



ACTION MINUTES OF THE WILLOWS CITY COUNCIL REGULAR MEETING HELD MAY 25, 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 7:00 p.m.
2. The meeting opened with the Pledge of Allegiance led by Council Member Jeff Williams.

3. Roll Call:

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

Council Members Absent: Council Member Flesher

Staff Present: Interim City Manager Wayne Peabody and City Clerk Tara Rustenhoven

4. Public Comment/ Written Communications:

A letter was received by Forrest Sprague regarding "Curbs and Gutters". The letter will be attached to the minutes.

Dennis Asbury-surplus questions on the jet truck up for sale. Also wanted to know if there would be a bid process on a possible Dump Truck purchase.

Jeff Fleck-wanted to know the process of the PG&E Credits that were sold. Did we get the money and what is the money going to be spent on?

5. Consent Agenda:

- a. Approval of general checking, payroll & direct deposit check registers Z44884-Z44913, 38879-38892, 051151-051174.
- b. Approval of minutes of the Regular City Council Meeting held on April 13, 2021 as amended.
- c. Approval of minutes of the Regular City Council Meeting held on May 11, 2021.
- d. Consider approval of the Governor's Office of Planning and Research and the State Department of Housing and Community Development, as required by Government Code Section §65400(b).

Action:

Motion: Council Member Warren/Second: Council Member Williams

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

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

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

NOES:

ABSENT: Flesher

ABSTAIN:

6. Regular Business:

a. By motion, authorize the Interim City Manager to negotiate and execute an agreement with NEXGEN Utility Management to provide consultant services to perform condition assessments of five sewer collection system lift stations and major process equipment at the Willows Wastewater Treatment Plant.

Dennis Asbury has concerns on the lift stations. He wanted to know the last time there was some sort of study on the lift station on Cherry Street.

Action:

Motion: Vice Mayor Hansen Second: Council Member Warren

Moved to approve the Agreement with NEXGEN Utility Management to provide consultant services to perform condition assessments of five sewer collection system lift stations and major process equipment at the Willows Wastewater Treatment Plant.

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

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

NOES:

ABSENT: Flesher

ABSTAIN:

b. By motion, adopt a resolution entitled; **ANNUAL RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS CONSENTING TO THE EXTENSION OF SERVICE CHARGES IMPOSED ON IMPROVED REAL PROPERTY WITHIN THE INCORPORATED AREA OF THE CITY OF WILLOWS FOR FISCAL YEAR 2021-2022 FOR THE USE AND/OR ABILITY TO USE THE GLENN COUNTY SOLID WASTE SYSTEM.**

Action:

Motion: Vice Mayor Hansen/Second: Council Member Williams

Moved to adopt a resolution entitled; ANNUAL RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS CONSENTING TO THE EXTENSION OF SERVICE CHARGES IMPOSED ON IMPROVED REAL PROPERTY WITHIN THE INCORPORATED AREA OF THE CITY OF WILLOWS FOR FISCAL YEAR 2021-2022 FOR THE USE AND/OR ABILITY TO USE THE GLENN COUNTY SOLID WASTE SYSTEM.

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

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

NOES:

ABSENT: Flesher

ABSTAIN:

c. Award 2021 Weed Abatement Contractor to Tony Tapia Construction.

We received one bid from Tony Tapia Construction, who is also our current Weed Abatement Contractor.

Daniel Doolin 181 N Lassen Street received a weed abatement notice, has contacted numerous landscape companies but has not received any call back.

Interim City Manager told Daniel he will be in contact with him and they will work something out.

Action:

Motion: Council Member Warren/Second: Vice Mayor Hansen

Moved to award the 2021 Weed Abatement Contract to Tony Tapia Construction.

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

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

NOES:

ABSENT: Flesher

ABSTAIN:

d. Discuss and provide guidance to staff for the Audit of the Sewer Enterprise Fund.

Danita King resident in the Northeast Willows District, wanted clarification on a forensic audit and asked if we had a time frame for the audit from the State Controller's Office.

Doug Ross expressed that he feels the audit with the State Controller's Office will only scratch the surface and wanted to suggest the forensic audit.

By Consensus council gave direction to staff to get an audit from the state controller start the audit from Fiscal Year 2015/2016 to current Fiscal Year 2020/2021.

Danita King wanted to know how many years the State Controller could go back.

7. Council/Staff Reports/Comments:

a. Staff Reports/Comments:

- Interim City Manager will be sending out a press release with the next agenda regarding pension bonds.
- Parks are open and going.
- There are recreation opportunities in the works, and we are looking forward to that.
- It's going to be hot next week. Stay safe, stay cool and keep hydrated.
- The anticipated litigation for a complaint against the City Staff was dismissed by the FPPC.
- Street Faire will start up again June 1st and will be every Tuesday at 5pm.

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

Interim City Manager requested to remove the closed session from the agenda since there is no reportable action.

8. Adjournment:

The Meeting was adjourned at 8:02 p.m.

Dated: June 2, 2021

Tara Rustenhoven, City Clerk

FORREST J. SPRAGUE Attachment to minutes

801 Applewood Way Willows, CA 95988
Ph: 530-514-8700 Email: forsprague@aol.com

May 25, 2021

City of Willows
201 N. Lassen St
Willows, CA 95988
ATTN: Tara Rustenhoven



Dear Tara:

Please provide the City Council members with this letter before tonight's meeting and please ensure that it becomes attached to the Minutes of the meeting as part of the Public Record.

Dear Mayor Domenighini and City Council Members:

During the last City Council meeting in regard to the proposed Municipal Code additions dealing with sidewalk repairs, staff was asked whether the modifications would affect "curbs and gutters."

However, staff did not fully answer the question. The honest answer should have been **YES**.

If approved by the City Council, these **new** Municipal Codes would, in fact, allow the City to force property owners to pay the costs to repair and assume the legal liability for the already substandard city-owned sidewalks, including the curbs and gutters.

Section 12.35.020 clearly states that the phrase "maintain and repair" shall include the grinding, removal and replacement of sidewalks; **the repair to curbs and gutters**; plus the removal of weeds; trimming of shrubs; and the pruning of tree roots and installing root barriers.

If you didn't read the proposed additions or in case city staff misinformed you, **Section 12.35.030** will allow the City to charge property owners for the City's administration and inspection costs, including the City's expense to collect the charges from them. This section also gives the City the ability to lien private property if the owner fails "to promptly pay" the City's assessments.

And in case you don't know, **Section 12.35.040** says that if the property owner fails to maintain the city-owned sidewalk as required by the City, and another person suffers injury, the property owner "**SHALL BE LIABLE**" for that person's injuries.

Section 12.35.050 allows City staff to give property owners a "**Notice to Repair**" that will specify what work the City requires them to do, what materials they must use and pay for, and the time period within which the property owner must start the work.

*And if the property owner doesn't complete the required work within the allotted time, the City may proceed with the repair and "...the cost **SHALL BE a lien on the property**..." because of "...the owner's failure to timely reimburse the City for such cost..." (All my emphasis is added)*

Now you are informed.

Regards,

A handwritten signature in black ink, appearing to read "Forrest J. Sprague".

FORREST J. SPRAGUE