



Willows City Council Regular Meeting

February 13, 2024
Willows City Hall
Closed Session: 5:30 PM
Regular Session: 6:00 PM

City Council
Gary Hansen, Mayor
Evan Hutson, Vice Mayor
Rick Thomas, Council Member
Forrest Sprague, Council Member
David Vodden, Council Member

City Manager
Marti Brown

City Clerk
Amos Hoover

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

Agenda

Watch the Council meeting online via Zoom (Passcode 95988):

<https://us06web.zoom.us/j/82240646769?pwd=B2ZSRIsYzg3Xd3zbm0wJWYl3NmJUE4.1>

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

4. **CHANGES TO THE AGENDA**

5. **CLOSED SESSION**

Pursuant to Government Code Sections §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 – Substantial Risk of Litigation**

Potential exposure to litigation pursuant to § 54956.9(b)

6. **PRESENTATION**

a. **Annual Fire Department Report**

Recommendation: Receive presentation on the Willows Fire Department annual activity report.

Contact: Nate Monck, Fire Chief, nmonck@cityofwillows.org

7. **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: ahoover@cityofwillows.org.

a. **Register Approval**

Recommended Action: Approve general checking, payroll, and direct deposit check registers.

Contact: Amos Hoover, City Clerk, ahoover@cityofwillows.org

b. Minutes Approval

Recommended Action: Approve the January 17 and January 23, 2024, meeting minutes.

Contact: Amos Hoover, City Clerk, ahoover@cityofwillows.org

c. Facilities Use Agreement with Willows Unified School District for the 2024 City of Willows Summer Swim Season

Recommended Action: Authorize the City Manager, or her designee, to execute a Facilities Use Agreement with the Willows Unified School District to use the School District's swimming pool during the 2024 summer swim season for an amount not to exceed \$20,000.

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

d. Council Protocol Manual Update

Recommended Action: Approve an update to the Council Protocol Manual as requested by the City Council at the January 9, 2024 Meeting.

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

e. Letter of Opposition: Withdraw Telecommunications Carrier Designation and Carrier of Last Resort Obligation

Recommended Action: Authorize the City Manager to execute the attached letter opposing AT&T's application to the California Public Utilities Commission (CPUC) to withdraw their Carrier of Last Resort (COLR) Obligation and Eligible Telecommunications Carrier (ETC) Designation.

Contact: Joe Bettencourt, Community Development & Services Director, jbettencourt@cityofwillows.org

f. Contract Award – Civic Center HVAC Cleaning Services

Recommended Action: Authorize the City Manager to execute an agreement with North Valley Cleaning to clean the HVAC ducts in the Civic Center, in an amount not to exceed \$15,000.

Contact: Joe Bettencourt, Community Development & Services Director, jbettencourt@cityofwillows.org

g. Landscape and Lighting Special Assessment District

Recommended Action: Adopt a Resolution appointing Coastland Civil Engineering as the Engineer of Work for the City of Willows Landscape and Lighting Special Assessment District and direct the preparation of the Annual FY 2024-25 Engineer's Report.

Contact: John Wanger, City Engineer, jwanger@cityofwillows.org

8. PUBLIC HEARING

All matters in this section of the agenda are formal public hearings and will be acted on individually. Once the Mayor opens the public hearing, members of the public may request to speak. When you are called on by the Mayor, please state your name clearly for the audio recording. If you have any documentation that you would like to be distributed to the Council, please give it to the City Clerk for distribution.

a. **Appeal of MUP23-03 (File#AP-24-01)**

Recommended Action: Hold a public hearing, consider the appeal of Mr. Harish Banger to overturn the Planning Commission’s determination of his Major Use Permit (MUP) application, and approve the project and permit.

Contact: Joe Bettencourt, Community Development & Services Director,
jbettencourt@cityofwillows.org

9. **DISCUSSION AND 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: ahover@cityofwillows.org.

a. **2023 Community Development Block Grant Application Project Selection**

Recommendation: Receive report from staff and provide direction on a preferred project for the 2023 Community Development Block Grant (CDBG) application.

Contact: Joe Bettencourt, Community Development & Services Director,
jbettencourt@cityofwillows.org

b. **Glenn Groundwater Authority - Prop 218 Study**

Recommendation: Discuss the Glenn Groundwater Authority’s upcoming Proposition 218 Study and provide feedback and direction. Discussion will be led by Mayor Hansen.

Requested by: Mayor Hansen

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

c. **Use of Façade Improvement Funds**

Recommendation: Discuss potential uses of the remaining \$4,729.64 of Façade Improvement funds and provide direction to staff.

Requested by: Councilmember Sprague

Contact: Joe Bettencourt, Community Development & Services Director,
jbettencourt@cityofwillows.org

10. **COMMENTS & REPORTS**

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

11. **CLOSED SESSION**

Pursuant to Government Code Sections §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: Willows Residents for Due Process vs. Respondent,
Willows Unified School District

b. **Public Employee Performance Evaluation (§ 54957)**

Title: City Manager

12. **ADJOURNMENT**

This agenda was posted on February 5, 2024.

Amos Hoover, City Clerk

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

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

The City of Willows is an Equal Opportunity Provider.



CLOSED SESSION



PRESENTATION



2023 Annual Report

FIRE CHIEF NATE MONCK



Fire Chief's Message



Willows Community Members:

As the Fire Chief, it is my pleasure to present the 2024 Annual Report on behalf of the Willows Fire Department. This past year, the Willows Fire Department made considerable improvements in staffing attraction and retention, volunteer participation, increased training, and upgraded equipment.

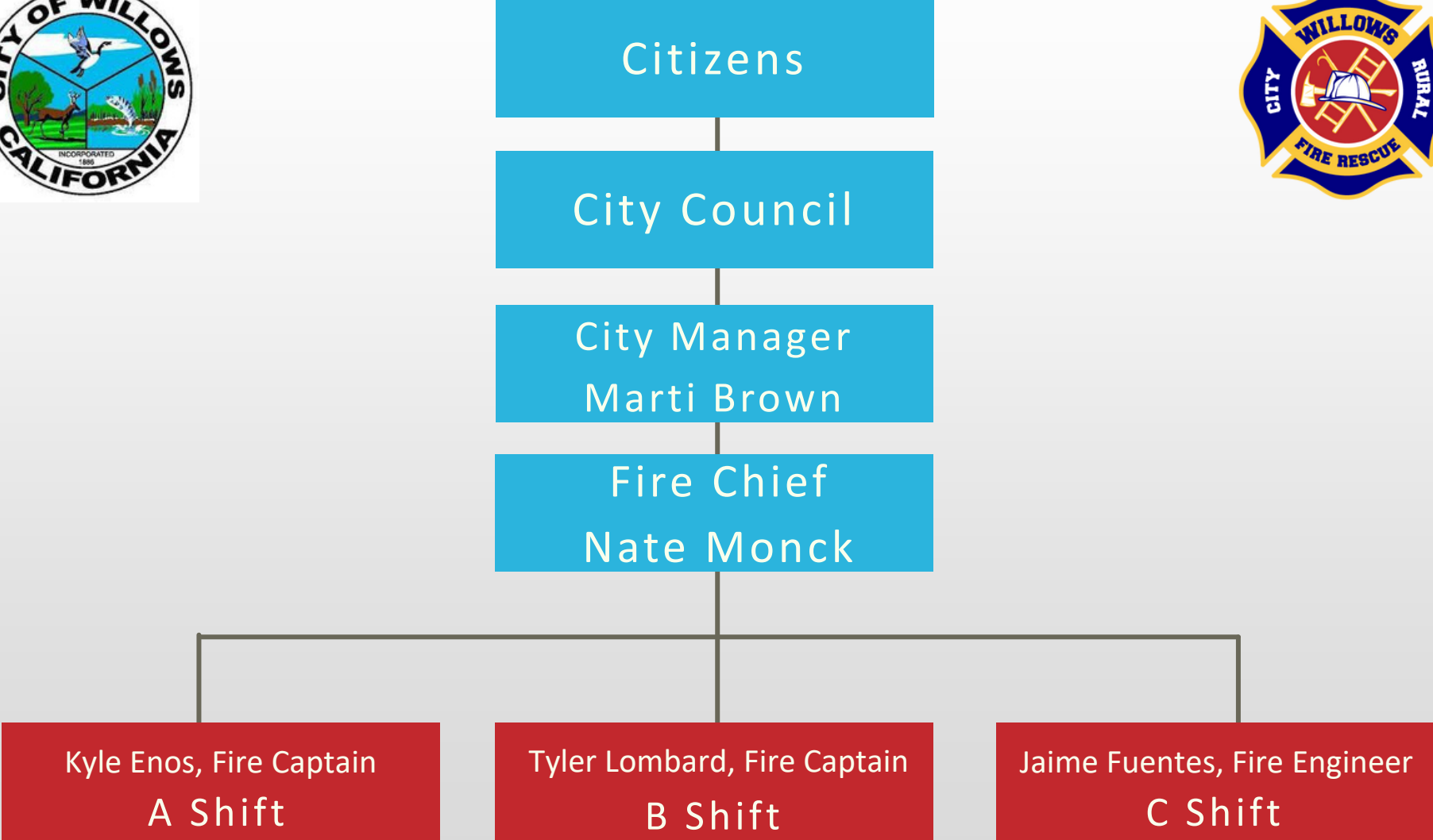
In 2023, the Willows Fire Department authored and was awarded seven successful grant packages totaling more than \$4.34 million dollars funding critically needed capital equipment replacements and bringing unprecedented firefighter safety and emergency response capabilities. In addition, the Willows Volunteer Fire Department added six new Volunteer Firefighters to their ranks and re-established a bi-monthly blood drive. Willows Firefighters also spent more than 2000 hours training and preparing to serve the citizens and visitors of the City of Willows and the Rural District.

Improvements planned for 2024 include, ongoing training, expanding services, mitigating risk, improving internal processes, and recruiting and retaining qualified volunteers and career staff.

While there are still many improvements needed, the Willows Fire Department, Volunteer Department and Rural District will continue to provide effective, responsible, and professional fire protection and emergency medical services with the resources available.

In Community Service,
Nathan Monck, Fire Chief

City of Willows Fire Department



Willows Rural Fire Protection District



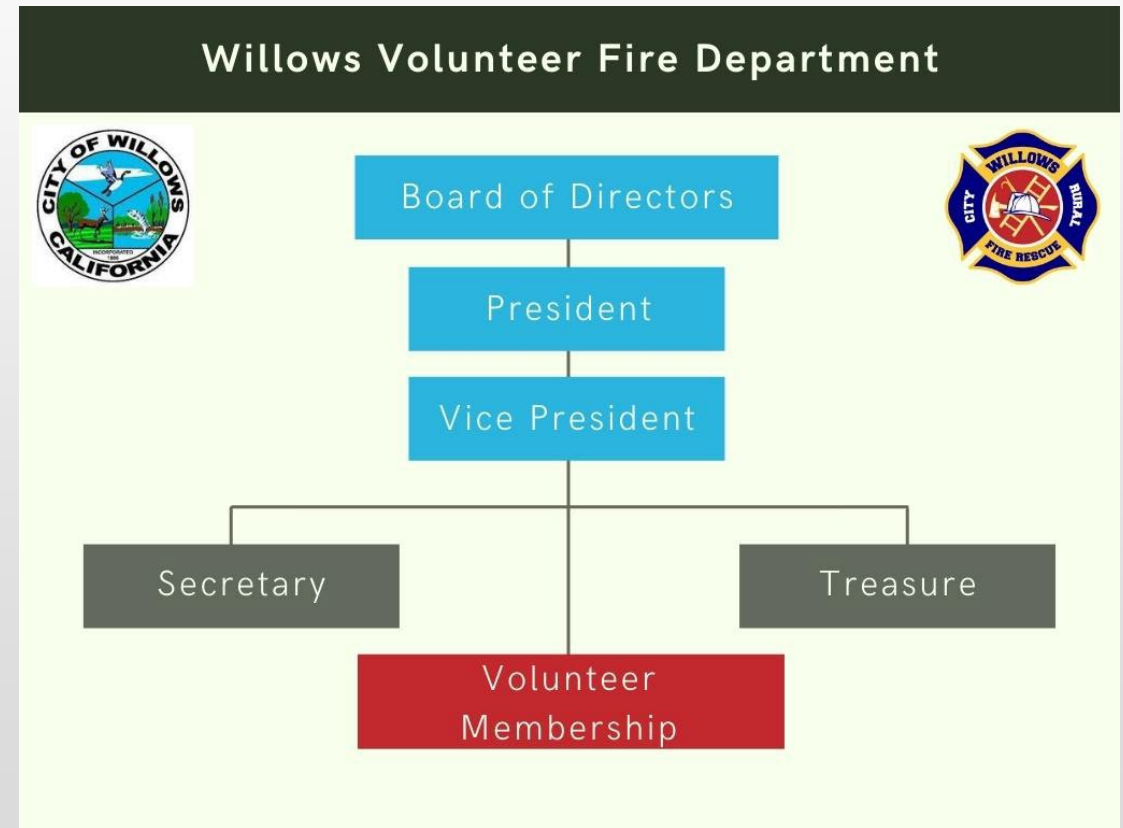
Citizens

Rural Board

Fire Chief
Alex Parisio

The Willows Volunteer Fire Department

- 100% separate entity from both City and Rural Fire Departments
- Non-profit organization
- 35 Volunteer Firefighters
- Provide staffing for emergency response to both City and Rural Fire Departments
- Funded entirely by donations



2023 Willows Fire Department Accomplishments

1. **Emergency Mitigation:** Responded to **1028** calls for service.
2. **Emergency Response Training:** Trained for more than **2000** hours.
3. **Recruitment:** Recruited and trained **six** new volunteer firefighters.
4. **Additional Funding (e.g., Grants):** Awarded seven successful grants totaling more than **\$4.34** million.
5. **Equipment Replacement:** Replaced unsafe and outdated safety equipment including **Self-Contained Breathing Apparatus**, radios and hoses.

2023 Willows Fire Department Accomplishments

- **Transitioned From Reactive to Proactive Department.**
- **Increased and improved quality of community involvement and interaction.**



2023 Emergency Response in Review

City of Willows Fire Department

- Fire - 37
- Rescue and EMS Incidents - 469
- Hazardous Condition (No Fire) - 12
- Service Call - 114
- Good Intent Call - 97
- False Alarm and False Call - 56
- **785 Total Responses**
76.37% of WFD Responses

Willows Rural Fire Protection District

- Fire - 22
- Rescue and EMS Incidents - 142
- Hazardous Condition (No Fire) - 7
- Service Call - 14
- Good Intent Call - 49
- False Alarm and False Call - 5
- **243 total responses**
23.63% of WFD Responses

Willows Fire Apparatus



City Of Willows Fire Apparatus

Engine 3 - Type 1 Fire Engine

- Placed into Service: 2020
- Life Expectancy: 30 Years (15F/15R)
 - Reserve Status: 2035
 - **Replace: 2050**
- Estimated Replacement Cost in 2050: \$1.4M
- Condition: Like New



City Of Willows Fire Apparatus

Engine 2- Reserve Type 1 Engine

- Placed into Service: 1994
 - Life Expectancy: 30 Years
 - **Replace: 2024**
 - Condition: Poor
 - Estimated Cost to Replace: \$1.1M
-
- **Should be ordered ASAP, current duration of build and delivery is 36 months.**



City of Willows Fire Apparatus

Truck 4- 77' Quint (Ladder Truck/Pumper)

- Placed into Service: 2004
- Life Expectancy: 25 Years
 - **Replace: 2029**
- Condition: Good
- Estimated Cost to Replace: \$2M



City of Willows Fire Apparatus

Utility 7- 1500 Ram Pick-Up

- Placed into Service: 2023
 - Life Expectancy: 20 Years (10F/10R)
 - Place into Reserve: 2033
 - **Replace: 2043**
 - Condition: New
 - Estimated Cost to Replace: \$150k
-
- Obtained with 100% Grant Funding.



City of Willows Fire Apparatus

Utility 7- 2500 Chevrolet Pick-Up

- Placed into Service: 2002
- Life Expectancy: 20 Years (10F/10R)
 - Placed in Reserve: 2018
 - **Replace: 2022**
- Condition: Fair/Poor
- Estimated Cost to Replace: \$80k
- **Removed From Service and Surplused to Artois Fire in 2023 for \$5,000.**



City of Willows Fire Apparatus

Utility 8- F-250 Pick-Up

- Placed into Service: 2018
- Life Expectancy: 20 Years
 - Place in Reserve: 2028
 - **Replace:2038**
- Condition: Like New/Good
- Estimated Cost to Replace: \$100k



City of Willows Apparatus

Engine 5 - Type 3 Fire Engine

- Placed into Service: 2024
- Life Expectancy: 15 Years (15F)
 - Placed in Reserve: N/A
 - **Replace: 2037**
- Condition: Good
- Estimated Cost to Replace: \$35K
(for Paint and Equipment)
- Engine 5 was procured from the Federal Government and is a 2007 fire engine from the Los Angeles National Forest.

Willows Rural Fire District Apparatus

Engine 14- Type 3 Fire Engine

- Placed into Service: 2004
- Life Expectancy: 30 Years (15F/15R)
 - Reserve Status: **Not in Reserve**
 - **Replace: 2034**
- Condition: Good
- Estimated Cost to Replace: \$650K



Willows Rural Fire District Apparatus

- Engine 16- Type 3 Fire Engine
 - Placed in Service: 2000
 - Life Expectancy: 30 Years (15F/15R)
 - Reserve Status: **Not in Reserve**
 - Replacement Date: 2030
 - Condition: Fair
 - Estimated Cost of Replacement: \$650K



Willows Rural Fire District Apparatus

Engine 12- Type 6 Fire Engine

- Placed into Service: 2011 (E-12 is a 2006)
- Life Expectancy: 20 Years (20F)
 - Reserve Status: **Not in Reserve**
 - **Replace: 2026**
- Condition: Poor
- Estimated to Replace: \$250k

- **Replacement funded by USDA Grant, anticipated delivery May of 2024.**



Willows Rural Fire District Apparatus

WT- 15 – Tactical Water Tender

- Placed into Service: 2016 (E-12 is a 2006)
- Life Expectancy: 30 Years (30F)
 - Reserve Status: **Not in Reserve**
 - **Replace: 2046**
 - Condition: Like New
- Estimated Cost to Replace: \$550k



Willows Rural Fire District Apparatus

Air Cascade Trailer

- Placed into Service: 2007 (E-12 is a 2006)
- Life Expectancy: 40 Years (40F)
 - Reserve Status: **Not in Reserve**
 - **Replace: 2047**
 - Condition: Good
- Estimated Cost to Replace: \$150k



Notable 2023 Achievements

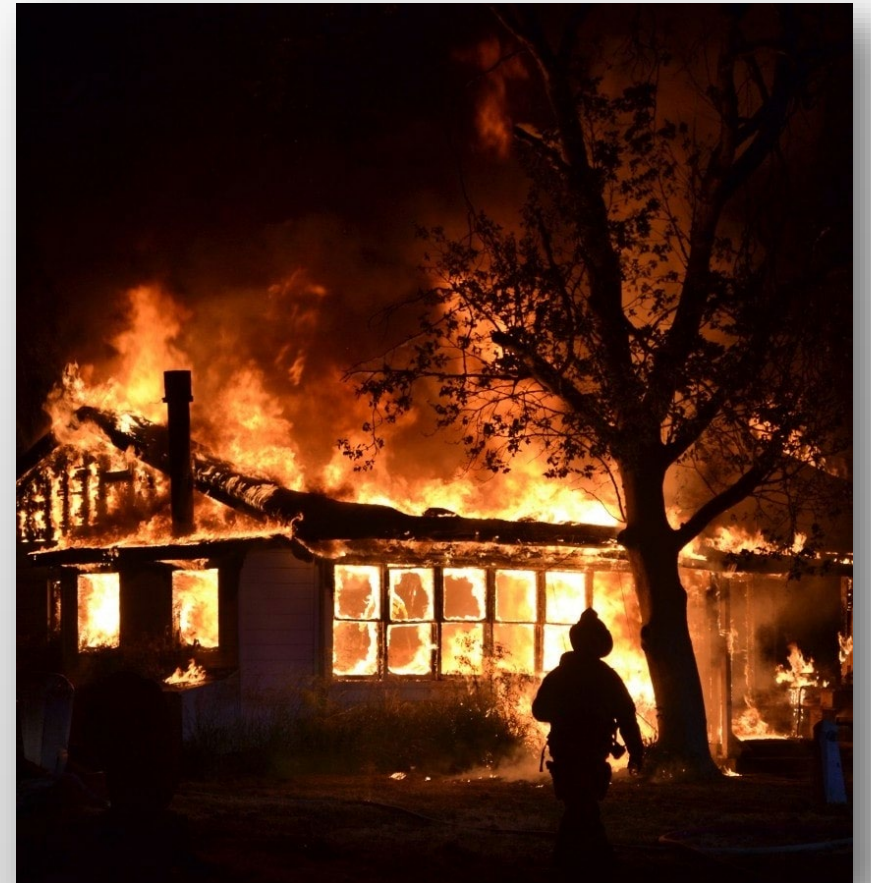
- Replacement of unsafe and unreliable mobile and portable radios (grant funded).
- Replacement of unreliable pagers (grant funded).
- Implemented streamlined training program.
- Obtained, used Type 3 Engine for City (at no cost).
- Hosted many joint agency trainings with mutual aid partners.
- Completed 2023 Weed Abatement.
- Held six Community Blood Drives.
- Sponsored Fire Prevention Week for all Primary and Elementary School Children.

2023 Department Funding Sources (Non-General Fund)

State Funded OES	\$2,700.00
WA Grant	\$164,604.05
WA Fines	\$4,401.25
Fire Recovery USA	\$37,246.84
WRFPD	\$54,406.29
Code Enforcement	\$28,822.13
Training	\$4,300.00
Clean CA DOT Grant	\$4,034,000.00
Other Grants	\$308,525.00
U-7 Sale	\$5,000.00
Total	\$4,644,005.56

2024 Willows Fire Department Projects

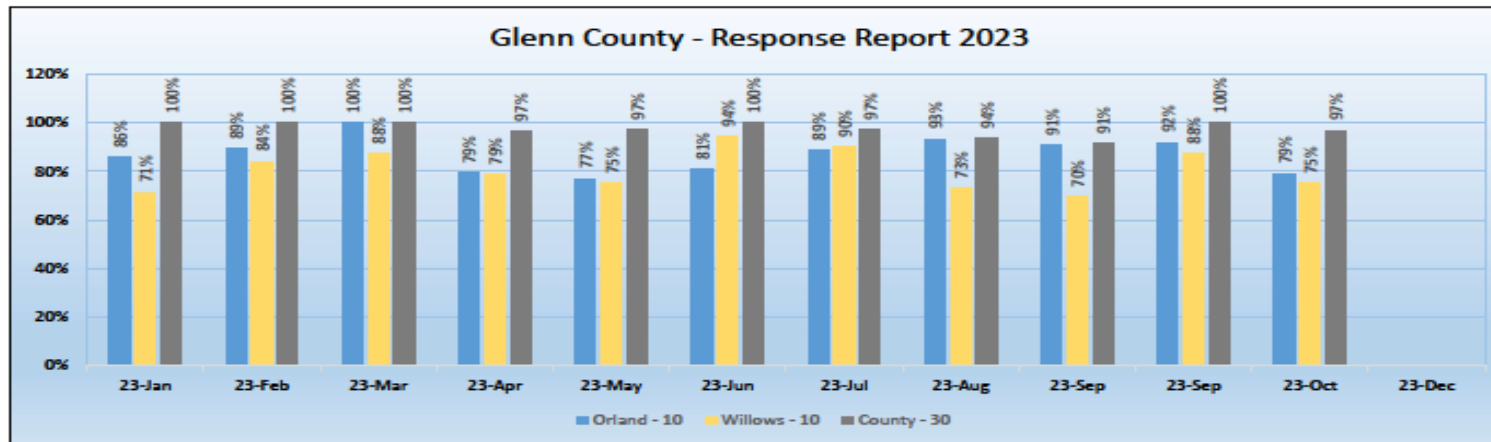
- Complete transition to Centralized Dispatch.
- Continue to track and manage grant related activities.
- Explore long term sustainable solutions for future Fire Department funding needs (e.g., capital improvement fund).
- Source fund additional Advanced Life Support services, ensuring the citizens of Willows have prompt access to emergency medical care.
- Start discussing with Rural District Board a potential assessment increase.



2023 Ambulance Response Times

Glenn County - 911 Response Report - 2023

Month	Orland - 10 Min. (911) P1				Willows - 10 Min. P1 (911)				All Other County - 30 Min. (911) (excludes Hamilton City)				Hamilton City P1 (911)		All Glenn Priority 2 & 3 (911)		P 4 - 8	St. Elizabeth Ambulance	Mult. Unit/Pt.	Total Calls (excl. St. E's)	
	# of Calls	# Late	On Time %	Avg. Resp. Time	# of Calls	# Late	On Time %	Avg. Resp. Time	# of Calls	# Late	On Time %	Avg. Resp. Time	# of Calls	Avg. Resp. Time	# of Calls	Avg. Resp. Time	# of Calls	# of Calls	Avg. Resp. Time	# of Calls	#
Jan-23	42	6	86%	06:46	21	6	71%	09:24	31	0	100%	12:22	8	11:58	111	12:41	32	11	20:00	5	250
Feb-23	37	4	89%	08:12	19	3	84%	09:11	30	0	100%	11:21	5	14:08	92	11:28	23	4	19:45	2	208
Mar-23	31	0	100%	05:16	16	2	88%	08:55	24	0	100%	12:35	1	12:16	126	12:00	31	6	14:00	3	232
Apr-23	29	6	79%	08:19	19	4	79%	06:59	31	1	97%	11:43	4	15:42	134	11:23	26	2	20:30	2	245
May-23	39	9	77%	08:58	20	5	75%	10:20	35	1	97%	12:51	9	13:03	104	12:04	22	21	20:11	5	234
Jun-23	26	5	81%	08:31	18	1	94%	07:23	48	0	100%	11:28	5	14:04	113	11:43	33	6	23:10	0	243
Jul-23	27	3	89%	07:44	20	2	90%	07:56	38	1	97%	17:07	5	13:47	111	13:21	44	6	18:48	4	249
Aug-23	30	2	93%	06:57	26	7	73%	10:22	31	2	94%	15:34	2	15:29	112	11:56	27	3	23:00	2	230
Sep-23	33	3	91%	07:05	23	7	70%	10:42	35	3	91%	16:13	10	15:40	119	12:30	34	12	18:19	16	270
Oct-23	25	2	92%	06:21	24	3	88%	07:04	33	0	100%	12:41	3	12:31	104	10:09	28	4	17:10	6	223
Nov-23	43	9	79%	09:02	16	4	75%	10:14	32	1	97%	14:46	7	13:12	106	12:59	30	5	18:03	0	234
Dec-23	23	3	87%	07:55	21	4	81%	08:58	30	1	97%	14:36	5	16:42	116	13:05	34	10	29:24	1	230
Totals	385	52			243	48			398	10					1348		364	90		46	2848



Comments & Questions?





PUBLIC COMMENT & CONSENT CALENDAR FORUM



City of Willows

Payroll Check Register

Employee Pay Summary

Pay Period: 1/1/2024-1/14/2024

Packet: PYPKT00160 - Payroll 1/1/24 to 1/14/24

Payroll Set: Payroll Set 01 - 01

Employee	Employee #	Payment Date	Number	Earnings
ABOLD, STEVEN B	ABO00	01/19/2024	388	2,130.11
ARELLANES, ASHLEY MARIE	ARE00	01/19/2024	378	1,285.20
BETTENCOURT, JOSEPH	BETO1	01/19/2024	394	4,690.61
BRIONES, BRENDA VALENZU	BRI00	01/19/2024	379	320.00
BROWN, MARTHA	BRO01	01/19/2024	374	5,676.92
CORTES-LOSOYA, MARIA	COR00	01/19/2024	389	240.00
EHORN, CAITLIN A	EHO02	01/19/2024	380	1,428.01
ENOS, KYLE	ENO00	01/19/2024	40877	2,432.17
FUENTES, JAIME	FUE01	01/19/2024	385	2,656.30
GAMBOA, YADIRA	GAM00	01/19/2024	381	352.00
HOOVER, AMOS	HOO00	01/19/2024	375	2,388.00
HUTSON, EVAN C	HUTO1	01/19/2024	386	1,000.00
HUTSON, KRISTINA RENEE	HUTO4	01/19/2024	384	125.00
LOMBARD, TYLER JOSEPH	LOM00	01/19/2024	387	2,565.56
MINGS, MICHAEL E	MIN00	01/19/2024	390	2,248.76
MONCK, NATHANIAL T	MON00	01/19/2024	395	4,636.38
MOORE, JOANNE	MOO01	01/19/2024	376	3,940.15
PFYL, NATISA N	PEY00	01/19/2024	396	2,961.51
RANDOLPH, MATTHEW	RAN01	01/19/2024	391	1,636.15
REED, JOSHUA	REE00	01/19/2024	392	2,004.28
RUSTENHOVEN, TARA L	RUS01	01/19/2024	377	2,406.92
SPENCE, KYLIEGH C	SPE02	01/19/2024	382	544.00
VARGAS, GIOVANI	VAR00	01/19/2024	383	504.00
VASQUEZ, PEDRO CEASAR	VAS01	01/19/2024	393	2,115.68
			Totals:	50,287.71



City of Willows

Check Register

Packet: APPKT00157 - AP CHECK RUN 01.19.24

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
2395	US BANK CORPORATE PAYMENT SYS	01/19/2024	Regular	0.00	4,289.08	54084

Bank Code Gen Chk Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	14	1	0.00	4,289.08
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	14	1	0.00	4,289.08



City of Willows

Check Register

Packet: APPKT00149 - PAYROLL AP CHECK RUN 01.03.24

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: Gen Chk-General Checking						
1029	AFLAC- FLEX ONE	01/03/2024	Regular	0.00	453.54	54020
1194	CALIFORNIA STATE DISBURSE	01/03/2024	Regular	0.00	162.92	54021
1650	FIRE RISK MANAGEMENT SERVICES	01/03/2024	Regular	0.00	9,614.50	54022
1551	HUMANA DENTAL/VISION	01/03/2024	Regular	0.00	534.36	54023
2223	UNITED PUBLIC EMPLOYEES A	01/03/2024	Regular	0.00	68.55	54024
2309	WILLOWS EMPLOYEES ASSOC.	01/03/2024	Regular	0.00	7.00	54025

Bank Code Gen Chk Summary

Payment Type	Payable	Payment	Discount	Payment
	Count	Count		
Regular Checks	17	6	0.00	10,840.87
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	17	6	0.00	10,840.87



City of Willows

Check Register

Packet: APPKT00155 - AP CHECK RUN 01.16.24

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
1068	ANDY HEATH FINANCIAL SERV	01/16/2024	Regular	0.00	5,775.00	54083

Bank Code Gen Chk Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	1	1	0.00	5,775.00
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	1	1	0.00	5,775.00



City of Willows

Check Register

Packet: APPKT00159 - AP CHECK RUN 01.25.24

By Check Number

Vendor Number Vendor Name
 Bank Code: Gen Chk-General Checking
 2396 US BANK TFM

Payment Date	Payment Type	Discount Amount	Payment Amount	Number
01/25/2024	Regular	0.00	88,099.87	54085

Bank Code Gen Chk Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	1	1	0.00	88,099.87
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	1	1	0.00	88,099.87



City of Willows

Check Register

Packet: APPKT00163 - AP CHECK RUN 01.26.24

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: Gen Chk-General Checking 1778	MIDAMERICA ADMIN & RETIRE	01/26/2024	Regular	0.00	4,500.00	54086

Bank Code Gen Chk Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	1	1	0.00	4,500.00
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	1	1	0.00	4,500.00



City of Willows

Check Register

Packet: APPKT00164 - PAYROLL AP CHECK RUN 01.26.2

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: Gen Chk-General Checking						
1029	AFLAC- FLEX ONE	01/26/2024	Regular	0.00	396.24	54089
1650	FIRE RISK MANAGEMENT SERVICES	01/26/2024	Regular	0.00	8,790.45	54090
1551	HUMANA DENTAL/VISION	01/26/2024	Regular	0.00	514.70	54091
2223	UNITED PUBLIC EMPLOYEES A	01/26/2024	Regular	0.00	68.55	54092
2309	WILLOWS EMPLOYEES ASSOC.	01/26/2024	Regular	0.00	7.00	54093

Bank Code Gen Chk Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	14	5	0.00	9,776.94
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	14	5	0.00	9,776.94



Willows City Council Special Meeting Action Minutes

Agenda Item #7b.

January 17, 2024
Willows City Hall
6:00 PM

City Council
Gary Hansen, Mayor
Evan Hutson, Vice Mayor
Rick Thomas, Council Member
Forrest Sprague, Council Member
David Vodden, Council Member

City Manager
Marti Brown

City Clerk
Amos Hoover

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

1. CALL TO ORDER – 6:01 PM

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Councilmembers Present: Mayor Hansen, Vice Mayor Hutson and Councilmembers Thomas, Sprague, and Vodden

Councilmembers Absent: None

4. DISCUSSION AND ACTION CALENDAR

a. FY 2023-24 Mid-Year Budget Review, Adjustment, General Fund Forecast & Potential Sales Tax Measure

Action: Received presentation and approved the mid-year budget review and recommended adjustments.

Public Comment

Isaias Esparza

Doug Ross

Moved/Seconded: Councilmembers Vodden and Sprague

Yes: Councilmembers Thomas, Sprague, and Vodden, Vice Mayor Hutson, and Mayor Hansen

No: None

Absent: None

9. ADJOURNMENT - 8:05PM

Amos Hoover, City Clerk



Willows City Council Regular Meeting Action Minutes

January 23, 2024
Willows City Hall
6:00 PM

City Council
Gary Hansen, Mayor
Evan Hutson, Vice Mayor
Rick Thomas, Council Member
Forrest Sprague, Council Member
David Vodden, Council Member

City Manager
Marti Brown

City Clerk
Amos Hoover

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

1. CALL TO ORDER – 6:03 PM

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Councilmembers Present: Mayor Hansen, Vice Mayor Hutson and Councilmembers Thomas, Sprague, and Vodden

Councilmembers Absent: None

4. CHANGES TO THE AGENDA

5. PUBLIC COMMENT & CONSENT CALENDAR FORUM

a. Register Approval

Action: Approved general checking, payroll, and direct deposit check registers.

b. Minutes Approval

Action: Approved the January 9, 2023, meeting minutes.

c. Closed Circuit TV (CCTV) Inspection of City Sewer Mains

Action: Approved a resolution authorizing the City Manager to award and execute a contract with APS Environmental, Inc. for \$28,376 and establish an overall project budget of \$31,214 for Closed Circuit TV (CCTV) inspection of the City's sewer mains.

d. 725 South Tehama Street - Public Access and Utility Easement

Action: Approved a resolution accepting a 10-foot wide Public Access and Utility Easement at 725 South Tehama Street for development purposes.

e. Americans with Disabilities Act Compliant Civic Center and Jensen Park Upgrades

Action: Approved a resolution authorizing the City Manager to execute a contract amendment to Coastland's professional services agreement to provide design services to upgrade the Civic Center and Jensen Park with American with Disabilities Act (ADA) compliant doors and pathways.

Public Comment: Dennis Asbury

Moved/Seconded: Councilmembers Vodden and Sprague

Yes: Councilmembers Thomas, Sprague, and Vodden, Vice Mayor Hutson, and Mayor Hansen

No: None

6. DISCUSSION AND ACTION CALENDAR

a. **Proposed November 2024 Sales Tax Ballot Measure**

Action: Discussed placement of a Sales Tax Ballot Measure on the November 5, 2024, Presidential election ballot. The Council directed staff to return at a future date with a 1.5% sales tax measure ballot language for consideration and approval.

Public Comment: Doug Ross, Sharon Ponciano, and Roberta Asbury

b. **Recreation Division - Programs & Activities**

Action: Directed staff to move forward to hire a contract replacement for the Recreation Manager position and continue recreational programming as usual.

Public Comment: Sharon Ponciano and Dennis Asbury

c. **Disposal of City Assets/Property**

Action: Discussed the possibility of selling City-owned assets/property as a source of one-time revenue generation, and to bring the topic back to the Council for further discussion and consideration at a future date to be determined.

Public Comment: Roberta Asbury and Dennis Asbury

7. COMMENTS & REPORTS

- a. Council Correspondence
- b. City Council Comments & Reports
- c. City Manager's Report

8. ADJOURNMENT - 9:34PM

Amos Hoover, City Clerk



Date: February 13, 2023

To: Honorable Mayor and Councilmembers

From: Joe Bettencourt, Community Development & Services Director
Marti Brown, City Manager

Subject: Facilities Use Agreement with Willows Unified School District
for the 2024 City of Willows Summer Swim Season

Recommendation:

Authorize the City Manager, or her designee, to execute a Facilities Use Agreement with the Willows Unified School District to use the School District's swimming pool during the 2024 summer swim season for an amount not to exceed \$20,000.

Rationale for Recommendation:

The City of Willows swimming pool is in disrepair and poses a public health and safety concern. An agreement between the City of Willows and the Willows Unified School District would allow the City of Willows to offer a 2024 swim season to the residents.

Background:

City staff conducted a review and evaluation of the City of Willows swimming pool facility in the spring of 2022. The results demonstrated that the pool and its infrastructure are in serious disrepair and in need of critical improvements to ensure public health and safety standards and general operations. Since then, the City of Willows has contracted with Willows Unified School District for use of their pool for summer swim seasons 2021, 2022 and 2023.

In 2023, city staff successfully applied for and the city was awarded a \$4 plus million grant to improve the city's swimming pool as well as other upgrades to Sycamore Park. However, the park improvements will not be complete in time for the 2024 swimming season; and the residents of Willows would benefit from swimming program this summer.

At the January 23, 2024, City Council meeting, staff received direction to hire a contract Recreation Manager to fill the position recently vacated by Kristina Hutson, the City's part-time Recreation Manager. By filling the position, the City can continue to offer youth recreation programs including the summer swim program. In the summer of 2023, 1,453 participants (not necessarily unique individuals) used and benefitted from the summer swim program at the Willows Unified School District's pool.

Discussion & Analysis:

The City would use the School District pool from early June through early August, Monday through Saturday from 1:00 p.m. to 5:00 p.m. The afternoon swim program would only include unprogrammed swimming and no classes would be offered during the season.

Fiscal Impact:

The cost to contract with the Willows Unified School District for the use of its swimming pool for the summer of 2024 shall not exceed \$20,000. General Fund monies would be used to pay for the cost of renting the facility from the School District.



Date: February 13, 2024
To: Honorable Mayor and Councilmembers
From: Marti Brown, City Manager
Subject: Council Protocol Manual Update

Recommendation:

Approve an update to the Council Protocol Manual as directed by the City Council at the January 9, 2024, Council Meeting.

Rationale for Recommendation:

In an effort to control spending and the costs of the City Attorney’s contract, the Council wishes to assess and evaluate the necessity of Council inquiries (e.g., research projects, questions) through the Mayor and/or the City Manager’s Office.

Background:

At the January 9, 2024, City Council meeting, the report out from the closed session evaluation of the City Attorney discussed the time/hours spent by the City Attorney working in excess of their flat rate contract price. The Council agreed to limit its contact with the City Attorney by directing requests through the City Manager and/or Mayor. Additionally, the Council agreed that any research requests made to the City Attorney would be approved by the Council. The Council directed city staff to review the Council Protocol Manual and provide recommended language to reflect these procedural changes.

Discussion & Analysis:

Based on Council direction, staff recommends updating section 7.06 *City Council/Attorney Relationship* of the City of Willows Protocol Manual to read as follows (proposed changes are highlighted in yellow):

Original language

It is important to note that the City Attorney does not represent individual members of the Council, but rather the City Council as a whole. Accordingly, with the exception of conflict-of-interest inquiries, in questions involving pending or upcoming matters, or

protocol and procedure, the City Attorney's services are engaged and directed through the majority of the Council. Individual Councilmembers may seek advice or assistance from the City Attorney on other matters while exercising their best judgment on the most efficient and appropriate use of his/her resources. The City Attorney's performance is reviewed as provided by the services retention contract.

Recommended new language

It is important to note that the City Attorney does not represent individual members of the Council, but rather the City Council as a whole. Accordingly, with the exception of conflict-of-interest inquiries, or protocol and procedure, the City Attorney's services are engaged and directed through a majority decision of the Council. Individual Councilmembers may seek assistance from the City Attorney on other matters by directing requests through the City Manager and/or the Mayor. The City Attorney's performance is reviewed as provided by the services retention contract.

Fiscal Impact:

None

Attachments:

- Attachment 1: City of Willows Protocol Manual

City of Willows City Council Protocol Manual



Willows City Council:	Management Staff:
Mayor Gary Hansen	City Manager Marti Brown
Vice-Mayor Evan Hutson	City Attorney Carolyn Walker
Rick Thomas	City Clerk Amos Hoover
Forrest Sprague	Community Service Director Joe Bettencourt
David Vodden	Accounting Manager Joanne Moore

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CHAPTER ONE INTRODUCTION & OVERVIEW

Chapter One- Introduction & Overview

As a City Councilmember, you not only establish important and often critical policies for the community of Willows, you are also a board member of a public corporation having an annual budget of several million dollars. The scope of services and issues addressed by the city organization go well beyond those frequently reported in the newspaper or discussed at City Council meetings.

1.01- Council-Manager Form of Government

The City of Willows has a Council-Manager form of government. As described in the Willows Municipal Code (WMC) and the Government Code of California, certain responsibilities are vested in the City Council and the City Manager. Basically, this form of government prescribes that a City Council's role is that of a legislative policy-making body which determines not only the local laws that regulate community life, but also determines public policy and gives general direction to the City Manager to administer the affairs of the city government in a businesslike and prudent manner. (See generally, California Government Code §§ 34000, *et seq.* – Specifically Code §§ 34851-34859; and WMC Title 2, Chapter 2.10).

1.02 Purpose of City Council Protocol Manual

The City of Willows has prepared its own Protocol Manual to assist the City Council by documenting accepted practices and clarifying expectations. Administration of City Council affairs is greatly enhanced by the agreement of the City Council and staff to be bound by these practices. While attempting not to be overly restrictive, procedures are established so that expectations and practices can be clearly articulated to guide Councilmembers in their actions.

1.03- Overview of Basic Documents

This Protocol Manual provides a summary of important aspects of City Council activities. However, it cannot incorporate all material and information necessary for undertaking the business of the City Council. Many other laws, plans, and documents exist which bind the City Council to certain courses of action and practices. The following is a summary of some of the most notable documents that establish City Council direction.

Basic City Governing Documents

A. Codes of the State of California

The state laws contain many requirements for the operation of city government and administration of meetings of city councils throughout the state. Willows is a “general law city” which means it operates under applicable general laws of the state. As a general law city of the state of California, Willows is vested with all the powers of incorporated cities as set forth in the California Constitution and the applicable California state laws. Conversely, there are a number of cities within California that are “charter cities” and have adopted local provisions that establish basic governing procedures for local government. (See generally, California Government Code §§ 34000, *et seq.*).

B. Willows Municipal Code

The Municipal Code contains local laws and regulations adopted by ordinances. Title 2 of the Code addresses the role of the City Council; describes the organization of City Council meetings; and describes the responsibilities and appointment of certain City staff positions, advisory boards, and commissions. Boards and commissions are also addressed in Title 2. In addition to these administrative

matters, the Municipal Code contains a variety of laws including, but not limited to, zoning standards, health and safety issues, traffic regulations, building standards, and revenue and finance issues.

C. Council's Goals & Priority Projects

The City Council sets both long-term and short-term goals for the City. The goal-setting process should include a review of the previous year's goals - including progress toward completion and updating. The budget is then written with the objective of working toward completion of those goals

D. Annual Budget

The annual budget is set for the fiscal year beginning July 1 and ending June 30. It is the primary tool and road map for accomplishing the goals of the City. The budget document, along with capital planning, is the result of one of the most important processes the City undertakes. By adopting the annual budget, the City Council makes policy decisions, sets priorities, allocates resources, and provides the framework for government operations. Study sessions on the budget are generally held in May and public hearings in June with adoption at the second City Council meeting in June.

E. Annual Financial Audit

The annual financial audit includes the financial statements of the City of Willows for the fiscal year. It includes the financial condition of the City as reflected in the balance sheet, the results of operations as reflected in income statements, an analysis of the uses of City funds, and related footnotes. The annual financial audit includes statements for the various groups of funds and a consolidated group of statements for the City as a whole. The City Council has the responsibility of hiring an independent auditor, and of reviewing and accepting the audit.

F. General Plan

A state-mandated General Plan addresses the City's long-range planning needs relative to land use, transportation, economic development, and other planning elements. The City's General Plan is reviewed on an ongoing basis, but mandatory elements may only be revised four times a year; however, certain amendments necessary for affordable housing development are not subject to this limitation. (California Government Code § 65358).

G. Disaster Preparedness Plan (Emergency Organization and Functions)

The City maintains a disaster preparedness plan that outlines actions to be taken during times of extreme emergency. The City Council is called upon to declare the emergency, and then the City Manager directs all disaster response activities. The City Council may be called upon during an emergency to establish policies related to a specific incident. The chain of command is as follows:

- ✚ The City Manager is the Director of Emergency Services
- ✚ The City Manager may appoint an Assistant Director of Emergency Services (WMC Chapter 2.55; §2.55.010 et seq.)

1.04- Orientation of New Members

It is important for the members of the City Council to gain an understanding of the full range of services and programs provided by the City. As new members join the City Council, the following orientation will be provided to each member in a timely manner.

1. The City Manager will host an orientation program to distribute this manual, along with other materials that he/she deems pertinent, outlining City policies and protocols.
2. The City Manager will facilitate a meeting with the City Attorney for conflict-of-interest training, review of current legal matters and review of parliamentary procedure.
3. The City Manager will arrange a meeting with Personnel prior to the first pay period to cover information reviewed with all City employees.
4. The City Manager will arrange meetings with Department Heads to be briefed on current projects within his/her Department and to tour City facilities.
5. The City Manager's office staff will arrange a meeting for a briefing on various aspects of City Hall, including, but not limited to, travel procedures, email, phone service, etc.
6. The City Manager will provide information for attendance at the League of California Cities' New Mayors and Council Members Academy.



CHAPTER TWO COUNCIL GENERAL POWERS & RESPONSIBILITY

Chapter 2- Council General Powers & Responsibility

2.01- Willows City Council, Generally

Fundamentally, the powers of the City Council are to be utilized for the good of the community and its residents and to provide for the health, safety, and general welfare of the residents. The City Council is the policy-making and law-making body of the City. State law and local ordinances define the powers and responsibilities of the Council.

It is important to note that the Council acts as a body. No member has any extraordinary powers beyond those of other members. While the Mayor has some additional ceremonial and presiding officer responsibilities as described below, when it comes to establishing policies, voting, and in other significant ways all members are equal. It is also important to note that policy is established by at least a majority vote of the Council. While individual members may disagree with decisions of the majority, a decision of the majority does bind the Council to a course of action. Councilmembers should respect adopted Council policy. In turn, it is staff's responsibility to ensure the policy of the majority of the Council is upheld.

The actions of staff to pursue the policy direction established by a majority of Council do not reflect any bias against Councilmembers who held a minority opinion on an issue.

a. Council Non-Participation in Administration

In order to uphold the integrity of the Council-Manager form of government and to provide proper checks and balances, members of the City Council shall refrain from becoming directly involved in the administrative affairs of the City unless directed by a majority of the Council to participate in a policy or project. As the Council is the policy-making body and the maker of local laws, its involvement in enforcement of ordinances and daily operations would only damage the credibility of the system.

2.02- Role of Council Members

Members of the Willows City Council are collectively responsible for establishing policy, adopting an annual budget, and providing vision and goals to the City Manager. The following outline is a brief description of the various duties of Councilmembers. The description is not intended to be comprehensive, but rather it is an effort to summarize the primary responsibilities of the Council.

Summary of Council Duties and Responsibilities as provided in, but not limited To State Law

Council Members serve as the:

- a.) City Council
- b.) City of Willows Joint Powers Financing Authority
- c.) Personnel Appellate Board

Establish Policy, through motion, resolution or ordinance to, for example:

- a.) Adopt annual goals and objectives
- b.) Establish priorities for public services
- c.) Adopt/amend the operating and capital budgets
- d.) Establish procurement policies
- e.) Adopt resolutions

Enact Local Laws

- a.) Adoption of ordinances

Supervise Appointed Officials

- a.) Appoint City Manager and City Attorney
- b.) Evaluate performance of City Manager and City Attorney
- c.) Establish boards, commissions, committees and task forces
- d.) Make appointments to such bodies
- e.) Provide guidance to advisory bodies

Make Decisions, Give Direction

- a.) Study problems
- b.) Review alternatives
- c.) Determine best course of public policy

2.03- Role of the Mayor

A. Presiding Officer

The Council selects the Mayor by a majority vote each year at the first meeting in December. The Mayor shall preside over all meetings of the council. The agenda shall be prepared by the city manager in consultation with the mayor. The Mayor calls all special meetings. The Mayor may participate in all deliberations of the Council in the same manner as any other member and is expected to vote in all proceedings unless a conflict of interest exists. During Council proceedings, the Mayor facilitates discussion, gauges direction, and listens for majority support prior to calling for a vote on a motion. The Mayor does not possess any power of veto. State law allows the Mayor to move or second an action. As a matter of Willows tradition, the Mayor typically does not make a motion and will only second a motion in rare and unusual circumstances. (California Government Code §§ 36801–36815).

B. Ceremonial Representative and other Duties of the Mayor

The responsibility to act as the City Council’s ceremonial representative at public events and functions has been assigned to the Mayor. In the Mayor’s absence, the Vice Mayor shall perform the ceremonial role. However, all Councilmembers are encouraged to participate. The Mayor may initiate and execute certificates of appreciation and recognition, and Council approved proclamations.

2.04 – Vice-Mayor, Absence of Mayor and Council Members

In the absence of the Mayor, the Vice-Mayor shall perform the duties of the Mayor. The Council selects the Vice-Mayor by a majority vote each year at the first meeting in December. When both the Mayor and Vice-Mayor are absent, the Mayor will designate another Councilmember to serve as Acting Mayor, who shall, for the term of such absence, have the powers of the Mayor.

2.05- Resignation of Mayor or Vice-Mayor

If the Mayor or Vice-Mayor resigns, the City Council will select a new Mayor or Vice-Mayor.

2.06 – Emergency Response

The City Council may proclaim the existence of an emergency. If the City Council is not in session, the Director of Emergency Services may proclaim the existence of an emergency, which proclamation the Council shall ratify (Willows Municipal Code 2.55.060).

2.07 –Appointment of Officers

The City Council is responsible for appointing two positions within the City organization--the City Manager and the City Attorney. The City Manager and the City Attorney serve at the pleasure of the Council. The City Manager is responsible for all personnel within the City organization.

2.08 Boards, Commissions, Committees and Task Forces

A. Appointments Made by the Council

Boards, commissions, committees, and task forces provide a great deal of assistance to the Willows City Council when formulating public policy and transforming policy decisions into action. The City has several standing boards, commissions and committees. In addition, special purpose task forces are often appointed by the City Council to address specific issues of interest on a limited duration basis. These ad hoc committees are dissolved upon completion of the intended task. Committees and task forces are purely advisory to the Council and, in some situations, staff. Commissions have final decision-making authority, subject to appeal to the City Council, but may also serve in an advisory capacity in certain situations.

The procedures established in this Manual reflect the policy of the City Council regarding the appointment of volunteer citizens to the various bodies of the City. The establishment of these procedures ensures that well-qualified, responsible, and willing citizens are given the opportunity to serve the City and participate in the governance of their community.

The City Council is specifically empowered to create all boards, commissions, committees and task forces, pursuant to the provisions of the Willows Municipal Code, as the Council deems necessary or

advisable. In the exercise of this power, it is the desire of the City Council to establish a consistent policy in its decision-making role to fairly and equitably evaluate those citizens of the community who demonstrate a desire to serve on such boards, commissions, committees, or task forces (Willows Municipal Code, Title 2).

For full-term vacancies, the filing period is as determined by Ordinance. For all vacancies, the City Clerk will:

1. Advertise vacancies.
2. Invite the incumbents whose terms are expiring to consider being reappointed.
3. Accept applications.
4. Prepare interview packets for Councilmember Subcommittee review prior to the Council Subcommittee interview period, including:
 - 1) A list of current membership;
 - 2) A list of current vacancies and term expirations;
 - 3) A summary of the duties and responsibilities of the vacant position on the Commission or Committee; and
 - 4) The applications.

B. Council Action

1. The City Council will appoint a two-person Council Member subcommittee to review applications and conduct interviews of each applicant and make their recommendations to the full Council for appointment(s) at an open and noticed meeting of the Council. The Council reserves the right to make appointments without the subcommittee conducting interviews.
2. After each applicant or member is evaluated, the Council will deliberate and reach a decision at its earliest convenience.
3. The City Clerk will notify each applicant of the decision of the Council and provide the new members a copy the City Commission/Committee Handbook (if applicable), along with any other pertinent materials required to serve on the Commission/Committee.
4. All full-Council deliberations and actions to appoint members to boards, committees and commissions are subject to the Ralph M. Brown Act (state open meetings act), and as such, must be noticed and open to the public

C. Resignations

Vacancies occurring in the middle of a term shall be filled by appointment for the unexpired portion of the term in the same manner provided herein for initial appointment.

D. Council Members' Role and Relationships with City Bodies

1. Because the Council has the ability to review decisions made by the commissions and recommendations made by committees and task forces, Councilmembers shall not be appointed to City boards, commissions, committees, or task forces concurrent with their term of office.

2. Unless specifically authorized by a majority vote of a quorum of the Council, no Councilmember shall be authorized to testify before or direct the work of any board, commission, committee or task force of the City.

3. If a Councilmember is testifying in such a capacity pursuant to the above provision, testimony should be undertaken in such a manner as to assure public confidence in the decision-making process and avoid the appearance of bias, prejudice, or improper influence. Toward this purpose, the following protocol should be observed:

a. Councilmembers shall not testify in matters pending before any commission, committee, or task force that will receive, or could potentially receive, future appeal or review before the City Council. Violation of this protocol shall require the Councilmember to disqualify his or herself from participating in any appeal or review proceedings before the City Council.

b. Except in matters directly involving personal interests, Councilmembers, in their capacity as private residents, should abstain from providing testimony or influencing decisions in matters pending before any City board, commission, committee or task force that will receive, or could potentially receive, future review or other action before the Council. Where a Councilmember elects to provide such testimony, the following rules shall apply:

i.) The Councilmember shall declare at the outset and upon the record that the Councilmember is present in his or her private capacity as an interested resident, and not on behalf of or at the request of the City Council.

ii.) The Councilmember shall refrain from stating or implying that the Councilmember's position or opinion is that of the City Council.

iii.) The Councilmember shall refrain from directing City staff or the advisory body to take any action on behalf of the Councilmember.

iv.) The Councilmember shall observe any rules of procedure or protocol that apply to any other private resident testifying before the advisory board.

v.) The Councilmember shall disqualify him or herself from participating in the matter should it come before the Council for review and/or decision.

E. City Board, Commission and Committee Members' Roles and Relationships with other City Bodies.

1. Because commissions and boards may at times review the recommendations of other commissions and committees, commissioners and board members shall not be appointed to other City boards, commissions or committees concurrent with their terms of office.

2. To assure public confidence in the decision-making process and avoid the appearance of bias, prejudice, or improper influence, members of boards, commissions, committees and task forces shall observe the following protocol:

- a. Ordinarily the decision of a board, commission, committee or task force is conveyed to other City bodies or the City Council through the designated staff liaison to the City's other boards, commissions, committees, and task forces.

If, however, a board, commission, committee or task force believes its decision requires explanation, or will generate questions by the members of the body to which the decision is being referred, that board, commission, committee or task force may, by formal action of the body, designate one of its members to appear as a representative before the body to which the decision is referred. The designated representative will be allowed to deliver the decision of his or her board, commission, committee or task force and answer questions by participating in the delivery of the staff report to the other body.

- b. When an appointed member of a board, commission, committee or task force elects to provide personal testimony to another City body or the City Council, the following rules shall apply:
 1. The member shall declare at the outset and upon the record that the member is present in his or her private capacity as an interested resident, and not on behalf of or at the request of the body to which he or she is appointed.
 2. The member shall refrain from stating or implying that the member's position or opinion is that of the body to which he or she is appointed.
 3. The member shall refrain from directing City staff or the body to which he or she is appointed to take any action on behalf of the member.

4. The member shall observe any rules of procedure or protocol that apply to any other private citizen testifying before the City bodies or the City Council.
5. Members of boards and commissions who chose to provide personal testimony before other City bodies may be required to disqualify themselves from participating in that matter should it come before his or her board or commission for review and/or decision if issues of bias would prevent the board or commission from impartial decision-making.

2.09 –Service on Outside Boards

Councilmembers are often requested to serve on outside boards, councils, commissions, or committees. This type of representation serves to facilitate communication and provide interaction with other governmental bodies. The City Council appoints members to some of these groups on an as-needed or as- requested basis.

Councilmembers participating in policy discussions at regional meetings will represent the consensus of the Council, except where regional appointment requires regional opinion. Councilmembers may speak before other entities outside the City, but should identify whether they are appearing as a representative of the City. Personal positions, when given, will be identified and not represented as the position of the City.

Assignment and direction of staff in relation to regional meetings are at the discretion of the City Manager.

2.10 – Incompatibility of Offices

In general, California law prohibits public officials from simultaneously holding more than one public office when the functions or responsibilities of the two offices have the potential for overlapping. This prohibition arises from a concern over the potential clash of two public offices held by a single official with potentially overlapping public duties. The Legislature may, however, expressly authorize through legislation the holding of two offices notwithstanding the fact that the dual holding would otherwise be prohibited. For example, the Legislature has exempted local agency formation commissions, the Coastal Commission, joint powers agencies, and transportation corridor agencies.



CHAPTER THREE

SUPPORT PROVIDED TO CITY COUNCIL

Chapter Three – Support Provided to City Council

3.01 – Staff/Clerical Support

Staff and administrative support to members of the City Council is provided through the City Manager’s Office. Secretarial services provided include distributing mail and email, scheduling appointments and receiving messages. All other Council requests for staff services are made by request to the City Manager or Assistant City Manager who will assign the appropriate staff member. Sensitivity to the workload of support staff is appreciated and turnaround time will vary depending on current work assignments.

3.02- Office Equipment

To enhance Councilmembers’ service to the community and their ability to communicate with staff and the public, the City offers Councilmembers a “cityofwillows.org” email address and meeting facilities for City business.

It is important to note that all letters, memoranda, and interactive electronic communication (email; text) involving City Councilmembers and members of advisory boards and commissions, the subject of which relates to the conduct of government or the performance of any governmental function, with a few exceptions specified in the Public Records Act, are public records.

A.) Business and Personal Use of City Equipment

The City’s electronic equipment and information systems are intended for professional business use by a Councilmember in the performance of their duties. Personal use of City equipment is prohibited.

B.) Photocopy Machines and Other Equipment

1. Photocopy Machines. Councilmembers are provided use of the photocopier for City business.
2. Other equipment. Except as provided herein, in no event shall a Councilmember take City property to his or her home.

3.03- Meeting Rooms

Councilmembers may utilize the meeting rooms, including the conference room located at City Hall. Use of the meeting rooms may be scheduled through the City Manager’s Office.

3.04- Mail Deliveries

Members of the City Council receive mail and other materials that are delivered primarily through the use of City Council folders located in the City Council’s office. The City Manager’s staff disseminates mail to individual Council folders. Staff does not open mail addressed to individual Councilmembers.

General correspondence addressed to Councilmembers as a whole will be opened, copied and placed in each Councilmember's folder. Councilmembers are encouraged to check folders often. In addition, City staff will email, telefax or personally deliver time-sensitive materials to a Councilmember's home or office, if appropriate.



CHAPTER FOUR FINANCIAL MATTERS

Chapter Four- Financial Matters

4.01- Council Compensation

The Municipal Code provides for payment of a modest stipend to members of the City Council. State law sets the level of compensation (California Government Code § 36516 and Willows Municipal Code, Title 2, Chapter 2.05.010).

4.02– Budget

The annual City budget includes appropriations for expenses necessary for Councilmembers to undertake official City business. Funding provided includes membership in professional organizations, attendance at conferences or educational seminars, and purchase of publications and office supplies.

4.03- Financial Disclosure

Candidates for the office of Councilmember shall file Statements of Economic Interests (Fair Political Practices Commission Form 700) with the City Clerk together with the candidate’s nomination papers (California Government Code §§ 87201 and 87202)..Councilmembers must file Statements of Economic Interests (FPPC Form 700) within 30 days of assuming or leaving office, and every year while in office covering the previous 12 months, or the period since the previous statement was filed under Government Code § 87202 or 87203 (California Government Code § 87201–87204). Statements of Economic Interests are available for public inspection.



CHAPTER FIVE COMMUNICATIONS

Chapter Five- Communications

5.01- Overview

Perhaps the most fundamental role of a Councilmember is communication—communication with the public to assess community opinions and needs; communication to share the vision and goals of the City with constituents; and communication with staff to provide policy direction and to gain an understanding of the implications of various policy alternatives.

Because the City Council performs as a body (that is, acting based on the will of the majority as opposed to individuals), it is important that general guidelines be understood when speaking for the Council. Equally important, when members are expressing personal views and not those of the Council, the public should be so advised.

5.02- Correspondence for Council Members

Members of the City Council will often be called upon to write letters to residents, businesses, or other public agencies. Typically, the Mayor will be charged with transmitting the City's position on policy matters to outside agencies on behalf of the City Council. Individual members of the Council will often prepare letters for constituents in response to inquiries, or to provide requested information. City letterhead is available for this purpose and staff can assist in the preparation of such correspondence.

On occasion, members may wish to correspond on an issue on which the Council has yet to take a position, or about an issue for which the Council has no position. In these circumstances, members should clearly indicate that they are not speaking for the City Council as a whole, but for themselves as one member of the Council. City letterhead and office support may be utilized in these circumstances.

Councilmembers may occasionally be asked to prepare letters of recommendation for community members seeking employment or appointment. It is inappropriate for Councilmembers to make a recommendation or utilize City letterhead or their Council titles for such letters without approval of the majority of Council.

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.

5.04- Proclamations

Proclamations are issued by the City Council as a ceremonial commemoration of an event or issue. Proclamations are not statements of policy. Proclamations are a manner in which the City can make special recognition of an individual, event, or issue.

5.05 California Public Records Act

To ensure that public disclosure of communications submitted to and by elected and appointed officials complies with the California Public Records Act and the Ralph M. Brown Act, the City has the following guidelines:

A. Communications, Generally

All letters, memoranda, and electronic communications involving City Councilmembers and members of boards, commissions, committees and task forces, containing information relating to the conduct of the public's business may be public records and subject to public disclosure, with a few exceptions as outlined in the Public Records Act. Public requests for copies of such communications are initiated with the City Clerk, who has the responsibility for processing such requests.

B. Written Communications

Written letters and memoranda received by the City referring to a specific agenda, addressed to a Councilmember or the Council as a body, will be photocopied and provided to all City Councilmembers and the public, and a copy kept according to the City's Records Retention Schedule.

C. Electronic Communications

1. Informal messages that do not contain information relating to the conduct of the public's business and are not prepared, owned, used, or retained by the City do not constitute a public record. Users should delete these messages once their administrative purpose is served.
2. All other messages that relate to the conduct of the public's business constitute a public record. Such records are subject to public inspection and copying unless specifically exempted from disclosure; users may either print a copy of the record and create hard copy file for retention according to the City's Records Retention Schedule, or create an electronic subject folder to retain it in accordance with the City's Records Retention Schedule.
3. Email communications that are intended to be shared among three or more Councilmembers, whether concurrently or serially, must be considered in light of the Ralph M. Brown Act (state open meetings act). If the intended purpose of the email is to create a collective concurrence, the electronic discussion should not occur.
4. Email should be used cautiously when seeking legal advice or to discuss matters of pending litigation or other "confidential" City business. In general, email is discoverable

in litigation, and even deleted email is not necessarily removed from the system. Confidential email communications should not be shared with individuals other than the intended recipients or the attorney-client privilege protecting the document from disclosure may be waived.

5. Email between Councilmembers and between Councilmembers and staff shall not be transmitted to the public or news media without the submission of a public records request with the City Clerk.
6. Email shall not be used for personal use since conventional City email addresses include the City's "return address."



CHAPTER SIX

CONFLICTS OF INTEREST

Chapter Six – Conflicts of Interest

6.01- Ethics, AB 1234 Ethics Training

The City maintains a commitment to conducting business according to the highest achievable ethical standards. Recognizing that ethical dilemmas may arise and that public officials must make difficult choices after careful consideration of competing public, personal and/or private interests at stake, the Council has adopted a code of ethical conduct within the Administrative Procedure and Policy Manual (AP&P 10-1).

State law (California Government Code § 53235, *et seq.*) requires public officials to complete two hours of training in ethics principles and laws every two years. In addition to Councilmembers, Willows requires the training of all of its Planning Commissioners, its City Manager, its department directors, some of its mid-managers, and members of the Economic Development Committee. Additionally, the City Council encourages all committee and board members to complete the training. Alternatively, the League of California Cities offers AB 1234 training, often in conjunction with League conferences or other training workshops, and online training is offered through the Fair Political Practices Commission. Certificates of course completion are kept on file by the City Clerk.

6.02- Conflicts of Interest

There are numerous sources of conflicts of interest that may require a Councilmember to disqualify himself or herself from participating in decision-making. The Political Reform Act (PRA) controls financial conflicts of interest of public officials. The PRA is one of the most complicated laws affecting local government. This law is implemented and enforced by the Fair Political Practices Commission (FPPC) which has issued comprehensive implementing regulations. To understand the PRA's impact on a Councilmember's actions, it is suggested that members discuss the law and potential conflicts with the City Attorney or a private attorney.

In general, under the PRA, public officials are prohibited from making, participating in or in any way attempting to use their official position to influence a governmental decision in which they know or have reason to know they have a financial interest (California Government Code § 87100). A "public official" is defined as including every member, officer, employee or consultant of the state or local government agency (California Government Code § 82048).

A. Conflict of Interest Code

The City is required to adopt and maintain a Conflict of Interest Code. This code is adopted as Resolution No 45-2008. Under state law, the code must be reviewed every two years and amended as circumstances change. The City's code must be consistent with minimum requirements of the PRA (California Government Code §§ 87300-87313).

B. Disqualifications and Disclosure

When the agenda item is called, a City Councilmember who has a conflict of interest is required to publicly state that a conflict of interest exists, describe the nature of the economic interest giving rise to the conflict, disqualify himself or herself, and leave the room. Ideally, Councilmembers will become familiar enough with the sources of conflicts to determine in advance whether disqualification is necessary. However, if a Councilmember becomes aware of a potential conflict only during the meeting, it is perfectly appropriate for the Councilmember to ask for a break in

order to discuss the matter with the City Attorney. If any Councilmember questions a potential conflict of interest related to another Councilmember, a recess may be called at the request of the Councilmember who may have a conflict to allow discussion of the issue with the City Attorney to determine if there is a conflict. If the Councilmember decides a conflict exists, that Councilmember may not participate in any aspect of the decision making, including discussing the matter with City staff. When a conflict of interest arises involving a matter on the consent calendar portion of the agenda, the Councilmember is not required to leave the room, unless that item is pulled from the consent agenda for separate discussion.

C. Legally Required Participation

In the event that a decision cannot be made because a majority of the Council is disqualified due to conflicts of interest, the PRA allows the minimum number of Councilmembers necessary to constitute a quorum to return and participate in the decision to the minimum extent required. The Councilmembers permitted to participate must be chosen through a random process (California Government Code § 87101).

D. Advice on Conflict of Interest

The City Attorney may provide advice to a Councilmember about the existence of a conflict of interest. However, advice given by the City Attorney does not protect the Councilmember from an enforcement action by the FPPC. A Councilmember may seek a formal written opinion from the FPPC on a particular set of facts. Such an opinion letter would provide protection from an enforcement action arising under the same set of facts.

E. Other Source of Conflict

In addition to the PRA, state law prohibits Councilmembers from entering into contracts with the City. (California Government Code § 1090) In general, this type of conflict is not subject to remedy through the disqualification of the interested Councilmember, but must instead be entirely avoided by the Council. There are, however, numerous exceptions to this provision that would allow the Council to enter into certain contracts after disqualification of the interested Councilmember, and those should be reviewed with the City Attorney on a case-by-case basis (California Government Code § 1090).

F. Resolving Door Policy

For a period of one year after leaving office, state law prohibits Councilmembers and chief administrators from acting as an agent or attorney for any other person by appearing formally or informally, orally or in writing, before the Council or any of its commissions, or committees if the appearance or communication is made for the purpose of influencing administrative or legislative action, or influencing any action or proceeding involving the issuance of, amendment to, award of, or revocation of a permit, license, grant, or contract, or the sale or purchase of goods or property (California Government Code § 87406.3).

CALIFORNIA FORM 700 <small>FAIR POLITICAL PRACTICES COMMISSION</small> A PUBLIC DOCUMENT	STATEMENT OF ECONOMIC INTERESTS COVER PAGE	<small>Date Received</small> <small>Official Use Only</small>
<small>(Please type or print in ink.)</small>		
<small>NAME OF FILER</small> _____	<small>(LAST)</small> _____	<small>(FIRST)</small> _____
<small>(MIDDLE)</small> _____		
1. Office, Agency, or Court		
<small>Agency Name</small> _____		
<small>Division, Board, Department, District, if applicable</small> _____		<small>Your Position</small> _____
<small>• If filing for multiple positions, list below or on an attachment.</small>		



CHAPTER SEVEN

INTERACTION WITH CITY STAFF

Chapter Seven- Interaction with City Staff

7.01 Overview

City Council policy is implemented through staff. Therefore, it is critical that the relationship between Council and staff be well understood by all parties so policies and programs may be implemented successfully. To support effective relationships, it is important that roles are clearly recognized.

7.02- Council-Manager Form of Government

Willows has a Council-Manager form of government. Basically, with this structure, the City Council's role is to establish City policies and priorities. The Council appoints a City Manager to implement those policies and undertake the administration of the organization.

The City Manager is appointed by the City Council to enforce its laws, to direct the daily operations of City government, to monitor the principal budget, and to implement the policies and programs initiated by the City Council. The City Manager is responsible to the City Council, rather than to individual Councilmembers, and directs and coordinates the various departments. The City Manager is responsible for appointing all department directors and authorizing all other personnel positions. The City Council authorizes positions through the budget process; based upon that authorization, the City Manager makes the appointments.

The Council-Manager form of government is outlined in the California Government Code. The powers and duties of the City Manager include:

- ✦ Generally supervise over the administrative affairs of the City
- ✦ Appoint and remove any department director level position(s)
- ✦ Attend all meetings of the Council at which the Manager's attendance may be required by that body
- ✦ See that all laws and ordinances are faithfully executed, subject to the authority which the Council may grant the City Manager to maintain law and order in times of emergency
- ✦ Recommend for adoption by the Council such measures as the Manager may deem necessary or expedient
- ✦ Prepare and submit to the Council such reports as may be required by that body, or as deemed advisable to be submitted
- ✦ Keep the Council fully advised of the financial condition of the City and its future need
- ✦ Submit to the Council a proposed budget for the fiscal year, and be responsible for its administration upon adoption
- ✦ Perform such other duties as the Council may determine by ordinance or resolution
- ✦ Implement and administer City Council policy

7.03- Non-Interference by City Council

The City Council is to work through the City Manager when dealing with administrative services of the City.

In no manner, either directly or indirectly, shall a Councilmember become involved in, or attempt to influence, personnel matters that are under the direction of the City Manager. No member of the Council shall, by suggestion or otherwise, attempt to influence or coerce the City Manager concerning appointments to City offices or employment. Nor shall the City Council be involved in, or influence, the purchase of any supplies beyond the requirements of the City's procurement code/procedures.

Except for the purpose of inquiry, the Council and its members will deal with the administrative service solely through the City Manager or designee, and neither the Council nor any commission, committee or member of a board shall give an order to, try to influence, coerce, or direct, either formally or informally, any subordinate of the City Manager.

Violations of the provisions of this section by any of the above persons, if reported by any staff to the City Manager, will be brought forth to the entire City Council for review. The Council, on a case-by-case basis, will establish what, if any, corrections and/or sanctions are appropriate. See Chapter 9, § 9.03 of this manual.

7.04- City Council / City Manager Relationship

The employment relationship between the City Council and City Manager honors the fact that the City Manager is the chief executive of the City. All dealings with the City Manager, whether in public or private, should respect the authority of the City Manager in administrative matters. Disagreements should be expressed in policy terms, rather than in terms that question satisfaction with or support of the City Manager.

The City Manager respects and is sensitive to the policy responsibilities of the City Council and acknowledges that the final responsibility for establishing the policy direction of the City is held by the City Council.

A. Performance Evaluation

The City Council is to evaluate the City Manager on an annual basis to ensure that both the City Council and City Manager are in agreement about performance and goals based upon mutual trust and common objectives. The City Manager's performance is evaluated in the following areas: Leadership, teamwork, job knowledge, attitude, accountability, empowerment, communication, problem-solving skills, and quality of service, safety/risk-taking, implementation and administration of adopted Council policy.

7.05 City Council/City Staff Relationship

City Councilmember contact with City staff members, inclusive of the City Manager, will be during regular business hours, except in the case of an emergency.

7.06 City Council / Attorney Relationship

Pursuant to recommendation of the City Manager, the City Council shall make provision for obtaining legal counsel for the City, either by appointment of a City Attorney on a full-time or part-time basis, or by any reasonable contractual arrangement for such professional services. The City Attorney is a contract employee appointed by the City Council. The City Attorney is the legal advisor for the Council, its committees, commissions and boards, the City Manager, and all City officers and employees with respect to any legal question involving an official duty or any legal matter pertaining to the affairs of the City. The general legal responsibilities of the City Attorney are to:

1. Provide legal assistance necessary for formulation and implementation of legislative policies and projects;
2. Represent the City's interest, as determined by the City Council, in litigation, administrative hearings, negotiations, and similar proceedings;
3. Prepare or approve as to form ordinances, resolutions, contracts, and other legal documents to best reflect and implement the purposes and intentions of the City Council; and
4. Keep City Council and staff apprised of court rulings and legislation affecting the legal interests of the City.

It is important to note that the City Attorney does not represent individual members of the Council, but rather the City Council as a whole. Accordingly, with the exception of conflict of interest inquiries, or protocol and procedure, the City Attorney's services are engaged and directed through a majority decision of the Council. Individual Councilmembers may seek assistance from the City Attorney on other matters by directing requests through the City Manager and/or the Mayor. The City Attorney's performance is reviewed as provided by the services retention contract.

7.07- Roles and Information Flow

A. Council Roles

The full City Council retains the authority to accept, reject, or amend the staff recommendation on policy matters.

Members of the City Council must avoid intrusion into those areas that are the responsibility of staff. Individual Councilmembers may not intervene in staff decision making, the development of staff recommendations, scheduling of work, and executing department priorities without the prior knowledge and approval of the City Council as a whole. This is necessary to protect staff from undue influence and pressure from individual Councilmembers, and to allow staff to execute priorities given by management and the Council as a whole without fear of reprisal. If a Councilmember wishes to influence the actions, decisions, recommendations, workloads, work schedule, or priorities of staff, that member must prevail upon the Council to do so as a matter of Council policy.

B. Access to Information

The City Manager is the information liaison between the Council and City staff. Requests from Councilmembers for information are to be directed to the City Manager and will be responded to promptly. The information requested will be copied to all members of the

Council so that each member may be equally informed. The sharing of information with the City Council is one of the City Manager's highest priorities.

There are limited restrictions controlling when information cannot be provided. The City is legally bound not to release certain confidential personnel information. Likewise, certain aspects of police department affairs (e.g., access to restricted or confidential information related to crimes) may not be available to members of the City Council.

C. Staff Roles

The Council recognizes the primary functions of staff as executing Council policy and actions taken by the Council, and keeping the Council informed. Staff is obligated to take guidance and direction only from the City Manager or Department Director. This direction follows the policy guidance of the City Council as a whole. Staff is directed to reject any attempts by individual Councilmembers to unduly direct or otherwise pressure them into making, changing, or otherwise influencing recommendations.

City staff will make every effort to respond in a timely and professional manner to all requests for information or assistance made by individual Councilmembers provided that, in the judgment of the City Manager, the request is not of a magnitude, either in terms of workload or policy, that it would be more appropriately assigned to staff through the direction of the full City Council.

7.08 Dissemination of Information

In addition to periodic memoranda written by the City Manager directly to the City Council concerning all aspects of City operations (exclusive of confidential personnel issues), all Councilmembers receive copies of all correspondence received by the City Manager that will assist them in their policy-making role. The City Manager also provides other documents to the Council on an occasional basis, such as status reports, executive summaries, and agendas of all City commission and committee meetings and weekly senior staff meetings.

A variety of methods are used to share information with the Council. Workshops and study sessions are held to provide detailed presentations of matters. The City Manager's open-door policy allows individual Councilmembers to meet with the Manager on an impromptu or one-on-one basis.

7.09- Magnitude of Information Request

Any information, service-related needs, or policy positions perceived as necessary by individual Councilmembers that cannot be fulfilled based upon the above guidelines should be considered as an item for the agenda of a City Council meeting. If so directed by an action of the Council, staff will proceed to complete the work within a Council-established timeline.

7.10- Staff Relationship to Advisory Bodies

Staff support and assistance may be provided to the City's boards, commissions, committees, and task forces. These bodies, however, do not have supervisory authority over City employees. While staff may work closely with advisory bodies, staff members remain responsible to their immediate supervisors and, ultimately, the City Manager. The members of the commissions, boards, or committees are responsible

for the functions of the advisory body. The chairperson is responsible for committee compliance with the municipal code and/or committee bylaws. Staff members are to assist the advisory body chair to ensure appropriate compliance with state and local laws and regulations.

Staff support includes: (1) preparation of a summary agenda and appropriate notice after approval by the chairperson; (2) preparation of reports providing a brief background of the issues, a list of alternatives, recommendations, and appropriate backup materials, if necessary; and (3) preparation of minutes of advisory body meetings. Advisory body members should have sufficient information to reach decisions based upon a clear explanation of the issues

Advisory bodies wishing to communicate recommendations to the City Council shall do so through adopted Council agenda procedures as outlined in § 8.06(B) of this manual. In addition, when an advisory body wishes to correspond with an outside agency, correspondence shall be reviewed and approved by the City Council.

7.11- Restrictions on Political Involvement by Staff

Willows is a nonpartisan local government. Professional staff formulates recommendations in compliance with Council policy for the good of the community, not influenced by political factors. For this reason, it is very important to understand the restrictions of political involvement of staff.

By working for the City, staff members do not surrender their right to be involved in political activities. Employees may privately express their personal opinions. They may register to vote, sign nominating or recall petitions, and they may vote in any election.



CHAPTER 8

CITY COUNCIL MEETINGS

Chapter 8- City Council Meetings

8.01- Meeting Schedule

Regular City Council meetings are held the second and fourth Tuesday of each month at 7:00 p.m., in the Council Chamber, 201 N Lassen, Willows.

8.02- Public Notice of Meetings and Hearings

Pursuant to the California Government Code, cities are charged with establishing a procedure for notifying the public of upcoming hearings and the preliminary agenda for the forthcoming council meeting. The procedure followed by the City of Willows is as follows:

A. Notices

Except where a specific means of notifying the public of a public hearing is otherwise provided by law or ordinance, notice of upcoming public hearings before the City Council or the City's boards and commissions shall be given by one publication of a notice containing the time, place, date, subject, and body before whom the hearing is to be held, in the City's official newspaper consistent with state law.

B. Preliminary Agenda for City Council Meeting

The public shall be notified of the agenda for the forthcoming regular City Council meeting by the posting of a copy of the agenda in the following public places in the City at least 72 hours in advance of a regular meeting and 24 hours in advance of a special meeting:

- ✚ Entrance door to Willows City Hall

201 N Lassen St

Willows, California 95988

- ✚ On the City's Website at www.CityofWillows.org

A copy of the agenda will also be made available to the public as follows:

- ✚ Willows Public Library

C. Duties of the City Clerk

The City Clerk is directed to publish notices, prepare copies, post and distribute agendas as required by the California Government Code.

8.03- Emergency Meetings

State Law permits the Council to hold an emergency meeting without providing advance 24-hour notice when prompt action is necessary due to the disruption or threatened disruption of public facilities during an emergency situation. Emergency situations are those matters immediately affecting the public health, safety and welfare of the community (California Government Code § 54956.5).

8.04- Special Meetings

Special meetings may be called by the Mayor or by the Vice-Mayor or Acting Mayor in the absence of the Mayor. Additionally, a majority of the members of the Council may call a special meeting, provided

that the majority has not engaged in substantive consideration of the proposed special meeting agenda item(s) at a non-noticed meeting. Generally, the City Clerk will prepare a notice of special meeting to be signed by the Mayor, or all members of the majority, calling the special meeting, and will provide written notice as least 24 hours in advance to each member of the Council, local newspaper of general circulation, and radio or television station which has on file with the City a written request to be notified of special meetings. The special meeting notice will also be posted on the City's website. The call and notice shall specify the time and place of the special meeting and the business to be transacted.

The notices provided in this section may be dispensed with in the event a meeting is called to deal with specified types of extreme emergencies when prompt action is necessary due to the disruption or threatened disruption of public facilities.

At all regular and special meetings, public comments invited during a public hearing before or during consideration of any item on the agenda. Public comment is appropriate on any matter within the jurisdiction of the City Council.

The California Government Code addresses the subject of special meetings. For special meetings, only those items specifically listed on the agenda may be discussed, considered, or decided.

8.05- Placing Items on the Agenda

City Council Agenda Planning

Any Councilmember may request that an item be placed on a future City Council agenda by doing so during a regular, noticed City Council Meeting and there must be a consensus of the Council to place the item on a future agenda. If the Council agrees to the placement of the item on a future agenda, the requesting Councilmember must provide the following information to the City Manager before the item will be placed on an agenda for consideration:

1. A substantive outline or summary of the information that they would like to be presented to the Council;
2. A concise statement of the specific action the Council will be asked to take on the item; and,
3. A statement of the reasons why the requesting party believes it is appropriate and within the jurisdiction of the City Council to consider this subject matter and to take the requested action.

All matters to be presented to the City Council at its regular meetings are reviewed by the Mayor and City Manager. The item shall be placed on the agenda as soon as possible with consideration for scheduling issues.

8.06- Development of the Agenda

Staff is required to submit a staff report for each topic of discussion on the City Council agenda. The deadline for submitting these reports and documentation is 3:00 p.m. on Wednesday of the week prior to the date of the meeting for which the item is scheduled.

The agenda packet will usually be available for the Councilmembers, staff, public and media on the Friday prior to the Council Meeting.

8.07- Communications Received After Agenda Preparation

All writings, documents, or electronic communications relating to any item on the agenda, received after distribution of the Council agenda packet and prior to the Council meeting, shall be distributed to the entire City Council and made available for public inspection during normal business hours at Willows City Hall in the agenda binder located in the lobby, and in the City Manager's Office (California Government Code § 54957.5).

Residents providing writings or documents to the City Council during the Council meeting are asked to present at least ten (10) copies of each document to the City Clerk for distribution. Failure to submit the required number of copies may result in the document(s) NOT being distributed to the City Council at that meeting and NOT being placed in the official record.

8.08- Council Action

The City Council exercises legislative authority through a simple motion, an amendment to a motion, adoption of a resolution, or adoption of an ordinance. Depending on the item, staff reports will generally attempt to present appropriate motions, with options, for the Council to make. The City Council is encouraged to review the staff recommendations and use presented options as a template when making a motion. In most situations, a majority of the members present is adequate to adopt a motion, however this is not always the case, and staff will advise the Council when either a super majority or majority of the entire body is required. In addition, in most situations a voice vote is all that is required for Council action; however, staff will advise the Council when a roll call vote is required. Motions should be concise and give clear direction to staff.

Although finality in action is an important principle in government, there may be occasions when the Council wishes to reconsider a motion it has previously passed. In such circumstances, a motion to reconsider may be made either at the meeting where the item was first voted upon, or at the very next meeting of the Council. A motion to reconsider brought forward at the following meeting of the Council will require proper notice on the agenda. A motion to reconsider an item previously voted on can be made only by a Councilmember who voted in the majority.

8.09- Legislative and Quasi-Judicial Actions of the Council

The Council can take both legislative and quasi-judicial action. In general, the Council acts in a legislative capacity when it takes action to adopt policies, plans, and ordinances of general application. In these situations, a Councilmember may rely on any information he or she lawfully obtains when participating in a decision-making process. In contrast, the Council will also act in a quasi-judicial capacity when it acts on matters that implicate constitutionally protected property and liberty interests. These types of actions generally involve land use entitlements and other types of permits, licenses, etc.

The distinction between legislative and quasi-judicial activity is especially important because of the rights that are given to the applicant. Specifically, an applicant in a quasi-judicial matter is entitled to due process of the law. This includes a right to have a decision made on the record by a fair and impartial Council. In order to ensure these rights are satisfied, the Council must disclose all ex parte communication it receives; that is, information or evidence a Councilmember obtains from outside the Council hearing on the matter. Additionally, Councilmembers may be called upon to answer questions about potential bias.

8.10- General Parliamentary Procedure

Parliamentary procedures set the agreed-upon standard for conducting business. For general guidance, the Council will follow Rosenberg's Rules of Order. Certain processes are subject to state code and must be complied with. The Council will accept direction from the City Manager, City Clerk, and the City Attorney on the code. For other matters, the Willows City Council has a tradition that adheres to the common parliamentary practices used by similar institutions to facilitate the orderly processing of the business of its meetings. When necessary to resolve issues that may arise over the process, the Mayor will refer to the City Attorney who will act as the Parliamentarian. Upon such advice, the Council will vote and follow the decision of the majority.

8.11- Presentations at Meetings

The Mayor may establish reasonable time restrictions on presentations from members of the public that take into consideration the complexity of the subject matter, the number of other members of the public wishing to address the Council, and the number of other items on the agenda to which the Council must attend. Members of the public who wish to utilize electronic media in their presentations must coordinate in advance with the City Manager or his/her designee. The City Manager may establish reasonable rules on the public's use of electronic media, to minimize disruption of Council meetings, including the requirement of advance notice and/or submission of presentation data to ensure all compatibility issues are resolved before the Council meeting. Electronic media presentations are subject to time restrictions as established by the Mayor. Subject to any electronic media presentation rules established by the City Manager, the public may use the City's projector in the Council Chamber to assist in making their electronic presentations.



CHAPTER 9

PROTOCOL ADMINISTRATION

Chapter Nine- Protocol Administration

9.01- Biennial Review

The City Council and Staff will review and revise the City Council Protocol Manual as needed.

9.02- City Attorney as Protocol Advisor

The City Attorney shall assist the Mayor and serve as an advisor for interpreting the City Council's adopted Protocol Manual.

9.03- Adhere to Non-interference Policy

The City Council delegates to the City Manager the responsibility to discuss with any Councilmember, on behalf of the full Council, any perceived or inappropriate interference or encroachment of administrative services. The City Manager will discuss with the Councilmember the action and suggest a more appropriate process or procedure to follow. If inappropriate action continues after this discussion, the City Manager will report the concern to the full Council.

9.04- Applicability of Protocol Manual

The City Council Protocol Manual shall apply when the Council is sitting as another entity or agency. When sitting as another entity, the role of Mayor and Vice-Mayor shall be interchangeable with the Chair and Vice-Chair, or President and Vice-President.



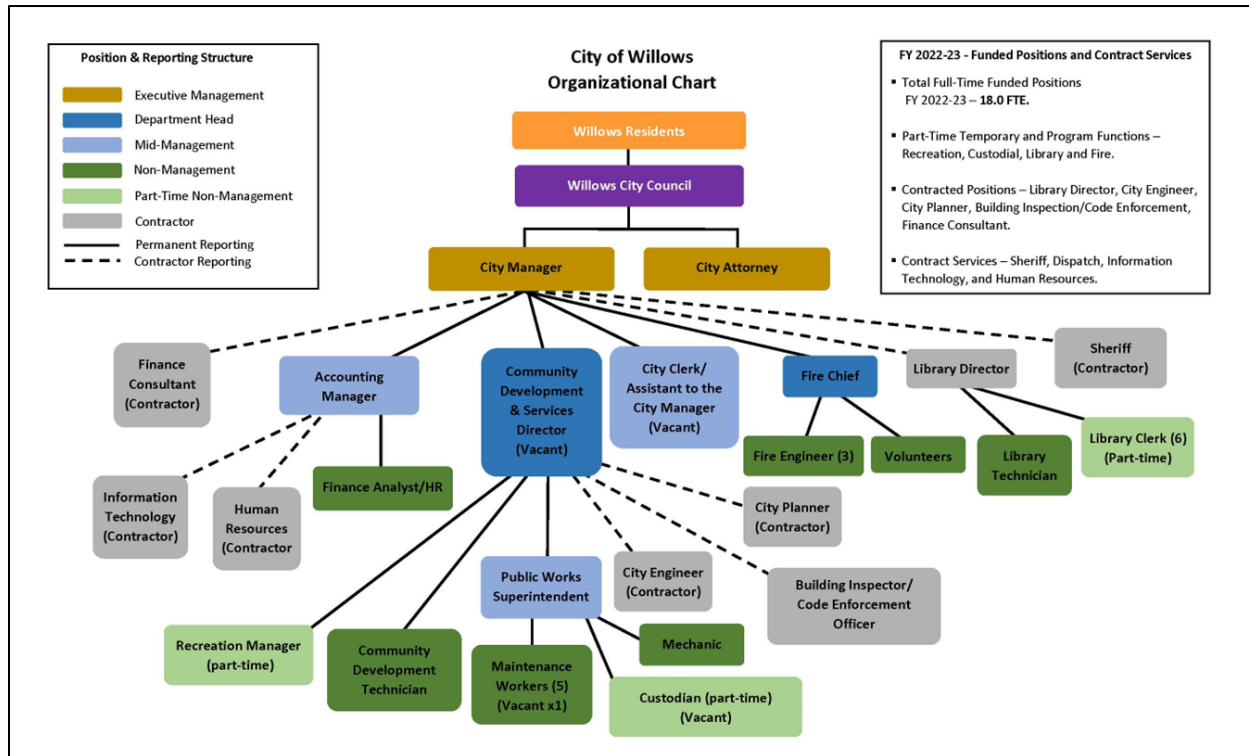
CHAPTER 10

APPENDIX

10.01- Web Addresses

- ✦ <https://oag.ca.gov/system/files/media/the-brown-act.pdf>
- ✦ www.ca-ilg.org
- ✦ www.cacities.org
- ✦ <https://www.calcities.org/docs/default-source/get-involved/rosenberg's-rules-of-order-simple-parliamentary-procedures-for-the-21st-century.pdf>

10.02- City Organizational Chart





Date: February 13, 2024

To: Honorable Mayor and Councilmembers

From: Joe Bettencourt, Community Development & Services Director
Marti Brown, City Manager

Subject: Letter of Opposition: Withdraw Telecommunications Carrier Designation and Carrier of Last Resort Obligation

Recommendation:

Authorize the City Manager to execute the attached letter opposing AT&T's application to the California Public Utilities Commission (CPUC) to withdraw their Carrier of Last Resort (COLR) Obligation and Eligible Telecommunications Carrier (ETC) Designation.

Rationale for Recommendation:

The City's most vulnerable populations will no longer be unable to secure landline communication options should AT&T's application to withdraw ETC Designation (23-03-002) and COLR Obligation (23-03-003) are approved by the CPUC.

Background:

A COLR is a telecommunications service provider that stands ready to provide basic telephone service, commonly landline telephone service, to any customer requesting such service within a specified area. At least one telephone company in a specified area is legally required to provide access to landline telephone service to anyone in its service territory who requests it, which ensures that everyone in California has access to safe, reliable, and affordable telephone service. AT&T is the designated COLR in many parts of the state and is the largest COLR in California.

AT&T is also applying to give up its ETC Designation, which would allow it to no longer offer federal Lifeline, as well as other federal programs designed to subsidize telecommunications support for low-income individuals and individuals located in remote areas. All areas of AT&T's service territory where it currently holds ETC designation, which is the same as its COLR service territory, could be impacted if the CPUC approves AT&T's application.

Discussion & Analysis:

AT&T is the default landline telephone service provider in Willows, they must provide traditional landline telephone service to any potential customer in that service territory. AT&T is proposing to withdraw as the COLR in Willows, without a new carrier being designated as a COLR.

By relinquishing its ETC designation, AT&T will no longer be eligible to receive federal support to provide Lifeline, which could potentially affect all current AT&T Lifeline customers.

Fiscal Impact:

Households receiving Federal Lifeline from AT&T may see cost increases of \$5.25 per month for voice-only service, or \$9.25 per month for bundled or internet service should the CPUC approve AT&T's withdrawal of its ETC Designation.

Attachments:

- Attachment 1: Letter of Opposition
- Attachment 2: CPUC Notice of Public Hearing for Applications 23-03-002 and 23-03-003
- Attachment 3: CPUC Notice of Pending Regulatory Application 23-03-003 (COLR)
- Attachment 4: Map of Area Affected



February 13, 2024

California Public Utilities Commission
Public Advisor's Office
505 Van Ness Avenue
San Francisco, CA 94102

Subject: Opposition to AT&T's Applications to Withdraw their Carrier of Last Resort Obligation (Application 23-03-003) and Eligible Telecommunications Carrier Designation (Application 23-03-02)

To whom it may concern,

I am writing on behalf of the Willows City Council to express our strong opposition to AT&T's request to withdraw their Carrier of Last Resort (COLR) Obligation and Eligible Telecommunications Carrier (ETC) Designation in our community. Willows, as a disadvantaged rural area with an aging population, relies heavily on accessible and reliable telecommunications services, and AT&T's proposal raises significant concerns for the well-being of our residents.

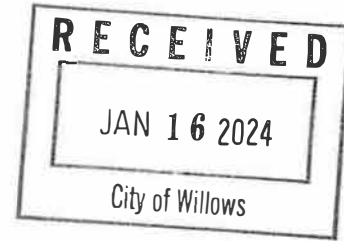
Willows is a tight-knit community with unique challenges and specific needs. The telecommunications infrastructure provided by AT&T has been a critical lifeline for our residents, particularly the elderly who depend on it for essential services, medical communication, and staying connected with their families. Being designated as a COLR ensures that all residents, regardless of their location or economic status, have access to basic telecommunication services.

In conclusion, the Willows City Council vehemently opposes AT&T's request to not be a COLR and ETC in our community. We urge AT&T to consider the broader implications of its request and the potential adverse effects on the well-being of our community, and the many communities like ours that will also be impacted. We implore you to reconsider this proposal due to the essential role telecommunications play in the lives of our residents, particularly the elderly and economically disadvantaged.

Sincerely,

Marti Brown
City Manager
City of Willows

64726 5 102 T235 P1
City Of Willows
201 N Lassen St
Willows, CA 95988-2704



A Message from the California Public Utilities Commission

Notice of Public Hearings

Application 23-03-002 and Application 23-03-003

January 12, 2024

The California Public Utilities Commission (CPUC) would like to hear from you. You are invited to participate in a public forum, also called a Public Participation Hearing (PPH), about the following applications:

- Application 23-03-002: regarding the application of AT&T California to Withdraw its Eligible Telecommunications Carrier Designation
- Application 23-03-003: regarding the application of AT&T California for Relief from its Carrier of Last Resort Obligation

During the hearing, you can make comments, raise concerns, and speak to a CPUC Administrative Law Judge.

Where and when will these Public Participation Hearings be held?

In-Person Public Participation Hearing, February 6, 2024, at 2:00 p.m.

Clovis City Council Chambers
1033 5th St., Clovis, CA 93612

In-Person Public Participation Hearing, February 6, 2024, at 6:00 p.m.

Clovis City Council Chambers
1033 5th St., Clovis, CA 93612

In-Person Public Participation Hearing, February 22, 2024, at 2:00 p.m.

Mendocino County Board of Supervisors
501 Low Gap Road, Room 1070, Ukiah, CA 95482

In-Person Public Participation Hearing, February 22, 2024, at 6:00 p.m.

Mendocino County Board of Supervisors
501 Low Gap Road, Room 1070, Ukiah, CA 95482

In-Person Public Participation Hearing, March 14, 2024, at 2:00 p.m.

Indio City Hall Council Chambers
100 Civic Center Mall, Indio, CA 92201

In-Person Public Participation Hearing, March 14, 2024, at 6:00 p.m.

Indio City Hall Council Chambers
100 Civic Center Mall, Indio, CA 92201

Remote Public Participation Hearing, March 19, 2024, at 2:00 p.m.

<https://adminmonitor.com/ca/cpuc/hearing/20240319>

Toll-free phone number: 1-800-857-1917; code: 6032788#

Remote Public Participation Hearing, March 19, 2024, at 6:00 p.m.

<https://adminmonitor.com/ca/cpuc/hearing/202403192>

Toll-free phone number: 1-800-857-1917; code: 6032788#

Why am I receiving this notice?

The California Public Utilities Commission (CPUC) wants to hear from you and has asked AT&T to provide this notice. In-person and virtual public forums have been scheduled to hear your comments, concerns and opinions regarding the application of AT&T California to withdraw its Eligible Telecommunications Carrier designation, and the application of AT&T California for relief from its Carrier of Last Resort Obligations. Your participation by providing comments can help inform the CPUC's decision. You can either attend any of the in-person forums or, for the remote forums, watch a livestream of the hearings or participate via telephone. You can also submit comments by mail or post them on the CPUC's public comment portal.

How does this process work?

This application is assigned to a CPUC Administrative Law Judge and a Commissioner, who will consider proposals and evidence presented during formal processes, and then issue a proposed decision. Any CPUC Commissioner may sponsor an alternate decision with a different outcome. The proposed decision, and any alternate decisions, will be discussed and voted upon by the CPUC Commissioners at a public CPUC Voting Meeting.

Parties involved in the rulemaking include the Public Advocates Office. To find out more about the Public Advocates Office, you may contact them at: **1.415.703.1584**, email PublicAdvocatesOffice@cpuc.ca.gov or visit PublicAdvocates.cpuc.ca.gov.

Make a written public comment:

Please visit apps.cpuc.ca.gov/c/A2303002 to submit a public comment about AT&T California's application to withdraw its Eligible Telecommunications Carrier designation.

Please visit apps.cpuc.ca.gov/c/A2303003 to submit a public comment about AT&T California's application for relief from its Carrier of Last Resort Obligations.

Contact the CPUC:

You may also mail written comments to the CPUC's Public Advisor's address below. For more information on participating in the public hearing, submitting comments, to request special assistance, or to request a non-English or Spanish language interpreter, please contact the CPUC's Public Advisor's Office at least five days prior to the hearings.

CPUC Public Advisor's Office

505 Van Ness Avenue, San Francisco, CA 94102

Phone: 1.866.849.8390 (toll-free) or 1.415.703.2074

Email: Public.Advisor@cpuc.ca.gov

Please reference **Application 22-03-002 or Application 22-03-003** in any communications you have with the CPUC regarding this matter.

To hear this in other languages

如需有關本文的粵語資訊，請致電：800.570.8868，然後按照提示繼續。

如需有關本文的國語資訊，請致電：800.303.8788，然後按照提示繼續。

Để biết thông tin về bài viết bằng tiếng Việt, xin gọi số 800.573.8828 và làm theo các hướng dẫn.

한글 보도자료 정보는 800.560.8878번으로 전화하여 녹음 안내를 받으십시오.

Para sa impormasyon tungkol sa artikulo sa Tagalog, mangyaring tumawag sa: 800.546.5006 at sundin ang mga dikta.

日本語版の文書をご希望の方は、800.523.1153に電話してプロンプトに従ってください。

Для получения информации о статье на русском языке звоните по телефону 866.538.6122 и следуйте указаниям.

Aby uzyskać informacje o artykule w języku polskim, należy zadzwonić pod numer: 866.538.5284 i postępować zgodnie z odpowiedziami.

Your language. Delivered. Plus 240 more. Call 800.288.2020.

39720 4 194 T127 P1
City Of Willow
201 N Lassen St
Willows, CA 95988-2704



Notice of Pending Regulatory Application

Application 23 03 003

January 22, 2024

AT&T California has submitted an application to the California Public Utilities Commission (CPUC) that, if approved, would remove AT&T's obligation under California law to provide traditional landline phone service in a large portion of our service territory in California. This message explains what's in AT&T's application and how to find out more information.

IMPORTANT: This letter describes an application that has not yet been approved by the CPUC. No changes are being made to your service at this time. We will let you know when and if any changes will affect your service.

Summary of AT&T's Application for Relief from Carrier of Last Resort Obligation

AT&T's role as the default landline phone service provider (also known as the Carrier of Last Resort or COLR) means that we must provide traditional landline phone service to any potential customer in our service territory. In our application, AT&T has asked the CPUC to remove our role as the COLR in a large portion of AT&T's service territory in California.

If the CPUC approves AT&T's application as proposed, it would mean:

For Traditional Landline Phone Service Customers:

- AT&T would continue providing traditional landline phone service to existing customers until all federal and state regulatory processes are completed. AT&T has also committed to providing service to existing traditional landline phone customers for at least six months after the CPUC approves the application.
- Before making any changes to traditional landline phone customers' services, AT&T would provide advance notice about choices for changing existing service to either a different voice service available from AT&T, or a voice service offered by another provider in the area.
- AT&T would remain the COLR in areas where no alternative voice services are yet available and continue to provide traditional landline phone service to our customers until proven alternatives become available.

For Voice Over Internet Protocol (VoIP) Customers:

- While this application does not propose changes to VoIP service, customers with VoIP service may lose service in the future if AT&T decides it no longer wants to operate landline service in that community/market.
- AT&T would provide advance notice regarding any future changes.

For AT&T Mobility Customers:

- AT&T Mobility service would not be affected by this application.

Maps of Affected Areas Are Available

A map of your zip code showing affected areas is included with this notice, and an online version of the map is available with address lookup here: <http://pub.att.com/COLRmap>

The map depicts 1) areas in AT&T California's service territory in which AT&T seeks to withdraw as a COLR, and 2) areas where AT&T may seek to withdraw as a COLR in the future using a proposed streamlined advice letter process. The Commission has not yet approved this proposed streamlined process.

The CPUC's Review Process

AT&T's application is subject to approval by the CPUC. Multiple parties oppose this application. The Commission will evaluate the evidence from all parties, as well as public input, before deciding whether to approve the application. At the end of the process, the CPUC is expected to issue a final decision and vote on whether to approve the application.

Options to Provide Feedback on This Application to the CPUC

The CPUC plans to gather public input about AT&T's application, and it has scheduled public participation hearings in February and March 2024. You can find more information about upcoming public participation hearings here: <https://www.cpuc.ca.gov/pph>

Customers may also share concerns with the CPUC in writing. Please visit apps.cpuc.ca.gov/c/A2303003 to submit a public comment in this proceeding's Docket Card. You may also mail written comments to the CPUC's Public Advisor's Office at the address below. If you mail comments, please include the proceeding number A.23-03-003 on the envelope.

IMPORTANT: This letter describes an application that has not yet been approved by the CPUC. No changes are being made to your service at this time. We will let you know when and if any changes will affect your service.

For more information about participating in the public participation hearings, submitting comments, to request special assistance, to request a non-English or Spanish language interpreter, or if you have questions about the process, you can contact the CPUC's Public Advisor's Office at:

CPUC Public Advisor's Office

505 Van Ness Avenue, San Francisco, CA 94102

Phone: 1.866.849.8390 (toll-free) or 1.415.703.2074

Email: Public.Advisor@cpuc.ca.gov

cpuc.ca.gov/pao

Please reference **Application 23-03-003** in any communications you have with the CPUC regarding this matter.

To hear this in other languages

如需有關本文的粵語資訊，請致電：800.570.8868，然後按照提示繼續。

如需有關本文的國語資訊，請致電：800.303.8788，然後按照提示繼續。

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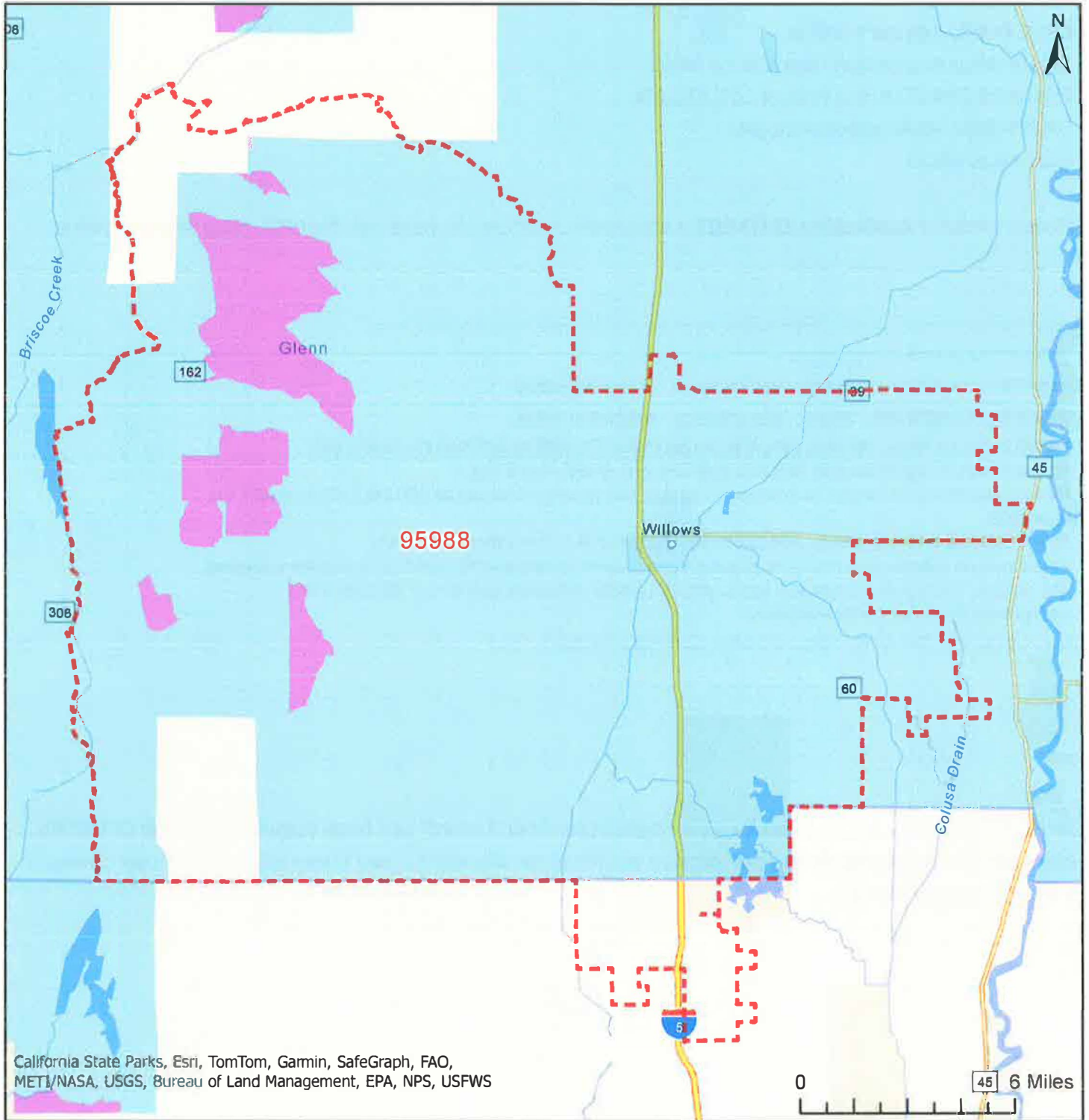
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Your language. Delivered. Plus 240 more. Call 800.288.2020.


IMPORTANT: This letter describes an application that has not yet been approved by the CPUC. No changes are being made to your service at this time. We will let you know when and if any changes will affect your service.

Territory AT&T California Seeks to Withdraw from as a Carrier of Last Resort (COLR) Zip Code 95988



 Zip Code Area

 Blue shaded sections represent the territory AT&T California seeks to withdraw from as a COLR.

 Violet shaded sections represent the territory AT&T California proposes that it should be allowed to withdraw from as a COLR in the future through a proposed streamlined advice letter process. The Commission has not yet approved this proposed streamlined process.

An online version of this map with address lookup is available here: <http://pub.att.com/COLRmap>



Date: February 13, 2023
To: Honorable Mayor and Councilmembers
From: Joe Bettencourt, Community Development & Services Director
Marti Brown, City Manager
Subject: Contract Award – Civic Center HVAC Cleaning Services

Recommendation:

Authorize the City Manager to execute an agreement with North Valley Cleaning to clean the Civic Center’s HVAC ducts in an amount not to exceed \$15,000.

Rationale for Recommendation:

There is a health and safety concern for staff and residents, as debris is emitted from supply vents when HVAC units are operating.

Background:

During the Mid-Year Budget Adjustment and Review, the Council approved a budget of \$12,000 of General Fund monies to clean the Civic Center’s HVAC ducts. In preparation for Council consideration, staff issued a request for bids on January 10 to 10 HVAC companies that offer duct cleaning services. A pre-bid site visit and meeting was held on January 16, 2024, and North Valley Cleaning was the only company to attend the meeting. North Valley Cleaning was also the only bid submitted by the January 18 deadline in the amount of \$14,750.

Discussion & Analysis:

The project bid from North Valley Cleaning exceeds the Council approved budget of \$12,000 by \$2,750. Additional funding is needed so that all four HVAC duct systems may be cleaned. The scope of work would be reduced to exclude one of the four HVAC ducts should the requested budget increase be denied.

Fiscal Impact:

An additional \$2,750 is required (beyond the already approved \$12,000) in order to complete the HVAC duct cleaning project of the entire Civic Center.



Date: February 13, 2024
To: Honorable Mayor and Councilmembers
From: John Wanger, City Engineer
Joe Bettencourt, Community Development & Services Director
Marti Brown, City Manager
Subject: Landscaping and Lighting Special Assessment District

Recommendation:

Adopt a Resolution appointing Coastland Civil Engineering as the Engineer of Work for the City of Willows Landscaping and Lighting Special Assessment District and direct the preparation of the Annual FY 2024-25 Engineer's Report.

Rationale for Recommendation:

The State's Landscape and Lighting Act of 1972 requires annual reporting whenever assessments are to be levied and collected.

Background:

The Willows Landscaping and Lighting Special Assessment District ("District") was initially formed by the City in 2005 in accordance with the Landscaping and Lighting Act of 1972 ("Act") to pay for costs associated with maintaining landscaping and maintenance in the Birch Street Village subdivision. This portion of the district is known as Zone A. In FY 2012-13, Zone B was created to fund the streetlights and traffic signals associated with the Walmart development. In FY 2019-20, Zone C was created to fund landscape maintenance, weed abatement, and lighting improvements associated with the South Willows Commercial and Industrial Center development.

Discussion & Analysis:

The Landscaping and Lighting Act requires that the city undertake certain proceedings for any fiscal year in which assessments are to be levied and collected. These proceedings are typically accomplished at three separate Council meetings with the following actions:

1. Adopt a resolution appointing the Engineer of Work and directing the preparation of the Annual Engineer's Report.

2. Approve the Engineer's Report, declare the City Council's intent to levy assessments and set a date for a public hearing.
3. Conduct a public hearing and authorize the levying and collection of assessments for the upcoming fiscal year.

The attached resolution begins the proceeding for FY 2024-25. The Engineer's Report will analyze the anticipated costs and determine the corresponding assessments amounts. The City Council can make changes to the Engineer's Report once it has been prepared and filed. The Engineer's Report should be approved by the city no later than the end of June of each year so that the information can be transmitted to the County for inclusion on the tax rolls. All accurate information must be transmitted to the County no later than August 10 of each year. In order to meet this deadline and comply with the regulations of the Streets and Highways Code for this type of Assessment District, the assessment engineering process should begin immediately.

Fiscal Impact:

None; costs associated with the Annual District Assessment Engineering Services are covered expenses within the assessments ultimately levied.

Attachments:

- Attachment 1: Resolution XX-2024



**City of Willows
Resolution XX-2024**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS, STATE OF CALIFORNIA,
APPOINTING COASTLAND CIVIL ENGINEERING AS THE ENGINEER OF WORK FOR THE CITY OF
WILLOWS LANDSCAPING AND LIGHTING SPECIAL ASSESSMENT DISTRICT AND DIRECTING THE
PREPARATION AND FILING OF THE ENGINEER'S REPORT FOR FISCAL YEAR 2024-2025
(PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972)**

WHEREAS, on October 11, 2005, the City Council adopted Resolution #22-2005; authorizing the formation of the Assessment District to levy and collect assessments pursuant to the Landscaping and Lighting Act of 1972; and

WHEREAS, the City Council intends to levy and collect assessments within the Assessment District during FY 2024-25, located in the City of Willows, Glenn County; and

WHEREAS, pursuant to Section 22622 of the Streets and Highways Code, the City Council must annually appoint the Engineer of Work and direct the preparation and filing of the annual Engineer's Report in order to levy and collect assessments on any following fiscal year; and

WHEREAS, Coastland Civil Engineering serves in the capacity of City Engineer and has demonstrated the expertise necessary to prepare the annual Engineer's Report.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Willows does hereby appoint Coastland Civil Engineering as the Engineer of Work for the City of Willows Landscaping and Lighting Special Assessment District and is hereby directed to prepare and to file the Annual Engineer's Report showing any changes, pursuant to Section 22622 of the Streets and Highways Code.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council on this 13th day of February 2024, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

ATTESTED:

Gary Hansen, Mayor

Amos Hoover, City Clerk



PUBLIC HEARING



Date: February 13, 2024
To: Honorable Mayor and Councilmembers
From: Byron Turner, City Planner
Joe Bettencourt, Community Development & Services Director
Marti Brown, City Manager
Subject: Appeal of MUP 23-03 (File#AP-24-01)

Recommendation:

Hold a public hearing, consider the appeal of Mr. Harish Banger to overturn the Planning Commission’s determination of his Major Use Permit (MUP) application, and approve the project and permit.

Rationale for Recommendation:

The Planning Commission considered and denied the MUP 23-03 application on January 24, 2024. The applicant now wishes to appeal the Commission’s decision to the City Council for reconsideration and to potentially overturn it.

Background:

On January 24, 2024, the Planning Commission considered the MUP 23-03 application. The Planning Commission opened the Public Hearing, received public comment, and closed the Public Hearing to deliberate. A Motion was made to approve the project; however, it failed for the lack of a second. No other action was taken and, therefore, the project was denied.

Discussion & Analysis:

The proposed application is to establish a mini mart/convenience store at 360 West Sycamore Avenue. The project requires a Major Use Permit. In order to approve the MUP, the Planning Commission had to make the following findings:

- 1) That the use is consistent with the purposes of the district in which the site is located.
- 2) That the proposed location of the use and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.
- 3) That the proposed use is in conformance with the general plan [Ord. 632-91 § 26.05, 10-22-91].

While the proposed project is consistent with the Central Commercial (CC) Zoning District (Finding #1) and in conformance with the General Commercial (GC) General Plan designation (Finding #3), the majority Planning Commission determined that the proposed location of the use and the conditions under which it may operate or be maintained were detrimental to the public health, safety, welfare and/or materially injurious to properties or improvements in the vicinity. In particular, the majority Commission cited the business plan to sell tobacco products near a school as evidence of being detrimental to the health and safety of minors in the community.

An Appeal resulting from any Planning Commission determination may be made in writing to the City Council within 10 days of the date of the Commission's action. All decisions made by the City Council are final [Ord. 632-91 § 26.06, 10-22-91]. The applicant has appealed the decision to the City Council within the allotted time frame and, therefore, staff are now presenting the application before the City Council for reconsideration.

Public Hearing:

Per WMC Section 18.20.030(2), notice of the proposed application and public hearing was posted in a local newspaper and property owners within 300 feet of the subject site were noticed.

Environmental Review:

Pursuant to the California Environmental Quality Act (CEQA), the project has been reviewed for compliance. City staff has determined that the proposed project is exempt from further CEQA review and qualifies as a Categorical Exemption pursuant to Section 15061(3).

Fiscal Impact:

The project is subject to cost recovery and has a Pass Through Agreement (PTA) and deposit on file to process the application. Additionally, the applicant has paid the Appeal application fee.

Attachments:

- Attachment 1: Resolution XX-2024
- Attachment 2: Planning Commission Packet from January 24, 2024
- Attachment 3: Appeal letter and letters of support
- Attachment 4: Statement from Commissioner Myers
- Attachment 5: Letters of Opposition



**City of Willows
Resolution XX-2024**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS, STATE OF CALIFORNIA,
UPHOLDING THE APPEAL OF THE PLANNING COMMISSION DETERMINATION AND APPROVING
USE PERMIT (FILE # MUP-23-03) TO ALLOW ESTABLISHMENT OF A MINI-MART WITHIN AN
EXISTING 2,200 SF COMMERCIAL BUILDING FOR PROPERTY LOCATED AT 360 W SYCAMORE
STREET ASSESSORS PARCEL NUMBER 002-171-017 WITHIN THE CENTRAL COMMERCIAL ZONE**

WHEREAS, the Planning Commission did, on January 24, 2024, hold a public hearing to consider all public oral and written comments, letters and documents, staff reports, and all other documents and evidence which are a part of the Record; and

WHEREAS, the Planning Commission made a determination to not move forward with approval of the major use permit; and

WHEREAS, Harish Banger appealed the decision of the Planning Commission to the City Council; and

WHEREAS, the City Council did, on February 13, 2024, hold a public hearing to consider all public oral and written comments, letters and documents, staff reports, and all other documents and evidence which are a part of the Record; and

WHEREAS, the Planning Commission does find that the proposed project qualifies as a Categorical Exemption under Sections 15301 & 15303; and

WHEREAS, pursuant to Section 18.135.050 of the Zoning Ordinance, the following findings are made:

- 1) That the use is consistent with the purposes of the district in which the site is located.
Mini-marts are allowed within the Central Commercial zone with use permit approval from the Planning Commission
- 2) That the proposed location of the use and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.
The location of the new use (mini-mart) will be located within an existing commercial building, and conditions of approval have been placed upon the use ensuring that it will not be detrimental to the public health, safety, or welfare or materially injurious to properties.
- 3) That the proposed use is in conformance with the General Plan.
Commercial businesses are allowed within the land use designation of General Commercial.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Willows does hereby find that the request to allow establishment of a mini-mart style market is consistent with the General Plan, and the City of Willows Municipal Code; and hereby approves Conditional Use Permit (file #MUP-23-03), subject to the attached conditions of approval.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council on this 13th day of February 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTESTED:

Gary Hansen, Mayor

Amos Hoover, City Clerk

Attachments:

Exhibit A

**Use Permit (MUP-23-03) Conditions of Approval
For new Mini Mart at
360 W Sycamore Street/APN: 002-171-009
City Council Approval date: February 13, 2024**

GENERAL

1. That the applicant/developer shall enter into a *Pass-Through Agreement* with the City of Willows to pay the cost of all planning review, plan checking and field inspection of this project.
2. The approval of this project shall be subject to the latest adopted Ordinances, Resolutions, Policies, and fees of the City of Willows.
3. In any case where a use, permitted by a use permit, is not made on the project subject to the permit within the time specified in the permit or within one year after the date of granting thereof, then without further action, the permit shall be null, and void and such use shall not be made of the property except upon the granting of a new permit.
4. All plans for additional uses, which are not covered by this review, shall be submitted to the City Manager/Planning Commission for review and approval prior to use.
5. Any new signage to advertise the business shall obtain sign permit approval from the city prior to installation.
6. The applicant/business owner shall comply with all requirements of the ABC (Alcohol & Beverage Control) for sale to the general public.
7. The business shall obtain a city business license prior to operation.

BUILDING DEPARTMENT

8. The applicant shall apply for a building permit for the proposed tenant improvements, plans to be prepared by an architect.
9. Any proposed or future interior or exterior work shall comply with the current federal, state, and local codes and ordinances, and codes shall be shown on the plans submitted.
10. The adopted conditions of approval shall be shown on the plans.
11. Accessibility upgrades will be required and shall meet current code.
12. Working hours (construction) shall be restricted to the hours of 7:00 a.m. to 6 p.m., Monday through Friday.

GLENN COUNTY ENVIRONMENTAL HEALTH DEPARTMENT

13. The applicant will need to apply for and obtain a Food Facility Permit from the County Health Department prior to opening for business.
14. The applicant must submit plans to the Department for review and approval per the food facility plan check requirements on the County website. Contact Jay Bhakta at 530-934-6102.

FIRE DEPARTMENT

15. All applicable fire fees shall be paid prior to the issuance of a building permit.
16. All fire and alarm systems must meet the approval of the Fire Chief.
17. A Knox box shall be installed per Fire Chief approval per WMC 15.15.130.
18. All exit doors shall be marked as such in accordance with CFC 2022. Main entrance shall be marked with *"This door is to remain unlocked when building is occupied"*.
19. The building address signing shall meet all WMC 15.15.100 criteria and be reviewed by the Fire Department prior to installation. The address shall be visible from the roadway/street.
20. The business shall provide fire extinguishers in accordance with the 2022 CFC.

21. Emergency lighting shall be installed and operate from battery backup in accordance with CFC 2022.
22. A Pre-Fire Plan and Inspection will need to be completed before occupancy of the building.
23. Regular Fire Department safety inspections shall occur annually.



Date: January 24, 2024
To: Planning Commission
From: Byron Turner, Principal Planner
Subject: Major Use Permit/ File #MUP-23-03/360 W. Sycamore Street

Recommendation:

Receive staff report and relevant documentation, hold a public hearing, and consider adoption of the following resolution: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS APPROVING USE PERMIT (FILE # MUP-23-03) TO ALLOW ESTABLISHMENT OF A MINI-MART WITHIN AN EXISTING 2,200 SF COMMERCIAL BUILDING FOR PROPERTY LOCATED AT 360 W SYCAMORE STREET ASSESSORS PARCEL NUMBER 002-171-017 WITHIN THE CENTRAL COMMERCIAL ZONE.

Rationale for Recommendation: Per WMC 18.55.030(11) Mini-markets without gasoline sales are allowed with an approved use permit from the Planning Commission.

Background:

The subject property is located in the Central Commercial zoning district, on the corner of W. Sycamore St. and S. Plumas St. There is an existing approximately 2,200 SF building, constructed in 1962, which is currently vacant. Previously, the structure was occupied by a title company. The General Plan Designation is General Commercial.



Figure 1 – front of building

Project

Discussion:

The applicant proposes to utilize the existing 2,200 SF commercial building for the new mini-mart, which is a conditionally permitted use in the CC District.

The business will be open daily from 6am to 10pm. The store will carry basic groceries, snacks, soda, beer, wine, coffee, and will utilize a roller grill for hot food items.

Figure 2 - aerial



Imagery ©2023 Airbus, CNES / Airbus, Maxar Technologies, U.S. Geological Survey, Map data ©2023 50 ft

FLAT BLACK ROOF
AIR COND. UNIT
REST ROOM VENT.
WATER FLOWS FROM
NORTH TO SOUTH INTO
TWO DRAINS (EXISTING)

Discussion & Analysis:

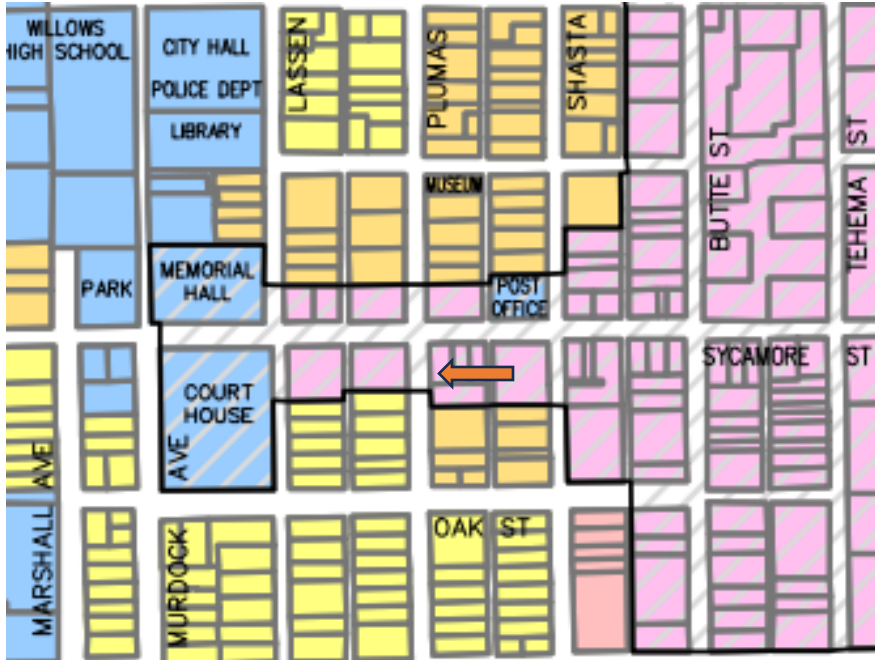
Use Permit:

The applicant proposing a new mini-mart style market at the proposed location. Zoning allows this use with Commission approval. The General Commercial designation provides for a variety of general retail businesses including, but not necessarily limited to: banks, business offices, food, hardware, variety, department, drug, and clothing stores. The applicant is also/has obtained necessary permits from Environmental Health food sales and ABC for beer and wine.

The surrounding zoning is the same as the site with commercial uses to the north, and east. General Commercial is the zoning to the south.

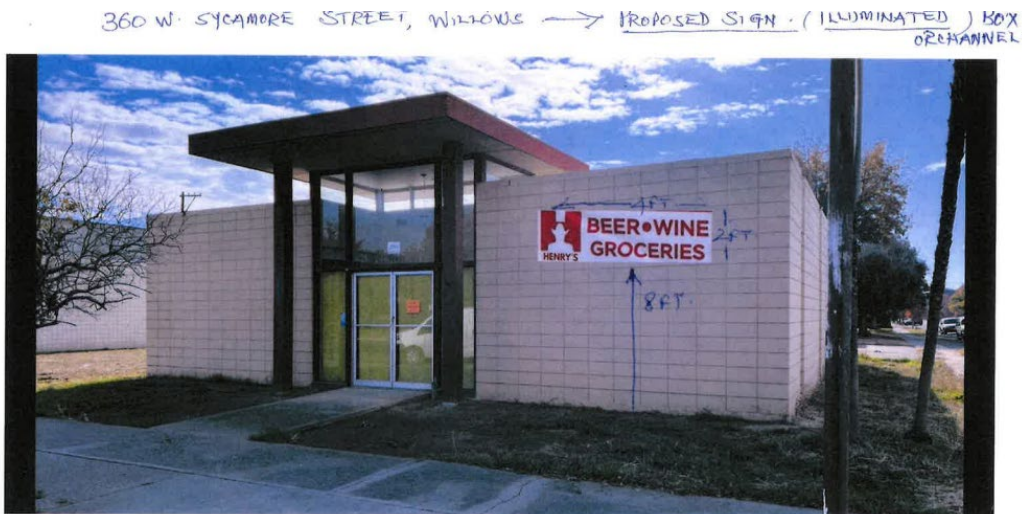
Parking is provided at the rear (south) of the property, including ADA compliant parking. A trash dumpster will be located at the rear of the building for trash pickup.

Figure 3 – Location & Zoning



There is no existing signage on the building. The applicant proposes to attach a new sign to the north side of the building (facing Sycamore). A sign permit is required per the WMC for any signage to advertise a commercial business prior to installation of any signage.

Figure 4 – proposed signage



Findings of Fact for use permit approval is required per WMC Chapter 18.135.050. These findings are included in the Draft Resolution and are as follows:

- (1) That the use is consistent with the purposes of the district in which the site is located; and

(2) That the proposed location of the use and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity; and

(3) That the proposed use is in conformance with the general plan. [Ord. 632-91 § 26.05, 10-22-91].

In accordance with Section 18.135.030 notice of this public hearing was published in the local newspaper ten (10) days prior to the public hearing and all property owners as indicated on the latest secured Assessor's records within 300 feet of the subject property were sent notice of the hearing. As of the date of preparation of this report no written or verbal public comments have been received by this office.

Fiscal Impact:

A PTA has been deposited for processing of the application.

Attachments:

- Attachment 1: Draft Resolution
- Attachment 2: Draft Conditions of Approval

PC RESOLUTION NO. XX-2024

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS
APPROVING USE PERMIT (FILE # MUP-23-03) TO ALLOW ESTABLISHMENT OF A
MINI-MART WITHIN AN EXISTING 2,200 SF COMMERCIAL BUILDING FOR
PROPERTY LOCATED AT 360 W SYCAMORE STREET ASSESSORS PARCEL NUMBER
002-171-017 WITHIN THE CENTRAL COMMERCIAL ZONE**

WHEREAS, the applicant, Harish Banger has made application for Use Permit approval to allow establishment of a Mini Mart style market; and

WHEREAS WMC Chapter 18.55.030(11) allows for Mini-Marts within the Central Commercial zone with a Use Permit approved by the Planning Commission; and

WHEREAS notice of the Planning Commission meeting held on January 24, 2024, was published in a newspaper of general circulation in the City in accordance with law, and mailing to property owners within 300 feet were sent; and

WHEREAS the Planning Commission did, on January 24, 2024, hold a public hearing to consider all public oral and written comments, letters and documents, staff reports, and all other documents and evidence which are a part of the Record; and

WHEREAS the Planning Commission does find that the proposed project qualifies as a Categorical Exemption under Sections 15301 & 15303; and

WHEREAS pursuant to Section 18.135.050 of the Zoning Ordinance, the following findings are made:

- 1) That the use is consistent with the purposes of the district in which the site is located.
Mini-marts are allowed within the Central Commercial zone with use permit approval from the Planning Commission
- 2) That the proposed location of the use and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.
The location of the new use (mini-mart) will be located within an existing commercial building, and conditions of approval have been placed upon the use ensuring that it will not be detrimental to the public health, safety, or welfare or materially injurious to properties.
- 3) That the proposed use is in conformance with the General Plan.
Commercial businesses are allowed within the land use designation of General Commercial.

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Willows does hereby find that the request to allow establishment of a mini-mart style market is consistent with the General Plan, and the City of Willows Municipal Code; and hereby approves Conditional Use Permit (file # MUP-23-03), subject to the attached conditions of approval.

IT IS HEREBY CERTIFIED that the foregoing Resolution was duly adopted at a regular meeting of the Planning Commission of the City of Willows on Wednesday, the 24th day of January 2024 by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

ATTESTED:

Pedro Bobadilla, Chairperson

Amos Hoover, City Clerk

Attachments:

Exhibit A

Use Permit (MUP-23-03) Conditions of Approval
For new Mini Mart at
360 W Sycamore Street/APN: 002-171-009
PC approval date: _____, 2023

GENERAL

1. That the applicant/developer shall enter into a *Pass-Through Agreement* with the City of Willows to pay the cost of all planning review, plan checking and field inspection of this project.
2. The approval of this project shall be subject to the latest adopted Ordinances, Resolutions, Policies, and fees of the City of Willows.
3. In any case where a use, permitted by a use permit, is not made on the project subject to the permit within the time specified in the permit or within one year after the date of granting thereof, then without further action, the permit shall be null, and void and such use shall not be made of the property except upon the granting of a new permit.
4. All plans for additional uses, which are not covered by this review, shall be submitted to the City Manager/Planning Commission for review and approval prior to use.
5. Any new signage to advertise the business shall obtain sign permit approval from the city prior to installation.
6. The applicant/business owner shall comply with all requirements of the ABC (Alcohol & Beverage Control) for sale to the general public.
7. The business shall obtain a city business license prior to operation.

BUILDING DEPARTMENT

8. The applicant shall apply for a building permit for the proposed tenant improvements, plans to be prepared by an architect.
9. Any proposed or future interior or exterior work shall comply with the current federal, state, and local codes and ordinances, and codes shall be shown on the plans submitted.
10. The adopted conditions of approval shall be shown on the plans.
11. Accessibility upgrades will be required and shall meet current code.
12. Working hours (construction) shall be restricted to the hours of 7:00 a.m. to 6 p.m., Monday through Friday.

GLENN COUNTY ENVIRONMENTAL HEALTH DEPARTMENT

13. The applicant will need to apply for and obtain a Food Facility Permit from the County Health Department prior to opening for business.
14. The applicant must submit plans to the Department for review and approval per the food facility plan check requirements on the County website. Contact Jay Bhakta at 530-934-6102.

FIRE DEPARTMENT

15. All applicable fire fees shall be paid prior to the issuance of a building permit.
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19. The building address signing shall meet all WMC 15.15.100 criteria and be reviewed by the Fire Department prior to installation. The address shall be visible from the roadway/street.
20. The business shall provide fire extinguishers in accordance with the 2022 CFC.

21. Emergency lighting shall be installed and operate from battery backup in accordance with CFC 2022.
22. A Pre-Fire Plan and Inspection will need to be completed before occupancy of the building.
23. Regular Fire Department safety inspections shall occur annually.

Henry's
360 w sycamore street
Willows , CA 95988

Honorable council members

I would like to appeal in accordance with the City of Willows Municipal Code 18.135.060. The appeal is for reconsideration of the Major Use Permit (#MUP-23-03) Resolution for 360 W. Sycamore St. as presented at the January 24, 2024, Planning Commission meeting, in which no action was taken on the item.

Sincerely



Harish Banger

To :- Respected members of Planning commission.

We are proposing to open a Mini Mart at 360 W sycamore st , Willows , CA.

We have 20 years of experience as operators in this industry.

We are very well aware of the fact that how important it is for the vital part of down town to keep its superb image and at the same time invite more traffic to the area.

Our business will have extremely positive impact on the area of downtown Willows. We will drive more patrons to downtown and revitalize it.

We will hire employees from Willows as we have done it in the past. Therefore add our part to local economy.

We have many checks and balances in place when comes to selling Beer, Wine and tobacco products. Our point of sale has the ability to scan ID of every customer when they intend to buy any item that has restricted age verification. Without scanning customer ID regardless of their age , our system does not let cashier to proceed or over ride.

We are the operators who feel pride in their business and we always strive to be part of the community.

We intend to bring in willows high school arts class and request them to paint a mural on East side off the building. That mural will represent Willows in the form of Rice fields , rice silos and ducks and duck hunting.

In the past we had two business in the city. During those wonderful years few times we did food drive for local food bank , we donated pallet of water to local fire department during heat waves and we have raised funds for local needy families during holiday seasons.

Our hours of operation will be 6 am to 10 pm. Winter hours will differ.

We have high hopes that you will give us a chance to be part of this wonderful community.

Thank you.

Sincerely,

Harish Banger



Henry's
360 W. Sycamore st
Willows , CA 95988.

On Thu, Jan 11, 2024 at 2:30 PM vijay benz <benzandbenzinc@yahoo.com> wrote:
Good morning Ms Downard ,

It was pleasure talking with you this morning.
Potentially we will be opening a convenience store at the address above. We were wondering if ur students will be interested in pairing a mural on side off the building. We were thinking to connect city with the art thru Ducks,Rice fields , rice silos and tractor.

We will supply all the material. And give a prize for the group of students who will participate in this project.

Please let us know your thoughts.

Thank you
Henry
916-712 2277.

On Monday, January 22, 2024, 12:54 PM, Julianna Downard
<jdownard@willowsunified.org> wrote:

Hi Henry,

Thanks for reaching out my high school student are so excited! We would love to paint a mural for your new business.

We are finishing up a project at this moment, we probably would be able to start working on the mural mid to late February. Please let me know if that works for you.

Best,
Julianna Downard



Kari Lemburg
Restaurant General Manager
Subway of Northern CA
530.934.7717

To whom it may concern:

I am writing this letter to provide a strong business reference for Henry. Having had the opportunity to work close alongside him, I can attest to his exceptional professionalism, quality of work, and commitment to his community.

Henry has consistently demonstrated his expertise and dedication in his respective field. His attention to detail and ability to deliver high quality results are commendable. I have had the pleasure of watching Henry meet deadlines and exhibit a proactive approach in tackling challenges. His professionalism, integrity, and commitment to his work make him a valuable member of any community.

I highly recommend Henry for any business endeavors in our community. Not only does he treat his customers with the most respect, but his employees and community alike. His humble actions in community members time of need are highly commendable and should not be overlooked lightly.

Should you require any further information or have any specific questions, please do not hesitate to reach out to me.

Thank you for your attention to this reference. I have full confidence in Henry's abilities and potential for success.

Sincerely,

Kari Lemburg

Restaurant General Manager

Subway of Northern CA

A handwritten signature in black ink that reads "Kari R. Lemburg". The signature is written in a cursive style with a long, sweeping tail on the final letter.

J. L. Silva Consulting
P. O. Box 1165
Dixon, Ca. 95620
(530) 782-2064 succesdgd@gmail.com

December 8, 2023

To whom it may concern:

Please accept this letter on behalf of Harish (Henry) Banger. I have known Henry for the past 12 years, he has owned and operated THE TOBACCO MAN smoke shop in Willows CA., as well as MOUTIAN MARKET in WEED Ca.

Both operations were very successful during the time he operated them and to this date his son Vijay now operates the Weed operation.

While in business in Willows Ca. Henry was very active within the community when it came to supporting the schools and other events.

Respectfully
Jerry Silva



J.L. Silva

12/8/2023


201 N Lassen St
Willows, Ca 95988

Dear Willows Planning Commission:

I am writing this reference at the request of Henry Banger, who is opening a store in Downtown Willows called Henry's. I have had the pleasure of knowing Henry for about 10 years and consider him a friend. Not only is he a great guy he is an awesome business owner. Every time I have visited a business owned and operated by Henry I was greeted with a smile and pleasant conversation. We kindled a relationship over the past 10 years that I have cherished. He is a very thoughtful man, whether he is sending me thanks on Veterans Day or Wishing my family and I a Happy Thanksgiving or a Merry Christmas.

Henry opening his business in Downtown Willows will have a positive impact on the local community in my opinion. It will contribute towards the revitalization of Downtown which we all can agree Willows desperately needs. It will provide jobs for those who are looking, and it will also occupy a building that has been empty for quite some time. I look forward to patronizing Henry's once it is open for business. Thank you all for your time.

Sincerely,



Jason D Guenther

2057 County Rd J

Willows, CA 95988

Yum Yum Ice-Cream
204 W. Walnut St:
Willows, CA. 95988.

Henry had two businesses the past. They were extremely successful. He hired Local people from willows. Henry is a very pleasant individual who is willing to help if he can. My down town business will be positively impacted with the addition of Henry's store.

Thanks

A handwritten signature in black ink, appearing to be "G. Jones", with a long horizontal stroke extending to the right.

Dog groomers
West walnut st
Willows , CA

I have know Henry for number of years. With him opening location in down town Willows's will bring in more traffic to the area. Ultimately help other businesses in the neighborhood of down town. Can't Waite for him to open his doors for business.

Thank you.

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

PLANNING COMMISSION MEETING

January 24, 2024

Item 6a - Major Use Permit

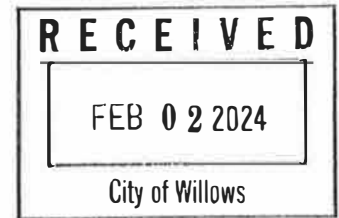
The regulation of tobacco retail uses are necessary and in the best interest of public health, safety and general welfare. There is substantial likelihood that more tobacco and smoke shops may want to open within our city. The operation of these types of business in the city and especially in specific locations would have undesirable impacts on our community. There are potential impacts of tobacco sales to minors, greater opportunity to sell illegal drug paraphernalia that is marketed as tobacco paraphernalia and a risk of negative aesthetic impacts, including blight and loss of property values to the business and residential properties in close proximity.

Our code demonstrates good zoning and planning practices by allowing this type of use in the highway commercial zone without a conditional use permit.

We have struggling eateries downtown and it's important that we keep in mind the ones that draw people off the freeway and from surrounding cities that help to support our community.

This type of business **will not generate any new sales tax revenue**. It will just shift it from one business to another.

Another business owner referred to allowing this type of business in the downtown as "a bad mark on Sycamore Street".



GARNER | & ASSOCIATES
LLP

109 North Marshall Avenue
P.O. Box 908
Willows, CA 95988

Telephone (530) 934-3324
Fax (530) 934-2334

February 2, 2024

sent by way of first-class mail and hand delivered

Willows City Council
201 N Lassen St
Willows, CA 95988

Re: Objection to Approval of Use Permit (File # MUP23-03) to operate a “convenience” store

I object to approval of the application submitted for a use permit (File # MUP23-03) to operate a “convenience” store located at 360 W Sycamore St. APN: 002-171-017. I, as do all others who work, live and derive their livelihood in Willows, want to see every opportunity for the return of a thriving community with active businesses but I do not desire or welcome it to be an ad hoc any business anywhere approach. I object to the proposed use to operate a “convenience” store located at 360 W Sycamore St for the following reasons:

1) I am the owner of 110 S Plumas, located adjacent to and south of 360 W. Sycamore. Our building has for many years been used as a law office, as has the building adjacent to and east of 360 W. Sycamore. 360 W. Sycamore was a title company for many years. The building across the street to the west started as a residence but was transformed into an Engineering and Surveying business for many years and then most recently a law office. These were all compatible uses. Our building was used by the Ca Judicial Council during the court’s remodel. We hope the court’s remodel and consolidation of courts will bring back to this area the demand for office spaces. A “convenience” store at this location and the different hours such a business operates does not seem compatible with office hours nor such offices’ security and will be detrimental to such desired revitalization.

2) Further, this “convenience” store will be located a block from the newly remodeled courthouse, a block from Sycamore Park that is currently being repurposed as a large playground for our youth and two blocks from the Willows High School. While Sycamore Street is an important street in Willows, I do not believe it has the type of traffic to alone support the business a new “convenience” store at this location other than to take business away from other similar businesses in the vicinity located in more appropriate locations. The target patrons will then be those going to and from the court, families going with their children to the park and high school students going to and from school. Notwithstanding all else, I believe Willows High School students are or will become intentionally or not the demographic focus of this “convenience” store at this location. Many communities won’t allow such a store in such close proximity to a high school. We do not want a “convenience” store that has been featuring cheap cigarettes within walking distance of our high school.

3) If Willows high school students are or will become intentionally or not the demographic focus for this “convenience” store at this location this business adds no additional commerce to Willows but only the prospect of taking business away from other similar businesses in the vicinity but located in more appropriate locations. Its location and advertising cheap cigarettes or other less expensive products demonstrate this “convenience” store’s focus of having no goal to increase sales tax revenue for our community from outside sources but to simply pull business away from other businesses resulting in no net gain for Willows in sales tax or perhaps a loss if this “convenience” store’s products draw is their reduced cost resulting in less sales tax.

I appreciate and respect the work and efforts of the City Council for the betterment of our city. We see you as stewards, being careful and responsible in the management of Willows. The Council has been entrusted to help and serve the best interests of Willows. This is more than simply adding a new business, but the right business at the right place.

I do not think this location is the right place for this “convenience” store in Willows and respectfully object to the approval of this Use Permit and ask that the council does not vote to approve.

Sincerely



Elton R Garner

ERG/lp

cc: Richard Thomas via email rthomas@cityofwillows.org
cc: David Vodden via email dvodden@cityofwillows.org
cc: Gary Hansen via email ghansen@cityofwillows.org
cc: Evan Hutson via email ehutson@cityofwillows.org
cc: Forrest Sprague via email fsprague@cityofwillows.org



DISCUSSION & ACTION CALENDAR



Date: February 13, 2024
 To: Honorable Mayor and Councilmembers
 From: Joe Bettencourt, Community Development & Services Director
 Marti Brown, City Manager
 Subject: 2024 Community Development Block Grant Application Project Selection

Recommendation:

Provide Council direction regarding a preferred project for the 2024 Community Development Block Grant (CDBG) application.

Rationale for Recommendation:

The California Department of Housing & Community Development (HCD) recently released an amendment to the September 29, 2023, CDBG Notice of Funding Availability (NOFA) making \$19 million available for new Housing, Community Development and Economic Development projects in an Over-the-Counter Process. Therefore, staff seeks Council direction regarding a potential project application to submit to HCD for the 2024 CDBG application cycle.

Background:

Under the recently amended Notice of Funding Availability (NOFA), \$19 million in CDBG funds will be provided as grants to Non-Entitlement Units of General Local Government for project applications that include CDBG eligible activities that were waitlisted under the 2019-2020 Over-the-Counter application process. Pursuant to the latest Amendment, another \$19 million in CDBG funds are provided as grants to Non-Entitlement Units of General Local Government for new applications for CDBG eligible projects.

Below is the application timeline:

CDBG NOFA amendment for New Projects release	January 31, 2024
Application for New Projects Opens for Submittal	March 1, 2024
Application for New Projects deadline	When funds are exhausted or 60 days from application open date, whichever comes first.

Discussion & Analysis:

The City of Willows does not meet the low/moderate income percentage as determined by HCD. This limits applications to projects that assist individuals which are presumed low/moderate income (e.g.,

elderly, disabled, domestic violence victims) and/or income certified individuals and are determined to be low income. No more than one application submission is permitted per jurisdiction and the maximum award amount is \$3.3 million per jurisdiction.

Below are eligible activities for the Amended 2023/24 NOFA:

Funding for Community Development

Housing

Includes single- and multi-family rehabilitation, rental housing acquisition or homeownership assistance, and activities that support new housing construction.

Public Improvements

Includes sidewalk improvements or other ADA improvements, water and wastewater systems, and rural utilities such as gas and electric services.

Community Facilities

Includes domestic violence shelters, food banks, and other facilities that serve low/moderate income individuals.

Planning and Technical Assistance (PTA)

Includes studies and plans for housing, public works, and community facilities.

Funding for Economic Development

Enterprise Fund

Includes grants for loans to businesses for working capital, land acquisition, equipment purchase, inventory purchase, debt restructuring, and other direct assistance. Grants to support businesses by providing water and sewer services, access roads, and other public facilities. Microenterprise funds may provide credit, general support (e.g., childcare, transportation), or technical assistance for persons developing microenterprises.

Planning and Technical Assistance (PTA)

Includes studies and plans for economic development activities that meet CDBG national objectives and provide principal benefit to low-income persons.

Fiscal Impact:

Staff time to develop the application. There is no match required should the application be successful.



Date: February 13, 2024
To: Honorable Mayor and Councilmembers
From: Glenn Groundwater Authority
Marti Brown, City Manager
Subject: Glenn Groundwater Authority - Prop 218 Study

Recommendation:

Discuss the Glenn Groundwater Authority's (GGA) upcoming Proposition 218 Study and provide feedback and direction. Discussion will be led by Mayor Hansen.

Rationale for Recommendation:

The GGA seeks direction from the City of Willows as to whether it wishes to continue to directly fund the agency on behalf of property owners (as it has done since 2019) or opt for some other approach.

Background:

In 2014, the Sustainable Groundwater Management Act was passed and signed into California State Law which set into motion a change in the way groundwater is managed throughout California. In 2017, the Glenn Groundwater Authority was formed, which is currently comprised of ten member agencies, including the City of Willows. The first two years of operations were funded by member agency contributions.

In 2019, the Glenn Groundwater Authority approved a property-related fee to fund the operations of the agency. The maximum fee was set at \$1.93 per acre. The first year, the fee was set at \$1.61 per acre and has since been set at \$1.50 per acre. The City of Willows adopted Resolution 16-2019 memorializing the City's intention to directly fund the Glenn Groundwater Authority for the acreage within the City limits of Willows and the property owned by the City of Willows. The City of Orland passed a similar Resolution with the same commitment.

Discussion & Analysis:

The Glenn Groundwater Authority is currently updating its fees. The GGA is considering property-related fees based on assigned user classifications for each parcel to distinguish between different types of water users. The Glenn Groundwater Authority is interested in

coordinating with the City to determine if the City of Willows would be interested in a similar commitment to directly fund the Glenn Groundwater Authority on behalf of the property owners within the City's jurisdiction.

Fiscal Impact:

Depending on the findings of the Proposition 218 study, and if the City wishes to continue its commitment to directly fund the agency on behalf of property owners, the City will incur the additional cost yet to be determined.



Date: February 13, 2024
To: Honorable Mayor and Councilmembers
From: Joe Bettencourt, Community Development & Services Director
Marti Brown, City Manager
Subject: Use of Façade Improvement Funds

Recommendation:

Discuss potential uses of the remaining \$4,729.64 of Façade Improvement Funds and provide direction to staff.

Background:

Historically, monies in the Façade Improvement Fund were overseen by the *Greater Willows Improvement League* (GWIL), who worked through the grant application process for commercial façade improvements as well as reviewed grant applications prior to consideration by the City Council. The last funding request was presented to the City Council in 2019.

In mid-2021, staff were contacted by a downtown property owner inquiring about the balance of these funds. There was and still is a remaining balance of \$4,729.64. Staff informed the interested property owner, as well as provided an explanation of the Program requirements. To date, no applications have been received.

At the February 2022 Planning Commission meeting, the topic was raised again and, as a result, staff was directed to seek Council direction on how to expend the remaining balance as the funds are likely insufficient to fully fund a project. Discussions did not result in any action being directed.

In Late 2023, Councilmember Sprague also inquired about these funds and requested that it be re-agendized for Council discussion and direction, especially as it relates to wayfinding signs for the downtown and other city landmarks.

Discussion & Analysis:

Currently, \$4,729.64 remains in the fund. There is a high probability that the remaining funds are not sufficient to fund any single project without additional funding (e.g., General Fund, grant). In the future, however, these funds could assist with a wayfinding sign program or some other signage project when additional funds become available.

Fiscal Impact:

There is no fiscal impact.



COMMENTS AND REPORTS



CLOSED SESSION