

CITY OF WILLIAMS  
*City Council Special Meeting Agenda*

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810 E Street/P.O. Box 310, Williams, CA 95987

CITY COUNCIL  
COUNCIL CHAMBERS  
WEDNESDAY, AUGUST 01, 2018

12:00 P.M.

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. PUBLIC COMMENT

This is an opportunity for the public to speak to the Council on any item listed on the agenda of this Special Meeting.

E. CONSENT

1. Approve the Minutes of the Regular Meeting of June 20, 2018.

F. NEW BUSINESS

2. Authorize the Mayor to sign the Special Assessment Collection Services Agreement between the County of Colusa and the City of Williams.

G. PUBLIC HEARING

3. Conduct Public Hearing and Adopt Resolution 18-16, A Resolution of the City Council of the City of Williams adopting a report determining the amount of delinquent residential solid waste charges billed during fiscal year 2017-18 and unpaid, determining that such delinquent charges constitute a special assessment and lien; and directing that such delinquent charges be collected via the Colusa County Tax Roll.

H. ADJOURNMENT

I, Mariana Pineda, City Clerk for the City of Williams, declare that the foregoing Notice of the August 01, 2018 Special Meeting of the Williams City Council was posted on July 30, 2018 at the office of the City of Williams, 810 E Street, Williams, California 95987.

Dated: July 30, 2018

  
Mariana Pineda, City Clerk

In compliance with the Americans with Disabilities Act, persons needing a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, may contact City Clerk Mariana Pineda, at (530) 473-2955, by fax at (530) 473-2445 or by email to [mpineda@cityofwilliams.org](mailto:mpineda@cityofwilliams.org) at least 48 hours prior to the meeting

**2018 CITY COUNCIL MEETING SCHEDULE**

January 17, 2018	April 18, 2018	July 18, 2018	October 17, 2018
February 21, 2018	May 16, 2018	August 15, 2018	November 21, 2018
March 21, 2018	June 20, 2018	September 19, 2018	December 19, 2018

**DEPARTMENT TELEPHONE NUMBERS**

Building	(530) 473-5389	Police	(530) 473-2661
Code Enforcement	(530) 473-2533	Public Works	(530) 473-2519
Finance	(530) 473-2982	Swimming Pool	(530) 473-2603
Planning	(530) 473-2955	Utility Billing	(530) 473-5380

**Compliance with Government Code Section 54957.5**

Public records, including writings related to an agenda item for an open session of a regular meeting of the City Council of the City of Williams that are distributed less than 72 hours before the meeting, are available for public inspection during normal business hours at Williams City Hall located at 810 E Street, Williams, California 95987.

CITY OF WILLIAMS  
*City Council*  
*Agenda Report*

DATE: August 1, 2018

ITEM: 1.

CATEGORY: Consent

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**SUBJECT: REGULAR COUNCIL MINUTES**

**RECOMMENDED ACTION**

It is Recommended that Council Receive and Approve the:

- Regular City Council Meeting Minutes of June 20, 2018.

Reviewed and Submitted by: Frank Kennedy, City Administrator

Attachments: (1) Minutes

# CITY OF WILLIAMS

## *City Council Minutes*

810 E Street/P.O. Box 310, Williams, CA 95987

CITY COUNCIL  
COUNCIL CHAMBERS  
WEDNESDAY, JUNE 20, 2018

OPEN SESSION  
6:00 PM

CALL TO ORDER: Mayor Bergson called the meeting to order at 6:00 pm.

ROLL CALL: Council Members present: Roberto Mendoza, Alfred Sellers Jr., Charles Bergson, Santos Jauregui and John Troughton, Jr.

PLEDGE OF ALLEGIANCE: Mayor Bergson invited everyone to join him in the Pledge of Allegiance.

PUBLIC COMMENT: Raymond Randle came before City Council to comment on 633 E Street.

Mayor Bergson recused himself from comments regarding 633 E Street.

Mr. Randle said he wanted to address two issues. The first issue is about his building 633 E Street being red tagged. He explained the building was tagged without merit, the tag was issued as a safety violation concerning gas leak. Mr. Randle said, currently there is no gas going to the building, so it would not in fact create that hazard noted in the citation that was issued. He then stated that the citation was not valid.

The second issue he wanted to discuss was the container that is stored on his property. Mr. Randle wrote a letter to the Williams Code Enforcement Department stating that the letter he received on May 29, 2018 from the Code Enforcement Department was discriminatory. He felt that the practice for her to come by and issue the citation for the container as well as the debris which he was in the process of moving was unfair. Mr. Randle also indicated to Code Enforcement that there are numerous containers in the City. Mr. Randle named of several places that have these containers and said that those are only some of the ones that exist.

Mr. Randle explained to Council that the only purpose of having this container on his property is to continue doing what he has been doing for the last fourteen months, which is to provide food every two weeks to individuals that need it. He explained that he does not receive any money from anyone to do this and all he wants is to be able to leave the container.

City Administrator Frank Kennedy asked Mr. Randle if he could get a copy of the list of containers.

Resident of the City of Williams Sajit Singh addressed City Council regarding the speed limit increase along 9<sup>th</sup> Street into Zumwalt. Mr. Singh explained the speed signs could be seen clearly by Redinger Park and believes that people assume that is the allowed speed. He suggested to have the City Council revisit this in a way that makes sense to the people that are driving. That way if enforcement is going to be made at least there is a logical reason. He said in fairness to the William Police Department, they have been out there ticketing.

Mr. Singh gave an example and believes there is an accident waiting to happen. He also wanted the Council to keep in mind that he has spoken about this issue twice now.

Mayor Pro-Tem Jauregui asked how the City can go about putting in speed bumps o have drivers reduce speed when coming in to town.

Eddie Johnson spoke in support of Mr. Randel.

#### WRITTEN COMMUNICATIONS:

Receive the Colusa Local Agency Formation Commission Proposed FY 2018-2019 Budget.

Receive BCEGS Evaluations on the City of William Building Code Enforcement.

Receive Dollar General's Application for Alcoholic Beverage License.

Receive Notification on Intent to Develop Groundwater Sustainability Plan for the Colusa Sub basin.

Receive Notice of Adoption from the Central Valley Regional Water Quality Control Board for the City of Williams Wastewater Treatment Plant.

ACTION: No action needed at this time. Informational only.

#### CONSENT

Approve the Minutes of the Regular Meeting of May 16, 2018.

Approve Request for declaring the month of July 2018 as Sexual Assault Awareness Month in the City of Williams.

DISCUSSION: City Administrator Frank Kennedy explained that Council had directed staff to bring any proclamations a month before to make sure that it was something that City Council wanted to do.

Mayor Bergson had corrections on the Proclamation.

City Administrator Kennedy said the City would contact Casa de Esperanza to have them make the corrections.

ACTION: Council Member Jauregui made a motion, seconded by Council Member Mendoza to approve the consent agenda. Motion passed 5-0 by the following roll-call vote:

AYES: Council Member Mendoza, Sellers Jr., Troughton Jr., Jauregui and Bergson.

NOES: None.

ABSTAIN: None.

ABSENT: None.

#### OLD BUSINESS

Receive Treasurer's Investment Report and Monthly Register for March 2018.

DISCUSSION: City Finance Officer Rex Greenbaum summarized the monthly report and register for April 2018.

Council Members inquired on the various items on the check register.

ACTION: No action needed at this time.

Mayor Bergson opened public comment for items not related to the agenda.

Daniel Gonzales addressed the Council regarding honoring his grandfather. He explained to City Council that his Grandfather had been a Lieutenant for the CHP in the City of Williams from 1964-1978. He requested a street to be named after his grandfather near the new Love's Truck Stop.

City Administrator Kennedy asked Mr. Gonzales to please get in contact with him to further discuss this.

### NEW BUSINESS

Accept the FY 2016-2017 audited financial statements performed in accordance with Government Auditing Standards and accept the annual report for transaction and Use Taxes and Transient Occupancy Taxes as required per Municipal Code Section 3.18.120.

DISCUSSION: City Finance Officer Rex Greenbaum explained to Council that the City had a new auditor this year. The auditor is Don Cole, he completed the FY 2016-2017 audit of the City of Williams. Mr. Greenbaum was pleased to report that the City received a clean unqualified audited report for the year ending June 30, 2017. This is the 9<sup>th</sup> consecutive unqualified audit report that the City of Williams has received since 2009.

It is staff recommendation that City Council accept the FY 2016-2017 audited financial statements performed in accordance with Government Auditing Standards. Staff also recommends that the City Council accepts the annual reports for the transaction Use Taxes and Transient Occupancy Taxes as required by Municipal Code Section 3.18.120.

Mayor Pro-Tem Jauregui asked if when the audit is done if the auditor requests to see receipts. Mr. Greenbaum said yes, the auditor does do transaction-based detail.

Council Member Sellers Jr. thanked the Finance Officer for having these unqualified audit reports time after time. Mr. Greenbaum thanked him for the comment and also stated the City has very good staff that helped the transactions are recorded properly and that made his job a lot easier as well.

ACTION: Council Member Troughton Jr., made a motion, seconded by Council Member Sellers Jr., to Accept the FY 2016-2017 audited financial statements performed in accordance with Government Auditing Standards and accept the annual report for transaction and Use Taxes and Transient Occupancy Taxes as required per Municipal Code Section 3.18.120. Motion passed 5-0 by the following roll-call vote:

AYES: Council Member Mendoza, Sellers Jr., Troughton Jr., Jauregui and Bergson.

NOES: None.

ABSTAIN: None.

ABSENT: None.

Approve Memorandum of Understanding (MOU) between the Williams Police Department and the Williams Unified School District.

DISCUSSION: Police Chief Ed Anderson explained to City Council that the Police Department was approached once again to enter into an agreement with the school district to provide a School Resource Officer during the school year. The Police Department also agreed to provide an Officer to teach the D.A.R.E Program and an Officer to teach the G.R.E.A.T Program. In addition to those services it was also agreed to provide Officers to cover School events like Football games etc.

Chief Anderson also explained that in exchange the School District reimburses half of the salary and benefits for the School Resource Officer.

Chief Anderson's recommendation is for City Council to approve the Memorandum of Understanding between the William Police Department and the Williams Unified School District.

ACTION: With no public comments, Council Member Troughton Jr., made a motion, seconded by Council Member Sellers Jr., to approve the Memorandum of Understanding between the Williams Police Department and the Williams Unified School District. Motion passed 5-0 by the following roll-call vote:

AYES: Council Member Mendoza, Seller Jr., Troughton Jr., Jauregui and Bergson.

NOES: None.

ABSTAIN: None.

ABSENT: None.

With the Council's consent, Mayor Bergson opened public comment at this time.

Charles Ballesteros spoke in support of Mr. Randle. Mr. Ballesteros feels like the removal of the container on Mr. Randle's property is unfair.

Daniel Gonzales also spoke in support of Mr. Randle.

Mr. Randle gave the City Council his reasons for doing the food give away.

At 6:57pm Mayor Bergson closed public comment.

Introduce and Waive the First Reading of Ordinance 227-18- Adding Chapter 5.10 to the Williams Municipal Code Relating to Aggressive Solicitation.

DISCUSSION: Police Chief Anderson explained to City Council that the Police Department has received numerous complaints from local business owners and the public regarding persons aggressively soliciting and panhandling at various locations throughout the City. Chief Anderson said the City of Williams does not have an ordinance that covers this type of enforcement.

Chief Anderson is recommending the Council Introduce and Waive the First Reading of Ordinance 227-18.

ACTION: Council Member Mendoza made a motion, seconded by Council Member Sellers Jr., to Introduce ad Waive the First Reading of Ordinance 227-18 adding Chapter 5.10 to the Williams Municipal Code relating to Aggressive Solicitation. Motion passed 5-0 by the following roll-call vote:

AYES: Council Member Mendoza, Sellers Jr., Troughton Jr., Jauregui and Bergson.  
NOES: None.  
ABSTAIN: None.  
ABSENT: None.

With the Consent of the city Council item 17 was moved to be considered at this time.

Consider request for Funds for Lift System from the Sacramento Valley Museum.

DISCUSSION: Mayor Bergson explain to the Council that he had attend the meetings of the Sacramento Valley Museum Board and they had made a formal request for funds for a lift system. Mayor Bergson asked the President of the Sacramento Valley Museum Arno Martini to please address the Council regarding their request.

Mr. Martini explained that the Museum is not currently handicap accessible. This has been an issue for decades. The museum has looked at many options to make it handicap accessible, for example an elevator. He explained this option is very expensive and would damage the structure, which he believes would not be allowed as the Museum is on the Historical Building Registry.

The easiest thing they can come up with is a chair lift which is also expensive but a lot cheaper than the elevator. Mr. Martini said the Museum is looking for some assistance to make the building more accessible.

Council Member Troughton Jr. said he would like to have the building assessed to see if the building will hold it or what it would take to reinforce it, so the process can move forward.

After further discussion Council directed staff to meet with the City Engineer and Mr. Martini to explore different option and report back to City Council with costs in the next couple of months.

Adopt Resolution 18-14. Updating the Personnel Manual's Harassment/ Sexual Harassment Policy.

DISCUSSION: City Administrator explained there were couple of additions to the harassment section of the manual and some language clean as well.

It is staff's recommendation that Council adopt Resolution 18-14, updating the Personnel's Manual.

City Administrator Kennedy answered questions that Council had regarding the Personnel Manual. He also explained that the Assistant Finance Officer was in contact with Golden State Risk Management to make sure all the changes and wording were correct.

ACTION: With no public comments, Council Member Troughton Jr., made a motion, seconded by Council Member Mendoza to adopt Resolution 18-14, updating the Personnel Manual's Harassment/ Sexual Harassment Policy. Motion passed 5-0 by the following roll-call vote:

AYES: Council Member Mendoza, Sellers Jr., Troughton Jr., Jauregui and Bergson.  
NOES: None.  
ABSTAIN: None.  
ABSENT: None.



Designate City Council Delegate and Alternative to the League of California Cities Conference at the Long Beach Convention Center on September 12<sup>th</sup> through September 14<sup>th</sup>, 2018.

DISCUSSION: City Administrator explained that every year the League of California Cities holds a conference where each City can participate and vote on the resolutions before the League. In the past years Council has not designated a member as a voting delegate at the conference.

Mr. Kennedy said the Council can choose not to send anyone.

On a consensus of the Council a Voting Delegate was not designated.

Adopt Resolution 18-15 Initiating Assessment Proceedings, Declaring and Setting a Public Hearing date for Landscaping and Lighting District No. 97-1.

DISCUSSION: Finance Officer Rex Greenbaum explained that each year the City is required to complete the steps to approve an annual assessment in the Williams Landscape and Lighting Assessment District No. 97-1 that provide the revenue necessary for the maintenance of the landscape and lighting improvements in the Valley Ranch subdivision. In years past it was discussed whether to use the San Francisco COLA or the West Urban Area. One of the comments from Council last year was that they would prefer to use the West Urban Area.

Mr. Greenbaum said the West Urban Area was used and the increase is about a 2.84%. This would raise the Assessment Rate from \$177.91 to \$179.98 per year.

Council Member Troughton Jr. said he remembered going into a discussion about this before. He wanted clarification on whether Council needed to act on this. City Administrator said that council had to act on this item and hold the public hearing.

Kent Boes asked who paid for the maintenance on the West side of town. The City Administrator said the City does not provide any general landscaping. He also mentioned that, that assessment was agreed upon when the Valley Ranch subdivision was developed.

After further discussion Council took the following action.

ACTION: Council Member Troughton made a motion, seconded by Council Member Mendoza to adopt resolution 18-15 Initiating Assessment Proceedings, Declaring the Intent to Levy Assessments and Setting a Public Hearing Date for Landscape and Lighting District No. 97-1. Motion passed 5-0 by the following roll-call vote:

AYES: Council Member Mendoza, Sellers Jr., Troughton Jr., Jauregui and Bergson.

NOES: None.

ABSTAIN: None.

ABSENT: None.

Discuss Wastewater Treatment Plant Violations, Fines and Compliance Project.

DISCUSSION: City Administrator Frank Kennedy explained that between November 2017 and February 2018, the Wastewater Treat Plant received several violations for high Ammonia in the discharge from Central Valley Regional Water Quality Control Board. The total fine for all the

violations is \$48,000. Staff and PACE Engineering have met with the CVRWQCB and are working on an agreement to allow the City to use the proposed fine money to make modifications to the plant to avoid future violations. Mr. Kennedy will come back to Council with a plan within the next couple of months.

ACTION: No action needed at this time. Informational only.

Authorize the City Administrator to Sign a Cooperative Agreement for Mosquito Abatement with the Colusa Mosquito Abatement District in the amount of \$64,095.00

DISCUSSION: The City has received a proposal from Colusa Mosquito Abatement District for 2018. This is the fourth year the City has worked on the mosquito abatement. The first couple of years the City had 12 treatments the next year the City paid for 11 treatments and last year there were 15 treatments by doubling up in the month of September.

The cost for the 2018 agreement is \$64,095. There has been increases due to costs of chemicals, overhead and application costs.

ACTION: Council Member Mendoza made a motion, seconded by Council Member Jauregui to authorize the City Administrator to Sign a Cooperative Agreement for Mosquito Abatement with the Colusa Mosquito Abatement District in the amount of \$64,095. Motion passed 5-0 by the following roll-call vote:

AYES: Council Member Mendoza, Sellers Jr., Troughton Jr., Jauregui and Bergson.

NOES: None.

ABSTAIN: None.

ABSENT: None.

## REPORTS

City Attorney Siprelle - nothing to report.

Council Member Mendoza – attended regular meetings and Pioneer Day.

Council Member Jauregui – nothing to report.

Mayor Bergson - Thanked the City Administrator and staff for doing a great job putting on the 100<sup>th</sup> year of the Arch. He also thanked Dixie LaGrande for being part of it and helping with the Ceremony. Mayor Bergson also gave an update on the Groundwater Authority and the tennis courts over by the Museum. Staff was directed to have this on the next agenda.

Mayor Pro Tem Sellers Jr. – attended regular meetings. Attended Pioneer Day and the Ribbon Cutting Ceremony for the Second Phase of Stony Creek Apartments.

Council Member Troughton Jr.- attended regular meetings.

**STAFF GENERAL REPORTS AND DISCUSSION:**

City Administrator Kennedy thanked Office Assistant, Alma Mendoza for working hard on this event.

Finance Officer Greenbaum – nothing additional to report.

Dixie LaGrande thanked Susan Meeker of the Colusa County Pioneer Review for the coverage on the event.

Police Chief Anderson gave an update on the Police Department.

City Engineer Campos update Council on the Pavement Project.

**ADJOURNED:** At 7:42 pm, Mayor Bergson adjourned the meeting to Closed Session.

**CLOSED SESSION**

1. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION  
(Gov. Code Sec. 54956.9(d)(1):  
CITY OF WILLIAMS V. LACKSHMI SINGH, ET AL., Colusa County Superior Court Case No. CV24165  
V&R LAND INVESTMENTS V. CITYOF WILLIAMS, ET AL., Colusa County Superior Court Case No. CV24206
2. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION  
(Gov. Code Sec. 54956.9(d)(2): one case
3. CONFERENCE WITH LABOR NEGOTIATORS (Gov't. Code Sec. 54957.6)  
Agency designated representatives: Frank Kennedy.  
Employee Organization: Miscellaneous Employees Association and Police Officers Association.

**REPORT ON CLOSED SESSION** – At 9:10 pm, City Administrator Kennedy stated that Council had directed staff.

**ADJOURNED** At 9:10 pm. Mayor Bergson adjourned the meeting.

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CHARLES BERGSON, MAYOR

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Mariana Pineda, City Clerk

City of Williams  
City Council  
*Agenda Report*

DATE: August 1, 2018

ITEM #: 2.

CATEGORY: New Business

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**SUBJECT:** Special Assessment collection Service Agreement

**BACKGROUND**

Recology of Butte and Colusa Counties has notified the City that there are more than a hundred of accounts within the City that are delinquent. Currently the only method for Recology to address past due accounts is to place a lien on the property. Once a property lien is placed Recology would only be paid when the property was sold, which could be years down the road.

City Staff along with Recology and Colusa County Council have developed a Special Assessment Collection Service Agreement which would allow for delinquent fees to be collected at the same time and manner as ordinary County property taxes. Most other Cities and Counties within the State have such agreements and procedures in place.

**DISCUSSION**

Recology will send every delinquent property owner a series of letters requesting they bring their accounts current and informing them of the consequences of not doing so. Recology will bring a list of properties that remain delinquent to City Council annually, typically in July.

City Council will need to Certify the list of delinquent properties and supply the list to the County Auditor on or before August 10<sup>th</sup> of each year.

**FISCAL IMPACT**

The County Auditor will charge a \$1 fee per parcel for Special Assessments placed on the County tax roll. The City will add that \$1 to the total amount the County will collect from the property owner.

Any other administrative costs incurred in the process will be covered by Recology.

**RECOMMENDATION**

Authorize the Mayor to sign the Special Assessment Collection Services Agreement between the County of Colusa and the City of Williams.

Prepared and Submitted by: Frank Kennedy, City Administrator

Attached: Special Assessment Collection Service Agreement

## Special Assessment Collection Services Agreement

This Special Assessment Collection Services Agreement (Agreement) is between the County of Colusa ("County"), a political subdivision of the State of California and the City of Williams, a municipal corporation (City).

### Background

- A. Under California Government Code section 38790.1, a city which collects garbage fees or charges may collect delinquent fees or charges through a special assessment process described in Government Code section 25831.
- B. Special assessments under Government Code section 25831 are collected at the same time and in the same manner as ordinary County ad valorem property taxes.
- C. The County can collect the cost of levying items for public agencies under Government Code section 29304.
- D. The City wants to use the special assessment process in Section 25831 to collect delinquent garbage fees and charges and the County wants to provide services to collect the special assessments.

### Agreement

- 1. **Special Assessment Collection Services.** County will collect Special Assessments for the City, at the same time and in the same manner as ordinary County ad valorem property taxes are collected by the County. The term "Special Assessments" as used in this agreement will be those confirmed delinquent fees and charges assessed by the City in accordance with California Government Code section 25831, constituting a direct charge against specifically identified parcels. The Special Assessments will be "Non-Teetered"; consequently the City will receive collections from County only upon payment by the taxpayer.
- 2. **Special Assessment Information.** On or before August 10th of each fiscal year, the City shall deliver to the County Auditor a certified copy of the confirmed report, or the list prepared for special assessments pursuant to Government Code 25831, which will also include a summary of the total number of assessments and the total charges. Additionally, the County Auditor will be provided a City Council approved electronic tab-delimited assessment roll with the list of Special Assessments, showing the amount of assessment against each parcel, name of delinquent party, and designating each parcel with an assessor parcel number ("Special Assessment Roll").
- 3. **Fee for Services.** There is a \$1.00 per parcel collection fee for Special Assessments placed on the County tax roll. When the City calculates the Special Assessments it shall add the collection fee for each parcel and include the fee in the total direct charge for each parcel to be entered on the tax roll by the County Auditor. The total amount due the

County for collection fees will be deducted in two equal installments from the secured property tax first and second installment collections. In the event that special assessment is transferred to the unsecured roll for collection, the total amount due the County for collection fees will be deducted from the one installment.

- 4. **Correction Fee.** Once the Special Assessment Roll has been submitted by the City, the County will correct up to five special assessments without a charge to the City during the fiscal year. For each subsequent requested correction to the Special Assessment Roll the City will pay the County an \$8.00 correction fee. Any such correction fee will be invoiced to the City.
- 5. **Term.** This Agreement shall begin on August 1, 2018 and continue until terminated.
- 6. **Indemnification.** The City shall defend, indemnify, and hold harmless the County against any liability, loss, expenses, and claims of any kind, including attorney's fees and legal expenses, which are in any way related to the services provided by the County under this Agreement, including but not limited to claims for damages or injunctive relief related to the nature or amount of any Special Assessments provided by the City to the County for collection.
- 7. **Modification.** This Agreement may be modified or amended only by a written document executed by both the City and County.
- 8. **Termination.** This Agreement may be terminated by either party with 10 days written notice.
- 9. **Counterparts.** This Agreement may be executed in several counterparts, each of which shall constitute one and the same instrument and shall become binding upon the parties

**COUNTY OF COLUSA**

**CITY OF WILLIAMS**

\_\_\_\_\_  
Gary J. Evans, Board Chair

\_\_\_\_\_  
Mayor

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**ATTEST:** Wendy G. Tyler, Clerk of the Board of Supervisors

**ATTEST:** Frank Kennedy, City Administrator

By \_\_\_\_\_  
Ann Nordyke, Deputy

\_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**APPROVED AS TO FORM**

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Marcos Kropf, County Counsel

City of Williams  
City Council  
*Agenda Report*

DATE: August 1, 2018

ITEM #: 3.

CATEGORY: Public Hearing

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**SUBJECT:** Resolution 18-16 - Certification of the List of Delinquent Recology Accounts

**BACKGROUND**

Annually Recology will deliver a list of delinquent accounts to City Council for certification. Once the list has been certified it will be turned over to the Colusa County Auditor. The Auditor will then add the amount due to the tax rolls and they will be collected through the property tax process.

**DISCUSSION**

The current list supplied by Recology includes 156 properties for a total of \$45,150.19 (See attached list). The delinquent accounts are from between April 1, 2017 and March 31, 2018.

**FISCAL IMPACT**

None. All cost associated with processing the tax lien will be recovered either from the property owner or Recology.

**RECOMMENDATION**

Conduct Public Hearing and Adopt Resolution 18-16, A Resolution of the City Council of the City of Williams adopting a report determining the amount of delinquent residential solid waste charges billed during fiscal year 2017-18 and unpaid, determining that such delinquent charges constitute a special assessment and lien; and directing that such delinquent charges be collected via the Colusa County Tax Roll.

**Prepared and Submitted by: Frank Kennedy, City Administrator**

Attached: Resolution 18-16  
Recology Final Lien Report  
Final Lien Letteter



**RESOLUTION NO. 18-16**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLIAMS ADOPTING A REPORT DETERMINING THE AMOUNT OF DELINQUENT RESIDENTIAL SOLID WASTE CHARGES BILLED DURING FISCAL YEAR 2017-18 AND UNPAID, DETERMINING THAT SUCH DELINQUENT CHARGES CONSTITUTE A SPECIAL ASSESSMENT AND LIEN; AND DIRECTING THAT SUCH CHARGES BE COLLECTED VIA THE COLUSA COUNTY TAX ROLL**

**WHEREAS**, pursuant to Sections 38790.1 and 25831 of the California Government Code and Section 8.08.220 of the Williams Municipal Code, the City of Williams is authorized to collect delinquent residential solid waste charges, including any accrued penalties (the "Delinquent Charges") on the Colusa County property tax roll; and

**WHEREAS**, pursuant to Sections 38790.1 and 25831 of the California Government Code and Section 8.08.220 of the Williams Municipal Code, as applicable, the City Council desires to recover such Delinquent Charges that were billed at any time during Fiscal Year 2017-18 and which remain unpaid, by forwarding them to the with the Colusa County Recorder/Clerk and Colusa County Auditor/Controller/Treasurer/Tax Collector to be recorded as a lien and collected as a special assessment on the tax roll in the same manner, by the same persons and at the same time, together with and not separate from, the general taxes, and has caused a written report ("Report"), a copy of which is attached hereto as Exhibit "A" and by this reference incorporated herein, to be prepared and filed with the City Clerk containing the description of each residential real property parcel which is subject to the Delinquent Charges and the amount of Delinquent Charges that remain unpaid by each such residential real property parcel; and

**WHEREAS**, the City caused a notice of the filing of this Report and of the time and place of the public hearing thereon to be mailed to the record owner of each residential real property parcel subject to the Delinquent Charges, all in accordance with Sections 38790.1 and 25831 of the California Government Code and Section 8.08.220 of the Williams Municipal Code; and

**WHEREAS**, at the time stated in the notice on the 18th day of July, 2018, at 6:00 p.m., the City Council conducted the public hearing on the Written Report and heard and considered all objections or protests thereto, and has overridden said objections and protests; and

**WHEREAS**, the Delinquent Charges and costs of lien shall constitute a lien and special assessment against the parcel or parcels of land described in the Report in accordance with Sections 38790.1 and 25831 of the California Government Code and Section 8.08.220 of the Williams Municipal Code.

**NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF WILLIAMS, CALIFORNIA, AS FOLLOWS:**

1. The City Council hereby finds and determines that the above Recitals are true and correct are incorporated herein.
2. The Report filed with the City Clerk contains the description of each residential real property parcel which is subject to the Delinquent Charges and the amount of Delinquent Charges to be imposed thereon, which were billed during Fiscal Year 2017-18 and which remain unpaid, together with any accrued penalties, and the Report is therefore approved and adopted.
3. The Report with Delinquent Charges for Fiscal Year 2017-18 shall be forwarded to the Colusa County Recorder/Clerk for recording of a lien, and forwarded to the Colusa County Auditor-Controller/Treasurer/Tax Collector for collection on the tax roll in the same manner, by the same person, at the same time, together with and not separate from the general taxes, as special assessments against the property to which they relate, and shall constitute liens on the property in the amount of the assessment to be added to the tax bill next levied against the property.
4. On or before the 7th day of August, 2018, the City Clerk is hereby directed to file with the Colusa County Recorder/Clerk and the Colusa County Auditor-Controller/Treasurer/Tax Collector a copy of the Report, with a statement endorsed thereon over his or her signature that this has been fully adopted by the City Council, together with a certified copy of this Resolution, and shall request that the Delinquent Charges be recorded as a lien against the parcels and collected on the tax bills as a special assessment for the taxable parcels in the City identified in the Report along with the ordinary *ad valorem* taxes to be levied on and collected from owners of said parcels.
5. The special assessment for the Delinquent Charges authorized herein is levied without regard to the valuation of the subject residential real properties.
6. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this Resolution are declared to be severable.

**PASSED, APPROVED AND ADOPTED** this 1st day of August 2018.

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Charles Bergson, Mayor

ATTEST:

\_\_\_\_\_  
Mariana Pineda, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Best Best & Krieger LLP  
City Attorney

Recology Butte Colusa Counties  
2720 S. 5th Ave., PO Box 1512  
Oroville, CA 95965  
(530)-473-3282

7/10/2018

FINAL NOTICE

Service address: 109 10TH ST  
Parcel No.: 05-22-0-006  
Account No.: 020979203

Amount of Lien: \$515.54

Our records indicate that you failed to respond to our courtesy letter and have not paid the delinquent amount, or made reasonable payment arrangements on the amount owing. Please contact our office immediately to discuss your account, otherwise a lien will be placed on your property in order to collect for the unpaid service.

The Williams City Council will review a report of delinquent accounts at 6:00 p.m., or as soon thereafter as business permits, on July 18, 2018. The City Council Chambers is located at 810 E Street, Williams, CA. In accordance with Williams City Municipal Code Section 8.08.220 and the Franchise Agreement with Recology Butte Colusa Counties, the delinquent amount and associated fees, if confirmed by the Council, will constitute a lien against the property for which service was rendered.

You may avoid this action by full payment, made payable to Recology Butte Colusa Counties on or before 3:30 p.m. on July 16, 2018. We will not accept payments in our office after this date.

NOTE: No personal checks will be accepted. Payments must be in the form of cash, money order, credit card or certified check. Mail payments to the above PO Box or deliver to the street address. Please allow 7 days delivery of mailed payment.

If payment in full has been made, please disregard this notice.

Thank you,

Recology Butte Colusa Counties  
(530)-473-3282

WLM FINAL LIEN LETTER REPORT 07302018

SERVICE ADDRESS	LIEN#	ACCESSOR	LIEN
944 9TH ST	33881	001-226-002-000	102.2
477 9TH ST	33880	003-381-003-000	60.17
181 7TH ST #.	33882	003-401-027-000	97.89
258 7TH ST	33937	005-011-004-000	449.6
00935 NORTH ST	33856	005-021-011-000	97.89
217 7TH ST	33902	005-033-002-000	341.7
798 B ST	33927	005-035-006-000	97.89
761 A ST	33934	005-035-010-000	450.4
320 11TH ST	33958	005-042-007-000	96.81
1040 D ST	33953	005-043-015-000	60.96
228 9TH ST	33879	005-051-002-000	309.6
234 8TH ST	33875	005-052-008-000	394.7
260 8TH ST	33876	005-052-010-000	328.7
269 8TH ST	33877	005-053-005-000	318.8
351 10TH ST	33981	005-054-009-000	132.3
360 8TH ST	33920	005-055-003-000	177.3
00816 D ST	33846	005-055-012-000	123.6
384 7TH ST	33938	005-056-005-000	1176
287 7TH ST	33982	005-061-010-000	97.89
323 VIRGINIA WAY	33863	005-071-032-000	443
446 11TH ST	33988	005-081-008-000	97.89
470 10TH ST	33899	005-082-016-000	242.2
463 10TH ST	33874	005-091-007-000	308.5
451 10TH ST	33959	005-091-008-000	416
510 4TH ST	33987	005-104-010-000	229.9
1115 E ST	33848	005-121-005-000	430.3
1027 F ST	33932	005-122-003-000	97.89
1046 G ST	33852	005-122-008-000	400.4
01061 F ST	33849	005-122-013-000	428.9
01165 G ST	33853	005-124-015-000	102.3
01147 G ST	33942	005-124-018-000	422.6
687 8TH ST	33878	005-132-007-000	227.3
728 8TH ST	33946	005-134-002-000	192.5
770 8TH ST	33973	005-134-005-000	65.26
787 REDINGER WAY	33940	005-134-008-000	380.1
819 G ST	33894	005-134-014-000	253

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610 G ST	33928	005-141-005-000	92.51
665 7TH ST	33890	005-141-015-000	471.3
1128 I ST	33980	005-161-009-000	97.89
01175 H ST	33910	005-161-012-000	97.89
816 11TH ST	33984	005-161-016-000	85.27
868 10TH ST	33883	005-162-002-000	97.89
00883 I ST	33957	005-173-003-000	345.1
00885 I ST	33971	005-173-003-000	97.89
908 7TH ST	33907	005-182-001-000	360.7
00806 I ST	33855	005-183-007-000	87.78
857 REDINGER WAY	33857	005-183-014-000	201.2
901 REDINGER WAY	33966	005-183-023-000	408.3
766 6TH ST	33926	005-191-002-000	396.3
647 VENICE BLVD	33939	005-211-001-000	410.3
160 WESTGATE DR	33869	005-211-018-000	473.3
172 WESTGATE DR	33965	005-211-021-000	404.6
196 WESTGATE DR	33960	005-211-027-000	50.56
129 WESTGATE DR	33867	005-212-008-000	100.4
109 10TH ST	33873	005-220-006-000	475.5
4 10TH ST	33871	005-220-008-000	394.5
24 10TH ST	33872	005-220-013-000	200
26 10TH ST	33919	005-220-014-000	480.5
1075 NORTH ST	33915	005-241-009-000	431.5
01110 BELLE WAY	33922	005-241-014-000	254.5
00177 VIRGINIA WAY	33860	005-242-024-000	96.89
185 VIRGINIA WAY	33861	005-242-025-000	291.4
00148 VIRGINIA WAY	33859	005-244-003-000	452.1
00201 VIRGINIA WAY	33935	005-281-001-000	312.1
00211 VIRGINIA WAY	33914	005-281-002-000	233.9
00231 VIRGINIA WAY	33862	005-281-004-000	412.7
1181 TERI DR	33858	005-281-012-000	531.2
00265 BRENDA WAY	33844	005-282-020-000	335.9
1261 TERI DR	33963	005-283-004-000	147
00226 BRENDA WAY	33945	005-284-008-000	402.8
00463 SAN ANTONIO L	33969	005-290-028-000	403
00411 SAN ANTONIO L	33943	005-290-034-000	428.4
418 CUPELLO DR	33949	005-300-004-000	58.18

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432 CUPELLO DR	33967	005-300-011-000	399
00439 FERRARI CT	33905	005-300-016-000	433.1
00420 FERRARI CT	33948	005-300-022-000	92.55
424 FERRARI CT	33904	005-300-023-000	191.5
425 CUPELLO DR	33909	005-300-027-000	264.8
00405 CUPELLO DR	33845	005-300-032-000	483.4
415 VASTO DR	33936	005-300-033-000	419.3
426 PADRE PIO DR	33901	005-310-003-000	95.79
00450 CUPELLO DR	33893	005-310-014-000	409
458 CUPELLO DR	33888	005-310-018-000	194
455 FRANKLIN DR	33944	005-310-021-000	151
00443 FRANKLIN DR	33850	005-310-024-000	152.2
00407 FRANKLIN DR	33892	005-310-033-000	291.4
432 FRANKLIN DR	33977	005-310-045-000	411.7
444 FRANKLIN DR	33950	005-310-048-000	412.7
00504 WATERFOWL V	33912	005-320-002-000	16.05
00512 WATERFOWL V	33866	005-320-006-000	338.2
00522 WATERFOWL V	33955	005-320-011-000	385
00524 WATERFOWL V	33884	005-320-012-000	433.1
464 CUPELLO DR	33978	005-320-018-000	97.89
557 BUTTE VIEW DR	33886	005-320-022-000	192.5
549 BUTTE VIEW DR	33891	005-320-026-000	448.5
537 BUTTE VIEW DR	33975	005-320-032-000	262.6
535 BUTTE VIEW DR	33925	005-320-033-000	104.1
00509 WATERFOWL V	33865	005-320-046-000	52.65
00503 WATERFOWL V	33885	005-320-049-000	97.89
623 DRAKE DR	33847	005-330-013-000	97.89
631 DRAKE DR	33947	005-330-017-000	52.89
00651 WATERFOWL V	33918	005-330-027-000	208.4
679 FRANKLIN DR	33972	005-330-048-000	134.5
665 FRANKLIN DR	33923	005-330-055-000	209.7
666 FRANKLIN DR	33900	005-330-056-000	298.1
670 FRANKLIN DR	33851	005-330-058-000	311.5
00761 TEAL WAY	33887	005-340-017-000	111.5
738 MALLARD DR	33933	005-340-029-000	82.4
735 MALLARD DR	33979	005-340-059-000	100.9
00782 TEAL WAY	33941	005-340-075-000	403.4

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1006 NICOLAUS DR	33895	005-350-004-000	297.8
1031 NICOLAUS DR	33889	005-350-032-000	79.7
921 MILLS DR	33906	005-360-015-000	90.36
923 MILLS DR	33968	005-360-016-000	306.8
927 SIERRA OAKS DR	33898	005-360-032-000	459.5
935 SIERRA OAKS DR	33962	005-360-036-000	192.5
1032 WIDGEON WAY	33924	005-370-007-000	443
1057 CANVAS BACK C	33913	005-370-026-000	94.62
832 WHITE OAK DR	33897	005-390-017-000	295.8
835 WHITE OAK DR	33989	005-390-028-000	40.79
2526 ZUMWALT RD	33916	016-250-037-000	364.2
609 7TH ST	33841	020-031-035-000	885.1