council that a State of City Infrastructure presentation will be at the November 23, 2021 City Council meeting.
- The Impact Fee annual Report has not been forgotten, is being worked on, and will be at a future meeting.
- City Staff is interested in painting the front offices of City Hall.

12. Adjournment:

The Meeting was adjourned at 9:23 p.m.

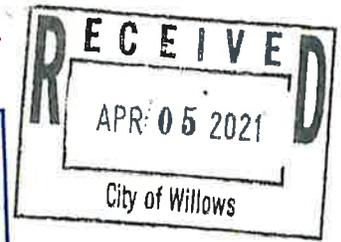
Dated: October 29, 2021

Tara Rustenhoven, City Clerk

COPY

Forrest J. Sprague

April 5, 2021



To the Willows City Council

RE: The misconduct of Interim City Manager and Fire Chief, Wayne Peabody, and of City Attorney David G. Ritchie concerning violations of the laws that prohibit the use of city-owned property urging the public to vote YES on Measure H.

Dear Mayor Domenighini and Council Members:

With regard to the above, before submitting the matter to the county grand jury, guidance from the California State Attorney General's Office is unambiguous:

"For complaints against city employees...address your complaint to the head of the city...the city attorney's office, the mayor's office, and...the city council."

Since my grievance is against the Interim City Manager and the City Attorney, the next people in the hierarchy of accountable enforcement authority are the Mayor and the City Council.

Chapter Two of the City's Protocol Manual states that the Council's duties include appointing and supervising the City Manager and the City Attorney. And according to Manual, the Council is also responsible to "study problems" and "determine the best course of public policy."

For these reasons *and for the record*, I am first submitting this complaint directly to you before involving the Grand Jury. This is not a warning of possible litigation. **This is a petition for any discipline measures that the Council determines are appropriate in this serious matter.**

First, concerning the misconduct of the City Manager, Chapter Seven of the Protocol Manual states that the City Manager is appointed by the City Council to enforce the law. The Manual also says that his duties include ensuring that "all laws and ordinances are faithfully executed."

Chapter Seven also makes it clear that the City Council is to evaluate the City Manager's performance, including *the accountability and the administration of adopted Council policy*.

When it comes to Local Ballot Measures, Chapter Five of the Protocol Manual is succinct:

"There are restrictions regarding what actions the City may take on ballot measures. Specifically, state statutes prohibit the City from using its...equipment...buildings...to influence the outcome of elections." (Emphasis added)

Those "state statutes" include:

CALIFORNIA GOVERNMENT CODE, TITLE 2, CHAPTER 5, Section 8314.

- (a) **It is unlawful for any elected...local officer...employee, or consultant, to use or permit others to use public resources for a campaign activity...** (Emphasis added)
- (b) (3) **"Public resources" means any property...owned by...any local agency, including...land, buildings, facilities...equipment...vehicles...** (Emphasis added)

COPY

CALIFORNIA GOVERNMENT CODE TITLE 9, CHAPTER 2. Definitions

(c) "**Expenditure**" includes any...nonmonetary payment made by any person...that is used for communications that expressly advocate the...passage...of a clearly identified ballot measure.

(1) "**Clearly identified**" is defined as follows:

(2) A communication "**expressly advocates**" the...passage...of a measure if it contains express words of advocacy such as "vote for"..." within 60 days before an election in which the...measure appears on the ballot, unambiguously urges a particular result in an election. (All emphasis added)

I have stapled together photos and documents in the same order in which they are cited in the following narratives.

Exhibit #1 is an example of the acceptable and unacceptable wording for supporting ads as shown on the Fair Political Practices Commission's AdWATCH website.

Exhibit #2 is a photo of two signs posted in front the Willows fire station, a city-owned facility. In violation of the law, both signs clearly urge a YES vote on Measure H. (This is yet another example of the misuse public resources during Mr. Peabody's term as Interim City Manager.)

Exhibit #3 is a photo that appeared on the City's web site with firefighters holding YES on H signs with a Willows fire truck in the background.

Now concerning the duties and conduct of the City Attorney, the Protocol Manual says that he is the "legal advisor" for the Council and City Manager with "respect to any legal question" or "legal matter pertaining to the affairs of the City."

The Manual makes clear that the City Attorney is to "keep the Council and staff apprised of court rulings and legislation affecting the legal matters of the City." (Emphasis added)

Moreover, Chapter Nine also says that the City Attorney shall serve as the advisor for the Council's adopted Protocol Manual. In addition, a state statute also provides clear direction:

CALIFORNIA BUSINESS AND PROFESSIONS CODE - DIVISION 3. PROFESSIONS AND VOCATIONS, CHAPTER 4. Attorneys

ARTICLE 4. Admission to the Practice of Law

Section 6068. It is the duty of an attorney to do all of the following:

(g) Not to encourage...the continuance of an action...from any...corrupt motive of passion or interest. (Emphasis added)

Without doubt, City Fire Chief and Interim City Manager Peabody and his firefighters wanted the passage of Measure H. However, regarding the City's legal consultant the law is plain:

To the Willows City Council
April 5, 2021
Page three

CALIFORNIA GOVERNMENT CODE, TITLE 2, CHAPTER 5, Section 8314.

(a) It is unlawful for any...consultant...to permit others to use public resources for a campaign activity.... (Emphasis added)

(b) (3) "Public resources" means...any buildings, facilities... equipment... vehicles... (Emphasis added)

Exhibit #4 is an email from Mr. Jeff Williams, written while he was still a candidate for Willows City Council, and sent to the Willows City Attorney, David G. Ritchie.

Referring to his attached photo displaying the **YES on H** signs in front of the Willows fire station, the email asked a single simple question, "Is this legal?" Mr. Williams's email did not mention his or the incumbents' campaigns. After consulting the city planning department and the Willows municipal codes, *evidently ignoring the Protocol Manual*, Mr. Ritchie responded,

"The City...does not take a position or advocate for or against the political campaigns of aspiring council members nor does it take a position or advocate for or against campaigns of incumbent council members."

Mr. Ritchie utterly disregarded Mr. Williams' very relevant question. Apparently the City Attorney is either ignorant of the law or he neglected his obligation to inform the Council and staff that allowing YES on H signs on city property was likely in violation of state law.

In closing, a whitepaper published by the League of Cities' attorneys clarifies the relationship between these two high-level executive positions. "The city manager must perform his duties in a manner that is consistent with the law. The city attorney must advise on matters of law and refrain from promoting particular policy."

An ethics guidebook available from the League is also helpful: "Public officers and employees must, at all times, be accountable." While it is not certain whether they collaborated in this particular activity, it is evident that both the City Manager and City Attorney have violated their ethical obligations and fiduciary duties to the City *and they both should be held accountable*.

Chapter Seven of the City's Protocol Manual also says, "The City Attorney's performance is reviewed as provided by the services retention contract." Enclosed is my August 17, 2020 letter concerning the City Attorney's establishing City policy regarding the Brown Act. (Mr. Ritchie has also failed to release public information, thereby exposing the City to costly litigation.)

May I draw your attention to the next to last paragraph of my letter wherein I asked that the City Council to review the Assignment of Personnel clause within the Agreement that you have with his law firm. I suggested then and I recommend it now: Please request that his partners replace Mr. Ritchie with a more qualified attorney. *It would certainly be in the best interests of the City.*

Regards,
COPY
FORREST J. SPRAGUE

Exhibit #1

An FPPC example of acceptable and unacceptable ballot measure campaign language.

Style, Tenor and Timing of Communication

As stated above, the style, tenor, and timing of a communication help determine whether it is campaign material or activity. For example, if the following bumper sticker were distributed by a school district, it would not be campaign material or activity if it had no relationship to an upcoming election or ballot measure:



SUPPORT OUR SCHOOLS

The same bumper sticker, however, is campaign material or activity if the circumstances surrounding its distribution indicated that the sticker is related to an election. For example, the bumper sticker below would be considered campaign material or activity if distributed by the school district simultaneously with the distribution of the following campaign flyer, using the same logotype, by a political campaign:



**The Yes on
Measure A
Committee**

Support Our Schools

YES ON A

Exhibit #2

City of Willows Fire Station

Two "YES on H" signs located on city-owned property urging voters to vote yes on a ballot measure that would implement a local sales tax.

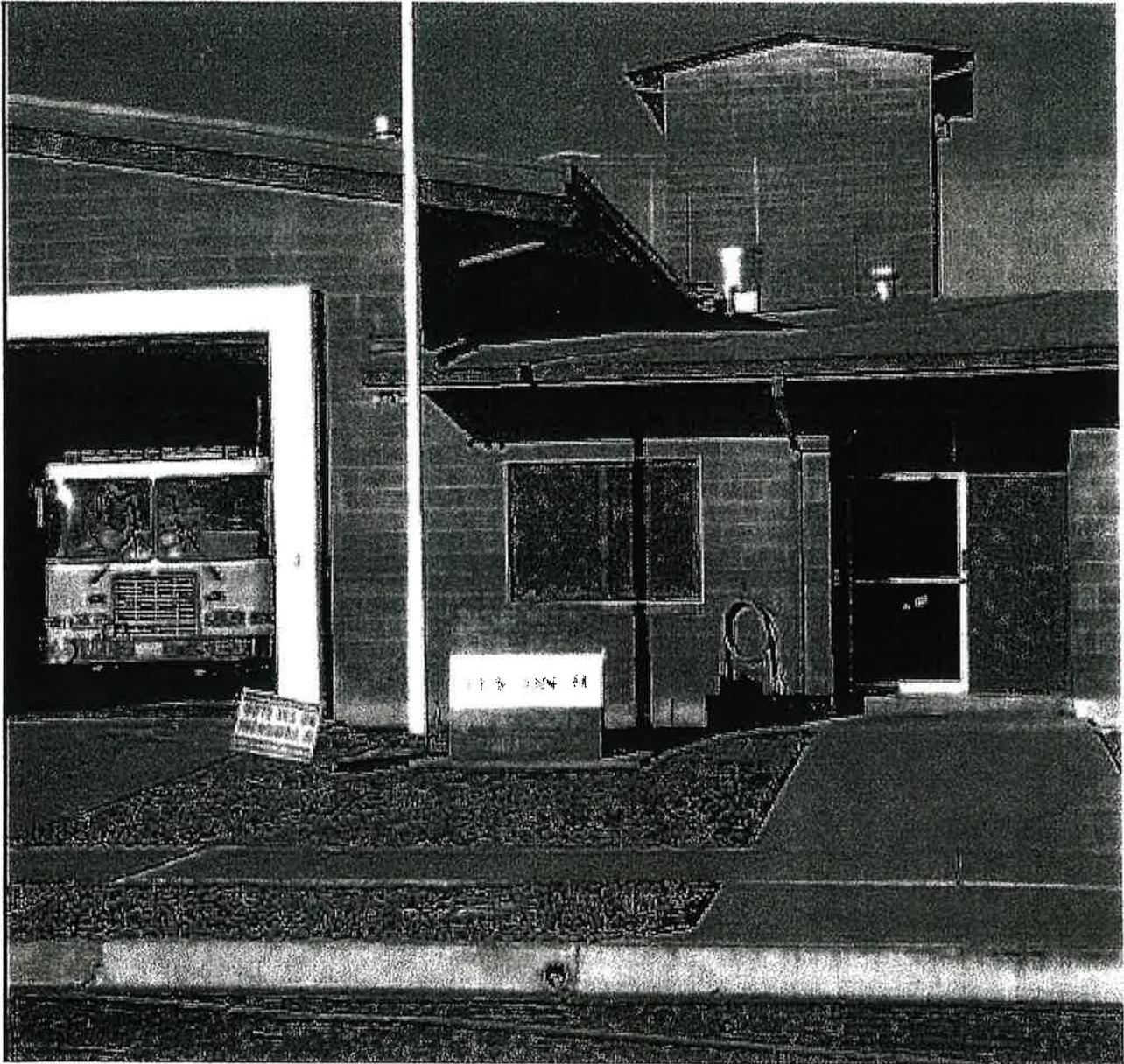


Exhibit #3

This is a photo of fire department volunteers urging a "YES in H" vote. This is an inappropriate use of a city-owned vehicle to urge a vote on a ballot measure.



EXHIBIT 4

The below emails are to and from the Willows City Attorney David G. Ritchie, regarding use of city property to urge a YES on H vote.

From: **jeff williams** <jeffat160@gmail.com>
Date: Fri, Oct 16, 2020 at 8:34 AM
Subject: Political signs on city property
To: David G. Ritchie <dritchie@colehuber.com>

Is this legal ? This is the willows Fire Dept.



From: **David G. Ritchie** <dritchie@colehuber.com>
Date: Wed, Oct 28, 2020 at 10:35 AM
Subject: RE: WMC for political signs
To: jeff williams <jeff4willows@gmail.com>

Good Morning Jeff,

Following your inquiry last week I checked with planning on the issue you had presented. Planning informed me that the City's Municipal code is silent on the issue you presented. This is the information I shared with you last night. This statement is a factual statement only about the content within the Municipal Code. If you wish to have a legal opinion on this matter, your campaign must seek out that legal opinion independently as I represent the City and cannot provide legal advice relating to matters involving your campaign for Council.

The City as an entity, as you know, does not take a position or advocate for or against the political campaigns of aspiring council members nor does it take a position or advocate for or against campaigns of incumbent council members.

Sincerely,

David G. Ritchie, Partner
2281 Lava Ridge Court, Suite 300
Roseville, CA 95661
916-780-9009 - Main phone

Below are snapshots from the Willows Protocol Manual. Its guidance prohibits the use of city-owned property, buildings, equipment and other public resources to publically promote a vote for a ballot measure.

City of Willows
City Council
Protocol Manual

Willows City Council:	Management Staff:
Mayor Larry Domenighini	Interim City Manager Wayne Peabody
Vice-Mayor Gary Hansen	City Attorney David Ritchie
Kerri Warren	City Clerk Tara Rustenhoven
Joe Flesher	Administrative Director Vacant
Jeff Williams	Community Service Director Vacant



CHAPTER FIVE
COMMUNICATIONS

5.03- Local Ballot Measures

At times, initiatives that affect City Council policy may be placed on the ballot. There are restrictions regarding what actions the City may take on ballot measures. Specifically, state statutes prohibit the City from using its personnel, equipment, materials, buildings, or other resources to influence the outcome of elections. What the City can do is distribute informational reports or pamphlets for the purpose of informing the public of the facts of an issue.



Development Impact Fee Annual Report

Fiscal Year 2016-17

November 21, 2017

City of Corning
Annual Development Impact Fee Report
Fiscal Year 2016-17

Background

The Mitigation Fee Act, Government Code §66000 et seq., (the "Act") governs the establishment and administration of development impact fees paid by new development projects for public facilities needed to serve new development. Fees must be separately accounted for and used for the specific purpose for which the fee was imposed. The City's adopted development impact fees are listed in the attached exhibits. Expenditures are authorized through the annual Capital and Operating Budgets and the City's Capital Improvement Program. The annual adopted City Budget is on file with the City Clerk.

Annual Development Fee Reporting

The Act requires that the City prepare an annual review of all development impact fees as defined in the Act and make a public report on the fees available to the public after the end of each fiscal year. Government Code §66006(b)(2) requires the report to be placed on an agenda for review at a public meeting not less than 15 days after the report is made available to the public. The Fiscal Year 2016/2017 report was made available to the public on the City of Corning website and at City Hall on November 28, 2017; no members of the public have requested a mailed notice relating to City fees.

Pursuant to Government Code §66006(b), excluded from this report are developer fees which are not subject to the reporting requirements of the Act such as, fees for processing applications for governmental regulatory actions or approvals, fees collected under development agreements adopted pursuant to Article 2.5 (commencing with Section 65864) of Chapter 4, or fees collected pursuant to agreements with redevelopment agencies that provide for the redevelopment of property in furtherance or for the benefit of a redevelopment project for which a redevelopment plan has been adopted pursuant to the Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the Health and Safety Code). For example, fees collected pursuant to the City's zoning powers, wastewater capacity fees, and The Quimby Act parkland acquisition fee for residential subdivisions (imposed pursuant to the Subdivision Map Act (Gov't. Code §66477), are not included in the Section 66001 reporting requirement.

Development Impact Fees were last updated on December 10, 2013.

The City is also required to adopt by resolution certain findings for any fund accounts which contain unexpended funds as of the fifth fiscal year following the first deposit into those funds and every five years thereafter. (Gov't. Code §66001(d).) This will be required in FY 2017-18.

The report is organized as follows:

Exhibit A: A brief description of the purposes of each development impact fee and its authorizing legislation (Gov't. Code §66006(b)(1)(A).)

Exhibit B: Summary of the July 1, 2016 beginning balance, annual fee revenue collected, interest earned, returned unused funds from projects, identification of public improvements on which fees were expended and the ending balance as of June 30, 2017 for each fee (Gov't. Code §66006(b)(1)(C)-(E).)

David G. Ritchie
dritchier@colehuber.com

REPLY TO:
 ROSEVILLE ONTARIO

July 6, 2020

VIA E-MAIL AND U.S. MAIL
forsprague@aol.com

Forrest J. Sprague
801 Applewood Way
Willows, CA 95988

Re: California Public Records Act Request, (CA Gov. Code § 6250 et. seq.) dated June 29, 2020

Dear Mr. Sprague:

This letter confirms receipt of your request for public records pursuant to the California Public Records Act (Gov. Code 6250 et. seq.) dated June 29, 2020 and received by former City Attorney Robert Hunt.

You have requested the following information:

- Income and expense records of Capital Facilities Accounts for each development fee for fiscal years 2008/2009 through 2018/2019;
- Annual reports submitted to the City Council, copies of announcements that those reports were available to the public and the minutes of each of the respective meetings where those reports were reviewed and accepted by Council for fiscal years 2008/2009 through 2018/2019;
- Five-year reports for Capital facilities Accounts with residual balances for fiscal years 2008/2009 through 2018/2019.

The City responds to requests for public records pursuant to the California Public Records Act (CPRA), Government Code sections 6250 et seq. Per Government Code section 6253, the City will respond within 10 days from receipt of a public records request as to whether disclosable public records exist. In some cases, a 14-day extension to respond may be necessary. If the City determines non-exempt, disclosable public records exist, they will be made available "promptly" within a reasonable timeframe and following the required payment, if applicable, for copies of such records.

We have conducted an evaluation of your request(s) and are issuing this initial determination that the City does possess identifiable records that are non-exempt, discloseable and responsive to your requested items.

Forrest J. Sprague
July 6, 2020
Page 2

Some of the City documents are contained in data accessible only through legacy applications; and while the existence of that data is known, it is not known at present how many pages or records exist or the extent to which those records are responsive to your requests. The City also is cognizant of the fact that it must set a reasonable timeframe for production of such documents that accounts for the time and staffing necessary to access, collect and prepare those records for production. To that end, we have identified a number of records that are more easily accessed and processed, and reasonably segregable from the whole of your request. We are making these available as attachments to this initial determination.

It is expected that the City will be able to provide the additional records within approximately three weeks and will provide a supplemental response at that time given the volume, and complexity involved and the City's overall staff availability in processing and reviewing the items to be produced. Please be aware that the City may contact you in the meantime if any difficulty arises in producing records, and to discuss the particulars of your request and any modifications to the timeframes for production.

If you have questions about this correspondence, you may reach me at the address indicated in this letterhead or by telephone at (916) 780-9009.

Sincerely,



David G. Ritchie
COLE HUBER LLP

DGR/DGR

cc: Wayne Peabody, City Manager

Encl.

Balance Sheet Reports for Funds: 364-Library Develop, 362-Park Facilities, 363-I-5 Interchange, 361-Street Develop, 358-Police DIF, 356-Fire DIF, 318 Sewer Maint., 360-Storm Drainage (Ending Bal 6/30/19, 6/30/18, 6/30/17, 6/30/16, 6/30/15, 6/30/14, 6/30/13, 6/30/12, 6/30/11)

Statements of Revenue and Expenditures for Funds: 364-Library Develop, 362-Park Facilities, 363-I-5 Interchange, 361-Street Develop, 358-Police DIF, 356-Fire DIF, 318 Sewer Maint., 360-Storm Drainage (Fiscal Years Including 12/18, 12/17, 12/16, 12/15, 12/14, 12/13, 12/12, 12/11)

Balance Sheet Reports for Funds: 363-I-5 Interchange, 362-Park Facilities, 360-Storm Drainage (Ending Bal 6/30/10, 6/30/09)

From: forsprague@aol.com,
To: dritchie@colehuber.com,
Cc: wpeabody@cityofwillows.org,
Subject: Follow up on my CPRA Information request dated June 29, 2020
Date: Mon, Jul 20, 2020 4:03 pm

Attachments: 2009 letters attached to 7.20.20 email to David Ritchie.pdf (5347K),

Hello Mr. Ritchie,

Just a friendly follow up to my June 29, 2020, request for public information. Specifically, I asked for copies of the one-year and five-year reports informing the City Council updating the status of the various accounts containing the impact fees collected by the City from the construction of new homes.

Your response dated July 6, 2020, indicated that it might take approximately three weeks to provide all of the information I had requested. That added time is nearing its end.

Upon review of another old business file, I happened across the attached pages from my September 24, 2009, to the then City Manager wherein I asked for copies of the same one-and five-year reports. Upon review of pages six and seven of my letter, you'll see I was very clear in my request in 2009. The bullet points following the mention of those reports merely recapped what the reports themselves were to contain.

Also attached is Mr. Sailsbery's October 19, 2020, response to that request. However, in his typical fashion of dealing with such inquiries, Tim pivoted away from any discussion about the reports themselves. Instead, he purposely rephrased my words to sound like I wanted copies of the City's year end financial statements. He then went on to suggest that the reports that I had requested were not subject to public review. This is typical of the side-stepping and the double-talk for which Tim has become well known.

I say all of that to suggest this: Given the aforementioned history and the time lapse to provide me with copies, I am concerned whether these one-year and five-year reports truly exist.

If they do exist, do you have a time frame in which I can expect copies?

If they don't exist, do you have an explanation as to why not?

Also, a quick reminder of my email request dated July 9, which was for information missing from your July 6 response to my June 29 request.

May I receive copies of the Wastewater the Development Impact Fee account that tracks the accumulation of the \$1387 per SFR and the \$1330 per multi-family fees as listed on page 9 of the Willows July 1, 2008 Fee Schedule.

Thanks for your timely attention to this matter.

Forrest J. Sprague
Land Use and Government Relations Consultant
801 Applewood Way
Willows CA 95988

From: dritchie@colehuber.com,
To: forsprague@aol.com,
Cc: wpeabody@cityofwillows.org,
Subject: RE: Follow up on my CPRA Information request dated June 29, 2020
Date: Mon, Jul 20, 2020 4:28 pm

Attachments:

Good afternoon Mr. Sprague:

Thank you for the reminder. Let me attempt to respond (I will respond with a follow-up to our original determination separately).

I don't have an awareness of what responses you have received in the past from others on some of your requests. Neither am I able to opine on the validity or completeness of those responses other than in the form of guidance to the City as an entity, which I could not share as those communications would be subject to an attorney-client privilege (of course).

I can advise as to how I handle requests: we (the City) and I (where assigned to handle a specific matter) provide responsive information in a timely manner. To the extent that a response does NOT address the information you are seeking, I will work with you to attempt to understand the request, refine it and from there locate any documents that might be responsive to it and which are not exempt from the disclosure requirements of the CPRA.

If a request comes and items are not located that are responsive to those requests I am, regrettably, (first) unable to provide them. An inability to locate a specific item is not equivalent to and doesn't necessarily mean that documents do not exist – it simply means that our reasonable effort to locate and provide the documents was not successful. It would therefore, (second) not be appropriate for me to engage in open speculation as to their existence or location in those circumstances.

I will review the other response and provide anything further relating to your July 9 email as well in short order.

If you have questions, you are always free to reach out and discuss them with me at (916) 780-9009.

Sincerely,

David G. Ritchie, Partner

2281 Lava Ridge Court, Suite 300
Roseville, CA 95661
916-780-9009 - Main phone



PUBLIC HEARING



Date: November 9, 2021
To: Mayor Domenighini and Council Members
From: Karen Mantele, Principal Planner
Marti Brown, Interim City Manager
Subject: Draft Housing Element Update 2021-2029

Recommendation:

Review and provide comments on the Draft 2021-2029 Housing Element Update prepared by Housing Tools and adopt and forward to State Department of Housing & Community Development (HCD) for review and final approval.

Rationale for Recommendation:

The draft Housing Element Update meets all the State Housing Law requirements and addresses HCD's review comments submitted to the City.

Background:

California requires that all local governments (e.g., cities, counties) adequately plan to meet the housing needs of everyone in the community. California's local governments meet this requirement by adopting Housing Elements as part of their General Plan, which serves as the local government's "blueprint" for how the city and/or county will grow and develop over a 15-20-year period. The General Plan includes a minimum of seven mandatory elements: land use, housing, transportation, conservation, noise, open space, and safety. The Housing Element must be consistent with the other elements of the General Plan and is updated on 8-year cycles to ensure relevancy and accuracy, since the housing market and needs are most closely tied to shifts in the economy.

In the past, Willows had a 5-year Housing Element cycle, which the State has now shifted to the 8-year cycle. The current Willows Housing Element, adopted in 2015, initially covered the period of 2014-2019, and was subsequently extended by the State through November 2021. California's Housing Element law acknowledges that in order to address the spectrum of housing needs, local governments must adopt plans and regulatory systems that provide opportunities for and do not unduly constrain housing development. It also establishes that each city and county accommodate their fair share of affordable housing as an approach to distributing housing needs throughout the region and state.

In 2020, the City initiated its Housing Element update by seeking a financial source to fund the process. To that end, the city successfully applied for and was awarded an HCD Local Early Action Plan (LEAP)

grant. Throughout the year and into 2021, staff and Housing Tools, Inc., the selected consultant, prepared the draft Housing Element for public review and Council approval.

The recommended Housing Element Update includes the eight-year period from November 2021 through November 2029. It provides the City of Willows with a comprehensive strategy to promote the production of safe, decent, and affordable housing for all its residents. It assesses current and projected housing needs, constraints to housing production, and resources available to meet the needs. It then establishes a set of housing production goals, policies, and programs which are targeted to meet the housing needs over the Housing Element planning period. A key part of the Housing Element lays out strategies to address the needs of community residents that are not typically met by the private market, including low-income households, seniors, homeless individuals, and people with disabilities. The city does not directly build housing, but facilitates production by guiding zoning policies, coordinating with community partners, and in the case of affordable housing, by partnering with developers, lenders, and nonprofits to seek funding opportunities

The city forwarded a copy of the draft Housing Element Update (HEU) to HCD for their review on August 6, 2021. The State provided comments on the preliminary draft that was submitted. Staff addressed those comments and changes in the draft document presented before the Council tonight. In addition, the draft HEU was presented to the Planning Commission at their October 20, 2021 regular meeting where the consultant delivered a presentation on the update. The Planning Commission adopted a resolution to forward the draft document to the City Council for review and final adoption before sending it to HCD. Concurrently, the City of Willows General Plan is also being updated and the final approved Housing Element will be incorporated accordingly.

Since the City's Housing Element was last updated, two significant events have occurred that have impacted housing demand and cost, as well as the development of this Housing Element update: the 2018 Camp Fire in neighboring Butte County and the COVID-19 pandemic which began in early 2020.

Discussion & Analysis:

The 2021-2029 Housing Element will be adopted concurrently with the City of Willows 2022 General Plan. As such, the planning processes for both documents were coordinated to ensure that the two planning documents would be consistent with and support one another. Going forward, the City and its governing boards will annually review the progress in achieving the goals of the Housing Element and General Plan. Reviewing the two planning documents together on a regular basis will facilitate an understanding of how the elements of the General Plan affect one another and will provide a vehicle for making any necessary policy or goal adjustments in a coordinated and consistent manner. If there are aspects of the General Plan and/or Housing Element that are impeding the achievement of these goals, they can be addressed during the annual assessment process.

A major component of the Housing Element Update is public input. Broad public participation is an essential component of the update process and is required by State law (Government Code Section 65583(c)(8)). Community outreach must be conducted through a variety of mechanisms to include all economic and cultural segments of the community. This has been further strengthened and expanded through the passage of AB 686 which mandates meaningful, frequent, and ongoing community participation, consultation, and coordination that is integrated with the broader stakeholder outreach and community participation process for the overall Housing Element.

The Willows' Housing Element update process for 2021-2029 employed an extensive outreach effort to engage a wide spectrum of the community within the necessary restrictions imposed by COVID-19. The consultant and city staff participated in this process which included community meetings, the preparation of a Housing Element Update website, a comprehensive contact list, utilization of a variety of methods to disseminate information and engage residents in the process, a focus group with low-income housing residents, a community-wide online survey and two community workshops posted to gather public input.

Methods for Public Information Dissemination and Engagement

Website: A website dedicated to the Housing Element update process was made available in both English and Spanish (toggle option at the top of the page). This webpage functioned as the central location for all information related to the Housing Element update. It included background information on the purpose of the Housing Element, how to participate, the updated timeline, resources, and an opportunity to sign up for an email list to receive direct emails on the update process. Most of the resources, including the presentation slides and recordings from the community meetings, was provided in both English and Spanish. Website address: willowshousingelement.com • Additionally the draft Housing Element was posted on the City's website on August 11, 2021.

Social media: The City's Facebook page was used to notify residents of opportunities to participate in community meetings and an online survey, as well as notifying them when new resources were posted to the website. Facebook events were created for the community meetings. Posts were made available in both English and Spanish.

Direct email: Parallel to the Facebook posts, all stakeholders and interested community members who signed up for email notifications received periodic email "blasts" throughout the process.

Flyers: A flyer announcing the Focus Group was sent to all the affordable housing complexes in Willows, as well as the Dos Rios Continuum of Care, Glenn County Community Action Department, and Glenn County Department of Social Services. Flyers announcing the two Community Workshops were also sent to these locations, as well as posted at City Hall and the library. Flyers provided information on the options to join the meeting online or by calling in via phone, so residents with various levels of access to technology could participate. After the community meetings, a flyer was developed that advertised the remaining opportunities to comment on the draft Housing Element (Planning Commission and City Council hearings), as well as an encouragement to visit the website to view resources. These flyers were provided in both English and Spanish and were distributed and posted by City staff around the community.

Newspaper articles: The City sent public services announcements (PSAs) to local newspapers (Glenn County Appeal-Democrat and Chico Enterprise-Record) regarding the community meetings. These brief articles gave the public notice about their opportunity to participate in the meetings, along with the meeting details.

Environmental Review and Analysis:

An environmental finding must be prepared pursuant to the California Environmental Quality Act for this update. The project has been reviewed pursuant to the California Environmental Quality Act (CEQA). The project does not directly involve revisions to the environment and therefore will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity. This project will result

in no Potentially Significant Impacts to the environment and is considered exempt from environmental review as required by CEQA using the “General Rule” Section 15061(b) (3) that is applied to proposals which will have no potential adverse impact on the environment. Therefore, Staff has determined that the proposal is exempt from any further CEQA review.

Housing Element update procedures require at least one public hearing before both the Planning Commission and the City Council. The City Council makes the final decision to approve or deny the Update.

Fiscal Impact:

There is no fiscal impact to adopting the recommended Housing Element Update.

Attachments:

1. Planning Commission Resolution
2. Draft City Council Resolution
3. HCD review/comment letter
4. Draft Housing Element Update (*See Agenda Item#6a for link*)
5. Power Point Presentation

**CITY OF WILLOWS
PLANNING COMMISSION RESOLUTION NO. 14-2021**

**A RESOLUTION BY THE PLANNING COMMISSION OF THE CITY OF WILLOWS
RECOMMENDING THE 2021-2029 DRAFT HOUSING ELEMENT UPDATE BE
FORWARDED TO THE CITY COUNCIL FOR REVIEW AND ADOPTION**

WHEREAS Gov. Code Sec.65583 for California requires that all local governments (cities and counties) adequately plan to meet the housing needs of everyone in the community by adopting Housing Elements as part of their General Plan; and

WHEREAS California's Housing Element law also establishes that each city and county accommodate their fair share of affordable housing as an approach to distributing housing needs throughout the region and state; and

WHEREAS California's Housing Element law acknowledges that to address the spectrum of housing needs, local governments must adopt plans and regulatory systems that provide opportunities for and do not unduly constrain housing development; and

WHEREAS the City of Willows desires to update the Housing Element to meet housing needs and to meet current State Housing Laws in the public interest; and

WHEREAS the Planning Commission conducted a public hearing on October 20, 2021, to review the draft update to the Housing Element and provide comments to the City Council, and.

WHEREAS the Planning Commission has reviewed the draft update, considered all public comments, and recommends to the City Council approval of the Housing Element as presented; and

WHEREAS the Planning Commission finds that this amendment is exempt from environmental review as required by CEQA using the "General Rule" Section 15061(b)(3) that is applied to proposals, which will have no potential adverse impact on the environment; and

WHEREAS a public involvement process consistent with the requirements of Housing Law was conducted during the process of updating of the Housing Element.

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Willows does hereby find that the draft Housing Element Update is consistent with State Housing Element Law, the City of Willows General Plan, the City of Willows Municipal Code, and hereby recommends the City Council review and adopt the Update as set forth in Attachment #2.

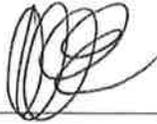
IT IS HEREBY CERTIFIED that the foregoing Resolution was duly passed and adopted at a regular meeting of the Planning Commission of the City of Willows on Wednesday, the 20th day of October 2021 by the following vote, to wit:

AYES: Woods, Griffith, Bobadilla, Hansen, Muller
NOES: 0
ABSENT: 0
ABSTAIN: 0



Hilgard Muller Chair, Planning Commission

ATTEST:



Maria Ehorn, Recording Secretary

Draft City Council Resolution

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS ADOPTING THE 2021-2029 DRAFT HOUSING ELEMENT UPDATE

WHEREAS Gov. Code Sec.65583 for California requires that all local governments (cities and counties) adequately plan to meet the housing needs of everyone in the community by adopting Housing Elements as part of their General Plan; and

WHEREAS California's Housing Element law also establishes that each city and county accommodate their fair share of affordable housing as an approach to distributing housing needs throughout the region and state; and

WHEREAS California's Housing Element law acknowledges that to address the spectrum of housing needs, local governments must adopt plans and regulatory systems that provide opportunities for and do not unduly constrain housing development; and

WHEREAS the City of Willows desires to update the city's Housing Element to meet local housing needs and to meet current State Housing Laws in the public interest; and

WHEREAS the Planning Commission conducted a public hearing on October 20, 2021, to review the draft update to the Housing Element and recommended forwarding the update to the City Council for review and final adoption, and

WHEREAS the City Council conducted a public hearing on November 9, 2021, to review the draft update to the Housing Element, which hearing was noticed in a local newspaper ten days prior to the hearing, and

WHEREAS a public involvement process consistent with the requirements of Housing Law was conducted during the process of updating of the Housing Element; and

WHEREAS the City Council has reviewed the draft update, considered all public comments, as presented; and

WHEREAS the City Council finds that this update is exempt from environmental review as required by CEQA using the "General Rule" Section 15061(b)(3) that is applied to proposals, which will have no potential adverse impact on the environment; and

NOW THEREFORE, BE IT RESOLVED, THAT

SECTION 1. The City Council of the City of Willows does hereby find that the draft Housing Element Update is consistent with the City of Willows General Plan, the City of Willows Municipal Code.

SECTION 2. In adopting this Resolution, the City Council has determined that all State Housing Laws associated with updating the Housing Element have been incorporated into the draft document.

SECTION 3. The City Council hereby adopts the update as presented in Attachment #4 of this report and recommends the Housing Element Update be forwarded to HCD for final review and approval.

PASSED AND ADOPTED by the City Council of the City of Willows this 9th day of November, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Larry Domenighini, Mayor

ATTESTED:

Tara Rustenhoven, City Clerk

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



October 5, 2021



Marti Brown, Interim City Manager
City of Willows
201 N Lassen Street
Willows, CA 95988

Dear Marti Brown:

RE: City of Willows' 6th Cycle (2021-2029) Draft Housing Element

Thank you for submitting the City of Willows' (City) draft housing element received for review on August 6, 2021. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review. Our review was facilitated by a telephone conversation on September 20, 2021 with you; Karen Mantele, planning consultant; and consultants Sherry Morgado and James Coles.

The draft element addresses many statutory requirements; however, revisions will be necessary to comply with State Housing Element Law (Article 10.6 of the Gov. Code). The enclosed Appendix describes the revisions needed to comply with State Housing Element Law.

The City's statutory deadline to adopt a housing element is November 30, 2021. For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), if a local government fails to adopt a compliant housing element within 120 days of this statutory deadline, then any rezoning to accommodate the regional housing needs allocation, including for lower-income households, shall be completed no later than one year from the statutory deadline. Otherwise, the local government's housing element will no longer comply with State Housing Element Law, and HCD may revoke its finding of substantial compliance pursuant to Government Code section 65585, subdivision (i).

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: http://opr.ca.gov/docs/OPR_Appendix_C_final.pdf and http://opr.ca.gov/docs/Final_6.26.15.pdf.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City will meet housing element requirements for these and other funding sources.

HCD appreciates your hard work and dedication, as well as Karen Mantele's, provided during our review. We are committed to assist the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Hillary Prasad, of our staff, at Hillary.Prasad@hcd.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul McDougall". The signature is stylized and somewhat cursive.

Paul McDougall

Enclosure

APPENDIX CITY OF WILLOWS

The following changes are necessary to bring the City's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on HCD's website at <http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos.shtml>. Among other resources, the housing element section contains HCD's latest technical assistance tool, Building Blocks for Effective Housing Elements (Building Blocks), available at <http://www.hcd.ca.gov/community-development/building-blocks/index.shtml> and includes the Government Code addressing State Housing Element Law and other resources.

A. Review and Revision

Review the previous element to evaluate the appropriateness, effectiveness, and progress in implementation, and reflect the results of this review in the revised element. (Gov. Code, § 65588 (a) and (b).)

As part of the review of programs in the past cycle, the element must provide an evaluation of the effectiveness of goals, policies, and related actions in meeting the housing needs of special needs populations (e.g., elderly, persons with disabilities, large households, female-headed households, farmworkers, and persons experiencing homelessness).

B. Housing Needs, Resources, and Constraints

1. *Affirmatively further[ing] fair housing (AFFH) in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2...shall include an assessment of fair housing in the jurisdiction. (Gov. Code, § 65583, subd. (c)(10)(A).)*

Access to Opportunity: The element must include a regional comparison to the overall access to opportunity in the City. In addition, the element should address disparities in access to opportunity related to education, transportation, and environmental quality. This analysis should also address the apparent concentration of affordable housing in the City. Please refer to page 35 of the AFFH guidebook (link: <https://www.hcd.ca.gov/community-development/affh/index.shtml#guidance>) for specific factors that should be considered when analyzing access to opportunities as it pertains to educational, employment, environmental, transportation, and any factors that are unique to Willows.

Disproportionate Housing Needs Including Displacement Risks: The element includes some local and county data on tenure by race and ethnicity and housing problems, but it must also specifically address patterns and trends related to cost burdened households (overpayment) and overcrowding. In addition, related to displacement risk, the element discusses the ability to pay for homeownership related to recent disasters and overarching trends, but it should also include similar discussions on rents trends and displacement impacts.

Goals, Priorities, Metrics, and Milestones: The element must be revised to add or modify goals and actions based on the outcomes of a complete analysis. Goals and actions must specifically respond to the analysis and to the identified and prioritized contributing factors to fair housing issues and must be significant and meaningful enough to overcome identified patterns and trends. Actions must have specific commitment, metrics and milestones as appropriate and must address housing mobility enhancement, new housing choices and affordability in high opportunity areas, place-based strategies for community preservation and revitalization and displacement protection. For example, several actions under Goal FH-1 (Improve Fair Housing Choice and Equitable Access to Opportunity) must still provide specific commitment and milestones, metrics or should include additional action or metrics to have a meaningful impact and AFFH.

2. *Include an analysis of population and employment trends and documentation of projections and a quantification of the locality's existing and projected needs for all income levels, including extremely low-income (ELI) households. (Gov. Code, § 65583, subd. (a)(1).)*

Include an analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition. (Gov. Code, § 65583, subd. (a)(2).)

Extremely Low-Income (ELI) Households: The element includes some basic information regarding ELI households such as the number of households and projected housing needs. However, given the unique and disproportionate needs of ELI households, the element must include analysis to better formulate policies and programs. For example, the element should analyze tenure, cost burden, overcrowding and other household characteristics then examine the availability of resources to determine gaps in housing needs. For additional information, see the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/housing-needs/extremely-low-income-housing-needs.shtml>.

Overpayment: While the element identifies the total number of overpaying households, it must quantify and analyze the number of lower-income homeowners overpaying.

3. *An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)*

Sites Inventory: The element must clarify whether the sites listed in the inventory are maximum allowable capacity, or the realistic capacity that can be accommodated for each site. In addition, the inventory must identify sites that were listed in the 4th or 5th planning period. If a vacant site was previously listed in two or more consecutive planning periods, the sites are inadequate to accommodate housing for lower-income households unless:

- the site's current zoning is appropriate for the development of housing affordable to lower-income households by either including analysis or meeting the appropriate density; and
- the site is subject to a housing element program that requires rezoning within three years of the beginning of the planning period to allow residential use by-right for housing developments in which at least 20 percent of the units are affordable to lower-income households. (Gov. Code, § 65583.2, subd. (c).)

Sites with Zoning for a Variety of Housing Types:

- *Emergency Shelters:* The element must describe the characteristics and suitability of the zone(s) for emergency shelters as well as the capacity to meet the need for emergency shelters. The element must also identify any spacing and other requirements to develop an emergency shelter and address the parking requirements to adhere to AB 139. The element must demonstrate consistency with these statutory requirements and include a program, as appropriate.
 - *Transitional and Supportive Housing:* Transitional and supportive housing must be permitted as a residential use in all zones and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone. The element must demonstrate consistency with these statutory requirements and include a program, as appropriate.
 - *Supportive Housing:* The element should describe the City's procedure for complying with Government Code section 65651, subdivision. Section 65651 requires jurisdictions to allow supportive housing by right in zones allowing multifamily housing, including mixed-use and nonresidential zones when the development meets certain requirements.
 - *Housing for Farmworkers:* The element must demonstrate zoning is consistent with the Employee Housing Act (Health and Safety Code, § 17000 et seq.) or add or modify programs as appropriate. Section 17021.5 requires employee housing for six or fewer employees to be treated as a single-family structure and permitted in the same manner as other dwellings of the same type in the same zone. Section 17021.6 requires employee housing consisting of no more than 12 units or 36 beds to be permitted in the same manner as other agricultural uses in the same zone. For additional information and sample analysis, see the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/housing-needs/farmworkers.shtml>.
 - *Manufactured Housing:* The element must describe whether manufactured homes on a permanent foundation are allowed in the same manner as single-family homes pursuant to Government Code section 65852.3.
4. *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures... (Gov. Code, § 65583, subd. (a)(5).)*

Land-Use Controls: The element must clarify whether the R-3 zone allows three stories without a conditional use permit (p. 122) and how that interacts with the height restriction of 30 feet for that zone (p. 123). The element should include programs as appropriate based on the outcomes of the analysis.

Local Processing and Permit Procedures: The element must describe what uses are permitted in each zone as well as the average time to process a permit. For example, the analysis should consider processing and approval procedures and time for typical single- and multifamily developments, including type of permit, level of review, approval findings and any discretionary approval procedures.

Design Review: The element must describe and analyze the design review findings and approval process, including the two design overlays noted in Program HD-1.3.1 (Historic Downtown and Wood Street).

On/Off-Site Improvements: The element must identify subdivision level improvement requirements, such as minimum street widths and circulation improvements, and analyze their impact as potential constraints on housing supply and affordability.

Constraints on Housing for Persons with Disabilities: The element must describe and analyze the reasonable accommodation procedure, including findings of approval and any definition of family applied in zoning and land use. In addition, the element should describe and evaluate zoning and permit procedures for group homes (six or fewer and seven or more persons) and include programs as appropriate.

5. *An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, the cost of construction, the requests to develop housing at densities below those anticipated in the analysis required by subdivision (c) of Government Code section 65583.2, and the length of time between receiving approval for a housing development and submittal of an application for building permits for that housing development that hinder the construction of a locality's share of the regional housing need in accordance with Government Code section 65584. The analysis shall also demonstrate local efforts to remove nongovernmental constraints that create a gap between the locality's planning for the development of housing for all income levels and the construction of that housing. (Gov. Code, § 65583, subd. (a)(6).)*

Developed Densities and Permit Times: The element must analyze requests to develop housing at densities below those anticipated, and the length of time between receiving approval for a housing development and submittal of an application for building permits. The analysis should address any potential hinderances on the construction of a locality's share of the regional housing need.

6. *Analyze any special housing needs such as elderly; persons with disabilities, including a developmental disability; large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter. (Gov. Code, § 65583, subd. (a)(7).)*

Large Households: Large households are defined as five or more persons living in one unit. The element must quantify and analyze the housing needs of large households including tenure (renters and owners) and the availability of units with three or more bedrooms to accommodate the need.

7. *Analyze existing assisted housing developments that are eligible to change to non-low-income housing uses during the next ten years due to termination of subsidy contracts, mortgage prepayment, or expiration of use restrictions. (Gov. Code, § 65583, subd. (a)(9) through 65583(a)(9)(D).)*

HCD's data shows that the property Eskaton Kennedy Manor is at risk of expiring in 2028. As a result, the element must include an analysis, as follows:

- listing of each development by project name and address;
- type of governmental assistance received;
- earliest date of change from low-income use;
- total number of elderly and non-elderly units;
- estimated total cost for producing, replacing and preserving the units at-risk;
- identification of public and private non-profit corporations known to the City to have the legal and managerial capacity to acquire and manage at-risk units; and
- identification and consideration of use of federal, state, and local financing and subsidy programs.

For additional information and sample analysis, see the Building Blocks at <http://www.hcd.ca.gov/community-development/building-blocks/housing-needs/assisted-housing-developments.shtml>.

C. Housing Programs

1. *Include a program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, the provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available. The program shall include an identification of the agencies and officials responsible for the implementation of the various actions. (Gov. Code, § 65583, subd. (c).)*

To have a beneficial impact in the planning period and address the goals of the housing element, programs must be revised with discrete timelines and specific commitment as follows:

- **Program HD-1-4-1:** The element must include proactive outreach to developers as well as how often the City will apply for funding.
- **Program HD-1.4.5:** The element must include how often the City will apply for funding.

2. *Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Government Code section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing. (Gov. Code, § 65583, subd. (c)(1).)*

As noted in Finding B3, the element does not include a complete site analysis; therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types.

3. *Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities. (Gov. Code, § 65583, subd. (c)(3).)*

As noted in Finding(s) B4 and B5, the element requires a complete analysis of potential governmental and nongovernmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints. In addition:

- Program RC-1.1.1: The element must clarify if the fees will be revised if found to be a constraint on housing development.
- Program RC-1.2.1: The element should clarify new design review guidelines will promote approval certainty and objectivity.

4. *Promote AFFH opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2), Section 65008, and any other state and federal fair housing and planning law. (Gov. Code, § 65583, subd. (c)(5).)*

As noted in Finding B1, the element must include a complete assessment of fair housing. Based on the outcomes of that analysis, the element must add or modify programs.

5. *The housing program shall preserve for low-income household the assisted housing developments identified pursuant to paragraph (9) of subdivision (a). The program for preservation of the assisted housing developments shall utilize, to the extent necessary,*

all available federal, state, and local financing and subsidy programs identified in paragraph (9) of subdivision (a), except where a community has other urgent needs for which alternative funding sources are not available. The program may include strategies that involve local regulation and technical assistance. (Gov. Code, § 65583, subd. (c)(6).)

Program MI-1.2.1 (At-risk Preservation): In addition to developing a plan and initiating discussion, the program should make specific commitment to comply with noticing requirements within 3 years, 12 months, and 6 months of the affordability expiration date (Gov. Code, § 65863.10, 65863.11 and 65863.13), coordinate with qualified entities, assist with funding or support funding applications and provide education and support for tenants.

D. Quantified Objectives

Establish the number of housing units, by income level, that can be constructed, rehabilitated, and conserved over a five-year time frame. (Gov. Code, § 65583, subd. (b)(1 & 2).)

While the element includes quantified objectives by income group for very low-, low-, moderate- and above-moderate income, the element must also include objectives for ELI households and units to be conserved over the planning period.

E. Public Participation

Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the element shall describe this effort. (Gov. Code, § 65583, subd.(c)(8).)

In addition, the element does not clearly describe when the element was made available for public comment. For your information, by not providing an opportunity for the public to review and comment on a draft of the element sufficiently in advance of submission, the City will not have yet made a diligent effort to encourage the public participation in the development of the element and the lack of availability reduces HCD's consideration of public comments in its review. The availability of the document to the public and opportunity for public comment prior to submittal to HCD is essential to the public process and HCD's review. The City must proactively make future revisions available to the public, including any commenters, prior to submitting any revisions to HCD and diligently consider and address comments, including revisions to the document where appropriate. HCD's future review will consider the extent to which the revised element documents how the City solicited, considered, and addressed public comments in the element. The City's consideration of public comments must not be limited by HCD's findings in this review letter.

**CITY OF WILLOWS
2021 HOUSING
ELEMENT UPDATE**

CITY COUNCIL
NOVEMBER 9,
2021



HOUSING ELEMENT OVERVIEW

CITY OF WILLOWS

HOUSING ELEMENT OVERVIEW: PURPOSE

- The Housing Element establishes the City's priorities for housing its residents in 8-year cycles
- It sets goals for the allocation of funding, program coordination and zoning efforts to support the production of housing
- It is one of the mandated elements of the City's General Plan and must be consistent with the General Plan, which has a 15-20 year time frame

HOUSING ELEMENT OVERVIEW: STATE OVERSIGHT

- Oversight of Housing Element development and implementation statewide is administered by the State Department of Housing & Community Development (HCD).
- HCD approval provides access to State funding.
- Since 2014, the State has amended the Housing Element Law through numerous bills which place additional responsibility on local jurisdictions to adequately plan for and facilitate the production of housing, while removing as many constraints as possible.



**HOUSING
ELEMENT
OVERVIEW:
PLANNING
CYCLES**

THE EXISTING HOUSING ELEMENT PERIOD WAS ORIGINALLY 2014-2019. HCD EXTENDED IT TO 2021 TO BRING THE CITY INTO AN 8-YEAR PLANNING CYCLE. THE RHNA, HOWEVER, REMAINED ON THE ORIGINAL 5-YEAR CYCLE



TIMELINE FOR 2021-2029 UPDATE

- February 2021: Low Income Focus Group
- March 2021: Community Meeting #1 and Online Survey
- April 2021: Community Meeting #2
- April-August 2021: Compilation of data and writing of the document
- August 2021: Draft document posted on City website
- August-September 2021: Preliminary review by HCD
- October 2021: Planning Commission and Public Review and Comment
- November 2021: City Council and Public Review and Comment
- November 2021: Final Adopted Housing Element submitted to HCD



HOUSING ELEMENT REGULATORY FRAMEWORK

QTY OF WILLOWS

HOUSING ELEMENT OVERVIEW: MANDATED TOPICS ADDRESSED IN THE HOUSING ELEMENT

Public
Participation
Process

Review of
Previous Housing
Element Progress

Housing Needs
Assessment

Adequate Sites
Inventory

Financial
Inventory

Constraints
Analysis

Assessment of
Fair Housing

Goals, Policies
and Programs

SOME OF THE NEW OR AMENDED LAWS

- **Accessory Dwelling Units, aka. ADUs (AB 671):** Requires that housing elements include a plan to incentivize and promote the creation of ADUs that can offer affordable rents for very-low, low- or moderate-income households. Six other ADU laws are intended to remove restrictions to the development of ADUs at the local level.
- **Affirmatively Furthering Fair Housing (AB 686):** Requires that the housing element include an assessment of fair housing issues and a program that promotes and affirmatively furthers fair housing opportunities throughout the community.
- **No Net Loss (SB 166):** Requires that local governments establish internal mechanisms that monitor and evaluate development, rezoning of parcels and available sites to ensure development opportunities remain available through the planning period to accommodate the RHNA, along with restrictions on reducing parcel density and disapproving housing projects.
- **Low Barrier Navigation Centers (AB 101):** Low Barrier Navigation Center development must be a use by right, as defined, in areas zoned for mixed uses and nonresidential zones permitting multifamily uses if it meets specified requirements.

HOUSING ACCOUNTABILITY ACT: FIRST ENACTED IN 1982 AND RECENTLY AMENDED

- Establishes limitations to a local government's ability to deny, reduce the density of, or make infeasible housing development projects, emergency shelters, or farmworker housing that are consistent with objective local development standards and contribute to meeting housing need.
- In amending the HAA, the Legislature made repeated findings that the lack of housing and the lack of affordable housing, is a critical problem that threatens the economic, environmental, and social quality of life in California.
- Imposes a higher standard of proof on local governments which make findings to support disapproval of housing projects and allows courts to overturn local approvals.

HOUSING ELEMENT OVERVIEW: REGIONAL HOUSING NEEDS ALLOCATION (RHNA)

- The foundation of the Housing Element process is determining the amount of housing that must be planned for, segmented by income levels, to account for future growth.
- Using demographic data from a variety of sources, HCD determines the regional housing needs allocation for Glenn County as a whole.
- HCD then allocates the housing need by income level between the cities and the county. This is referred to as the RHNA or Regional Housing Needs Allocation.
- The RHNA does not have a funding source tied to it to facilitate production of the units needed to accommodate future growth.

RHNA ALLOCATION AND PRODUCTION, 2014-2018

(THROUGH DECEMBER 2018)

Affordability Tier	RHNA Allocation and Unaccommodated Carryover	Produced	% of Allocation Produced
Very Low Income	54	49	90.7%
Low Income	41	2	4.8%
Moderate Income	22	1	4.5%
Above Moderate Income	26	2	7.7%
<i>Total</i>	132	54	40.9%

RHNA ALLOCATION AND PRODUCTION, 2019-2029

(THROUGH DECEMBER 2020, DOES NOT YET INCLUDE 2021 TO DATE)

Affordability Tier	RHNA Allocation	Produced	% of Allocation Produced
Very Low Income	47	0	0%
Low Income	22	26	118%
Moderate Income	36	2	5.5%
Above Moderate Income	80	5	6.2%
<i>Total</i>	185	33	17.8%

COMMUNITY CONTEXT: NEEDS ASSESSMENT AND HOUSING MARKET

CITY OF WILLOWS

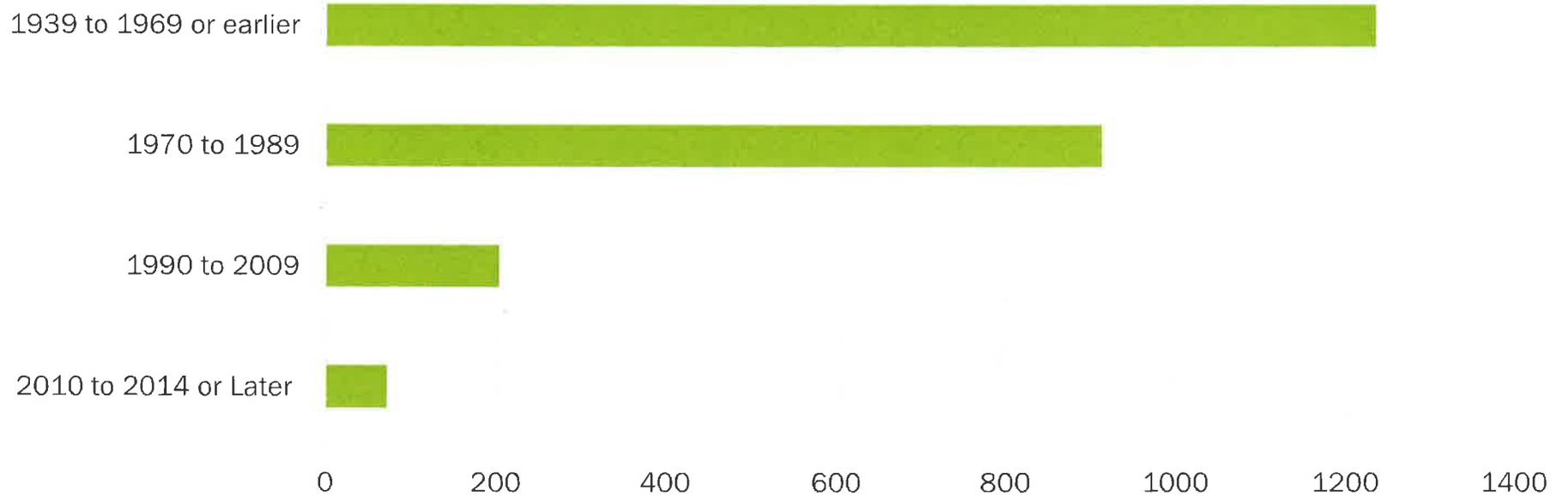


KEY FINDINGS FROM NEEDS ASSESSMENT (COMMUNITY MEETINGS AND SURVEY)

- Overall, there is not enough supply of all types of housing units; families are doubling up or renting substandard units to get by, for those interested in home ownership there are not enough homes to purchase
- There is a significant lack of affordable units, many households are cost burdened with rent
- Within the rental market, there are many rentals in need of rehabilitation (both multi family and single family). There are substandard conditions, unsafe neighborhoods/complexes
- There is a mismatch between household sizes and units (both directions, too small and too large)
- There are very few affordable homes for sale, those available tend to be run down and in need of rehabilitation

AGE OF HOUSING STOCK (YEAR STRUCTURES BUILT)

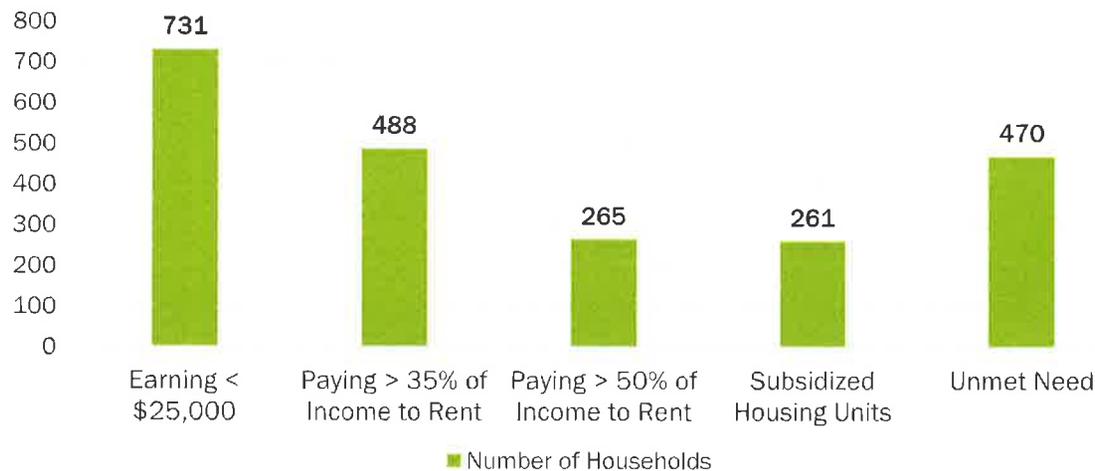
SOURCE: U.S. CENSUS BUREAU, 2018-2019 AMERICAN COMMUNITY SURVEY



HOUSING NEEDS: UNMET NEED IN SUBSIDIZED HOUSING UNITS AND RENTER COST BURDEN

SOURCES: U.S. CENSUS, AMERICAN COMMUNITY SURVEY, 2015-2019; HOUSING AUTHORITY OF THE COUNTY OF BUTTE; GLENN COUNTY HOUSING STUDY, 2020

City of Willows Low Income Households Relative to Subsidized Housing Units, 2019



- 88% of renter households earning less than \$35,000 pay 30% or more of their income toward housing costs
- About two in three of all renter households pay more than one third of their income toward rent and are housing cost burdened

MARKET TRENDS: HOME OWNERSHIP

SOURCE: SIERRA NORTH VALLEY REALTORS DECEMBER 2020 MULTIPLE LISTING SERVICE



CITY OF WILLOWS

- The median home sale price increased from \$150,000 in 2015 to \$257,000 in 2020, an increase of 41% and an average annual increase of 7%.
- For 2015-2020 the number of short sales and real estate owned (REO) properties has held steady. The largest number of standard sales was in 2019, likely affected by a migration of residents from Butte County due to the Camp Fire.

A 3D rendering of a puzzle with one black piece standing out among several white pieces. The puzzle pieces are arranged on a light gray surface, and the black piece is the central focus, positioned slightly to the left of the center. The white pieces are scattered around it, some partially assembled and some still separate. The lighting creates soft shadows, giving the pieces a three-dimensional appearance.

THE HOUSING ELEMENT GOALS, POLICIES AND PROGRAMS

WHAT ARE THE HOUSING ELEMENT GOALS, POLICIES AND PROGRAMS?

- Central to the development of the Housing Element is the Housing Program or Housing Plan.
- The Goals, Policies, and Programs are the core of the Housing Program.
- These form the foundation of the City's strategy to address housing needs and support the achievement of RHNA goals.
- The Goals, Policies and Programs are carried out over the 8-year cycle of the Housing Element and the City's progress is reported annually to the State.
- The Housing Element update also looks back at the current Goals, Policies and Programs and reports on the City's overall achievements and challenges.



HOW ARE THESE TERMS DEFINED?

- **Goals:** Broad statements of the community's vision and values for itself and are not time dependent. They indicate the direction the community desires to move towards in providing healthy, safe, sustainable and affordable housing for all of its residents.
- **Policies:** The commitments the City is creating to achieve the related goal or vision and a statement of its operational philosophy around housing.
- **Programs:** Specific actions or activities that will carry out the related policies and move the community towards its goals in a concrete and measurable way over time.



SUBJECT CATEGORIES

- **The Goals, Policies and Programs are grouped by subject categories:**
- Housing Development (HD)
- Energy Conservation (EC)
- Maintenance and Improvement of Existing Housing (MI)
- Remove Constraints (RC)
- Affirmatively Further Fair Housing FH)

NEW PROGRAMS: NEEDS ASSESSMENT, CONSTRAINTS ANALYSIS AND NEW STATE LAWS

- Housing Development
 - No Net Loss Requirements
 - Incentivizing ADUs for Low Income Households
 - Support County Efforts to Address Housing & Shelter Needs of Those Experiencing Homelessness Within Willows
- Remove Constraints
 - ADU Laws Placed in Effect Since 2014
 - Objective Design Review Guidelines
 - Allowance of Low Barrier Navigation Centers and Compliance with State Law on Emergency Shelter Parking Standards
- Energy Conservation
 - Promote Additional Opportunities for Use of Solar
 - Secure Financial Incentives for Low Income Residential Buildings
- Affirmatively Further Fair Housing
 - Efforts To Ensure Not All Subsidized Affordable Housing Is Concentrated in One Area
 - Affirmative Marketing On Opportunities to Reside in Subsidized Housing
 - Housing Rehabilitation Program
 - Collaborating With Local Agencies to Increase Information on Fair Housing
 - Increased Spanish Language Access to City Materials

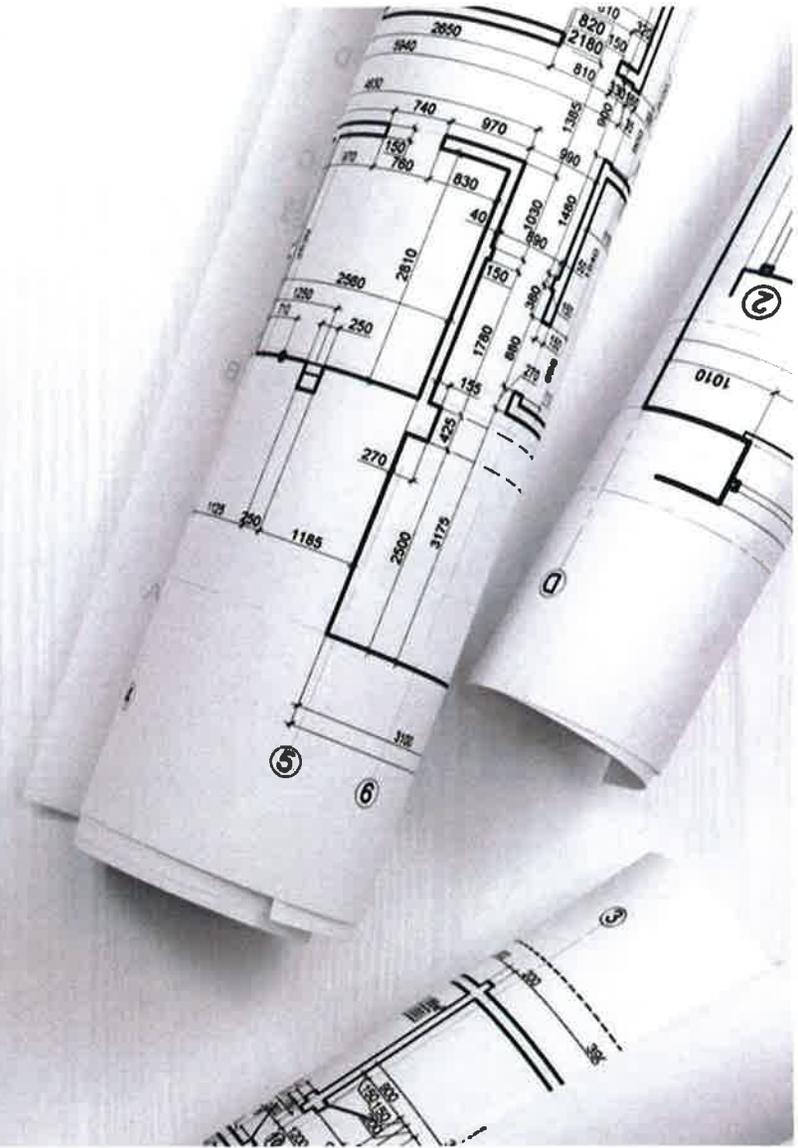


MODIFIED PROGRAMS

- Housing Development:
 - Encourage the development of Single Room Occupancy, one-bedroom units, and Supportive Housing
- Energy Conservation
 - Promote energy efficiency and weatherization programs offered by Glenn County and PG&E
- Maintenance and Improvement of Existing Housing
 - Address the need for Housing Rehabilitation and the staff resources necessary to carry out the program

SITE INVENTORY AND MEETING RHNA

CITY OF WILLOWS





SITE INVENTORY PARCELS

- The City is able to accommodate its RHNA for all income categories with vacant land in the South Willows Residential Community Subdivision.
- This consists of two parcels on Howard Street and Patrick Drive
 - An 8.1-acre parcel zoned Multi Family Residential to meet the Low and Very-Low Income RHNA
 - A 78.98-acre parcel zoned Low Density Residential to meet the Moderate and Above-Moderate Income RHNA

THE REVIEW, COMMENT AND SUBMITTAL PROCESS





THE REVIEW, COMMENT AND SUBMITTAL PROCESS

- State HCD has provided comments on the preliminary draft submitted to them in August. Their comments have been addressed in the draft document presented tonight
- October 20, 2021 --Planning Commission and Members of the Public: comments and questions. The Planning Commission recommends adoption of the Housing Element.
- Between October 20 and November 9, 2021— Comment period for the public to provide comments to the City on the draft document
- November 9, 2021—Consideration of City Council and public comments; if no changes, the City Council will be asked to adopt the final version of the Housing Element

**OPEN FOR
QUESTIONS
AND
COMMENTS**





DISCUSSION & AGENDA CALENDAR



Date: November 9, 2021
To: Willows City Council
From: Marti Brown, Interim City Manager
Subject: Execute a Contract to hire a new Auditor

Recommendation:

Authorize the Interim City Manager, or her designee, to execute a contract with Smith & Newell CPAs for budget auditing services for Fiscal Year 2020-21 in an amount not to exceed \$42,000.

Rationale for Recommendation:

With the departure of the City's former financial consultant in September 2021, preparations for the Fiscal Year 2020-21 audit were not completed in time to start the new audit. In addition, the City's Auditor is closing its business as of November 30, 2021 leaving insufficient time to complete the 2020-21 Audit.

Background:

Shortly after the new Interim City Manager started with the City of Willows, the City's finance consultant and former Auditor resigned from his consulting services with the City effective September 30, 2021. Before the Auditor starts the audit, significant audit preparation must be completed by City staff or City contracted consultants. When the former finance consultant left the City at the end of September, only approximately 50% of the audit preparation was complete. Since then, the City's new Finance Consultant, Andy Heath, has been completing the audit preparation along with several other finance and budget related cleanup efforts. As a result, a Fiscal Year 2020-21 Audit cannot begin until December 2021. However, staff also learned that the City's current contracted Auditor is closing the business as of November 30, 2021 leaving insufficient time for them to start and complete the City's Audit.

Discussion & Analysis:

Due to the timing and the fact that most Auditors are already committed to and fully booked for auditing services with other public agencies by this time of year, the City was fortunate to secure the services of Smith & Newell CPAs on very short notice, according to the City's auditing schedule, and at a comparable fee to the former Auditor.

In addition, it's worth noting that the previous year's audit identifies the Starting Fund Balance and, therefore, is used to build the next year's budget. As a result, it's very important to complete the Fiscal

Year 2020-21 Audit by March or April (at the latest) so that the Starting Fund Balance can be used to build the Fiscal Year 2021-22 budget for Council consideration and approval by June 2022.

Smith & Newell CPAs' proposed auditing services include preparation of:

- The Annual Financial Report (“the Audit”),
- A Single Audit Report (e.g., CDBG grant),
- The Appropriations Limit Calculation, and
- The State Controller’s Report.

Fiscal Impact:

The City budgeted approximately \$42,500 for auditing services in the Fiscal 2020-21 budget. The recommended proposal with Smith & Newell CPA is for a not-to-exceed amount of \$42,000 (below the current budgeted amount). As a result, no new allocation beyond the budgeted amount is required.



Date: November 9, 2021
To: Willows City Council
From: Marti Brown, Interim City Manager
Subject: Customer Satisfaction Survey, Planning, Communication
and Community Engagement Services

Recommendation:

Authorize the Interim City Manager, or her designee, to execute an agreement with The Lew Edwards Group for a Customer Satisfaction Survey and Community Engagement Services in an amount not to exceed \$40,000.

Rationale for Recommendation:

The proposed customer satisfaction survey and community engagement services would help the City identify operational and service delivery areas that need improvement, evaluate financial options for improving those services and operations now and into the future, and inform the City Council's priorities for the fiscal year 2022-23 budget.

Background:

For the past several years, City revenues have remained stagnant while expenses have continued to increase. As a result, the City has struggled to provide essential city services to the citizens of Willows, as well as provide for basic administration and operational needs in order to run the City on a day-to-day basis.

Discussion & Analysis:

While the City is currently financially stable, there are several key employment vacancies, as well as positions that were eliminated via the budget process in recent years and need to be restored. In addition, there continues to be a steady increase in the cost of salaries and benefits and potential contract increases in the near future (e.g., Sheriff's Department). The City also continues to face a host of deferred maintenance concerns, including streets, parks, and infrastructure (e.g., Civic Center maintenance). There is also the ongoing community demand to fund quality of life services such as the library and recreation (e.g., swimming pool). The City

faces these budgetary expenses at a time when, following a decade of growth since the Great Recession, the economy is overdue for a downturn. As a result of these pending challenges ahead, the City needs community input and feedback in order to fund basic city services, as well as prioritize community expectations and demands.

Therefore, the recommended action includes a customer satisfaction survey of Willows residents that will also include questions about how Covid 19 has impacted the personal economics of community members. The survey is expected to be completed by February 2022 at a cost not to exceed \$40,000 for survey interviews, analysis, and recommendations for budget and revenue planning. LEG will be responsible for overseeing the execution and completion of the survey and coordinating with City staff to identify a stratified and clustered random sample of Willows residents. The survey should be statistically reliable and be offered in both English and Spanish, to best reflect the expectations and aspirations of the Willows community.

As the survey results reveal and with Council direction, LEG will develop a recommended plan to build on this input, as well as respond to questions from and inform the public in Phase Two of these services. LEG will also provide structure and effective communications outreach content to educate the public about the requirements for effectively and efficiently running the City's day-to-day operations, as well as any and all city services that may be at stake as a result of stagnant revenues and increased expenses. LEG will provide content copy for all available communication vehicles, including direct mail and social media communication platforms to inform and engage the public. Should the Council wish to move forward with these additional Phase Two services, staff would return to the Council with a recommendation for approval at a not to exceed amount of \$50,000.

LEG is a recognized expert in the field of community empowerment and organizing and has a lengthy portfolio of assisting public sector clients with service priorities across California. As part of its Scope of Services, LEG will review the City's past and current budget materials, audit recent City issues and media coverage in the public arena, design a Customer Satisfaction and Priorities Study, analyze the survey results, and make recommendations for continued community engagement to facilitate accomplishing the community priorities identified in the survey.

Fiscal Impact:

Phase One services would not exceed a cost of \$40,000. Staff recommends using American Rescue Plan Act funds to develop and administer the survey, and General Fund Reserves to cover the project management costs. The proposed budget also includes a discounted rate, as negotiated by the Interim City Manager.



**City of Willows
Resolution 37-2021**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS AUTHORIZING THE INTERIM CITY MANAGER, OR HER DESIGNEE, TO ENTER AN AGREEMENT WITH THE LEW EDWARDS GROUP FOR CUSTOMER SATISFACTION SURVEY, PLANNING, COMMUNICATION AND COMMUNITY ENGAGEMENT SERVICES FOR AN AMOUNT NOT EXCEED \$40,000

WHEREAS, for the past several years, City revenues have remained stagnant while expenses have continued to increase; and

WHEREAS, the City has struggled to provide essential city services to the citizens of Willows, as well as provide for basic administration and operational needs in order to run the City on a day-to-day basis; and

WHEREAS, a customer satisfaction survey and community engagement services would help the City identify operational and service delivery areas that need improvement, evaluate financial options for improving those services and operations now and into the future, and inform the City Council's priorities for the fiscal year 2022-23 budget.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Willows hereby Authorizes the Interim City Manager, or her designee, to execute an agreement with The Lew Edwards Group for a Customer Satisfaction Survey and Community Engagement Services in an amount not to exceed \$40,000.

PASSED AND ADOPTED by the City Council of the City of Willows this 9th day of November, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTESTED:

Larry Domenighini, Mayor

Tara Rustenhoven, City Clerk

APPROVED AS TO FORM:

David G. Ritchie, City Attorney



Date: November 9, 2021
To: City Council
From: Tara Rustenhoven, City Clerk
Subject: Planning Commission Vacancy and Appointment Process

Recommendation:

Approve the proposed schedule to recruit and appoint one Planning Commissioner to fill the vacant position on the Willows Planning Commission.

Rationale for Recommendation:

With former Planning Commissioner Robert Griffith's appointment to the City Council on October 26, 2021, his former seat on the Planning Commission has become vacant and needs to be filled.

Background:

At the October 12, 2021 regular City Council meeting, Robert Griffith was appointed to the Willows City Council replacing former Councilmember Joe Flesher (who resigned earlier in the year). Shortly thereafter and before the October 26 City Council meeting, Councilmember Griffith resigned from his appointment on the Planning Commission. Concurrently, the City Council established a subcommittee and process to recruit two Planning Commissioners for upcoming vacancies (with terms due to expire in December 2021).

Discussion & Analysis:

On October 12, 2021, the City Council appointed a subcommittee to propose a schedule, process and recommend final appointments to the full Council. With the current recruitment to appoint two Planning Commissioners already underway, staff recommends adding this third recruitment to the existing process.

As stated at the October 12, 2021 City Council meeting, staff recommends the following schedule in order to ensure Planning Commission vacancies are filled by the end of the Calendar year and before all three Commissioner positions become vacant on December 31, 2021:

- November 10, 2021 – Notify local news media of upcoming Planning Commission vacancies and post announcement on City Website and the City's Facebook page.
- November 10, 2021 to November 23, 2021 – Accept applications.
- November 29, 2021 to December 3, 2021 – Selection Subcommittee review applications and interview candidate.

- December 14, 2021 – Council to appoint new Planning Commissioner.
- January 11, 2021 - Swear in newly appointed Commissioner.

Fiscal Impact:

There is no fiscal impact.