



Willows City Council Regular Meeting Agenda

June 22, 2021

Willows City Hall

7:00 p.m.

City Council

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

Interim City Manager

Wayne Peabody

City Clerk

Tara Rustenhoven

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

1. **CALL TO ORDER- 7:00 p.m.**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **PUBLIC COMMENT/WRITTEN COMMUNICATIONS**

a. Public Comments:

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

5. CONSENT AGENDA

Consent items are considered to be routine by the City Council and will be enacted in one motion. There will be no separate discussion on these items unless a Council Member requests, in which event the item will be removed from the consent agenda. It is recommended that the Council:

- a. Approval of general checking, payroll & direct deposit check registers**
- b. Approval of minutes of the Special Budget City Council Meeting held on June 10, 2021.**

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

6. PRESENTATIONS

- a. City of Willows Comprehensive Waste Water Rate Study 2021 report presentation NBS.**
- b. Friends of the Willows City Pool to provide an update on summer swimming.**

7. PUBLIC HEARING

- a. Conduct a public hearing, open and review any received ballots and consider adoption of a resolution entitled; **A RESOLUTION APPROVING THE ANNUAL ENGINEER'S REPORT, CONFIRMING THE ASSESSMENT DIAGRAM AND THE ANNUAL ASSESSMENT AMOUNTS AND AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2021-22 FOR THE CITY OF WILLOWS LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT ZONE A-BIRCH STREET VILLAGE, ZONE B-WALMART, ZONE-C SOUTH WILLOWS COMMERCIAL AND INDUSTRIAL CENTER (PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972)**
- b. Conduct a public hearing and adopt the Resolution of the City Council of the City of Willows Adopting the 2021/22 budget.
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS ADOPTING THE 2021/22 CITY OF WILLOWS ANNUAL BUDGET.

8. REGULAR BUSINESS AGENDA/ITEMS REQUIRING COUNCIL ACTION

- a. **CONSIDER THE SALE THE SALE OF WATER FROM THE SOUTH WILLOWS WATER COMPANY AT \$10 PER 1000 GALLONS TO ASSIST RESIDENTS OF GLENN COUNTY FOR DOMESTIC USE WHILE DROUGHT EMERGENCY ORDER IS IN PLACE.**
- b. **CONSIDERATION OF RESOLUTION NO ____ - 2021, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS, CALIFORNIA ADOPTING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND UNITED PUBLIC EMPLOYEES OF CALIFORNIA, LOCAL 792 FOR THE CITY'S FIRE EMPLOYEES BARGAINING UNIT.**
- c. **CONSIDERATION OF RESOLUTION NO ____ - 2021, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS, CALIFORNIA ADOPTING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND WILLOWS EMPLOYEE ASSOCIATION (WEA).**
- d. **CONSIDERATION TO ADOPT CITY COUNCIL RESOLUTION NO. ____ APPROVING THE CITY OF WILLOWS SALARY SCHEDULES FOR THE WILLOWS FIRE BARGAINING UNIT AND DIRECT STAFF MAKE THEM AVAILABLE TO THE PUBLIC.**
- e. **CONSIDERATION TO ADOPT CITY COUNCIL RESOLUTION NO. ____ APPROVING THE CITY OF WILLOWS SALARY SCHEDULES FOR THE WILLOWS EMPLOYEE ASSOCIATION AND DIRECT STAFF MAKE THEM AVAILABLE TO THE PUBLIC.**

9. COUNCIL/ STAFF REPORTS/COMMENTS

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

10. CLOSED SESSION

- a. **PUBLIC COMMENT:** Pursuant to Government Code Section §54954.3, the public will have an opportunity to directly address the legislative body on the item below prior to the Council convening into closed session. Public Comments are generally restricted to three minutes.
- b. **CONFERENCE WITH LEGAL COUNCIL-ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to §54956.9 (b)
Number of Cases: One (1)
- c. **PUBLIC EMPLOYMENT APPOINTMENT/EMPLOYMENT,** pursuant to Government Code 54957(b)1.
Title: Interim City Manager

11. ADJOURNMENT

This agenda was posted on 2021

Maria Ehorn, Minute Clerk

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

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

The City of Willows is an Equal Opportunity Provider



CONSENT AGENDA



PERIOD

06/07/2021 TO 06/10/2021

Payroll Direct Deposit Z44937 TO Z44965

General Checking 38905 TO 38912

APPROVAL DATE 06/22/2021

APPROVED _____

REPORT.: 06/07/21
RUN...: 06/07/21 Time: 10:36
Run By.: CWS Personnel

CITY OF WILLOWS
Check Register

Check Number	Date	Payroll Date	**Employee** Num	Name	Actual Period	Fiscal Period	Gross Amount
38905	06/11/21	06/06/21	MON00	MONCK, NATHANIAL T	06-21	12-21	228.80
Z44937	06/11/21	06/06/21	WIL02	WILLIAMS, JEFF	06-21	12-21	250.00
Z44938	06/11/21	06/30/21	BOB00	BOBADILLA, PEDRO D	06-21	12-21	50.00
Z44939	06/11/21	06/06/21	CHI00	CHILDRRESS, KATIE LEEANN	06-21	12-21	1743.60
Z44940	06/11/21	06/30/21	GRI02	GRIFFITH, ROBERT	06-21	12-21	50.00
Z44941	06/11/21	06/30/21	HAN06	HANSEN, JOSE	06-21	12-21	50.00
Z44942	06/11/21	06/30/21	MUL00	MULLER, HILGARD N	06-21	12-21	50.00
Z44943	06/11/21	06/06/21	RUS01	RUSTENHOVEN, TARA L	06-21	12-21	1935.87
Z44944	06/11/21	06/30/21	WOO00	WOODS, CANDIS K	06-21	12-21	50.00
Z44945	06/11/21	06/06/21	EHO00	EHORN, MARIA ANNETTE	06-21	12-21	1984.71
Z44946	06/11/21	06/06/21	BOW00	BOWERS, LINDA S	06-21	12-21	252.00
Z44947	06/11/21	06/06/21	BRI00	BRIONES, BRENDA VALENZU	06-21	12-21	280.00
Z44948	06/11/21	06/06/21	DUN00	DUNCAN , ROSE A	06-21	12-21	1430.77
Z44949	06/11/21	06/06/21	ESP00	Espeland, Sam Kinsey	06-21	12-21	154.00
Z44950	06/11/21	06/06/21	OLI00	OLIVER, LINDA F	06-21	12-21	252.00
Z44951	06/11/21	06/06/21	RAN00	RANDOLPH, ABIGAIL S	06-21	12-21	364.00
Z44952	06/11/21	06/06/21	SIL00	SILVA, EMILY M	06-21	12-21	112.00
Z44953	06/11/21	06/06/21	SPE02	SPENCE, KYLIEGH C	06-21	12-21	287.00
Z44954	06/11/21	06/06/21	VAR00	Vargas, Giovanni	06-21	12-21	518.00
Z44955	06/11/21	06/06/21	HUT04	HUTSON, KRISTINA RENEE	06-21	12-21	609.96
Z44956	06/11/21	06/06/21	ABO00	ABOLD, STEVEN B	06-21	12-21	2200.19
Z44957	06/11/21	06/06/21	MCM00	MCMAHON, SHARON M	06-21	12-21	188.16
Z44958	06/11/21	06/06/21	SEN00	SENGMANY, SITXAY	06-21	12-21	640.00
Z44959	06/11/21	06/06/21	VAS01	VASQUEZ, PEDRO CEASAR	06-21	12-21	2003.08
Z44960	06/11/21	06/06/21	ENO00	ENOS, KYLE	06-21	12-21	2713.37
Z44961	06/11/21	06/06/21	PEA04	PEABODY, ROBERT WAYNE	06-21	12-21	4400.54
Z44962	06/11/21	06/06/21	PET02	PETERSEN, MATTHEW	06-21	12-21	1827.67
Z44963	06/11/21	06/06/21	CAR03	CARLSON, JOSHUA D	06-21	12-21	1501.85
Z44964	06/11/21	06/06/21	MIN00	MINGS, MICHAEL E	06-21	12-21	1501.85
Z44965	06/11/21	06/06/21	PFY00	PFYL, NATISA N	06-21	12-21	2461.65

30091.07
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REPORT.: 06/10/21
RUN ON.: 06/10/21 Time: 11:29
RUN BY.: CWS Personnel

CITY OF WILLOWS

PAGE: 001
ID #: SPVR
CTL.: WIL

Vendor Check Register Print

Number	Date	Vendor/Organization	Invoice Id	Date	Description/Reference	Period	Amount	Amount Paid
38906	06/10/21	EDD01 EMPLOYMENT DEVELOP.DEPT.	C10607	06/07/21	STATE INCOME TAX	06-21	534.68	534.68
38907	06/10/21	EDD02 EMPLOYMENT DEVELOPMENT DEP	C10607	06/07/21	SDI	06-21	346.61	346.61
38908	06/10/21	ICM01 ICMA RETIREMENT TRUST 457	C10607	06/07/21	DEFERRED COMP - ICMA	06-21	411.11	411.11
38909	06/10/21	NAT00 NATIONWIDE RETIREMENT SOLU	C10607	06/07/21	USCM DEF. COMP.	06-21	784.92	784.92
38910	06/10/21	PER01 P.E.R.S.	C10607	06/07/21	PERS PAYROLL REMITTANCE	06-21	5005.06	5005.06
38911	06/10/21	UMP00 UMPQUA BANK	C10607	06/07/21	DIRECT DEPOSIT	06-21	20716.25	20716.25
38912	06/10/21	UMP01 UMPQUA BANK - MYTAXPAYER	C10607	06/07/21	FEDERAL INCOME TAX	06-21	1753.15	
38912	06/10/21	UMP01 UMPQUA BANK - MYTAXPAYER	1C10607	06/07/21	FICA	06-21	3612.58	
38912	06/10/21	UMP01 UMPQUA BANK - MYTAXPAYER	2C10607	06/07/21	MEDICARE	06-21	844.88	6210.61
TOTAL DISBURSED...							34009.24	34009.24



ACTION MINUTES OF THE WILLOWS CITY COUNCIL SPECIAL BUDGET MEETING HELD JUNE 10, 2021

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

1. Mayor Domenighini called the meeting to order at 2:05 p.m.
2. The meeting opened with the Pledge of Allegiance led by Council Member Flesher.

3. Roll Call:

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

Council Members Absent:

Staff Present: Interim City Manager Wayne Peabody and Minute Clerk Maria Ehorn

4. Public Comment/ Written Communications: . Allyson Smith spoke regarding city recreation and funding. Sharon Ponciano also spoke regarding city recreation and funding. Dennis Asbury spoke regarding the possibility of partnering with the school district to use the high school pool. Roberta Asbury asked about what is the Orland's sales tax amount and what Willows' sales tax is. Mrs. Asbury also had a question regarding contractual services for the finance department.

5. Discussion of Restoration Proposed by Council

Interim City Manager, Wayne Peabody, presented the item. A general discussion among the Council ensued.

6. Direct Staff Regarding Budget Status

The consensus of the Council was to have the budget item be agendaized on the next regular City Council meeting.

7. Adjournment:

The Meeting was adjourned at 2:22 p.m.

Dated: June10, 2021

Maria Ehorn, Minute Clerk



PRESENTATIONS

**WILLOWS CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND CITY COUNCIL MEMBERS

**FROM: DAVID G. RITCHIE, CITY ATTORNEY
WAYNE PEABODY, CITY MANAGER**

**RE: RECEIVE A PRESENTATION FROM NBS REGARDING THE CITY OF
WILLOWS WASTEWATER RATE STUDY REPORT, AND
APPROVE/ACCEPT THE REPORT (PRESENTATION AND ACTION
ITEM)**

DATE: JUNE 22, 2021

SUMMARY

In preparation for the potential refinancing or refunding of certain City debt obligations and future actions relating to Wastewater (Sewer) Rates within the City, NBS was retained to conduct a comprehensive Wastewater Rate Study including preparation of a Financial Plan, Cost-of-Service Analysis and Rate Design Analysis. The study also sets out best practices and the methodology followed in performing each stage of analysis.

This presentation accompanies the final report of the Study conducted by NBS. If approved/accepted, City Staff is seeking direction from Council to move forward with providing notices of public hearings on the implementation of rates consistent with the study results.

FISCAL IMPACT

None

RECOMMENDATIONS

City staff recommends that Council approve/accept the study report and provide direction to staff

ALTERNATIVES

The City could decline to approve/accept the study report.

ATTACHMENTS

City of Willows Wastewater Rate Study 2021 (NBS)

Presentation Slides

(Materials to be presented at the meeting and made available at City Hall on June 22, 2021)



PUBLIC HEARING

AGENDA ITEM

June 22, 2021

TO: Honorable Mayor Domenighini and Members of City Council

FROM: John Wanger, City Engineer

SUBJECT: Landscaping and Lighting Special Assessment District – Authorization to Levy Assessments

RECOMMENDATION

Conduct the required public protest hearing, open and review any received ballots and consider the attached resolution approving the Engineer's Report as filed, confirming the assessment diagram and amounts as set forth therein and authorizing the levy and collection of assessments for the Fiscal Year 2021-22

SUMMARY

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

The Landscaping and Lighting Act requires that the City undertake certain proceedings for any fiscal year in which assessments are to be levied and collected. These proceedings are typically accomplished at three separate Council meetings. The first action (appointing an Engineer of Work and directing the preparation of the annual Engineer's Report) was completed by the Council on February 9, 2021. The second action (receiving the Preliminary Engineer's Report and setting the date of the required public protest hearing) was completed on April 27, 2021. Tonight is the third and final step in the process – conduct the public protest hearing, approve the Engineer's Report as presented or as amended tonight and authorize the levy of assessments for FY 2021-22.

Attached to this staff report is the Engineer's Report as prepared by Coastland Civil Engineering. Because the Council did not request any changes to the preliminary report filed on April 27, 2021, the proposed assessments shown in this report have not changed from the preliminary report. If there are no changes from the City Council at this time, the proposed assessments shown in the report will be passed on to the County Assessor's office for inclusion on the tax roles.

In brief, the attached report outlines costs for FY 2021-22, summarizes the projected costs for FY 2021-22 and provides the proposed overall assessments. In order to keep up with inflation, the estimated maximum annual assessments are proposed to increase by the allowable annual CPI (Year 2020) of +2.0% for Zones A, B and C. The raised maximum annual assessment for Zone A is now \$529.09 per unit, the raised maximum annual assessment for Zone B is now \$7,516.25 per unit and the raised maximum annual assessment for Zone C is now \$72,344.44 for the zone.

The estimated maximum annual assessment will increase for Zone A and the actual amount that will be levied and collected during FY 2021-22 will be increased from the FY 2020-21 assessment by \$19.54 to \$129.54 per unit. This amount is below the allowed maximum annual assessment for Zone A.

The estimated maximum annual assessment will increase for Zone B however the actual amount that will be levied and collected during FY 2021-22 will decrease from the FY 2020-21 assessment by \$734.36 to \$1,716.72 per unit.

The estimated maximum annual assessment will increase for Zone C however the actual amount that will be levied and collected during FY 2021-22 will decrease from the FY 2020-21 assessment by \$470.46 to \$2,968.02 for the Zone.

During FY 2008-09, the Council implemented a minimum reserve balance of 10% to 20%. By using some of each Zone's reserves to reduce their respective assessments, it is noted that the projected FY 2021-22 Assessment District reserve for all zones will still be within that range.

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

FINANCIAL CONSIDERATIONS - All costs associated with this assessment district (operation, maintenance, and administration) are recovered through the assessments. All anticipated costs are shown in the budget in the Engineer's Report. The total proposed Assessment District budget for Fiscal Year 2021-22 is \$37,701.91. The funding source is from proposed assessment revenues levied and collected during FY 2021-22 along with existing Zone C reserves.

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

ALTERNATE ACTIONS

None recommended.

RECOMMENDATION

Conduct the required public protest hearing and consider the attached resolution approving the Engineer's Report as filed, confirming the assessment diagram and amounts as set forth therein, authorizing the levy and collection of assessments for the Fiscal Year 2021-22.

Respectfully submitted,

John Wanger
City Engineer

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

**CITY OF WILLOWS
CITY COUNCIL
RESOLUTION NO. -2021**

**A RESOLUTION APPROVING THE ANNUAL ENGINEER'S REPORT, CONFIRMING THE
ASSESSMENT DIAGRAM AND THE ANNUAL ASSESSMENT AMOUNTS AND AUTHORIZING THE
LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2021-22 FOR THE
CITY OF WILLOWS LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT
ZONE A – BIRCH STREET VILLAGE
ZONE B – WALMART
ZONE C – SOUTH WILLOWS COMMERCIAL AND INDUSTRIAL CENTER
(PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972)**

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

WHEREAS, the City Council of the City of Willows intends to levy and collect assessments within the Assessment District during FY 2021-22, and the lands to be assessed are located within the City of Willows corporate boundaries, Glenn County; and

WHEREAS, on February 9, 2021, the City Council adopted a resolution appointing Coastland Civil Engineering as the Engineer of Work, directing the preparation and filing of the annual FY 2021-22 Engineer's Report, and describing the potential changes to the Assessment District; and

WHEREAS, on April 27, 2021, the City Council adopted a resolution of intention to levy and collect assessments, preliminarily approving the Engineer's Report for FY 2021-22, and setting the times and dates of the public information meeting and public hearing pursuant to Section 22624 of the Streets and Highways Code; and

WHEREAS, for FY 2021-22 there is an annexation proposed into Zone B (Walmart); and

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

WHEREAS, for Zone A, in order to keep up with inflation the FY 2021-22 maximum annual assessment per unit will be adjusted up by the allowable CPI to \$529.09; and

WHEREAS, for Zone B, in order to keep up with inflation the FY 2021-22 maximum annual assessment per unit will be adjusted up by the allowable CPI to \$7,516.25; and

WHEREAS, for Zone C, in order to keep up with inflation the FY 2021-22 maximum annual assessment for the zone will be adjusted up by the allowable CPI to \$72,344.44; and

WHEREAS, the proposed FY 2021-22 annual assessment to levy and collect for Zone A is proposed to be increased to \$129.54 per unit; and

WHEREAS, the proposed FY 2021-22 annual assessment to levy and collect for Zone B is proposed to be reduced to \$1,716.72 per unit; and

WHEREAS, the proposed FY 2021-22 annual assessment to levy and collect for Zone C is proposed to be reduced to \$2,968.02 per unit; and

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

WHEREAS, on June 22, 2021, the City Council conducted a public hearing and gave every interested person an opportunity to comment on the FY 2021-22 Engineer's Report either in writing or orally and the City Council has considered each comment; and

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

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

1. Approves the annual FY 2021-22 Engineer's Report as prepared and filed;
2. Confirms the assessment diagram and assessment amounts as set forth in the FY 2021-22 Engineer's Report and any amendments incorporated at the City Council's direction and hereby authorizes the levy and collection of the annual assessments set forth in said report for the FY 2021-22, for each of the following Zones:
 - Zone A – Birch Street Village
 - Zone B – Walmart
 - Zone C – South Willow Commercial and Industrial Center;
3. Adjusts the estimated maximum annual assessment for Zones A, B and C by the allowed CPI factor of +2.0% from the FY 2020-21 maximum annual assessment level as allowed by the original formation and annexation proceedings in order to keep up with inflation;
4. Sets the maximum annual assessments for FY 2021-22 to \$529.09 per unit for Zone A, \$7,516.25 per unit for Zone B and \$72,344.44 for the zone for Zone C
5. Sets the FY 2021-22 amount to levy and collect at \$129.54 per unit for Zone A, \$1,716.72 per unit for Zone B and \$2,968.02 per unit for Zone C;
6. Adopts this resolution pursuant to Section 22631 of the Street and Highway Code.

It is hereby certified that the foregoing Resolution No. _____ –2021 was duly introduced and duly adopted by the City Council of the City of Willows at its regular meeting held on this 22nd day of June 2021, by the following Roll Call vote:

AYES in favor of:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTESTED:

Larry Domenighini, Mayor

Tara Rustenhoven, City Clerk



**ANNUAL ENGINEER'S REPORT
FOR
CITY OF WILLOWS
LANDSCAPING & LIGHTING ASSESSMENT DISTRICT
FY 2021-22**

FOR FINAL APPROVAL

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

June 2021

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

**CITY OF WILLOWS LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT
FY 2021-22**

(Pursuant to the Landscaping and Lighting Act of 1972)

The undersigned respectfully submits, as directed by the City Council of the City of Willows on February 9, 2021, the enclosed Engineer's Report on the 22nd day of June, 2021.



COASTLAND CIVIL ENGINEERING INC.

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

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was filed with me on the ____ day of ____, 2021.

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

I HEREBY CERTIFY that the enclosed Final Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Willows, California, on the ____ day of ____, 2021.

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

I HEREBY CERTIFY that the enclosed Final Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was filed with the County Auditor of the County of Glenn on the ____ day of ____, 2021.

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

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

(Pursuant to the Landscaping & Lighting Act of 1972)

FY 2021-22

Coastland Civil Engineering, the Engineer of Work for the City of Willows Landscaping & Lighting Assessment District, City of Willows, Glenn County, California, submits this annual Engineer's Report, as directed by the City Council on February 9, 2021, pursuant to Sections 22565 and 22620 of the California Streets & Highways Code.

History of the Assessment District

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

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

In FY 2019-2020, Zone C was created to recover operations and maintenance costs associated with the South Willows Commercial and Industrial Center. The procedures required for annexing a parcel into an existing zone will be followed as specified in Section 22605-22613 of the Streets and Highways codes, which requires noticing, a public information meeting and a public hearing.

In FY 2021-22, a new parcel, "McDonald's" is proposed to be annexed into Zone B. This parcel will benefit from the assessment district improvements and, if annexed, will share the operation and maintenance costs.

City of Willows Assessment District Zones and FY 2021-22 Budget

The overall proposed Assessment District budget for FY 2021-22 is \$37,701.91, which is higher than last year (\$33,605.07) due to the additional months of maintenance required for Zone C, whose right-of-way improvements were completed last year. The following sections describe each assessment zone, its proposed budget for FY 2021-22, and any changes from the previous year.

Zone A – Birch Street Village

Zone A was created for the Birch Street Village Subdivision to provide funding for the operation and maintenance of landscaping and lighting, including turf, ground cover, shrubs, trees, plants, irrigation systems, masonry walls, fencing, entryway monuments, street lights and associated appurtenances located within the right-of-way. The location of the improvements are shown in the Assessment Diagram in Part F of this Report.

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

The FY 2021-22 Zone A assessment is proposed to be \$129.54 per unit. This is \$19.54 per unit higher than last year. The total proposed Zone A budget for FY 2021-22 is \$4,404.36. This is a 10% increase from the FY 2020-21 budget due to higher overhead costs. It should be noted that the Zone A assessments may need to increase again next year if excess reserves are not available to reduce assessments.

The estimated annual reserve fund balance for Zone A is anticipated to be 19%, within the desired reserve range of 10%-20% at the end of FY 2021-22.

Zone B – Walmart

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

For FY 2021-22, the McDonald's parcel is proposed to be annexed into Zone B, increasing the number of parcel units in this zone from one to two.

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

The budget for this zone is \$3,433.44. This is an 18% increase from the FY 2020-21 budget due to higher overhead costs. The FY 2021-22 assessment is proposed to be \$1,716.72 per unit, which is \$734.36 per unit lower than last year due to the annexation of an additional parcel into the zone. The maximum knockdown reserve level has been reached, so no funding was needed for that line item. Additional reserves were not available to reduce this year's assessments. If they are not available next year, assessments may need to increase.

The estimated annual reserve fund balance is anticipated to be 16%, within the desired reserve range of 10%-20% at the end of FY 2021-22.

Zone C – South Willows Commercial and Industrial Center

In FY 2019-20, Zone C was created for the South Willows Commercial and Industrial Center development. Zone C covers the costs of landscape, weed abatement, and lighting improvements in the right-of-way or public parcels created as part of the South Willows Commercial and Industrial Center. The assessed improvements for the initial phase of construction included four street lights on Harvest Drive, one street light on S. Tehama Street, landscaped areas on either side of Harvest Drive and weed abatement areas on the north and south side of the development in the detention ponds created for the development. The improvements will benefit six parcels this fiscal year. These improvements are shown on the Zone C Assessment Diagram in Part F of this report.

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

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

The FY 2021-22 budget for Zone C is \$29,864.11, based on an anticipated 12 months of maintenance. This is an increase of 10% over the FY 2020-21 budget which was based upon an expected 9 months of maintenance. For FY 2020-21, construction was delayed and the improvements were not completed as scheduled. This delay has allowed excess reserves to be used to reduce the FY 2021-22 assessment by 14%. The assessment for FY 2021-22 is proposed to be \$2,968.02 per unit.

Landscape Replacement Fund – Zone C

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

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

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

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

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

Knockdown Replacement Fund – Zones B and C

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

Cost Index Information – All Zones

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

For FY 2021-22, the maximum annual assessment for Zones A, B and C are proposed to be adjusted up by +2.0% as allowed by the latest annual (2020) CPI.

Proposition 218 and Special Benefits

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

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

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

Benefits of Landscaping

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

- Enhanced desirability of properties through association with the landscaping,
- Improved aesthetic appeal of the neighborhood, and
- Improved air quality from additional vegetation.

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

Benefits of Street Lighting

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

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

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

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

Benefits of Enhanced Traffic Control

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

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

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

The general public may also benefit from improved traffic control, particularly when the improvements are located on highways and major arterial roads that serve many parcels outside of

the assessed zone. The portion of enhanced safety and accessibility resulting from traffic control improvements conferred upon the public must be quantified and separated from the portion of special benefits conferred upon the assessed properties for each zone.

FY 2021-22 Engineer's Report Format

This Engineer's Report consists of the following Parts:

- PART A - Plans and Specifications (Page 10)** - This portion of the Engineer's Report describes any plans and specifications that may be needed for the installation of the improvements. If plans and specifications exist, they are filed with the City Clerk. Although separately bound, the plans and specifications are part of this Engineer's Report and are included in it by reference.
- PART B - Budget Cost Estimates (Page 11)** – Budget cost estimates associated with the operations and maintenance of the described improvements for each Zone are described in Part B of this report. In addition to an overall budget summary for Zone A, Zone B, and Zone C, a detailed FY 2021-22 Budget sheet and a FY 2021-22 Summary of Fund Balance sheet is provided for each Zone.
- PART C - Assessment (Page 18)** – A listing of the annual assessment on each benefited parcel of land in Zone A, Zone B, and Zone C within the Assessment District. The assessment amount is the estimated cost each parcel will contribute during FY 2021-22 towards the operation and maintenance of their respective Zone within the Assessment District, as well as their portion of the 5-year installment payment for the installation of the improvements.
- PART D - Method of Apportionment of Assessment (Page 21)** - A statement of the method used by Engineer of Work to determine the amount proposed to be assessed against each parcel within Zone A, Zone B, and Zone C of the Assessment District. Additionally, this section describes the maximum assessment allowable and any inflationary adjustments.
- PART E - Property Owners List (Page 26)** - Names and addresses of the owners of real property listed within for this Assessment District, as shown on the last equalized assessment roll for taxes. The Assessor Parcel Number (A.P.N.) keys the list into the Assessment Roll of Part C.
- PART F - Assessment Diagrams (Page 29)** – The Assessment Diagrams (maps) showing all of the parcels of real property within Zone A, Zone B, and Zone C of the Assessment District. The assessment number keys the diagram Part C – Assessment Roll.

PART A

PLANS AND SPECIFICATIONS

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

PART B
FY 2021-22 Budget Cost Estimates

For FY 2021-22, the total budget summary for Willows Landscaping & Lighting Assessment District is as follows:

	<u>As Filed With the City</u>	<u>As Preliminarily Approved</u>	<u>As Finally Approved At the Public Hearing</u>
Zone A:	\$ 4,404.36	\$ 4,404.36	\$
Zone B:	\$ 3,433.44	\$ 3,433.44	\$
Zone C:	\$ 29,864.11	\$ 29,864.11	\$
Total:	\$ 37,701.91	\$ 37,701.91	\$

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

CITY OF WILLOWS
Landscaping and Lighting Assessment District
Fiscal Year 2021-22
Zone A - Birch Street Village
Budget

Item	2020-21 Budget	2021-22 Budget
Engineers Report	\$842.50	\$1,247.50
Legal Services	\$100.00	\$100.00
Landscape Maintenance	\$1,400.00	\$1,400.00
Lighting Utilities & Maintenance	\$1,300.00	\$1,300.00
County Assessor Fees (3.5% of Revenue)	\$138.72	\$154.15
Contingency	\$182.13	\$202.71
Total Expenses	\$3,963.35	\$4,404.36
Contribution from Reserves	\$223.35	\$0.00
Total Assessment Costs	\$3,740.00	\$4,404.36
Total Assessment Revenue	\$3,740.00	\$4,404.36
Estimated Number of Units in Zone A	34.0	34.0
Proposed Assessment per Unit for Zone A*	\$110.00	\$129.54

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

**CITY OF WILLOWS
Landscaping and Lighting Assessment District
Fiscal Year 2021-22
Zone A - Birch Street Village
Summary of Fund Balance**

	<u>2021-22</u>
Estimated Starting Reserve Fund on July 1	\$800.00
Estimated Interest Earned	\$16.00
Estimated Revenue	\$4,404.36
Total Estimated Funds Available	\$5,220.36
Total Estimated Expenditures	\$4,404.36
Estimated Ending Reserve Fund on June 30	\$816.00

CITY OF WILLOWS
Landscaping and Lighting Assessment District
Fiscal Year 2021-22
Zone B - Walmart
Budget

Item	2020-21 Budget	2021-22 Budget
Engineers Report	\$561.70	\$920.30
Legal Services	\$100.00	\$100.00
Lighting Utilities & Maintenance	\$1,800.00	\$1,991.70
Knockdown Replacement	\$0.00	\$0.00
County Assessor Fees (3.5% of Revenue)	\$98.21	\$120.17
Contingency	\$246.17	\$301.27
Total Expenses	\$2,806.08	\$3,433.44
Contribution from Reserves	\$355.00	\$0.00
Total Assessment Costs	\$2,451.08	\$3,433.44
Total Assessment Revenue	\$2,451.08	\$3,433.44
Estimated Number of Units in Zone B	1.0	2.0
Proposed Assessment per Unit for Zone B*	\$2,451.08	\$1,716.72

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

CITY OF WILLOWS
Landscaping and Lighting Assessment District
Fiscal Year 2021-22
Zone B - Walmart
Summary of Fund Balance

	<u>2021-22</u>
Est. Starting Annual Reserve Fund on July 1	\$561.00
Est. Starting Knockdown Reserve Fund on July 1	\$5,000.00
Estimated Interest Earned	\$0.00
Estimated Annual Revenue	\$3,433.44
Estimated Knockdown Revenue	\$0.00
Total Estimated Annual Funds Available	\$3,994.44
Total Estimated Knockdown Funds Available	\$5,000.00
Total Estimated Annual Expenditures	\$3,433.44
Total Estimated Knockdown Expenditures	\$0.00
Est. Ending Annual Reserve Fund on June 30	\$561.00
Est. Ending Knockdown Reserve Fund on June 30	\$5,000.00

CITY OF WILLOWS
Landscaping and Lighting Assessment District
Fiscal Year 2021-22
Zone C - S. Willows Commercial and Industrial Center
Budget

Item	2020-21 Budget	2021-22 Budget
	9 months	12 months
Engineers Report	\$4,995.80	\$7,397.20
Legal Services	\$750.00	\$750.00
Weed Abatement	\$11,250.00	\$11,250.00
Landscape Maintenance & Utilities	\$4,272.00	\$4,272.00
Lighting Utilities & Maintenance	\$487.50	\$487.50
Knockdown Replacement Funding	\$750.00	\$750.00
Landscape Replacement Funding	\$1,650.00	\$2,200.00
County Assessor Fees (3.5% of Revenue)	\$764.39	\$786.34
Contingency	\$1,915.95	\$1,971.07
Total Expenses	\$26,835.64	\$29,864.11
Contribution from Reserves	\$7,924.00	\$13,540.00
Total Assessment Costs	\$18,911.64	\$16,324.11
Total Assessment Revenue	\$18,911.64	\$16,324.11
Estimated Number of Units in Zone C	5.5	5.5
Proposed Assessment per Unit for Zone C*	\$3,438.48	\$2,968.02

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

CITY OF WILLOWS
Landscaping and Lighting Assessment District
Fiscal Year 2021-22
Zone C - S. Willows Commercial and Industrial Center
Summary of Fund Balance

	<u>2021-22</u>
Est. Starting Annual Reserve Fund on July 1	\$17,925.45
Est. Starting Knockdown Reserve Fund on July 1	\$1,250.00
Est. Starting Landscape Replacement Reserve Fund on July 1	\$2,750.00
 Estimated Interest Earned	 \$0.00
 Estimated Annual Revenue collected	 \$13,374.11
Estimated Knockdown Replacement Revenue collected	\$750.00
Estimated Landscape Replacement Revenue collected	\$2,200.00
 Total Estimated Funds Available	 \$38,249.56
 Total Estimated Annual Expenditures	 \$26,914.11
Estimated Knockdown Expenditure	\$0.00
Total Estimated Landscape Replacement Expenditures	\$0.00
 Est. Ending Annual Reserve Fund on June 30	 \$4,385.45
Est. Ending Knockdown Reserve Fund on June 30	\$2,000.00
Est. Ending Landscape Replacement Reserve Fund on June 30	\$4,950.00

PART C

FY 2021-22 ASSESSMENT ROLL

The total proposed Assessment District revenues for FY 2021-22 consist entirely of assessments associated with Zones A, B, and C, as follows:

\$ 4,404.36	From Zone A
\$ 3,433.44	From Zone B
\$ 16,324.11	From Zone C

The breakdown of FY 2021-22 annual assessments per parcel is shown in Table 1 of this report. The lines and dimensions of each parcel are shown on the maps in the office of the County Assessor of the County of Glenn.

Table 1
CITY OF WILLOWS
Landscaping and Lighting Assessment District
Fiscal Year 2021-22

Zone A - Birch Street Village

APN	Assessment Diagram Number	Land Use Code	Land Use Type	Units	Assessment Amount	Owner Name	Address
001-071-009-000	26	R1XX	Single Family	1	\$129.54	Tovar, Bradford & Tovar, Jillian Mc Garr	320 S. Humboldt Ave Willows, CA 95988
001-071-010-000	27	R1XX	Single Family	1	\$129.54	Nungaray, Jose T A & Arteaga Lorena C J/T	330 S Humboldt Ave, Willows, CA 95988
001-071-011-000	28	R1XX	Single Family	1	\$129.54	Medina Humberto	340 S Humboldt Ave, Willows, CA 95988
001-071-012-000	29	R1XX	Single Family	1	\$129.54	Pollock Robert R	350 S Humboldt Ave, Willows, CA 95988
001-071-013-000	30	R1XX	Single Family	1	\$129.54	Baczowski, Thomas W.	360 S Humboldt Ave, Willows, CA 95988
001-071-014-000	31	R1XX	Single Family	1	\$129.54	Sexton, Dominick & Kelly Rose	370 S. Humboldt Ave, Willows, CA 95988
001-071-015-000	32	R1XX	Single Family	1	\$129.54	Towes, Randel & Roberta J/T	380 S. Humboldt Ave, Willows, CA 95988
001-071-016-000	33	R1XX	Single Family	1	\$129.54	Hernandez J A Palomino & Palomino Hilda	1330 W. Humboldt Ave, Willows, CA 95988
001-071-017-000	34	R1XX	Single Family	1	\$129.54	Cox, Thomas L Jr, S/S	1320 W. Humboldt Ave, Willows, CA 95988
001-071-018-000	16	R1XX	Single Family	1	\$129.54	Kumar Priti	199 N Humboldt Ave, Willows, CA 95988
001-071-019-000	15	R1XX	Single Family	1	\$129.54	Street Amy L & Street Timothy R	451 El Dorado Ave, Willows, CA 95988
001-071-020-000	14	R1XX	Single Family	1	\$129.54	Thomton, Michael R & Zackery R J/T	461 El Dorado Ave, Willows, CA 95988
001-071-021-000	17	R1XX	Single Family	1	\$129.54	Femino, Andrea	431 El Dorado Ave, Willows, CA 95988
001-071-022-000	18	R1XX	Single Family	1	\$129.54	Donnelly, Michael D & Carolyn M	421 El Dorado Ave, Willows, CA 95988
001-071-023-000	19	R1XX	Single Family	1	\$129.54	Martinez, Ramiro Licea & Licea Yesenia J/T	381 El Dorado Ave, Willows, CA 95988
001-071-024-000	20	R1XX	Single Family	1	\$129.54	Ngo Cuong Bach & Tra Thuy Thanh Thi TRS	371 El Dorado Ave, Willows, CA 95988
001-071-025-000	21	R1XX	Single Family	1	\$129.54	Feeney, Kevin J TRS	65 Lindauer Lane, Red Bluff, CA 96088
001-071-026-000	22	R1XX	Single Family	1	\$129.54	Tafolla, Guillermo Arias & Arias Ana	351 El Dorado Ave, Willows, CA 95988
001-071-027-000	23	R1XX	Single Family	1	\$129.54	Baker Nicole C	341 El Dorado Ave, Willows, CA 95988
001-071-028-000	24	R1XX	Single Family	1	\$129.54	L.	331 El Dorado Ave, Willows, CA 95988
001-071-029-000	25	R1XX	Single Family	1	\$129.54	Clark Janie C TRS	321 El Dorado Ave, Willows, CA 95988
001-071-030-000	13	R1XX	Single Family	1	\$129.54	Lederer, Eric M	PO Box 1298, Willows, CA 95988
001-071-031-000	12	R1XX	Single Family	1	\$129.54	Hernandez Jaime & Hernandez Gabriela	320 El Dorado Ave, Willows, CA 95988
001-071-032-000	11	R1XX	Single Family	1	\$129.54	Barragan, Ruban J.	330 El Dorado Ave, Willows, CA 95988
001-071-033-000	10	R1XX	Single Family	1	\$129.54	Jaramillo Jose Luis & Jaramillo Brenda	340 El Dorado Ave, Willows, CA 95988
001-071-034-000	9	R1XX	Single Family	1	\$129.54	Sigala, Yesenia J & Reymundo J/T	350 El Dorado Ave, Willows, CA 95988
001-071-035-000	8	R1XX	Single Family	1	\$129.54	Hancock, Jacob B & Terri J/t	360 El Dorado Ave, Willows CA 95988
001-071-036-000	7	R1XX	Single Family	1	\$129.54	Corriea Larry G	475 S Culver St, Willows, CA 95988
001-071-037-000	6	R1XX	Single Family	1	\$129.54	Salas, Crystal A & Sengmany, Rakxat J/T	380 El Dorado Ave, Willows, CA 95988
001-071-038-000	5	R1XX	Single Family	1	\$129.54	Bobadilla, Pedro D & Raygoza Marisol J/T	410 El Dorado Ave, Willows, CA 95988
001-071-039-000	4	R1XX	Single Family	1	\$129.54	Gutierrez, Alejandro & Gutierrez Ashley M J/T	420 El Dorado Ave, Willows, CA 95988
001-071-040-000	3	R1XX	Single Family	1	\$129.54	Drazkowski Tonia & Scott Lindsay B Co Trs	111 S Villa #8 Willows, CA 95988
001-071-041-000	2	R1XX	Single Family	1	\$129.54	Irwin Dennis L	440 El Dorado Ave, Willows, CA 95988
001-071-042-000	1	R1XX	Single Family	1	\$129.54	Southam Boyd & Southam Stephanie	450 El Dorado Ave, Willows, CA 95988
Lot A	Lot A	Null	Easement	0	\$0.00	Null	Null
Total				34	\$4,404.36		

Table 1 (continued)

Zone B - Walmart

APN	Assessment Diagram Number	Land Use Code	Land Use Type	Units	Assessment Amount	Owner Name	Address
017-210-050-000	45	CE/ML/ PD	Gen. Commercial/ Light Manufacturing/ Planned Development	1	\$1,716.72	McDonalds USA LLC	P.O. Box 182571, Columbus, OH 43218
017-210-052-000	35	CEXX	Commercial Retail Outlet	1	\$1,716.72	Walmart RE Business Trust c/o Walmart Tax Dept #2053	P.O. Box 8050, Bentonville, AR 72712-8050
Total				2	\$3,433.44		

Zone C - S. Willows Commercial and Industrial Center

APN	Assessment Diagram Number	Land Use Code	Land Use Type	Units	Assessment Amount	Owner Name	Address
017-170-034-000	36	GVXX	Governmental Vacant	0	\$0.00	City of Willows	201 North Lassen St, Willows, CA 95988
017-170-037-000	37	GXXX	Governmental Waste	0	\$0.00	City of Willows	201 North Lassen St, Willows, CA 95988
017-170-051-000	38	RVAX	Residential Vacant, Ag	0.5	\$1,484.01	California Land Invest LLC	316 California Ave #350, Reno, NV 89509
017-350-001-000	41	RVAX	Residential Vacant, Ag	0	\$0.00	California Land Invest LLC	316 California Ave #350, Reno, NV 89509
017-350-002-000	40	RVAX	Residential Vacant, Ag	1	\$2,968.02	Snow Mountain Properties LLC	1629 Co Rd E, Willows CA 95988
017-350-003-000	39	RVAX	Residential Vacant, Ag	1	\$2,968.02	California Land Invest LLC	316 California Ave #350, Reno, NV 89509
017-350-004-000	42	RVAX	Residential Vacant, Ag	1	\$2,968.02	California Land Invest LLC	316 California Ave #350, Reno, NV 89509
017-350-005-000	43	RVAX	Residential Vacant, Ag	1	\$2,968.02	California Land Invest LLC	316 California Ave #350, Reno, NV 89509
017-350-006-000	44	RVAX	Residential Vacant, Ag	1	\$2,968.02	California Land Invest LLC	316 California Ave #350, Reno, NV 89509
Total				5.5	\$16,324.11		

PART D

METHOD OF APPORTIONMENT OF ASSESSMENT

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

Zone A – Birch Street Village

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

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

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

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

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

Zone B – Walmart

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

Street Lights

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

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

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

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

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

Traffic Signal:

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

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

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

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

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

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

Accordingly, the method by which the two Zone B parcels shall be assessed for traffic signal costs is determined by dividing the Zone B traffic signal costs by the total number of parcels within Zone B. The Zone B traffic signal costs include the cost of maintenance and operation of the City's portion of the traffic signal (including lights), half the cost of the controller, and the administrative costs associated with this zone.

A knockdown replacement fund is established for Zone B to cover expenses associated with replacing a streetlight if it is damaged or destroyed by a vehicle. The overall knockdown fund cost

to be accumulated over a 5-year period is \$5,000 (estimated expenses for manpower and equipment for replacing one streetlight). Once a fund balance of \$5,000 is attained, no additional monies shall be collected for this fund until/unless there is the need to replace one of the streetlights. The method to collect this portion of the assessment is the same as streetlights.

Zone C – South Willows Commercial and Industrial Center

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

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

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

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

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

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

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

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

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

Landscape Replacement Fund Costs

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

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

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

MAXIMUM ALLOWABLE ASSESSMENT AND INFLATIONARY FACTORS

In 2005, the original Engineer's Report stated that assessments may be adjusted each year to account for inflation of costs and services in accordance with the Bay Area (San Francisco-Oakland-San Jose) Consumer Price Index (CPI) for all urban consumers, or 3%, whichever is greater. An Annual CPI increase has been applied for each year, however it should be noted that, due to the economic climate, from FY 2010-11 through FY 2016-17 and from FY 2020-21 through FY 2021-22, the implemented increase was less than 3%.

The CPI adjustments to the Maximum Allowed Assessment per Parcel from FY 2016-17 through FY 2021-22 are shown as follows:

Maximum Allowable Assessment Analysis								
Assessment Year	Allowed Annual CPI Increase		Zone A Birch Street Village		Zone B Walmart		Zone C S. Willows Commercial & Industrial Center	
	Year	%	Allowed Adjustment Amount	Total Assessment Maximum (per Unit)	Allowed Adjustment Amount	Total Assessment Maximum (per Unit)	Allowed Adjustment Amount	Total Assessment Maximum (per Zone)
FY 2016-17	2015	2.60%	\$11.69	\$461.34	\$166.08	\$6,553.66		
FY 2017-18	2016	3.00%	\$13.84	\$475.18	\$196.61	\$6,750.27		
FY 2018-19	2017	2.90%	\$13.78	\$488.96	\$195.76	\$6,946.03		
FY 2019-20 Zone C original Assessment	2018	3.50%	\$17.11	\$506.07	\$243.11	\$7,189.14		\$69,196.02
FY 2020-21	2019	2.50%	\$12.65	\$518.72	\$179.73	\$7,368.87	\$1,729.90	\$70,925.92
FY 2021-22	2020	2.00%	\$10.37	\$529.09	\$147.38	\$7,516.25	\$1,418.52	\$72,344.44

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

PART E

FY 2021-22 PROPERTY OWNERS LIST

The names and addresses of each of the property owners as shown on the County of Glenn Assessor's Tax Assessment Roll are shown in Table 2. The names and addresses have been keyed to the special assessment number (the assessor parcel number) as shown in Part C of this Engineer's Report.

Table 2
CITY OF WILLOWS
Landscaping and Lighting Assessment District
Fiscal Year 2021-22
Property Owner's List

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

Table 2 (Continued)

APN	Assessment Diagram Number	Owner Name	Mailing Address
017-170-034-000	36	City of Willows	201 North Lassen St, Willows, CA 95988
017-170-037-000	37	City of Willows	201 North Lassen St, Willows, CA 95988
017-170-051-000	38	California Land Invest LLC	316 California Ave #350, Reno, NV 89509
017-210-050-000	45	McDonalds USA LLC	P.O. Box 182571, Columbus, OH 43218
017-210-052-000	35	Walmart RE Business Trust c/o Walmart Tax Dept #2053	P.O. Box 8050, Bentonville, AR 72712-8050
017-350-001-000	41	California Land Invest LLC	316 California Ave #350, Reno, NV 89509
017-350-002-000	40	Snow Mountain Properties LLC	1629 Co Rd E, Willows CA 95988
017-350-003-000	39	California Land Invest LLC	316 California Ave #350, Reno, NV 89509
017-350-004-000	42	California Land Invest LLC	316 California Ave #350, Reno, NV 89509
017-350-005-000	43	California Land Invest LLC	316 California Ave #350, Reno, NV 89509
017-350-006-000	44	California Land Invest LLC	316 California Ave #350, Reno, NV 89509

PART F

FY 2021-22 ASSESSMENT DIAGRAM

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

Zone A

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

Zone B

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

All the land lying within the McDonald's parcel, known at the Assessor's Office of the County of Glenn as Assessor's Parcel Number 017-210-050-000.

Zone C

All the land lying within the South Willows Commercial and Industrial Center development, known at the Assessor's Office of the County of Glenn as Assessor's Parcel Numbers 017-170-034-000, 017-170-037-000, 017-170-051-000 and 017-350-001-000 through 017-350-006-000.

CITY OF WILLOWS

LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT

ASSESSMENT DIAGRAM

ZONE A - BIRCH STREET VILLAGE



VICINITY MAP

Landscaping Maintenance Area

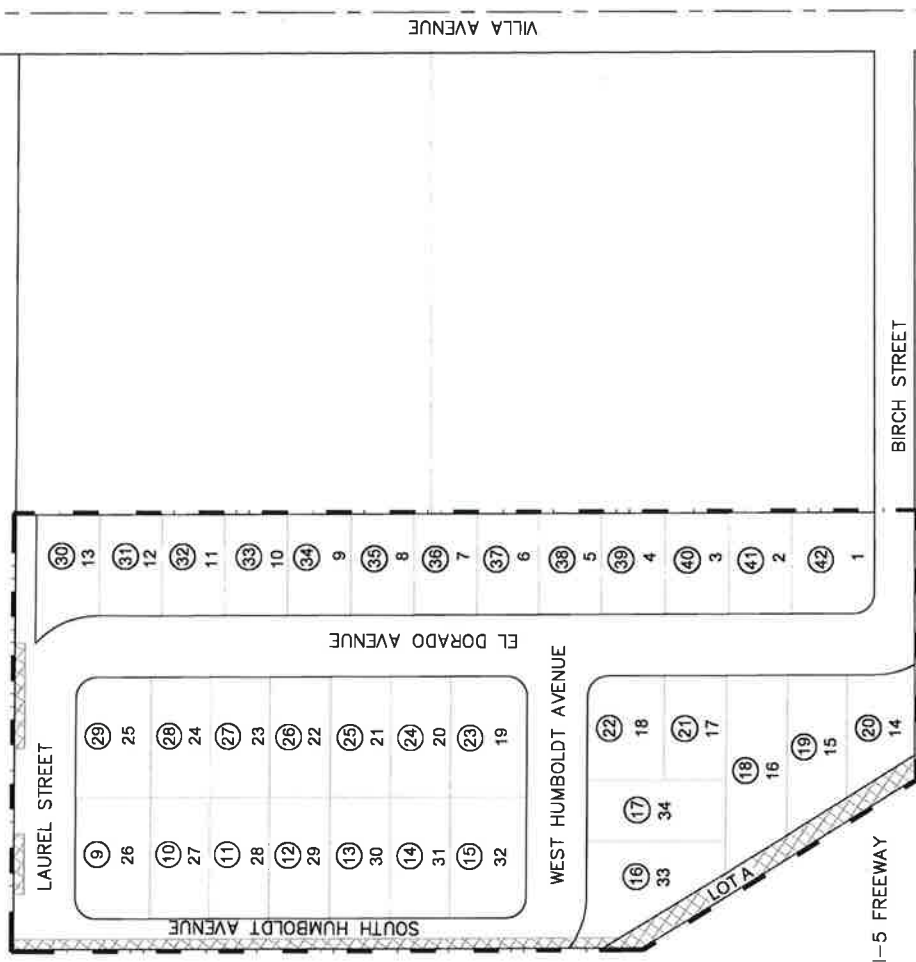
Assessment District Boundary

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

PREPARED FOR
CITY OF WILLOWS
GLENN COUNTY CALIFORNIA
2021-2022 FISCAL YEAR

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

SCALE: 1" = 180'

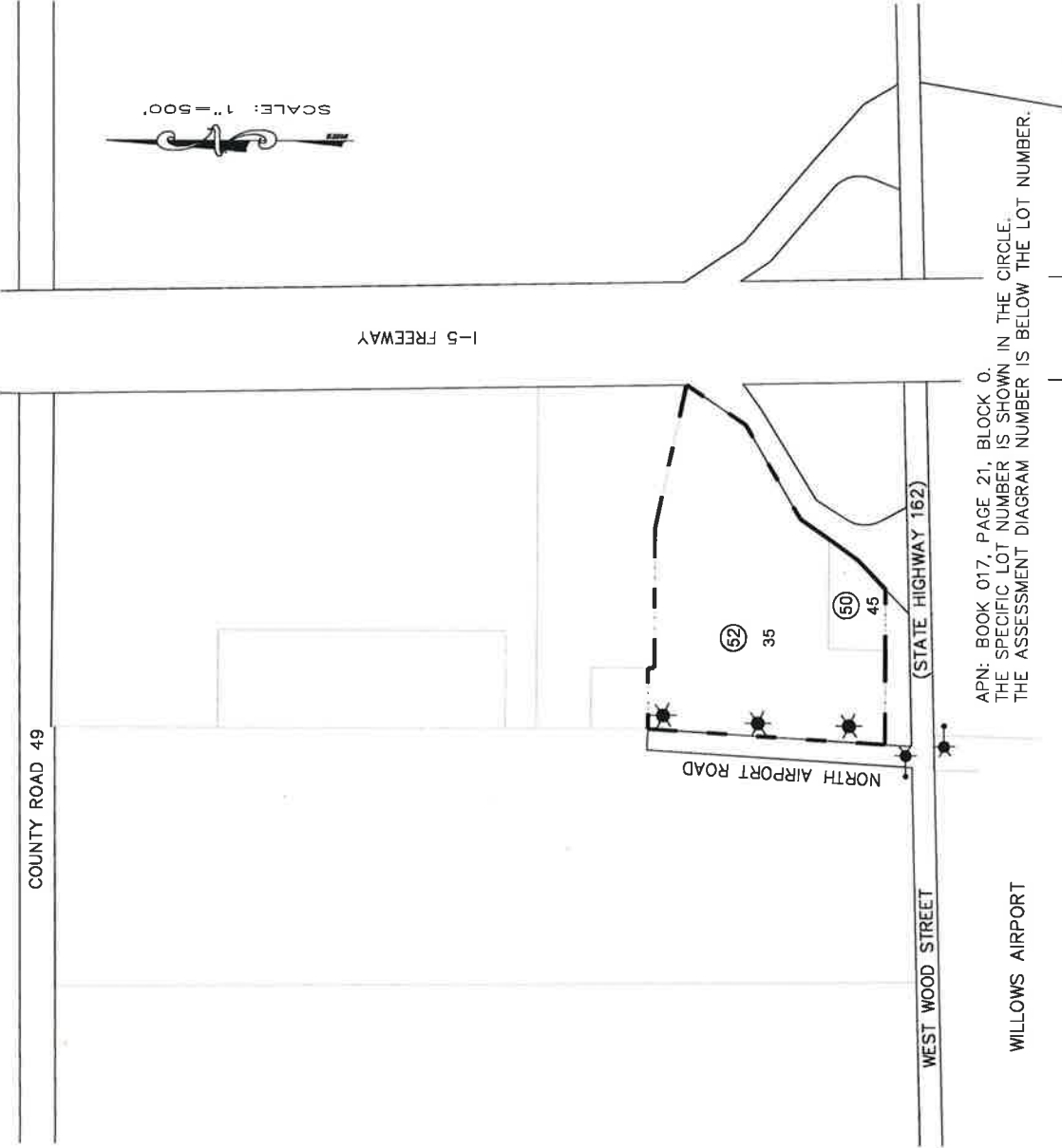


WILLOWS AIRPORT



Coastland Civil Engineering, Inc.
1400 Nacomas Avenue, Santa Rosa, CA 95405
707.571.8805

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



VICINITY MAP

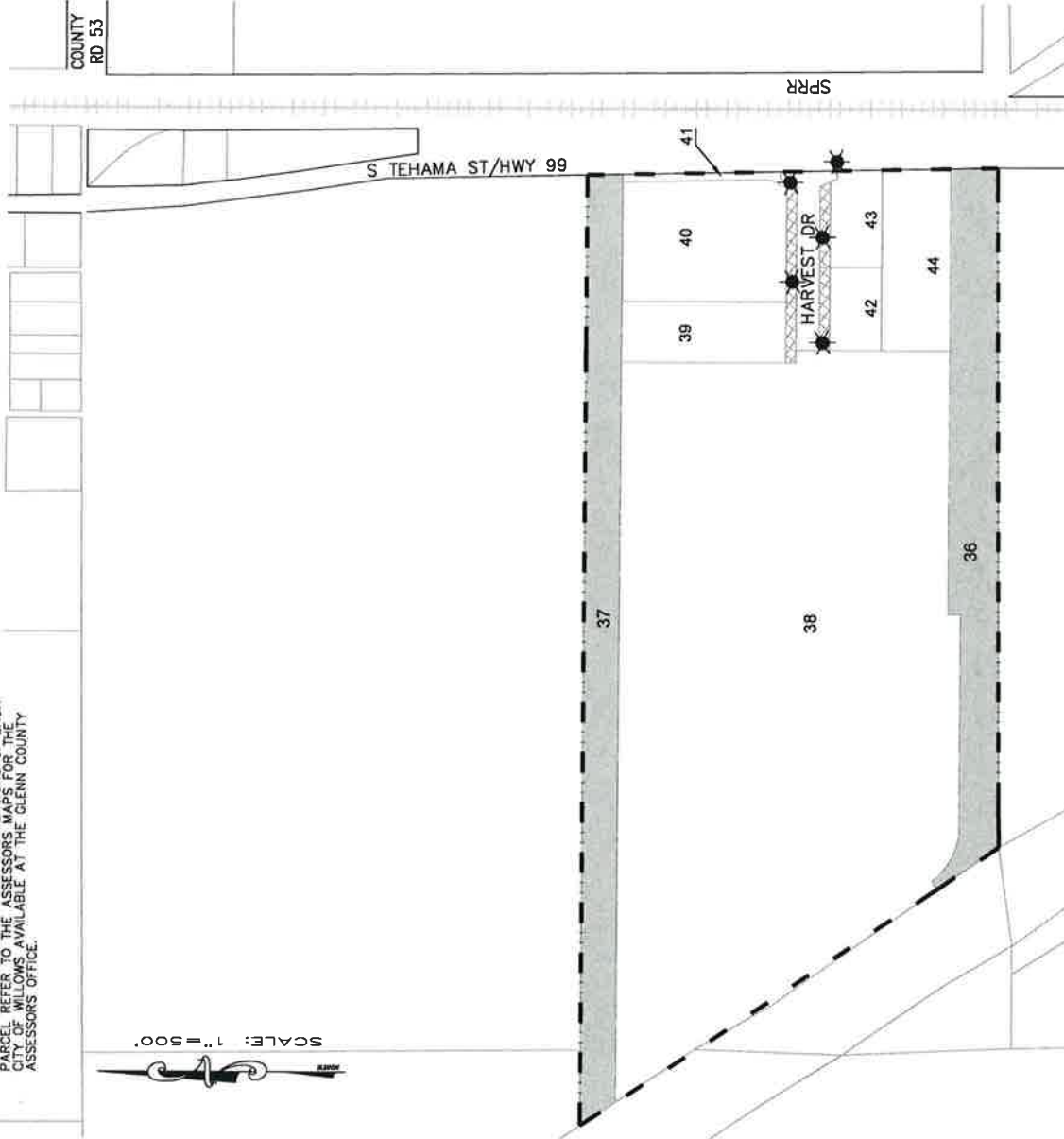
- Zone B traffic signal with street light locations
- Zone B street light locations
- Assessment District Boundary

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

Coastland Civil Engineering, Inc.
 1400 Nectomas Avenue, Santa Rosa, CA 95405
 707.571.8805

PREPARED FOR
CITY OF WILLOWS
 GLENN COUNTY CALIFORNIA
 2021-2022 Fiscal Year

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



CITY OF WILLOWS

LANDSCAPING AND LIGHTING
ASSESSMENT DISTRICT

ASSESSMENT DIAGRAM

ZONE C - SOUTH WILLOWS
COMMERCIAL AND INDUSTRIAL CENTER



VICINITY MAP

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

38

★ Zone C street light locations

▨ Landscape Maintenance Area

▬ Weed Abatement of Detention Ponds

- - - Assessment District Boundary



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

PREPARED FOR
CITY OF WILLOWS
GLENN COUNTY CALIFORNIA
2021-2022 FISCAL YEAR

EmployerName	ElectedOfficial	DepartmentOrSubdivision	Position	MinPositionSalary	MaxPositionSalary	RegularPay	OvertimePay	LumpSumPay	OtherPay
Fire		Fire	Fire Chief/Interim City Manager	103860	126240	120236			
Administration		Administration	Administrative Services Director	81000	98460	89304			5336
Administration		Administration	Community Development Svc Dir	81000	98460	89304			4154
Fire		Fire	Firefighter/Engineer	43512	52872	61044	13094		2477
Fire		Fire	Firefighter/Engineer	43512	52872	52584	11950		9094
Public Works		Public Works	Superintendent	51084	62100	54579	4648		3013
Fire		Fire	Code Enforcement Officer	40932	49752	49937			11682
Administration		Administration	Community Development Tech	47160	57336	55650			
Public Works		Public Works	Maintenance II	37788	45948	47070	4835		360
Fire		Fire	Firefighter/Engineer	43512	52872	50065	993		600
Public Works		Public Works	Mechanic	37788	45948	45276	3791		892
Administration		Administration	Administrative Analyst	47160	57336	49512			
Recreation		Recreation	Recreation Coordinator	47160	57336	47251	561		720
Administration		Administration	City Clerk	47160	57336	47160			
Library		Library	Library Technician	31428	38196	34674			720
Public Works		Public Works	Maintenance I	33732	40992	30148	1068		
Public Works		Public Works	Maintenance I	33732	40992	25226	1844		
Public Works		Public Works	Maintenance II	37788	45948	18291			678
Fire		Fire	Firefighter Temp	40980	40980	18023			
Public Works		Public Works	Maintenance I	33732	40992	13991	24		
Library		Library	Library Aid	30930	30930	13465			
Public Works		Public Works	Maintenance Temp	29120	29120	13440			
Public Works		Public Works	Superintendent	51084	62100	9599	869		174
Public Works		Public Works	Custodian	28454	28454	9692	128		
Public Works		Public Works	Maintenance I	33732	40992	9537			
Recreation		Recreation	Recreation Assistant	33280	33280	7962			
Library		Library	Library Aid	30930	30930	7191			
Library		Library	Library Aid	30930	30930	6977			
Fire		Fire	Firefighter Temp	40980	40980	6538			
Library		Library	Library Aid	26478	26478	5571			
Library		Library	Library Aid	26478	26478	5118			
Library		Library	Library Aid	30930	30930	4972			
Library		Library	Library Aid	26478	26478	3161			
City Council	Yes	City Council	Councilmember	3000	3000	3000			
City Council	Yes	City Council	Councilmember	3000	3000	3000			
City Council	Yes	City Council	Councilmember	3000	3000	3000			
City Council	Yes	City Council	Mayor	3000	3000	3000			
Recreation		Recreation	Recreation Temp	26000	26000	2931			
Recreation		Recreation	Recreation Temp	26000	26000	2851			
City Council	Yes	City Council	Councilmember	3000	3000	2750			
Recreation		Recreation	Lifeguard	29848	29848	2339			
Recreation		Recreation	Recreation Temp	26000	26000	2300			
Recreation		Recreation	Lifeguard	29848	29848	2125			
Library		Library	Library Aid	26478	26478	2116			
Fire		Fire	Intern	5000	5000	2063			
Library		Library	Library Aid	30930	30930	2036			

Library	Library Aid	26478	26478	1981
Recreation	Lifeguard	29848	29848	1907
Recreation	Lifeguard	29848	29848	1862
Fire	Intern	5000	5000	1825
Recreation	Recreation Temp	26000	26000	1680
Fire	Intern	5000	5000	1438
Fire	Intern	5000	5000	1350
Library	Library Aid	26478	26478	1284
Fire	Intern	5000	5000	1250
Recreation	Recreation Temp	26000	26000	1238
Recreation	Recreation Temp	26000	26000	1023
Fire	Intern	5000	5000	1000
Recreation	Recreation Temp	26000	26000	830
Recreation	Recreation Temp	26000	26000	807
Recreation	Recreation Temp	26000	26000	788
Recreation	Recreation Temp	26000	26000	788
Recreation	Recreation Temp	26000	26000	777
Recreation	Lifeguard	29848	29848	750
Library	Library Aid	26478	26478	703
Recreation	Recreation Temp	26000	26000	684
Recreation	Recreation Temp	26000	26000	644
Recreation	Recreation Temp	26000	26000	621
Recreation	Recreation Temp	26000	26000	621
Planning	Planning Commissioner	600	600	600
Planning	Planning Commissioner	600	600	600
Planning	Planning Commissioner	600	600	600
Planning	Planning Commissioner	600	600	600
Fire	Intern	5000	5000	463
Planning	Planning Commissioner	600	600	450
Recreation	Recreation Temp	26000	26000	424
Recreation	Recreation Temp	26000	26000	351
Recreation	Recreation Temp	26000	26000	348
Library	Library Aid	30930	30930	249
Recreation	Recreation Temp	26000	26000	234
Recreation	Recreation Temp	26000	26000	222
Recreation	Recreation Temp	26000	26000	222
Recreation	Recreation Temp	26000	26000	183
Recreation	Recreation Temp	26000	26000	174
Recreation	Recreation Temp	26000	26000	174
Recreation	Recreation Temp	26000	26000	144
Library	Library Aid	30930	30930	98
Library	Library Aid	26478	26478	51
Planning	Planning Commissioner	600	600	50
		2461844	2679068	1168147
				43805
				0
				39900

PERS						
TotalWages	DefinedBenefitPlanContribution	EmployeesRetirementCostCovered	DeferredCompensationPlan	HealthDentalVision	TotalRetirementAndHealthContribution	PensionFormula
125572	24264		5489	18832	48585	3%@50
93458	11906		2820	1248	15974	3%@60
89304	11811		5772		17583	3%@60
76615	5905		1110		24282	2.7%@57
73628	11394			17267	30226	3%@50
62240	7516			18832	26348	3%@60
61619	6620			18832	21119	3%@60
55650	7221			14499	26053	3%@60
52265	2914			18832	21746	2%@62
51658	6297			18832	25129	2.7%@57
49959	6170			14499	20669	3%@60
49512	3439			14499	17938	2%@62
48532	3316			7244	10560	2%@62
47160	2904		1348	4430	8682	2%@62
35394	2447			7244	9691	2%@62
31216	1767			14085	15852	2%@62
27070	1751			4836	6587	2%@62
18969	1740			4695	6435	3%@60
18023					0	
14015	961			3612	4573	2%@62
13465					0	
13440					0	
10642	914			602	1516	3%@60
9692					0	
9665	914			4747	5661	2%@62
7962					0	
7191					0	
6977					0	
6538					0	
5571					0	
5118					0	
4972					0	
3161					0	
3000					0	
3000					0	
3000					0	
3000					0	
2931					0	
2851					0	
2750					0	
2339					0	
2300					0	
2125					0	
2116					0	
2063					0	
2036					0	

PROOF OF PUBLICATION

No. 4293

In the Matter of
City of Willows Notice of Public Hearing regarding
the Council's consideration of acceptance of the 2021-22
Fiscal Year Engineer's Report

State of California)
County of Glenn) ss

The undersigned resident of the County of Glenn,
State of California, says:

That I am, and at all time herein mentioned was
a citizen of the United States and not a party to
nor interested in the above entitled matter; that I
am the principal clerk of the publisher of:

The Sacramento Valley Mirror

That said newspaper is one of general circulation
as defined by Section 6000 Government Code of
the State of California, Case No. 27,207 by the
Superior Court of the State of California, in and
for the County of Glenn, Case #02CV00614; that
said newspaper at all times herein mentioned was
published twice a week (on Wednesdays and
Saturdays) in the town of Willows and County of
Glenn; that the notice of which the annexed is a
true printed copy, was published in said news-
paper on the following days:

May 29, 2021

I certify (or declare), under penalty of perjury, that
the foregoing is true and correct, at the County
of Glenn, Willows, California.

Date June 2, 2021
at Willows, California.

Donna Settle
Donna Settle, Managing Editor

CITY OF WILLOWS NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the City Council of the City of Wil-
lows will hold a public hearing on Tuesday June 22, 2021 at 7:00 p.m. at the
Willows City Hall, located at 201 North Lassen Street, to receive comments
regarding the Council's consideration of acceptance of the 2021/2022 Fiscal
Year Engineer's Report confirming assessment amounts as set forth in the
report for the Lighting and Landscaping District, Zone C, "South Willows
Commercial and Industrial Center development".

The public is invited to attend and heard. Documentation pertaining to the above
item is available for review at the City Clerk's office of the City Hall.

"The City of Willows is an equal opportunity provider"

/s/ Tara Rustenhoven
City Clerk

Publication Date: May 29, 2021



AGENDA ITEM

TO: Honorable Mayor Domenighini and Members of the City Council

FROM: Wayne Peabody, Interim City Manager

SUBJECT: Adoption of 2021/22 City of Willows Budget

RECOMMENDATION

Conduct a public hearing and adopt the Resolution of the City Council of the City of Willows Adopting the 2021/22 City of Willows Budget.

SITUATION (or BACKGROUND):

The City Council conducted budget review and analysis session workshops on May 26th, and June 10th, 2021. As part of the budget workshop sessions, the Council received input from staff in open sessions regarding restoration of furlough's and cuts due to Covid 19. As a result, Council, by consensus, directed Staff to implement several restorations discussed at the June 10th meeting, and then bring the preliminary 2021/22 budget forward to a June 22 public hearing for adoption.

The budget, as presented for adoption, includes the following expenditure levels:

	2021/2022
General Fund	\$ 5,630,638
Special Revenue Funds	\$ 560,938
Sewer Enterprise Fund	\$ 1,727,874
Water Enterprise Fund	\$ <u>6,192</u>
Total Expenditures	\$ <u>7,925,642</u>

The proposed budget carries a General Fund operating deficit 2021/22 of \$429,054 to be covered by General Fund Reserves currently estimated to be at a range of \$959,159 to \$1,136,633.

This Budget is presented for adoption without consideration of actions recently taken by the State of California or yet to be taken by the County of Glenn regarding their respective 2021/22 budgets. Should actions taken by these agencies, or the City of Willows, have an impact on the financial status of the City of Willows, Staff will return to the City Council for further budgetary action. Further, Staff recommends review of the

City's fiscal status on a quarterly, rather than semi-annual, basis during fiscal year 2021-22, given the ongoing fiscal uncertainty facing the organization.

Access to the 2021/22 Proposed budget (up for consideration in this public hearing) is available as part of the June 10, 2021, budget workshop at:

<https://www.cityofwillows.org/assets/resources/PROPOSED-Budget-2021-2022.pdf>

FINANCIAL CONSIDERATION

As noted, total appropriation of \$7,925,642 for 2021/22.

NOTIFICATION

- Notice of Public Hearing posted in newspaper of general circulation

ALTERNATE ACTIONS

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

RECOMMENDATION

Conduct a public hearing and adopt the Resolution of the City Council of the City of Willows Adopting the 2021/22 City of Willows Budget

Respectfully submitted,

Wayne Peabody
Interim City Manager

Attachments:

- Resolution of the City Council of the City of Willows Adopting the 2021/22 City of Willows Budget



**City of Willows
Resolution xx-2021**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS ADOPTING THE 2021/22 CITY OF
WILLOWS ANNUAL BUDGET**

WHEREAS, the Willows City Council has reviewed and analyzed the preliminary budget for fiscal year 2021/22 with opportunity for input from the City Staff and interested citizens; and

WHEREAS, the Willows City Council recognizes that the City is facing very uncertain times in providing services to the Community, and

WHEREAS, as a result of this review and evaluation the City Council has established the fiscal policy for the 2021/22 budget: and

WHEREAS, these policies will be reflected in the document entitled 2021/22 Adopted Budget: and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Willows hereby adopts the 2021/22 annual budget in the amount of \$7,421,542

BE IT FURTHER RESOLVED that the budget as detailed is a guide to the annual revenue and expenditures, and the City Manager may exceed the expenditures from a particular line item account when, at the City Manager's discretion, it is deemed prudent and efficient for the general operation of the City. However, in no event is the City Manager authorized to exceed the total amount of budget without approval of the City Council.

PASSED AND ADOPTED by the City Council of the City of Willows this 22nd day of June, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

LARRY DOMENIGHINI, MAYOR

TARA RUSTENHOVEN, CITY CLERK



REGULAR BUSINESS

AGENDA ITEM

TO: Honorable Mayor Domenighini and Members of the Willows City Council

FROM: Wayne Peabody, Interim City Manager

SUBJECT: Emergency Domestic Water Sales

RECOMMENDATION

Approve by motion, the sale of water from the South Willows Water company at \$10 per 1000 gallons to assist residents of Glenn County for Domestic use while Drought Emergency order is in place.

SITUATION (or BACKGROUND):

The City staff was contacted by the City of Orland, requesting if we could take over, the Domestic water delivery program established in 2014. On June 1st, 2021, the Glenn County Board of supervisors declared the County in a state of emergency due to residential wells in the Orland area and the western side of Glenn County that are going dry.

Staff has contact Cal-Water about the current water table, they advised the water table is currently app 16' below average. City staff has checked the current ground water levels at the wastewater treatment plant and find our ground water is app 5 feet lower than average. City staff along with Cal Water believe that the water tables are in an acceptable range to allow this program to be taken over.

This program is available to assist residents who need water for domestic use. This program is not available for ag, or livestock related issues. Currently the City of Orland has four approved vendors in which we will honor and continue the program with. Residents that will be bring in their own water hauling device will need to make an appointment with public works and they will provide a meter and access to the system.

FINANCIAL CONSIDERATION

I would recommend the \$10 per 1000 gallons of water which will also cover the administration of the program. Otherwise no major budgetary impact is excepted.

NOTIFICATION

Glenn County Office of emergency service
City of Orland
Glenn County Drought Task Force

ALTERNATE ACTIONS

1. Approve as Proposed.
2. Seek Further Information

June 22, 2021

3. Decline Proposal

RECOMMENDATION

Approve by motion, the sale of water from the South Willows Water company at \$10 per 1000 gallons to assist residents of Glenn County for Domestic use while Drought Emergency order is in place.

Respectfully submitted,

Wayne Peabody
Interim City Manager

Attachments:

1: Domestic Water Delivery Program

June 22, 2021

City of Willows

Domestic Water Delivery Program

June 22, 2021

This program is to assist residents who need water delivery for domestic use. This program is not available for ag, or livestock related issues. Approved vendors will be issued a card by the City of Orland or the City of Willows and must carry it with them when collecting water from hydrants.

Vendors will provide photographic evidence via text for water usage. Each month vendors will provide a log including residents name, address, phone number and total gallons per delivery. A before and after picture of the meter readings each time you fill up your water tank should be sent to (530)517-0199. The information the city receives will be shared with Glenn County.

Anyone caught stealing or falsifying documents will be suspended from this program. This program is set up as a privilege, not a right. If the time comes that this program negatively affects the city or its wells, the program will be terminated, without notice. The acceptable filling location (hydrants) are below.

- 1.) Fire hydrant located at South Tehama and Co Rd 57 in the cul-de-sac's

Meter rental available for \$80.00 a month through the City of Orland, contact (530)865-1610 for more information.

The price of water is \$10.00 per every 1,000 gallons. Vendors will be billed monthly.

I have received my water filling card from the City of Orland: _____

I have received my water filling card from the City of Willows: _____

By signing this form, you are agreeing to the terms and conditions listed above.

Signature

Date

**WILLOWS CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND CITY COUNCIL MEMBERS

**FROM: DAVID G. RITCHIE, CITY ATTORNEY
WAYNE PEABODY, CITY MANAGER**

**RE: CONSIDERATION OF RESOLUTION NO ____ - 2021, A RESOLUTION
OF THE CITY COUNCIL OF THE CITY OF WILLOWS, CALIFORNIA
ADOPTING A MEMORANDUM OF UNDERSTANDING BETWEEN THE
CITY AND UNITED PUBLIC EMPLOYEES OF CALIFORNIA, LOCAL
792 FOR THE CITY'S FIRE EMPLOYEES BARGAINING UNIT**

DATE: JUNE 22, 2021

SUMMARY

The City has, for many years entered into MOU amendment documents, referred to as "Sideletters" with its represented Fire Employees. These "sideletters" represented the outcomes of negotiations with the Fire employees in 2005, 2008, 2009, 2010, 2011, 2012, and 2017 and all of which provided for certain modifications of an originally negotiated MOU in 2002.

Over time these sideletters eventually became compound and in successive sideletters it was not uncommon to see revisions of previously revised portions of the original agreement resulting in a convoluted series of amendments and supporting City Council Resolutions. The last sideletter expired in June 2020 and the parties have been engaged in ongoing negotiations that began prior to expiration. No salary increase was provided in FY 2020/21. Prior to those negotiations, the bargaining unit underwent a change in representatives when the employee bargaining unit members became direct affiliates of the United Public Employees of California, Local 792, (Laborer's International Union of North America, AFL-CIO) who are now the recognized employee organization for the Fire employees.

Representatives of the City and Union have met and conferred in good faith to exchange information and proposals related to all aspects of wages, hours, and working conditions as required by California Government Code Section 3505 and have reached a tentative agreement details of which are contained herein.

DISCUSSION

The proposed MOU provides for a term of three years (through June 30, 2024) and contains the following changes:

Salary: All bargaining unit members will have base salary adjusted as follows:

3% increase effective 7/1/2021

2% increase effective 7/1/2022

2% increase effective 7/1/2023

Changes from prior years (*approved by prior resolutions of the City Council) contained in sideletters have been incorporated into the MOU document in this latest version.

We have also incorporated new language in the Harassment and Discrimination Prevention sections and in the Sections regarding dues deductions and provisioning of information to the Union that allow the MOU to comply with AB 119 and changes to requirements for harassment prevention laws.

Other non-substantive changes, are included here as well such as a reorganization of sections of the MOU, spelling and grammatical corrections and other stylistic changes rendering the document more readable and searchable such as the addition of a detailed Table of Contents.

Government Code Section 3505.1 mandates that the City Council vote to accept or reject the tentative agreement within 30 days of first considering it at a duly noticed public meeting. If adopted, the City and Union are required to then jointly prepare the written memorandum of understanding (MOU). Here, due to the efficient manner in which negotiations were conducted and the parties attention to detail, exchanges of draft language for inclusion in a written MOU were created as negotiations were ongoing, thus the MOU document is available in final form in time for Council's consideration of the tentative agreement.

FISCAL IMPACT

The salary increase (3% effective 7/1/2021) has already been included in the draft budget for FY 2021/22 and is in line with projected expense cost increases that the City plans for during the regular budget cycle.

Salary increases of 2% for FY 2022/23 and 2% for FY 2023/04 will be included in the budget planning for those future years.

ALTERNATIVES

The City could decline to adopt the MOU. If rejected Council would be required to provide further direction to staff and staff would resume negotiations with the employee representatives.

RECOMMENDATIONS

1. Adopt Resolution No. ____-2020 (amended) - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS, CALIFORNIA, ADOPTING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND UNITED PUBLIC EMPLOYEES OF CALIFORNIA, LOCAL 792 FOR THE CITY'S FIRE EMPLOYEES BARGAINING UNIT

ATTACHMENTS

RESOLUTION No. ____-2021

Memorandum of Understanding (Fire) July 1, 2020 through June 30, 2024

CITY OF WILLOWS

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS APPROVING
THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE
WILLOWS FIRE BARGAINING UNIT, EFFECTIVE 7/1/2020 THROUGH 6/30/2024**

WHEREAS, the City of Willows and Members of the Willows Fire Bargaining Unit, represented by United Public Employees of California, Local 792 (LIUNA AFL-CIO) have met and conferred in good faith pursuant to the requirements of Government Code Section 3505; and

WHEREAS, the parties have come to an agreement on the terms of the Memorandum of Understanding for the Fire Employees Bargaining Unit at the City of Willows.

WHEREAS, the Memorandum of Understanding has been amended to reflect the mutual tentative agreement made between the Parties; and

WHEREAS, the amended Memorandum of Understanding is effective July 1, 2020 through June 30, 2024

BE IT HEREBY RESOLVED by the Willows City Council as follows:

1. The Memorandum of Understanding is approved. The Memorandum of Understanding is attached hereto as Exhibit "A".
2. The Interim City Manager and Mayor are authorized to sign the Memorandum of Understanding on behalf of the City.
3. The Interim City Manager or designee is hereby authorized to make appropriate adjustments and to perform all acts necessary to implement the terms and conditions of the Memorandum of Understanding.
4. The City Clerk shall attest to the adoption of this Resolution.

* * * * *

I, the undersigned City Clerk of the City of Willows, hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by the City Council of the City at a meeting thereof on the 22nd Day of June, 2021, by the following vote of the members thereof:

AYES:

NOES:

ABSTAIN:

ABSENT:

City Clerk

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE CITY OF WILLOWS

AND

UNITED PUBLIC EMPLOYEES OF CALIFORNIA,
LIUNA LOCAL 792 (AFL-CIO)

WILLOWS FIRE BARGAINING UNIT

Term: July 1, 2020 through June 30, 2024

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STATEMENT OF PURPOSE

This document was created in order to provide orderly procedures for the administration of the Personnel Rules and Regulations and Memorandum of Understanding between the City of Willows and the United Public Employees of California (UJUNA) Local 792 (AFL-CIO) for the Willows Fire Bargaining Unit. Nothing contained herein shall be deemed to supersede the provisions of State Law, City Ordinances and Resolutions. This document is intended to strengthen the relationship between the City and the Union through the establishment of uniform and orderly methods of communication.

ARTICLE I – GENERAL PROVISIONS

DEFINITIONS: The following terms, whenever used in this MOU, shall be defined as follows:

Advancement: A salary increase within the limits of a pay range established for a class.

Allocation: The assignment of a single position to its proper class in accordance with the duties performed and the authority and responsibilities exercised.

Applicant: A person who has filed an application for an examination.

Appointment: The offer and acceptance by a person of a position.

Bargaining Unit: Willows Fire Bargaining Unit.

Candidate: An applicant who is participating in an examination.

Certification: A formal statement by the City Manager that the names on an employment list are accurate.

City: The City of Willows.

Class: All positions sufficiently similar in duties, authority, and responsibility to permit grouping under a common title and the application with equity of common standards of selection, transfer, promotion and salary.

Compensation: The salary, wage, allowances and all other forms of valuable consideration earned by or paid to any employee in remuneration for services in any position, but does not include any allowances authorized and incurred as incident to employment.

Competitive Examination: An examination, either assembled or disassembled, in which one or more candidates are in competition, either with each other or against a standard established by the Personnel Officer, as a minimum acceptable which candidates must possess in order to competently perform the duties of the position.

Competitive Service: All positions of employment in the service of the City except those specifically excluded by ordinance.

Complaint or Problem: A dissatisfaction or misunderstanding on the part of a City employee which arises from the application and/or interpretation of administrative regulations, working conditions or personnel conflict.

Demotion: The movement of an employee from one class to another class having a lower maximum rate of pay.

Discharge: Disciplinary termination.

Disciplinary Action: An action taken against an employee for cause and shall include discharge, demotion, reduction in salary, official reprimand, and suspension.

Eligible: A candidate whose name is recorded in an eligibility or reinstatement list.

Employment List: A record of the names of persons who have been found qualified through suitable examination for employment in a specific class or position in the Classified Service.

Employee or Incumbent: A person legally occupying a position in the City service and includes, but is not limited to any of the following:

a) **Regular Employee:** Shall mean a person employed by the City in a Full-time capacity in an authorized position, who has successfully completed the probationary period, is appointed to work for an indefinite period of time, and has been retained according to the provisions of the City of Willows Personnel System Rules and Regulations.

b) **Probationary Employee:** Shall mean an employee working a test period during which he/she is required to demonstrate his/her fitness to perform the duties of the class of position to which he/she is appointed by the actual performance of those duties.

c) **Part-Time Employee:** Shall mean a person employed in an authorized position and whose normal work schedule is less than the standard hours per day, days per week, or weeks per month, and who has been employed to work for an indefinite period of time. Part-time employees shall remain in a probationary status and shall receive only the sick leave and vacation leave employment benefits (on a proportional basis) extended to regular employees, provided the part-time employee has worked or is scheduled to work at least 1040 hours for a twelve-month period. No service during a part-time appointment shall be credited toward fulfilling any probationary period required by ordinance or the City of Willows' Personnel System Rules and Regulations.

d) **Temporary Employee:** Shall mean any person appointed to a temporary position or temporarily appointed to a regular or part-time position with the City. Temporary position means an authorized position budgeted or established for a designated period of time or on an hourly, daily, weekly, or seasonal basis. Temporarily appointed persons shall be limited to specific periods of time, less than one year, and successive temporary appointments of the same individual to the same position shall be approved by the City Manager. No employee benefits are extended to temporary employees, and they shall not be subject to or receive the provisions of City Personnel Rules. Further, no service during a temporary appointment shall be credited toward fulfilling any probationary period required by ordinance or the City Personnel Rules.

e) **Emergency Employee:** Shall mean a person employed by the City for a temporary period of time to meet emergencies and in a position not specifically authorized or funded in the budget.

Examinations:

a) **Continuous Examination:** An open-competitive examination which is administered periodically and as a result of which names are placed on an employment list for a period of not more than one year.

b) Open-Competitive Examination: An examination for a particular class which is open to all persons meeting the qualifications for the class.

c) Promotional Examination: An examination for a particular class, admission to the examination being limited to permanent and probationary employees in the competitive service who meet the qualifications for the class.

Grievant: A "grievant" shall mean an employee or group of employees or the employee organization filing a grievance.

Grievance: A "Grievance" shall mean a statement by a grievant that a controversy, dispute, or disagreement of any kind or character exists arising out of or in any way involving interpretation or application of the terms of this agreement or of any existing City rule, policy or practice, or that an employee has been treated unfairly or inequitably, or that there exists a condition which jeopardizes employee health and safety.

Layoff: The separation of a regular employee from the City service without fault or delinquencies on his/her part and by reason of lack of work or funds, resulting in the placement of his/her name on layoff list.

Layoff (Reinstatement) List: An eligible list of names of persons arranged in the order as provided by these rules, who have had regular employment, "who have been separated from the City service, and who are entitled to have their names certified to an appointing authority under the provisions of the City Personnel Rules.

Personnel Ordinance: Ordinance which creates a personnel system for the City.

Probationary Period: A working test period during which an employee is required to demonstrate his fitness for the duties to which he/she is appointed by actual performance of the position.

Promotion: The movement of an employee from one class to another class having a higher maximum rate of pay.

Promotional Employment List: A list of names of employees who have been found qualified for promotion to a higher position or positions.

Provisional Appointment: An appointment of a person who possesses the minimum qualifications established for a class and who has been appointed to a position in that class in the absence of available eligible applicants.

Reclassification or Reallocation: The reassignment or change in allocation of an individual position by raising it to a higher or reducing to a lower, or moving it to another class of the same level on the basis of significant changes in the kind or difficulty of duties and responsibilities in such position.

Recognized Employee Organization: Any employee organization that has been recognized by the City Council.

Reinstatement: The re-employment without examination of a former permanent or probationary employee who has been laid off.

Rejection: The separation of an employee from employment during his/her probationary period.

Resignation: The separation of an employee from City service which is voluntary and complete on his/her part.

Suspension: The temporary separation of an employee from his/her position with loss of pay for reason or pending disciplinary action, for disciplinary reasons, or for other just cause and for a definite period specified in writing.

Termination: The separation of an employee from the City service. Termination may be by death, discharge, layoff, resignation, retirement, work completion and/or lack of work funds.

Transfer: A change of an employee from one position to another position in the same class or in a comparable class

RECOGNITION

The City recognizes the UNITED PUBLIC EMPLOYEES OF CALIFORNIA - LIUNA LOCAL 792 (AFL-CIO) as the recognized employee organization for the member of the Willows Fire Bargaining Unit including the following positions:

Fire Fighter/Engineer

DISCRIMINATION PROHIBITED

The City will not interfere with or discriminate in any way against any employee by reason of his/her membership in the Association or participation in any activity approved by this Agreement, nor will the City discourage membership in the Union or encourage membership in any other employee organizations.

The Union in turn, recognizes its responsibility as exclusive negotiating agent and agrees to represent all employees without discrimination, interference, restraint, or coercion.

The parties agree and understand that unlawful discrimination or abusive conduct against and/or harassment of employees and job applicants on the basis of: actual or perceived race, indicia of race and traits historically associated with race, color, national origin, ancestry, sex (including pregnancy, childbirth, breastfeeding and related medical conditions), gender, gender identity, gender expression, sexual orientation, age, religion (including religious dress and grooming practices), physical or mental disability, medical condition, marital status, citizenship status, military or veteran status, genetic information, or any other class that is protected by applicable Federal, state or local law is prohibited. The City maintains a zero-tolerance policy that is designed to ensure the work environment is free from such harassment and/or discrimination. City policy further prohibits any and all retaliation against an employee or other person who

makes a good-faith report of workplace harassment or discrimination and/or participates in the investigation of such a claim. Violations of the City's harassment and discrimination prevention policy will result in disciplinary action potentially up to and including termination of employment.

DUES DEDUCTIONS / ORIENTATION / INFORMATION PROVIDED

Dues Deductions

The Union shall have the regular dues and any voluntary deductions of its bargaining unit members deducted from their paychecks pursuant to the dues deduction authorization forms as reported by the Union.

The Union is solely responsible for distributing to, and collecting from, employees the dues and voluntary deduction authorization forms. The Union is responsible for maintaining the deduction forms for individual employees. Copies of an individual employee's deduction authorization need not be provided to the City unless a dispute arises about the existence or terms of the authorization. Questions regarding Union membership, dues amounts, and payroll deductions must be directed to the Union and not the City.

The City shall remit the withheld dues amount, along with a listing of the employee names for whom the deductions are made to:

UPEC 792
1800 Park Marina Drive
Redding, CA 96001
Attn: Office Manager

The Union shall indemnify, defend, and hold the City, its officers, agents, and employees harmless from and against any and all claims, demands, losses, defense costs, suits, or other action or liability of any kind or nature arising from this section, including, claims for or related to employee authorizations, revocations, deductions made, cancelled, or changed in reliance on the Union's representations and certifications regarding employee dues deduction authorizations.

This section of the MOU is not grievable.

New Employee Orientations

The Union will be given 10 days' notice of new employee group orientation meetings and a representative of the Union will be invited to meet with the new employees.

The Union representative(s) will be given up to 30 minutes to meet with the new employees during orientation. Attendance of the new employee at the Union portion of the orientation is mandatory. Management will be excused during the Union portion of the orientation and the Union agrees in its portion of the orientation not to engage in speech that could cause substantial disruption or material interference with City activities.

The City agrees to release time for one current employee, appointed by the Union, to attend these meetings. The Union will provide the City with the name of the representative on release time at least five (5) days prior to the orientation.

As soon as possible following a new hire, but within no more than 15 days, the City shall provide the Union with the following information regarding the new employee:

Name	Job Title	Department	Work Location
Home Address	Work, Home and Personal Phone Numbers		

The City will also provide the Union this same information, in electronic format, for all bargaining unit members on a quarterly basis. Notwithstanding the foregoing, an employee may opt out via written request to the City (with a copy to the Union) and direct the City to withhold disclosure of the employee's Home Address, Home Phone Number, Personal Email Address, Personal Cellular Phone Number, and Birth Date. Workplace contact information shall not be withheld. :

BULLETIN BOARDS / FILE CABINETS

The City shall allow the Union to place one (1) bulletin board in the offices of the Fire Department. These bulletin boards are only to be used for association related activities. It is understood that these bulletin boards will be placed at Association expense.

The City shall allow the Union to place one (1) four-drawer file cabinet in the offices of the Fire Department. These file cabinets are only to be used for Union related activities. It is understood that these file cabinets will be placed at Union's expense.

USE OF CITY FACILITIES

The City shall reasonably make available conference rooms and other meeting areas for the purpose of holding Union meetings during off-duty time periods. The Union shall provide timely advance notice of such meetings, and agrees to pay any additional costs of damage and cleanup and shall comply with City regulations for assignment and use of such facilities.

ARTICLE II – DIRECT PAY FOR SERVICE – SALARY

SALARY INCREASES

Increases to Base Salary

Effective July 1, 2021 all bargaining unit employees shall receive a 3% increase to base pay.

Effective July 1, 2022 all bargaining unit employees shall receive a 2% increase to base pay.

Effective July 1, 2023 all bargaining unit employees shall receive a 2% increase to base pay.

American Rescue Plan Act:

As the parameters for use of these funds becomes clearer the unit reserves the right to reopen on a stipend for all unit members.

ANNIVERSARY FORMULA:

An employee starting work from the first to the fifteenth day of any month will be considered as having been employed on the first of the month. An employee starting work from the sixteenth to the last day of the month will be considered as having been employed on the first day of the following month. This formula is to be used for the purpose of determining effective dates for sick leave and vacation only. Anniversary date for all salary and wage adjustments will be the date of the employee's last range adjustment.

APPLICATION OF RATES:

Employees occupying a position in the competitive service shall be paid a salary or wage established for that position's class under the pay plan as provided by Section 1 of this rule. The minimum rate, if provided for the class, generally, shall apply to employees upon original appointment; however the City Manager may, when circumstances warrant it, authorize original appointment or reinstatement at other than the minimum rate.

ADVANCEMENT

In order to compensate an employee properly, advancements in salary shall be based upon recognized improvement, efficiency, and effective service. Advancements shall not be automatic, but shall depend upon increased service value of the employee to the City as determined by attainment of individual goals established from time to time between each individual employee and his department head. All employees are expected to work closely with their department head in establishing individual work programs and goals and, together, realize mutually established goals and objectives for individual improvement. Realization of these goals shall be the prime consideration for wage and adjustments and shall be made only upon recommendation of the department head and with approval of the City Manager. The following are additional areas that exemplify increased service values:

- a) Length of Service
- b) Performance Record
- c) Additional training – efforts at self-improvement
- d) Attitude toward job
- e) Personal conduct
- f) Conscientious attendance

- g) Safety alertness
- h) Continual improvement as recognized through work objective attainment.
- i) Efficient and effective service
- j) Other factors of individual achievement as appropriate to the particular position.

The following criteria shall guide in the movement of individual employees from step to step within the Five (5) Step Plan:

- a) Step A shall be the minimum hiring rate.
- b) Step B - employees shall be eligible for advancement to Step B upon completion of six (6) months of employment and upon recommendation by the department head that growth of performance is satisfactory and upon approval of the City Manager.
- c) Step C - employees shall be eligible for advancement to Step C upon completion of one year at Step B and upon recommendation by the department head that growth of performance is satisfactory and upon approval of the City Manager.
- d) Step D - employees shall be eligible for advancement to Step D upon completion of one year at Step C and upon recommendation by the department head that growth of performance is satisfactory and upon approval of the City Manager.
- e) Step E - employees shall be eligible for advancement to Step E upon having serve a minimum of one year at Step D and upon recommendation by the department head that growth of performance is satisfactory and upon approval of the City Manager.

The Step Plan applicable to members covered by this Agreement is located in Appendix III.

The City Manager may increase the salaries of employees on the basis of merit with the range set forth on the compensation plan; however, the City Manager may not advance an employee in this classification without first utilizing a written evaluation prepared by the employee's supervisor. A favorable performance evaluation shall be a prerequisite for consideration of the merit increase.

SALARY AND WAGE ADJUSTMENTS – PART-TIME EMPLOYEES:

All conditions and requirements for adjustment for regular employees outlined in this rule shall also apply to part-time employees.

SALARY FOLLOWING PROMOTION:

When an employee in the City service is promoted to a position allocated to a class with a higher salary, a new anniversary date shall be established for the purpose of eligibility for consideration for future wage adjustments pursuant to Section 6.

SPECIAL SALARY DECREASE:

The salary of any employee may be decreased at any time to a lower salary within the salary range by the City Manager on the basis that the quantity, quality, or manner of performance of services do not justify the salary being received. The employee shall retain his previous anniversary date.

SALARY FOLLOWING DEMOTION:

In the case of demotion of any employee in the City service to a class with a lower maximum salary such as recommended by the department manager and approved by the City Manager, the employee shall retain his previous anniversary date.

REVISION OF SALARY RANGES:

When a salary range for a given class is revised upward or downward, the incumbents of positions and classes affected shall have their existing salary adjusted to the new salary range, and their anniversary date shall not be changed.

OUT OF CLASSIFICATION PAY

When a person works in excess of 160 hours in a higher classification than his/her regular class, he/she shall be entitled to the pay at Step A of the classification or a 5 percent increase of his/her base salary, whichever is greater. Working in a higher classification shall be actuated when the City Manager determines that the person is performing the duties of the higher classification. This provision shall not be applicable to persons back filling positions for employees on vacation. Pay shall be retroactive after the above number of hours are exceeded. (Res. 20-88, 9-13-88)

COMPENSATION FOR DUTY CHIEF ASSIGNMENT

When a Willows Firefighter/Engineer is assigned duties as the Duty Chief for the City of Willows, he/she shall be compensated at a rate 10% higher than their current base pay.

SELF IMPROVEMENT INCENTIVE PAY

Employees receiving a Fire Fighter II certificate shall receive an incentive of fifty dollars (\$50.00) per month and an additional seventy-five dollars (\$75.00) per month if holding a Certified Fire Officer Certificate for a maximum of one hundred twenty-five dollars (\$125.00).

OVERTIME COMPENSATION AND COMPUTATION

Compensation to employees working overtime will be paid at the rate of one and one-half times the employee's regular rate of pay. Overtime is paid on all hours worked in excess of the employee's regularly scheduled hours over a bi-weekly pay period (overtime is bi-weekly, not daily). Compensatory time off shall be allowed in lieu of pay when mutually agreeable to the department head and employee. In the event compensatory time off is used as a method of compensating for overtime, the time off shall be taken at the discretion of the employee and with the permission of the Fire Chief. Public Safety Personnel leaving the municipal service shall be paid only for time off earned in the last two quarters prior to termination. Exceptions will be made only upon written authorization of the City Manager. Hours/workweek are as specified in Appendix IV. Overtime compensation will be paid at a "straight time" rate for the following: Squad Meetings, Range Firings, Schooling, and Training.

CALL BACK PAY (FIRE)

Members of the Fire Department who are called back to work after leaving their duty station shall be paid a minimum of one hour's pay at the applicable overtime rate.

PAY PERIODS

The City has adopted a bi-weekly pay period schedule for all employees. There will be no payment of salaries to employees except on regular paydays. Employees leaving the municipal service shall be paid within seventy-two (72) hours of the date of termination and upon clearance of the department concerned by said employee has returned all City-owned tools and equipment.

ARTICLE III - INDIRECT PAY AND ALLOWANCE (BENEFITS)

RETIREMENT - PLANS

The City is a contract member of the Public Employees Retirement System, and contracts for retirement benefits for employees of the bargaining unit as follows:

CalPERS "Classic" Members: 3%@50 retirement formula

CalPERS "New" Members (Public Employment Pension Reform Act (PEPRA)): 2.7%\$55

RETIREMENT - MEMBER PAID PERS CONTRIBUTION

Employees shall pay the full employee member contribution (one-half of the "Total Normal Cost") amount according to their PERS classification. (Classic / PEPRA) and subject to any limitations imposed by the Public Employment Retirement Law (PERL) and CalPERS Regulations.

LIFE INSURANCE:

All employees of this unit shall have \$10,000 life insurance paid by the City. (Res. 12-86)

SECTION 125 PLAN:

The City provides an "Optional Benefit Plan" within the context of Section 125 of the Internal Revenue Code for the following:

- A. Insurance premium coverage. (Res. 34-98, 9-22-98)
- B. Unreimbursed medical and dependent day care reimbursement. (Res. 32-2000, 10-24-00)

HEALTH INSURANCE:

The City participates in the CSAC-EIA Silver PPO/Assurant Gap Coverage (since January 1, 2018).

Employer Contributions

The City shall make a contribution to each employee's Cafeteria plan as follows:

In addition to medical coverage, the cafeteria plan will contain the following optional benefit programs:

- 1. Dental
- 2. Vision
- 3. AFLAC optional benefits
- 4. Deferred Compensation through a City recognized plan. (Res. 19-99, 8-24-99)

Employee Only: Those employees selecting employee-only health coverage shall receive a contribution to the cafeteria plan equal to 100% of the employee-only premium for the Silver PPO/Assurant Gap for Employee Only coverage.

Employee Plus One: Those employees selecting employee plus one health coverage shall receive a contribution to the cafeteria plan equal to 100% of the employee plus one premium for the Silver PPO/Assurant Gap for Employee plus one coverage.

Employee Plus Family: Those employees selecting employee plus family health coverage shall receive a contribution to the cafeteria plan equal to 100% of the employee plus two or more (also known as Employee + Family) premium for the Silver PPO/Assurant Gap for Employee plus family coverage.

Health Plan Premium Increases

In each year, the City will increase its contribution to the cafeteria plan up to 18% in any given year, limited to the amount necessary to offset the percentage increase in health plan premiums based on the Silver PPO/Assurant gap premium levels.

Should there be any increase beyond 18% the remaining excess amount shall be borne by employees. No increase in the opt-out amount shall be provided. In the event that premium rates decrease, the City contribution to the cafeteria plan shall be reduced accordingly.

Financial Assistance

The City shall establish a fund identified as the "City Funded Health Savings Account" Fund, not to exceed \$10,000.00 for the purpose of providing financial assistance to employees in instances where the Assurant Gap plan does not provide full reimbursement of coverage. This fund will not be used in lieu of Gap Coverage, nor may it be used for co-pays, prescription co-pays or prescription deductible costs. The City will re-fund ("top up") the fund each year on July 1 to a balance of \$10,000.00. At no time shall the balance in the fund exceed \$10,000.00. The fund will be available to all employees and dependents who are enrolled in the City sponsored Silver Plan PPO / Assurant Gap health plans.

Retiree Health Contributions

Retired employees participating in CalPERS retiree medical or those retirees of the City who are not participating in CalPERS retiree medical, may enter coverage in a one-time open enrollment period. The City will contribute \$128 per month toward cost-sharing for retiree coverage (equal to the CalPERS Minimum Employer Contribution).

Active employees and those who are hired after the ratification of this MOU (all future retirees) shall no longer be eligible to receive a retiree health contribution from the City.

Medical Transport Membership
In each year covered by this MOU, the City will pay for "household" membership in the MASA Medical Transport Solutions Program.

UNIFORM ALLOWANCE

Each uniformed members of the Fire Department shall receive \$860.00 in total uniform maintenance allowance for 2009 and in each year thereafter,

Uniform maintenance allowance will be provided in four equal installments, paid on the first payday in October, January, April and July.

ARTICLE IV - ATTENDANCE AND LEAVES

ATTENDANCE:

Employees shall be in attendance at their work in accordance with the rules regarding hours of work, holidays, and leaves. All departments shall keep daily attendance records of employees which shall be reported to the City Manager in the form and on the dates he shall specify. Unauthorized absences of more than three consecutive working days shall be cause for automatic termination of employment. Such termination shall be final and without right of appeal or hearing. Said employee, however, may be reinstated, upon return, having furnished the City Manager with satisfactory reasons for not having obtained prior permission.

HOLIDAYS

Holiday Schedule

The following Holidays shall be observed:

1. New Year's Day	January 1
2. Martin Luther King's Birthday	3 rd Monday in January
3. Presidents' Day	3 rd Monday in February
4. Memorial Day	Last Monday in May
5. Independence Day	July 4
6. Labor Day	First Monday in September
7. Veterans' Day	November 11
8. Thanksgiving Day	As Designated
9. Day After Thanksgiving	As Designated
10. Day before Christmas	December 24
11. Christmas Day	December 25
12. Floating Holiday	As Designated
13. Floating Holiday	As Designated

The holidays listed above are recognized as municipal holidays for pay purposes, and regular employees shall have these days off, with pay, except as otherwise provided. In the event that any of the holidays fall on a Sunday, the following Monday shall be considered a holiday for pay purposes. In the event that any of the holidays fall on a Saturday, the preceding Friday shall be considered a holiday for pay purposes.

Every permanent and every probationary employee in the competitive service, except members of the Fire Department, who are required to be on duty shall not be required to be on duty on holidays unless the employee's services are needed and required in the interests of the public health, safety or general welfare, in which the latter event, any such employee shall be entitled to compensatory time off (at such time as at the discretion of the department head, his/her services are not needed and required).

Holiday Compensation

In recognition of the fact that the above observed holidays are not provided as time off to members of this bargaining unit, they are compensated in holiday pay as follows:

- a) Members of the Fire Department who are required to be on duty shall be entitled to twelve (12) hours of straight-time pay in lieu of holidays, regardless of whether the employee works on the holiday.
- b) Employees of this bargaining unit may elect to accrue up to two-hundred forty (240) hours in Holiday credit prior to receiving annual Holiday Pay.
- c) No employee may accrue holiday credit in excess of the two hundred forty hours specified in this section.
- d) The City and the Union agree to meet and confer over the creation of an appropriate administrative mechanism that will assist employees in bringing holiday credit balances down into compliance with this section, to the extent that any employee currently exceeds the maximum allowable 240 hour limit.
- e) Employees are *required* to use one of the two floating holiday per year in time off and are only provided pay compensation for the other floating holiday.
- f) Holiday pay is provided in a single annual payment on the last pay period in November of each year. This holiday pay is provided separate from the regular paycheck and includes all holidays that have occurred since the date of the prior holiday pay remittance. For example: if the Thanksgiving holiday falls after the second paycheck in November, it would be included on the *next* year's holiday pay remittance.

VACATION LEAVE

Annual Vacation Leave: The purpose of annual vacation leave is to enable each employee, annually, to return to his work mentally refreshed.

Eligibility: All employees in the competitive service shall be entitled to annual vacation leave, with pay, except the following:

Employees who have served less than six (6) months in the service of the City. However, vacation credits for the time shall be granted to each such employee who later receives a permanent appointment. (1997-98 MOU - Res. 35-98, 9-22-98)

Vacation Leave Accrual: Each month there shall be credited to each employee the vacation hours accumulated pursuant to Appendix II. Eligible employees who work less than full time, but a minimum of 1,040 hours per year, shall be credited vacation on a prorated basis. The City will provide the opportunity for employees to convert to cash One (1) week of vacation each year subject to the following limitations:

Vacation accrual is limited to a cap of 480 hours. Any employee who has an accrual in excess of 480 hours on July 1, 2017 shall be "cashed out" for all amounts in excess of the cap, in increments of 40 hours unless an exception is requested by the employee. If an exception is requested, the Union and city shall meet and confer regarding any limit above the 480-hour cap and the methods and time allowance that will be required for that individual to bring their vacation balance below the 480-hour cap.

The City will cash out up to 40 hours of vacation during the first full pay period in December each year upon request of the employee, subject to the following conditions: 1) The employee must have taken a minimum of 80 hours of vacation during the 12-month period preceding the

cash-out; and 2) The employee must have a remaining vacation leave balance of at least 80 hours after the cash-out is completed.

Time Vacation May Be Taken:

The times during a calendar year at which an employee may take his vacation shall be determined by the department head with due regard for the needs of the service. Members of the Fire Departments will be able to carry over the amount of vacation time earned in any one year for a period not to exceed one additional year.

Holidays Falling During Vacation;

In the event one or more Municipal holidays fall within an annual vacation leave such holidays shall not be charged as vacation leave and the vacation leave shall be extended accordingly.

Vacation At Termination:

Employees who terminate employment shall be paid in a lump sum for all accrued vacation leave earned to the effective date of termination.

SICK LEAVE

Eligibility

Sick leave, with pay, shall be granted to all probationary and permanent employees within the competitive service, except those who work less than 1,040 hours per year. Sick leave shall not be considered as a right which an employee may use at his/her discretion but shall be allowed only in case of necessity and actual personal sickness or disability.

Notification of Use of Sick Leave:

In order to receive compensation while absent on sick leave the employee shall notify his/her immediate superior or the City Manager prior to or within four (4) hours after the time set for beginning his daily duties or as may be specified by the head of his/her department. When absence is for more than one workday, the employee may be required to file a physician's certificate or a personal affidavit with the City Manager stating the cause of the absence.

Accrual

Sick leave, with pay, shall be granted to employees as scheduled in Appendix I.

Disability and Use of Sick Leave

An employee receiving temporary disability payments under the Worker's Compensation Laws may use sick leave in order to continue to maintain his/her regular income; however, all employees receiving full salaries in lieu of temporary disability payments pursuant to Section 4850 of the Labor Code are entitled to accumulate sick leave during such periods of disability.

Forfeiture Upon Termination:

Upon termination no compensation, either in time off or pay, shall be granted for accumulated sick leave.

At the time of retirement unused sick leave is to be credited toward retirement per Resolution 495 dated 3-14-95, as determined by PERS.

OTHER AUTHORIZED LEAVES OF ABSENCE

Death In Immediate Family:

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

Military Leave:

Military leave shall be granted in accordance with the provisions of State Law. All employees entitled to military leave shall give the City Manager an opportunity within the limits of military regulations to determine when such leave shall be taken.

Leave of Absence Without Pay

The City Manager, upon positive recommendation of the Department Head, may grant a permanent or probationary employee a leave of absence without pay not to exceed three (3) months, when, in the City Manager's opinion, such leave is warranted and benefits the City. No such leave shall be granted except upon written request of the employee, setting forth the reasons for the request. Approval, if granted, will be in writing.

Such leaves may be granted to permit the employee to engage in activities that will increase his/her value to the City upon return or because of sickness, injury, or personal hardship. To qualify for leave of absence without pay, the employee must first utilize all accrued vacation, compensatory time, and, in cases that are medically based, sick leave. During the leave without pay period, the employee will not continue to accrue vacation, sick leave, cafeteria, or other benefits. While an employee is on an approved leave of absence without pay, the City will continue to allow the employee, at the employee's expense, to participate in the City's group health insurance program. An employee's seniority will be tolled while in a leave of absence without pay status.

Upon return to duty after expiration of an approved leave of absence, the employee shall be reinstated in the position held at the time the leave of absence without pay was granted. Failure on the part of an employee to promptly return to duty upon expiration of a leave of absence may be cause for discipline up to and including discharge. (Res. 31-2000, 10-24-00)

Family Care and Medical Leave Policy:

A Family Care and Medical Leave Policy is attached as Appendices VII.

Jury Leave:

Every classified employee of the City who is called or required to serve as a trial juror shall be entitled to absent himself/herself from his/her duties with the City during the period of such service or while necessarily being present in court as a result of such call. Under such circumstances, the employee shall be paid the difference between his/her full salary and any payment received by him/her, except travel pay, for such duty.

Injury Leave:

Injury leave shall be granted to protect an employee against loss of salary when he/she has sustained an injury arising out of, or in the course of, the performance of his/her job. The City provides State Worker's Compensation Insurance for all employees covering those injuries that qualify under the Worker's Compensation Laws. Injury leave shall be provided as follows: Public Safety Employees--up to one (1) year, as provided in the State Labor Code, Section 4850.

Injury leave compensation is no greater than the difference between the employee's regular salary at time of injury and the compensation provided by the State Worker's Compensation Plan in effect, and all payments from state Worker's Compensation to employees must be surrendered to the City Treasurer. Sick leave and vacation credits shall accrue during any period of qualifying injury leave. Sick leave, vacation, or compensatory time balances shall not be used for on-the-job or Worker's Compensation qualifying injuries unless the employee is unable to return to work after expiration of the appropriate injury leave. The use of these accumulated leave credits for this purpose is then solely at the discretion of the employee.

A job connected accident involving injury shall be reported by the employee to his/her supervisor within twenty-four (24) hours of such injury.

ARTICLE V - SPECIAL PROVISIONS

PHYSICAL EXAMINATIONS:

Members of the Fire Department, excluding the Administrative Secretary, shall be required to take a physical examination during employment. Initial examinations shall be staggered over a three (3) year period, and further examinations shall be on a three (3) year cycle. The City shall pay for the cost of the physical examinations and has the right to determine the doctor and to examine the results of the physical. In the event an employee is required to take a physical during his/her work hours, time off will be charged to sick leave. If the physical examination is scheduled out of town, and employee shall be able to use a City vehicle. If no City vehicle is available, an employee shall be paid mileage for using his/her personal vehicle. In the event the employee has any medically correctable deficiencies, the employee shall, under the direction of a physician, be given a suitable length of time to make improvement or correction. The cost of a re-examination shall be borne by the City. If, in the opinion of the physician, the employee has not made a diligent effort to correct deficiencies, the employee may be placed on mandatory leave, with or without pay, at the discretion of the City Manager.

RESIDENCY REQUIREMENTS:

Regular employees of the Willows Fire Department shall reside within 45 minutes of ordinary drive time from the Fire Department

LAYOFF

Discharge; Lack of Work or Funds: An employee may be terminated by the City Manager because of change in duties or organization, abolition of position, shortage of work or funds, or completion of work for which employment was made. If the work force is reduced in a department for any of these reasons, termination shall first be by the type of employment status in the following order:

- a) Emergency
- b) Temporary
- c) Part-time
- d) Probationary
- e) Regular

Once this sequence is observed, retention of employees shall then be based solely on the earliest date of continuous City employment.

In cases involving regular or part-time appointments only, notice of termination will be given to the employee at least two (2) weeks prior to the effective date of termination.

In case of layoff of employees because of lack of work or funds, regular employees who have been laid off shall be notified, in writing, by the department manager, with the approval of the City Manager, at least ten (10) working days prior to date of layoff, and the notices shall contain the reasons thereof. There shall be no right of appeal in such cases.

Regular employees shall have their names placed on the appropriate layoff (reinstatement) list and shall have precedence for employment over persons whose names appear on eligible lists for the same class of positions.

Reinstatement: Regular employees who have been laid off shall be entitled to reinstatement to positions in the same class where such positions are to be refilled during the period of their eligibility on the layoff list. Any employee so reinstated shall retain all benefits accrued in prior service with the City. During such layoff no benefits will accrue, and his anniversary date shall be adjusted if such layoff time exceeds sixty (60) consecutive calendar days.

ARTICLE VI - GRIEVANCE PROCEDURES

PURPOSE OF RULE:

- a) To promote improved employer-employee relations by establishing grievance procedures.
- b) To afford employees, individually or through qualified employee organizations, a systematic means of obtaining further consideration of problems after every reasonable effort has failed to resolve them through discussions.
- c) To provide that grievances shall be settled as near as possible to the point of origin.
- d) To provide that appeals shall be conducted as informally as possible.

MATTERS SUBJECT TO GRIEVANCE PROCEDURE:

Any employee in the competitive service shall have the right to appeal, under this rule, a decision affecting his/her employment over which the City Manager has partial or complete jurisdiction and for which appeal is not provided by other regulations or is not prohibited.

FORMAL GRIEVANCE PROCEDURE:

An employee who has a problem or complaint should first try to get it settled through discussion with his/her immediate supervisor without undue delay. If, after this discussion, he/she does not believe the problem has been satisfactorily resolved, he/she shall have the right to discuss it with his/her supervisor's immediate superior, if any, in the administrative service. Every effort should be made to find an acceptable solution by informal means at the lowest possible level of supervision. If the employee is not in agreement with the decision reached by discussion, he/she shall then have the right to file a formal appeal, in writing, within seven (7) calendar days after receiving the informal decision of his/her immediate superior. An informal appeal shall not be taken above the City Manager.

FORMAL GRIEVANCE PROCEDURE:

A. First Level of Review: The appeal shall be presented, in writing to the employee's immediate supervisor, who shall render his/her decision and comments, in writing, and return them to the employee within seven (7) calendar days after receiving the appeal. If the employee does not agree with his/her supervisor's decision or if no answer has been received within seven (7) calendar days, the employee may present the appeal, in writing to his/her supervisor's immediate superior. Failure of the employee to take further action within seven (7) calendar days after receipt of the written decision of his/her supervisor, or within a total of fifteen (15) calendar days if no decision is rendered, will constitute a dropping of the appeal.

B. Further Level or Levels of Review As Appropriate: The supervisor receiving the appeal shall review it, render his / her decision and comments in writing, and return them to the employee within ten (10) calendar days after receiving the appeal. If the employee does not agree with the decision, or if no answer has been received within ten (10) calendar days, he / she may present the appeal, in writing, to the department head. Failure of the employee to take further action within ten (10) calendar days after receipt of the decision, or within a total of fifteen (15) calendar days if no decision is rendered, will constitute a dropping of the appeal.

C. Department Review: The department head receiving the appeal, or his/her designated representative, should discuss the grievance with the employee, his/her representative, if any, and with other appropriate persons. The department head shall render his/her decision and comments, in writing, and return them to the employee within fifteen (15) calendar days after receiving the appeal. If the employee does not agree with the decision reached, or if no answer has been received within fifteen (15) calendar days, he/she may present the appeal, in writing, to the City Manager. Failure of the employee to take further action within ten (10) calendar days if no decision is rendered will constitute a dropping of the appeal.

D. City Manager: The City Manager receiving the appeal or his/her designated representative, should discuss the grievance with the employee, his/her representative, if any, and with other appropriate persons. The City Manager may designate a fact-finding committee, officer not in the normal line of supervision, or City Council to advise him/her concerning the appeal. The City Manager shall render a decision, in writing, to the employee within twenty (20) calendar days after receiving the appeal.

CONDUCT OF GRIEVANCE PROCEDURE:

- A. The time limits specified above may be extended to a definite date by mutual agreement of the employee and the reviewer concerned.
- B. The employee may request the assistance of another person of his/her own choosing in preparing and presenting his/her appeal at any level of review.
- C. The employee and his/her representative may be privileged to use a reasonable amount of work time as determined by the appropriate department head in conferring about and presenting the appeal.
- D. Employees shall be assured freedom from reprisal for using the grievance procedures.

RULES OF APPEAL TO THE CITY COUNCIL

Right of Appeal: Any employee in the competitive service shall have the right to appeal to the City Council any disciplinary action, interpretation or alleged violation of the Personnel Ordinance, or these rules after the grievance procedure has been completed, except in instances where the right of appeal is specifically prohibited by the Personnel Ordinance or these rules.

Method of Appeal: Appeals shall be in writing, subscribed by the appellant, and filed with the City Manager who shall, within seven (7) days after receipt of the appeal, inform each member of the City Council and such other persons or officers named or affected by the appeal or the filing of the appeal. The appeal shall be a written statement, addressed to the City Council, explaining the matter appealed from and setting forth therein a statement of the action desired by the appellant with his/her reasons therefor. The formality of a legal pleading is not required.

Notice: Upon the filing of an appeal, the City Manager shall set a date for a hearing on the appeal not less than seven (7) days nor more than thirty (30) days from the date of filing. The City Manager shall notify all interested parties of the date, time, and place of the hearing at such places as the City Council shall prescribe.

Investigation: Upon the filing of an appeal - the City Council may make such independent investigation of the matter as it may deem necessary. The result of such investigation shall be

made a part of the record of the proceedings, and the appellant shall have the right to have a reasonable time within which to answer or to present evidence in opposition to the findings of this independent investigation.

Hearings: The appellant shall appear personally, unless physically unable to do so, before the City Council at the time and place of the hearings. He/she may be represented by any person or attorney as he/she may select and may, at the hearing, produce on his behalf relevant oral or documentary evidence. Appellant shall state his/her case first, and at the conclusion opposition matter may then be presented. Rebuttal matter not repetitive may be allowed at the discretion of the City Council. Cross examination of witnesses shall be under the control of the City Council by the Mayor with due regard to the rights and privileges of the parties appearing before it. Hearings need not be conducted according to technical rules relating to evidence and witnesses. Hearings shall be open unless the appellant, in writing, requests a closed hearing.

The City Council shall have the right of subpoena, the power to examine witnesses under oath, the power to compel the attendance of witnesses, and the power to require the production of evidence by subpoena. Subpoenas shall be issued in the name of the City and attested by the City Clerk.

Each member of the City Council shall have the power to administer oaths to witnesses.

Findings and Recommendations: The City Council shall, within seven (7) days after the conclusion of the hearing, certify its findings and decision, in writing, to the appellant and to the person, officer or body from whose action the appeal was taken. The action taken shall be final. Any member of the City Council may submit a minority or supplemental finding and recommendation.

In case of suspension, discharge, or demotion, the City Council shall reinstate any employee to his/her former status if proof is made that the action was for political, religious, or racial reasons.

Right of Appeal: Any employee in the competitive service shall have the right to appeal to the City Council any interpretation or alleged violation of the Personnel Ordinance or the Personnel Rules, except in the instances where the right of appeal is specifically prohibited by the Personnel Ordinance or the Personnel Rules. Disciplinary action shall be heard by a third party neutral (Hearing Officer), as outlined in the Appeal Process, prior to submission to the City Council.

ARTICLE VII - DISCIPLINARY PROCESS

The following disciplinary process shall be utilized when suspension (in excess of three [3] days), demotion, reduction in salary, or discharge are contemplated for a regular employee. It shall not be applicable to those positions which may be deemed exempt by the City Council as enumerated by Chapter 12, Section 12-3 of the City Ordinance of the City of Willows, or to probationary or temporary employees .

Written Notice: An employee must receive advance written notice of the proposed action and the reasons therefore with a copy of the charges upon which it is based. The notice is to be prepared by the appropriate reviewing supervisor.

Employee Allowed Reasonable Time to Respond: An employee will be allowed ten (10) days to respond, in written form, to the charges. An employee may request an extension of time, and the request shall be granted if, in the opinion of the reviewing supervisor, the time of extension is appropriate because of the complexity of the issue. Failure to respond within the allotted time specified may result in the employee's waiver of his/her procedural rights.

Reviewing Supervisor to Make Recommendations to the City Manager: After reviewing the responses submitted by the employee, the reviewing supervisor shall make a recommendation as to the type of disciplinary action . If the recommendation is suspension (in excess of three [3] days), demotion, reduction in salary, or discharge, written notice shall be given to the City Manager and the employee together with all pertinent data relating to the case.

City Manager Review: The City Manager shall review the case by any means that he/she deems pertinent. This may include oral testimony from the employees, reviewing supervisor, and witnesses. The City Manager may seek further investigation on the issue. At the conclusion, the City Manager shall make the determination as to the disposition of the case. The employee shall be so notified, in writing, and the notice shall also state the person shall have the right, within ten (10) days after the receipt of the notice, to request an appeals hearing. If within the ten (10) day period the employee involved does not file said appeal, the action of the City Manager shall be considered conclusive.

Formal Hearing Procedure, Non-Binding

A. If, within the ten (10) day appeal period, the employee involved files such notice of appeal by giving written notice of appeal to the City Manager, the City shall request a list of third-party neutrals from the American Arbitration Association of the California State Conciliation Service to hear the appeal. The City and the involved employee shall select a third-party neutral (hearing officer) to hear the appeal.

B. All costs related to the hearing directed to be incurred by the hearing officer and all fees of the hearing officer will be shared equally by the parties, except that in the event the employee is fully exonerated, such costs and fees will be borne by the City .

C. Other costs, including attorneys' fees, shall be borne by the party who incurred said costs.

D. A time for an appeal hearing shall be established which shall not be less than ten (10) working days, nor more than sixty (60) working days, from the date of the filing of the appeal. All interested parties shall be notified, in writing, of the date, time, and place of the hearing at least ten (10) days prior to the hearing.

E. All hearings shall be public, provided, however, that the appellant may request a hearing closed to the public.

F. The hearing officer shall issue subpoenas at the request of either party prior to the commencement of such hearing. After the commencement of such hearing, subpoenas shall be issued only at the discretion of the hearing officer.

G. The hearing shall be conducted in accordance with Government Code Section 11513.

H. The discovery rights and procedures set forth in Government Code Section 11507.6 shall be the exclusive method of discovery for any hearing conducted under this section. Any portions of said section which have no application to the hearing subject to this section, including references to initial administrative pleading and other pleading, shall be of no force or effect, but also shall not in any way detract from the balance of said section. All requests for discovery pursuant to this section shall be made at least ten (10) days prior to the scheduled hearing, and replies thereto shall be required within twenty (20) days of the request, or three (3) days of the hearing, whichever first occurs.

Subpoenas and subpoenas duces tecum shall be authorized as provided in Government Code Section 11510. Judicial remedies, as provided in Government Code Section 11507.7, and contempt proceedings, as provided in Government Code Section 11525, shall be accorded to the parties in these proceedings.

I. The hearing officer shall determine relevancy, weight, and credibility of testimony and evidence and shall base his/her findings on the preponderance of evidence.

J. During the examination of a witness, all other witnesses, except the parties, shall be excluded from the hearing upon motion of either party.

K. No still photographs, moving pictures, or television pictures shall be taken in the hearing chamber during a hearing.

L. The hearing officer, prior to or during a hearing, may grant a continuance for any reason he/she believes to be important to its reaching a fair and proper decision.

Appeal to City Council

Written findings and decisions shall be forwarded by the hearing officer to the City Clerk, City Manager, the affected department head, and the employee. These findings and recommendations may, upon appeal by either party, be agendized for presentation to the City Council.

In cases where discrimination based on race, color, religion, sex, age, or national origin is alleged and proven, the hearing officer shall have the authority to reinstate the employee without prejudice. Such a decision, which shall be supported by the written findings of the hearing officer, shall be final and binding upon all parties and shall not be subject to any modification by the City Council. In such case, the Council shall direct that the employee be fully reinstated. In all other instances, the Council will take the findings and recommendations of the hearing officer under advisement and will render a decision within twenty (20) days after the presentation of said findings and recommendations to the Council.

The City Council may adopt the hearing officer's findings, conclusions, and decisions or may impose a lesser discipline based upon the findings, conclusions, and decision presented to the Council. Notice of the decision of the Council must be given to the reviewing supervisor, employee, and City Manager within ten (10) days after the Council's decision. The Council may reject the hearing officer's decision, and in that event, may:

- A. Sustain the action of the City Manager or reviewing supervisor.
- B. Negate the action of the City Manager or reviewing supervisor and reinstate the employee without prejudice or loss of compensation and order that the employee be restored to his/her position.
- C. Impose any disciplinary action which it judges to be appropriate, based on the factual evidence presented, except that such recommended disciplinary action shall not exceed the appeal punishment. Before the Council can impose a penalty greater than the action recommended by the hearing officer, it must first read and review the entire record of the administrative hearing, including a transcript of said proceeding, or a synopsis prepared by the City's Counsel. In the event the transcript or synopsis is ordered by the Council for review, the date for said review may be extended for a period not to exceed thirty (30) days to allow for preparation of the transcript or the synopsis. In the case of a synopsis prepared by the City's Counsel, the employee or his/her designated representative shall, upon request, be provided with a copy of said synopsis and shall be afforded ten (10) calendar days within which to comment thereon. said comments shall be submitted to the City Council for consideration along with the subject synopsis. Any transcript ordered by the Council shall be prepared at City expense. An employee or his/her representative may request a copy of the transcript for the Council's review, and any such transcript so ordered by the employee shall be prepared at the employee's expense. Notice must be given of the Council's decision in this matter to the reviewing supervisor and City Manager within ten (10) days after the Council's decision.

ARTICLE VIII - RESOLUTION, FULL UNDERSTANDING, NON-NULLIFICATION, AND DURATION

Resolution: It is understood that this Memorandum or any part thereof is not binding upon the City until and unless the same or provision of same be adopted by ordinances or resolution of the City Council. This Memorandum of Understanding resolves in full, for its duration, all issues between the parties concerning wages, hours, and other terms and conditions of employment.

Full Understanding and Modifications: The parties agree that this Memorandum of Understanding sets forth the full and entire understanding of the parties regarding the matters set forth herein.

Except as specifically otherwise provided herein, it is agreed and understood that each party hereto voluntarily and unqualifiedly waives its right and agrees that the other shall not be required to meet and confer with respect to any subject or matter covered herein during the term of this Memorandum of Understanding. The foregoing shall not preclude the parties hereto from meeting and conferring at any time during the term of this agreement with respect to any other subject matter within the scope of meeting and conferring and this Memorandum of Understanding upon mutual agreement of the parties.

Existing benefits or beneficial practices which are normally subject to meet and confer shall not be modified without mutual agreement.

Non-Nullification Clause: If any provision of this agreement should be held invalid or restrained by operation of law or by any court or competent jurisdiction, the remainder of this agreement shall not be affected thereby, and the parties shall meet and confer in good faith for the sole purpose of arriving at a mutually satisfactory solution.

APPENDICES

I SICK LEAVE

II VACATION

III SALARY SCHEDULE

IV STANDARD WORK PERIODS

V FAMILY CARE AND MEDICAL LEAVE POLICY

NOTE: APPENDICES INTENTIONALLY OMITTED UNTIL NEEDED in REVISION

**WILLOWS CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND CITY COUNCIL MEMBERS

**FROM: DAVID G. RITCHIE, CITY ATTORNEY
WAYNE PEABODY, CITY MANAGER**

**RE: CONSIDERATION OF RESOLUTION NO ____ - 2021, A RESOLUTION
OF THE CITY COUNCIL OF THE CITY OF WILLOWS, CALIFORNIA
ADOPTING A MEMORANDUM OF UNDERSTANDING BETWEEN THE
CITY AND THE WILLOWS EMPLOYEES ASSOCIATION (WEA)**

DATE: JUNE 22, 2021

SUMMARY

Representatives of the City and the Association have met and conferred in good faith to exchange information and proposals related to all aspects of wages, hours, and working conditions as required by California Government Code Section 3505 and have reached a tentative agreement for successor MOU details of which are contained herein. The current MOU for WEA expires on June 30, 2021

DISCUSSION

The proposed MOU provides for a term of three years (through June 30, 2024) and contains the following changes:

Salary: All bargaining unit members will have base salary adjusted as follows:
3% increase effective 7/1/2021
2% increase effective 7/1/2022
2% increase effective 7/1/2023

The classifications of Maintenance Worker I will be abolished effective July 1, 2021 and the Maintenance Worker II classification will be renamed "Maintenance Worker" effective that on that date. The existing Maintenance Worker II incumbent will be placed at the same step occupied currently on the Maintenance Worker scale. The existing Maintenance Worker I incumbent employees will be placed at the step on the Maintenance Worker scale that is closest to, but not below, their current salary.

The parties agree to meet and confer regarding the use of any funds from the COVID-19 American Rescue Plan Act of 2021 (H.R. 1319)

The parties further agree to meet and confer regarding language changes that implement updated requirements pursuant to State and/or Federal Law.

Other non-substantive changes, will be included as well as a reorganization of sections of the MOU, spelling and grammatical corrections and other stylistic changes rendering the document more readable and searchable such as the addition of a detailed Table of Contents and as needed.

Government Code Section 3505.1 mandates that the City Council vote to accept or reject the tentative agreement within 30 days of first considering it at a duly noticed public meeting. If adopted, the City and Union are required to then jointly prepare the written memorandum of understanding (MOU). Here, due to the efficient manner in which negotiations were conducted and the parties attention to detail, exchanges of draft language for inclusion in a written MOU were created as negotiations were ongoing, thus the MOU document is available in final form in time for Council's consideration of the tentative agreement.

FISCAL IMPACT

The salary increase (3% effective 7/1/2021) has already been included in the draft budget for FY 2021/22 and is in line with projected expense cost increases that the City plans for during the regular budget cycle.

Salary increases of 2% for FY 2022/23 and 2% for FY 2023/04 will be included in the budget planning for those future years.

ALTERNATIVES

The City could decline to adopt the MOU. If rejected Council would be required to provide further direction to staff and staff would resume negotiations with the employee representatives.

RECOMMENDATIONS

1. Adopt Resolution No. ____-2020 (amended) - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS, CALIFORNIA, ADOPTING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE WILLOWS EMPLOYEE ASSOCIATION

ATTACHMENTS

RESOLUTION No. ____-2021

Memorandum of Understanding (WEA) July 1, 2021 through June 30, 2024 (to be available on 6/22/2021)

CITY OF WILLOWS

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS APPROVING
THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE
WILLOWS EMPLOYEE ASSOCIATION, EFFECTIVE 7/1/2021 THROUGH 6/30/2024**

WHEREAS, the City of Willows and Members of the Willows Employees Association (WEA), have met and conferred in good faith pursuant to the requirements of Government Code Section 3505; and

WHEREAS, the parties have come to an agreement on the terms of the Memorandum of Understanding for the Willows Employees Association at the City of Willows; and

WHEREAS, the amended Memorandum of Understanding is effective July 1, 2021 through June 30, 2024

BE IT HEREBY RESOLVED by the Willows City Council as follows:

1. The Memorandum of Understanding is approved. The Memorandum of Understanding is attached hereto as Exhibit "A".
2. The Interim City Manager and Mayor are authorized to sign the Memorandum of Understanding on behalf of the City.
3. The Interim City Manager or designee is hereby authorized to make appropriate adjustments and to perform all acts necessary to implement the terms and conditions of the Memorandum of Understanding.
4. The City Clerk shall attest to the adoption of this Resolution.

* * * * *

I, the undersigned City Clerk of the City of Willows, hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by the City Council of the City at a meeting thereof on the 22nd Day of June, 2021, by the following vote of the members thereof:

AYES:

NOES:

ABSTAIN:

ABSENT:

City Clerk

AGENDA ITEM

TO: City Council Members, Wayne Peabody, Interim City Manager

FROM: David G. Ritchie, City Attorney

SUBJECT: Consideration to Adopt City Council Resolution No. _____ approving the City of Willows Salary Schedules for the Willows Fire Bargaining Unit and Direct Staff make them available to the public.

RECOMMENDATION

By Motion, Adopt Council Resolution No. _____ approving the City's Employee Salary Schedules for the Willows Fire Bargaining Unit, and direct staff to make them available to the public.

BACKGROUND

For your consideration, is City of Willows City Council Resolution No. ____, approving the Employee Job Classification Salary Schedules. The City is obligated to make salary information available (publicly available salary information) for all employees of the City by classification.

This data, in addition to aiding in transparency, is needed for purposes of CalPERS proper retirement calculations based on CalPERS circular letters from 2012 following a decision in *Tanner v. Cal. Public Employees' Retirement System* (2016) 248 Cal. App.4th 743. The circular letter that followed this (unpublished) case made it clear that if publicly available pay schedules do not clearly set forth information about the title, pay rate and time base along with the effective date CalPERS may determine the retirement computation based on its own assessment of the "pay rate".

The requirements for publicly available pay schedules are:

- 1) They must be publicly approved and adopted by the employer's governing body (Council);
- 2) They must identify the position title for every employee position;
- 3) They must show the pay rate for each identified position;
- 4) They must identify whether the time base is hourly, daily, bi-weekly, monthly, etc.
- 5) The schedule must be posted at the office of the employer and/or on the website;
- 6) It must indicate the effective date and date of any revisions;
- 7) Pay schedules must be retained for a minimum of five (5) years; and

8) The schedule must directly disclose the pay rates (cannot simply refer to another document containing the rates).

The attached salary schedule shows the position titles, pay rates and base for each classification for the effective dates as follows:

A) For all positions in the Willows Fire Bargaining Unit – Pay rates covering the period July 1, 2021 through June 30, 2022; July 1, 2022 through June 30, 2023 and for July 1, 2023 until such time as a future adjustment to salary is approved by council. Approval of this resolution will formally adopt the pay schedule as established.

Publicly available pay schedules must be updated and approved by council whenever changes to pay rates are approved. Resolutions *establishing* public employee pay must be approved as part of the regular agenda at a regular meeting of the City Council. This resolution does NOT establish the pay rate or change any pay rates; rather, it simply adopts the pay schedules and directs that they be made publicly available.

FINANCIAL CONSIDERATIONS

None.

ALTERNATE ACTIONS

1. Council could decline to adopt the resolution, however this is not recommended as the pay schedules are required by CalPERS as a statement of the pay rates used in computation of retirement benefits.

RECOMMENDATION

By Motion, adopt City of Willows Resolution No. _____

Respectfully submitted,

/s/ David G. Ritchie

David G. Ritchie
City Attorney

Attachments: Resolution No. _____

Salary Tables – Willows Fire Bargaining Unit (UPEC)

CITY OF WILLOWS

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS APPROVING
THE CITY'S EMPLOYEE SALARY SCHEDULES FOR WILLOWS FIRE
BARGAINING UNIT, AND DIRECT STAFF TO MAKE THEM AVAILABLE TO THE
PUBLIC**

RESOLVED, by the City Council (the "Council") of the City of Willows (the "City"), Glenn County, State of California, as follows:

WHEREAS, the City Council has, previously set employee salaries through a Memorandum of Understanding for represented employee classifications in the Willows Fire Bargaining Unit by way of separate prior action of the Council; and,

WHEREAS, the salary schedules are attached to this resolution for all employees in the Willows Fire Bargaining Unit represented by UPEC in separate tables;

NOW, THEREFORE, it is hereby ORDERED and DETERMINED, as follows:

Section 1. The above recitals are true and correct.

Section 2. The Willows City Council hereby approves and adopts the above-referenced Employee Classifications Salary Schedules as presented, covering the period effective July 1, 2021 through June 30, 2022, covering the period effective July 1, 2022 through June 30, 2023, and effective July 1, 2023 until changed thereafter by future action of Council; for the Willows Fire Bargaining Unit.

Section 3. The City council further directs staff to make the salary schedules available publicly, by posting them on the City's website with a copy available through the City Clerk.

Section 4. This Resolution shall be effective upon adoption by the Council.

* * * * *

I, the undersigned City Clerk of the City of Willows, hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by the City Council of the City at a meeting thereof on the 22nd Day of June, 2021, by the following vote of the members thereof:

AYES:

NOES:

ABSTAIN:

ABSENT:

City Clerk

City of Willows
Public Safety Salary Scale
Effective 7/1/21

2021-3% 2022-2% 2023-2%

POSITION	STEP A Monthly				STEP B Monthly				STEP C Monthly			
	7/1/2019	7/1/2021	7/1/2022	7/1/2023	7/1/2019	7/1/2021	7/1/2022	7/1/2023	7/1/2019	7/1/2021	7/1/2022	7/1/2023
FIRE FIGHTER/ENGINEER	3626	3735	3809	3886	3807	3921	4000	4080	3997	4117	4199	4283
	STEP D Monthly				STEP E Monthly							
	7/1/2019	7/1/2021	7/1/2022	7/1/2023	7/1/2019	7/1/2021	7/1/2022	7/1/2023				
FIRE FIGHTER/ENGINEER	4197	4323	4409	4498	4406	4538	4629	4722				

Note: All positions listed subject to the following special pay:

\$250 per quarter uniform allowance

Up to \$125 per month certification pay.

AGENDA ITEM

TO: City Council Members, Wayne Peabody, Interim City Manager

FROM: David G. Ritchie, City Attorney

SUBJECT: Consideration to Adopt City Council Resolution No. _____ approving the City of Willows Salary Schedules for the Willows Employee Association and Direct Staff make them available to the public.

RECOMMENDATION

By Motion, Adopt Council Resolution No. _____ approving the City's Employee Salary Schedules for the Willows Employee Association, and direct staff to make them available to the public.

BACKGROUND

For your consideration, is City of Willows City Council Resolution No. ____, approving the Employee Job Classification Salary Schedules. The City is obligated to make salary information available (publicly available salary information) for all employees of the City by classification.

This data, in addition to aiding in transparency, is needed for purposes of CalPERS proper retirement calculations based on CalPERS circular letters from 2012 following a decision in *Tanner v. Cal. Public Employees' Retirement System* (2016) 248 Cal. App.4th 743. The circular letter that followed this (unpublished) case made it clear that if publicly available pay schedules do not clearly set forth information about the title, pay rate and time base along with the effective date CalPERS may determine the retirement computation based on its own assessment of the "pay rate".

The requirements for publicly available pay schedules are:

- 1) They must be publicly approved and adopted by the employer's governing body (Council);
- 2) They must identify the position title for every employee position;
- 3) They must show the pay rate for each identified position;
- 4) They must identify whether the time base is hourly, daily, bi-weekly, monthly, etc.
- 5) The schedule must be posted at the office of the employer and/or on the website;
- 6) It must indicate the effective date and date of any revisions;
- 7) Pay schedules must be retained for a minimum of five (5) years; and
- 8) The schedule must directly disclose the pay rates (cannot simply refer to another document containing the rates).

The attached salary schedule shows the position titles, pay rates and base for each classification for the effective dates as follows:

A) For all positions in the Willows Employee Association – Pay rates covering the period July 1, 2021 through June 30, 2022; July 1, 2022 through June 30, 2023 and for July 1, 2023 until such time as a future adjustment to salary is approved by council. Approval of this resolution will formally adopt the pay schedule as established.

Publicly available pay schedules must be updated and approved by council whenever changes to pay rates are approved. Resolutions *establishing* public employee pay must be approved as part of the regular agenda at a regular meeting of the City Council. This resolution does NOT establish the pay rate or change any pay rates; rather, it simply adopts the pay schedules and directs that they be made publicly available.

FINANCIAL CONSIDERATIONS

None.

ALTERNATE ACTIONS

1. Council could decline to adopt the resolution, however this is not recommended as the pay schedules are required by CalPERS as a statement of the pay rates used in computation of retirement benefits.

RECOMMENDATION

By Motion, adopt City of Willows Resolution No. _____

Respectfully submitted,

/s/ David G. Ritchie

David G. Ritchie
City Attorney

Attachments: Resolution No. _____

Salary Tables – Willows Employee Association

CITY OF WILLOWS

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS APPROVING
THE CITY'S EMPLOYEE SALARY SCHEDULES FOR WILLOWS EMPLOYEE
ASSOCIATION (WEA), AND DIRECT STAFF TO MAKE THEM AVAILABLE TO
THE PUBLIC**

RESOLVED, by the City Council (the "Council") of the City of Willows (the "City"), Glenn County, State of California, as follows:

WHEREAS, the City Council has, previously set employee salaries through a Memorandum of Understanding for represented employee classifications in the Willows Employee Association by way of separate prior action of the Council; and,

WHEREAS, the salary schedules are attached to this resolution for all employees in the Willows Employee Association in separate tables;

NOW, THEREFORE, it is hereby ORDERED and DETERMINED, as follows:

Section 1. The above recitals are true and correct.

Section 2. The Willows City Council hereby approves and adopts the above-referenced Employee Classifications Salary Schedules as presented, covering the period effective July 1, 2021 through June 30, 2022, covering the period effective July 1, 2022 through June 30, 2023, and effective July 1, 2023 until changed thereafter by future action of Council; for the Willows Employee Association.

Section 3. The City council further directs staff to make the salary schedules available publicly, by posting them on the City's website with a copy available through the City Clerk.

Section 4. This Resolution shall be effective upon adoption by the Council.

* * * * *

I, the undersigned City Clerk of the City of Willows, hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by the City Council of the City at a meeting thereof on the 22nd Day of June, 2021, by the following vote of the members thereof:

AYES:

NOES:

ABSTAIN:

ABSENT:

City Clerk

Salary Scale- Willows Employees' Association
7/1/2017
Year 1 4% Year 2 3% Year 3 3%

POSITION	STEP A			STEP B			STEP C		
	7/1/2012	7/1/2017	7/1/2018	7/1/2019	7/1/2012	7/1/2017	7/1/2018	7/1/2019	7/1/2019
P/PW SUPERINTENDENT	3859	4013	4133	4257	4053	4215	4341	4472	4695
P/PW MECHANIC	2854	2969	3058	3149	2998	3118	3211	3308	3472
P/PW MAINTENANCE II	2854	2969	3058	3149	2998	3118	3211	3308	3472
P/PW MAINTENANCE I	2548	2650	2729	2811	2676	2783	2866	2952	3101
LIBRARY TECHNICIAN	2373	2468	2542	2619	2491	2591	2669	2749	2888

	STEP D			STEP E		
	7/1/2012	7/1/2017	7/1/2018	7/1/2019	7/1/2012	7/1/2017
P/PW SUPERINTENDENT	4467	4646	4785	4929	4690	4878
P/PW MECHANIC	3304	3437	3540	3646	3470	3609
P/PW MAINTENANCE II	3304	3437	3540	3646	3470	3609
P/PW MAINTENANCE I	2949	3067	3159	3254	3096	3220
LIBRARY TECHNICIAN	2747	2857	2943	3031	2885	3001

Longevity 2% at 10 years
 4% at 20 years

Certification pay \$25-\$35 Per Certificate to a maximum of \$60 per month

Salary Scale- Willows Employees' Association
7/1/2021
2021-3% 2022-2% 2023-2%
Eliminating Maintenance 1 position

POSITION	STEP A			STEP B			STEP C		
	7/1/2019	7/1/2021	7/1/2023	7/1/2019	7/1/2021	7/1/2023	7/1/2019	7/1/2021	7/1/2023
P/PW SUPERINTENDENT	4257	4385	4562	4472	4606	4792	4695	4836	5031
P/PW MECHANIC	3149	3243	3375	3308	3407	3545	3472	3576	3721
P/PW MAINTENANCE WORKER	3149	3243	3375	3308	3407	3545	3472	3576	3721
LIBRARY TECHNICIAN	2619	2698	2807	2749	2831	2946	2888	2975	3095

	STEP D			STEP E		
	7/1/2019	7/1/2021	7/1/2023	7/1/2019	7/1/2021	7/1/2023
P/PW SUPERINTENDENT	4929	5077	5282	5175	5330	5546
P/PW MECHANIC	3646	3755	3907	3829	3944	4103
P/PW MAINTENANCE WOKER	3646	3755	3907	3829	3944	4103
LIBRARY TECHNICIAN	3031	3122	3248	3183	3278	3411

Longevity 2%
 4%

Certification pay \$25-\$35 Per Certificate to a maximum of \$60 per month