



111 E. COMMERCIAL STREET
WILLITS, CALIFORNIA 95490
(707) 459-4601 TEL
(707) 459-1562 FAX

**WILLITS CITY COUNCIL
AGENDA
JUNE 9, 2010 ♦ 6:00 P.M. ♦ COUNCIL CHAMBERS**

1. **OPENING MATTERS** – a) Call to Order; b) Pledge to Flag; c) Roll Call
2. **PUBLIC MATTERS**
 - a. NOTICED PUBLIC HEARING: Discussion and Possible Adoption of Resolution Approving Changes in Certain City Fees and Charges, Effective July 1, 2010
 - b. Update and Discussion Regarding the Main Street Relinquishment Process with Caltrans
3. **PUBLIC COMMUNICATIONS**

Council welcomes participation in its meetings. Comments shall be limited to five minutes per person so that everyone may be given an opportunity to be heard. To expedite matters and avoid repetition, whenever any group of persons wishes to address the Council on the same subject matter, the Mayor may request that a spokesperson be chosen by the group. This item is limited to matters under the jurisdiction of the City Council which are not on the posted agenda. Public criticism of the City Council, Commission, Boards and Agencies will not be prohibited. No action shall be taken.
4. **CONSENT CALENDAR**

Matters listed under the Consent Calendar are considered to be routine by the City Council and will be enacted by a single motion and roll call vote by the City Council. Items may be removed from the Consent Calendar upon request of a Councilmember and acted upon separately by the City Council.

The following items are recommended for approval/adoption:

 - a. City Council Minutes of May 12, 2010, May 20, 2010 (Special Meeting), and May 26, 2010
 - b. Disbursements Journal (Dated May 28, 2010), Including Warrant Nos. 15487-15640, Totaling \$162,947.06
 - c. Resolution Authorizing the Willits Frontier Days Parade Route for July 4, 2010 and Decorations on PG&E Poles
 - d. Resolution Approving an Award of Contract to Mendocino Construction Services for the West Commercial Street Rehabilitation Project
 - e. Approval, on behalf of the City of Willits and the City of Willits Community Development Agency, to Authorize the City Manager and the Community Development Director to Execute an Agreement Settling Mendocino County Superior Court Case No. SCUK CVG 078692 Entitled, "The City of Willits and the Willits Community Development Agency, Plaintiffs vs. Mildred Sanchez, et at, Defendants"
5. **RIGHT TO APPEAL**

Persons who are dissatisfied with the decisions of the City Council may have the right to a review of that decision by a court. The City has adopted Section 1094.6 of the Code of Civil Procedure which generally limits to 90 days the time within which the decisions of the City boards and agencies may be judicially challenged.
6. **COMMISSIONS, AGENCIES AND AUTHORITIES**

The City of Willits City Council meets concurrently as the City of Willits Community Development Agency and Planning Commission.
7. **OLD BUSINESS**

8. CITY MANAGER REPORTS AND RECOMMENDATIONS

- a. Other Reports – Verbal/No Action

9. DEPARTMENT RECOMMENDATIONS

- a. Police Chief
- b. City Planner
- c. City Attorney
- d. Public Works Director
- e. City Engineer
- f. Finance Director
- g. City Clerk/Human Resources Director

10. CITY COUNCIL AND COMMITTEE REPORTS

- a. Mendocino Council of Governments (MCOG)
- b. Local Agency Formation Commission (LAFCO)
- c. Mendocino Transit Authority (MTA)
- d. Revit-ED Committee
- e. Mendocino Solid Waste Management Authority-Joint Powers Authority (MSWMA-JPA)
- f. Economic Development and Financing Corporation (EDFC)
- g. League of California Cities
- h. Water Resources Committee
- i. Sewer System Committee
- j. Finance Committee
- k. Caltrans Ad Hoc Committee
- l. Other Committee Reports

11. COUNCIL MEMBER REPORTS AND RECOMMENDATIONS

- a. Discussion and Possible Action to Amend Council Action Taken on September 23, 2009, Regarding a License Agreement with Jason and Kristin Bradford for the Use of City Property, to Delete the Requirement that Encroaching Improvements be Removed at the Owner's Expense

12. ENACTMENT OF ORDINANCES

13. GOOD & WELFARE

14. CLOSED SESSION NOTICE

- a. Conference with Labor Negotiators Pursuant to Government Code Section 54957.6 – Agency Negotiators: Rick Haeg and Adrienne Moore; Employee Organization(s): All
- b. Conference with Legal Counsel Pursuant to Government Code Section 54956.9 – Existing Litigation: Brooktrails Township Community Services District, a Public Agency vs. City of Willits, a General Law City; and DOES 1 through 100, Inclusive; Case No. SCUJ CVG-1056037
- c. Conference with Legal Counsel Pursuant to Government Code Section 54956.9 – Existing Litigation: People of the State of California and the City of Willits v. Remco Hydraulics, Inc., et al. (United States District Court – Northern District of California, Case No. C-96-6283 SI 12/22/2000)

15. ADJOURNMENT

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the bulletin board at the main entrance of the City of Willits City Hall, located at 111 East Commercial Street, Willits, California, not less than 72 hours prior to the meeting set forth on this agenda.

*Dated this 4th day of June, 2010.
Adrienne Moore, City Clerk*

AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE

The meeting room is wheelchair accessible and disabled parking is available. If you are a person with a disability and need disability-related modifications or accommodations to participate in this meeting, please contact Adrienne Moore at (707) 459-7120 or Fax (707) 459-1562. Requests for such modifications or accommodations must be made at least two full business days prior to the meeting.

ADDITIONAL MEETING INFORMATION FOR INTERESTED PARTIES

Materials related to an item on this Agenda submitted to the Willits City Council, Planning Commission, or Community Development Agency after distribution of the agenda packet are available for public inspection at City Clerk's office at 111 E. Commercial Street, Willits, during normal business hours.



Item No. 2a

Meeting Date: June 9, 2010

AGENDA SUMMARY REPORT

To: Honorable Mayor and Council Members

From: Paul Cayler, City Manager

Agenda Title: NOTICED PUBLIC HEARING: DISCUSSION AND POSSIBLE ADOPTION OF RESOLUTION APPROVING CHANGES IN CERTAIN CITY FEES AND CHARGES, EFFECTIVE JULY 1, 2010

Type: Presentation Consent Regular Agenda Public Hearing Urgent Time: 30 min

Summary of Request: Each year as a part of the budget process, the City's rates and fees are reviewed by department heads and proposed changes are provided to the City Council for approval. These changes will be incorporated into Exhibit A of the attached resolution and are summarized, as follows:

- Miscellaneous Office Fees – fee increases for photocopies to reflect increased supply costs; fee increase for returned checks which transfers the cost of handling returned items to the customer; and addition of fees for large plotted copies provided by the Engineering Department.
- Police Dept – fee increase for parking citations.
- Planning Dept – fee increases and/or addition of fees for various applications due to the increased costs associated with the requisite public and legal notices, as well as an increase imposed by the Dept of Fish & Game; and 10% discount for Planning & Building permit applications for independently owned local businesses, as well as for qualified Low & Moderate Income housing
- Public Works Dept – fee increases for encroachment permits to keep pace with the neighboring cities of Fort Bragg and Lakeport; addition of fees not previously specified in the fee schedule; and the addition of a fee for all building permits equal to .0028 x the job value for a General Plan Maintenance fee. This is consistent with the County fee.
- City Facilities – new refundable deposit requirement for all renters of the Community Center to ensure that any damage to the newly refurbished bar can be promptly repaired. This will be in addition to the existing cleaning and damage deposits.
- Swimming Pool – The City Council's Finance Committee is recommending an increase of approximately 30% across the board to reduce the gap between expenditures and revenues.
- Tobacco License Fees – fee increase to be consistent with neighboring cities and the unincorporated areas of the County.
- Airport Hangar Rental – The City Council's Finance Committee is recommending an increase in hangar rental from \$150 per month to \$200 per month based on staff research of median hangar rental fees at other regional airports. This additional revenue can be used for repair and maintenance of the buildings and runways.
- Sewer Fund – the proposed fee increases were a part of the Prop 218 process in October of 2009. These fees were approved by USDA to raise sufficient revenues for operations, maintenance, debt service, and capital improvements in the Sewer Fund. A new discharge permit fee has been added to help offset the cost of compliance with the requirements of the Sanitary Sewer Management Plan (SSMP).
- Water Fund – the proposed fee increases were a part of the Prop 218 process in October of 2008. These fees were recommended in the 2008 water rate study to raise sufficient revenues for operations, maintenance, debt service, and capital improvements to the water system and treatment plant. The City's water system is in serious need of significant capital improvements to repair, refurbish and replace many water infrastructure items.

Recommended Action: 1) Conduct a public hearing and take testimony regarding fees and charges; and
2) Adopt resolution approving changes in certain City fees and charges, effective July 1, 2010.

Alternative(s): Following a public hearing and discussion, adopt a resolution approving changes in certain fees and charges alternative to those recommended by City staff.

Fiscal Impact: All recommended changes are in accordance with staff's analysis of the need to keep pace with costs of providing necessary services and capital improvements, in accordance with law.

Personnel Impact: N/A

Reviewed by: City Manager City Attorney Finance Director Human Resources Risk

Council Action: Approved Denied Other: _____

Records: Agreement Resolution # _____ Ordinance # _____ Other _____

RESOLUTION NO. 2010-

RESOLUTION OF THE OF THE CITY COUNCIL OF THE CITY OF WILLITS APPROVING CHANGES IN CERTAIN CITY FEES AND CHARGES EFFECTIVE JULY 1, 2010

WHEREAS, the City Council for the City of Willits ("City") hereby finds as follows:

1. Notice of the time and place of this meeting to consider the adoption of this resolution to increase City fees was given as required by Government Code Section 6062(a).

2. This Public Hearing is being held to meet the public hearing requirements of Government Code Section 66018(a).

3. The amount of the fee and service charges set forth in the attached Exhibit A do not exceed the estimated amount required to provide the service for which the fee or service charge is being levied.

4. Unless the recommended increased fee or service charge is approved, the City will not have sufficient funds to provide the service for which the fee or service charge is being levied.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Willits that based upon the information provided to the City Council at the public hearing held on the adoption of this Resolution and upon the above findings of fact, the City Council hereby approves and adopts the attached Fee Schedule, a copy of which is hereby incorporated by reference and attached hereto as Exhibit "A" to be effective July 1, 2010.

The above and foregoing Resolution was introduced by Councilmember _____ seconded by Councilmember _____, and passed and adopted at a regular meeting of the City Council of the City of Willits, held on the _____ day of _____, 2010, by the following vote:

AYES:
NOES:
ABSENT:

BRUCE BURTON, Mayor
City Council of the City of Willits

ATTEST:

ADRIENNE MOORE
City Clerk



CITY OF WILLITS

RATES AND FEES

FISCAL YEAR 2010/2011

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CITY OF WILLITS
RATES AND FEES SCHEDULE
FISCAL YEAR 2010/11

GENERAL FUND		FY 10/11	FY 09/10
CITY ADMINISTRATION			
Miscellaneous Office Fees - all departments			
	Copy Fee/per page	0.25	0.15
	Copy of Final City Budget	25.00	
	Returned Check Charge/plus bank fee	25.00	10.00
	Plotted Copies/per sheet		
	18" X 26"	4.50	NEW
	24" X 36"	5.00	NEW
	36" X 48"	6.00	NEW
Penalty Assessment			
	Charge on past due balances of all delinquent accounts/per month	1.50%	
Witness Fees:			
	City personnel to appear in court as a witness on behalf of the City/per hour	75.00	
Preparation of Agreements and Documents			
	Per hour by City Attorney	200.00	
POLICE SERVICE FEES			
	Copies of Reports/per page (Section #6257 Government Code)	0.15	
	Loss Verification Report/per page (Section #6257 Government Code)	0.15	
	Fingerprints - Card only (Section 11122 Penal Code)	12.00	
	Copies of Photos - CD Format (Section #6357 Government Code)	1.00	
	Record Review (Section #13322 Penal Code)	25.00	
	Bicycle License - 3 years (Section #39004 Vehicle Code)	1.00	
	Card Dealer Permit	27.00	
	Processing Fee	10.00	
	Clearance Letter/each	5.00	
	Towing Fee/per vehicle towed-stored	65.00	
Parking Citations:			
	Parking in marked Disabled Zone (Properly Posted)	250.00	
	All other parking citations	45.00	35.00
	Administration Fee, Proof of Correction (when cited by other agency)	10.00	
	Vehicle Abandonment	100.00	
	Additional processing costs (DMV action etc.) when parking violation penalties are not paid within the 21 day time period specified on the citation.	20.00	
	Vehicle storage fee at Willits Police Department/per day	10.00	
MUNICIPAL CODE TRAFFIC VIOLATIONS			
	WMC 10.32.020 A	20.00	
	WMC 10.32.030 A/B	20.00	
	WMC 10.32.050	20.00	
	WMC 10.32.060	23.00	
	WMC 10.32.070	20.00	
	WMC 10.32.090	20.00	
	WMC 10.32.100	20.00	
	WMC 10.32.110	20.00	
	WMC 10.32.120	20.00	
	WMC 10.32.130	20.00	
	WMC 10.32.140	20.00	
	WMC 10.32.150	23.00	
	WMC 10.32.170	20.00	
	WMC 10.72.180	25.00	
	Basic Penalty for WMC violations not listed above	20.00	

CITY OF WILLITS
RATES AND FEES SCHEDULE
FISCAL YEAR 2010/11

GENERAL FUND		FY 10/11	FY 09/10
PLANNING DEPARTMENT			
General Plan Amendment		1,050.00	1,000.00
Zone Change (concurrent with GP Amendment)		250.00	
Zone Change (independent application)		550.00	500.00
Zoning Text Amendment		550.00	500.00
Use Permit			
	Categorical Exemption	200.00	
	Engineering Review Fee	200.00	
	Negative Declaration	650.00	600.00
	Engineering Review Fee	400.00	
	Use Permit Renewal/Modification	250.00	200.00
	Engineering Review Fee	200.00	
	Planned Unit Development	550.00	500.00
	Engineering Review Fee	600.00	
Annexation			
	Initial Fee	1,000.00	
	Additional Fee per Acre	25.00	
	Review of Annexation Petition/per hour by City Attorney	200.00	
	Engineering Review Fee	600.00	
Home Occupation Permit		50.00	
Family Day Care Home Permit		75.00	
Zoning Permit		50.00	
Variance		250.00	200.00
Development Agreement		1,000.00	
	Plus annual review fee established in agreement		
	Review of Development Agreement/per hour by City Attorney	200.00	
	Engineering Review Fee	200.00	
Development Agreement Modification		500.00	
	Review of Modification/per hour by City Attorney	200.00	
Special Planning Commission Meeting			
	Initial Fee	500.00	
	Additional Fee per Hour	50.00	
Review of Use Permit Conditions/per hour by City Attorney		200.00	
Preparation of Density Bonus Agreement/per hour by City Attorney		200.00	
Sign Permit		50.00	
Floodplain Development Permit		100.00	
	Engineering Review Fee	200.00	
Site Plan Review:			
	Minor Review (1 unit residential)	50.00	
	2 to 4 Units Residential, Commercial, Office or Industrial <2,000 sq. feet	200.00	
	Engineering Review Fee	200.00	
	Major Review		
	5 or More Units Residential, Commercial, Office or Industrial >2,000 sq. feet	400.00	
	Engineering Review Fee	600.00	

CITY OF WILLITS
RATES AND FEES SCHEDULE
FISCAL YEAR 2010/11

GENERAL FUND		FY 10/11	FY 09/10
PLANNING DEPARTMENT (CONTINUED)			
Environmental Review			
	Environmental Assessment	100.00	
	EIR Administration/per hour	45.00	
	Review of Draft & Final EIR/per hour by City Attorney	200.00	
Subdivision Improvements			
	Tentative Parcel Map, 2 to 5 parcels, initial fee	350.00	
	Additional Fee per Parcel	50.00	
	Engineering Review Fee	300.00	
	Final Parcel Map, 2 to 5 parcels, initial fee	150.00	
	Engineering Review Fee	300.00	
	Additional Engineering Review Fee per Parcel	50.00	
	Tentative Subdivision Map (more than 5 parcels)	1,050.00	1,000.00
	Engineering Review Fee	600.00	
	Final Subdivision Map (more than 5 parcels)	750.00	
	Additional Fee per Parcel	50.00	
	Engineering Review Fee	500.00	
	Additional Engineering Review Fee per Parcel	50.00	
	Review of Subdivision Map/per hour by City Attorney	200.00	
	Reversion to Acreage	450.00	400.00
	Engineering Review Fee	300.00	
	Boundary Line Adjustment	150.00	
	Engineering Review Fee	300.00	
	Certificate of Compliance, initial fee	150.00	
	Additional Fee per each parcel additionally recognized	100.00	
	Engineering Review Fee	100.00	
	Extension of Time	100.00	
	Appeal to Planning Commission	250.00	200.00
	Appeal to City Council	250.00	200.00
Note 1	For any planning application that must be referred to the Northwest Information Center at Sonoma State University for a review of historical or archaeological resources, a fee of \$75.00 made payable to Sonoma State University will be required.		
Note 2	Unless a fee waiver is granted by the Department of Fish & Game, any planning application approved by the Planning Commission will require the payment of a Fish & Game fee as follows:		
	Negative Declaration & Mitigated Negative Declaration Fee	2,010.25	1,876.75
	EIR Fee	2,768.25	2,606.75
	County Clerk Processing fee	50.00	
Note 3	A 10% Discount will be given for any Planning and Building permit application made by an independent locally owned business, within the 94590 zip code area, and for any permit application made to facilitate qualified Low & Moderate Income Housing.		NEW

CITY OF WILLITS
RATES AND FEES SCHEDULE
FISCAL YEAR 2010/11

GENERAL FUND		FY 10/11	FY 09/10
PUBLIC WORKS DEPARTMENT			
Encroachment Permits			
	Application Initiation Fee	75.00	
	Sidewalk, Curb & Gutter (residential)/per parcel	150.00	
	Sidewalk, Curb & Gutter (commercial)/per parcel	250.00	NEW
	Residential Driveway Approach/per parcel	150.00	
	Commercial Driveway or Private Road Approach/per parcel	250.00	
	Excavation Permit (50 feet or less)	250.00	
	Excavation Permit (more than 50 feet)	400.00	
	Additional fee per lineal foot over 100 feet	0.75	
	Pavement Patch	100.00	NEW
	Sidewalk Patch	50.00	NEW
	Utility Company Miscellaneous Permit/per job	250.00	NEW
	Tree Maintenance Permit/per job	120.00	NEW
	Design Work/per hour by City Engineer	70.00	NEW
	Miscellaneous Permit	150.00	
Other Fees			
	Vacation of City Street (for Event)	100.00	
	Vacation of City Street (Other)	150.00	NEW
	Planning Review	100.00	
	Engineering Review	100.00	
	City Attorney Review	200.00	
	Plan Check Fee/per hour by City Engineer	70.00	
	Inspection Fee/per hour by City Engineer	70.00	
	Sign Fee	50.00	NEW
	Working without a Permit - Double Applicable Permit Fee		NEW
Building Fees			
	Permits - Pursuant to 1997 Uniform Administrative Code - Tables 3-A through 3-H		
	CA State Building Standards Fee/Per every \$100,000 building (Valuation as determined by the City of Willits Building Official)	4.00	
	Plan Check Fee/65% of Building Permit Cost per 1997 Uniform Building Code		
	General Plan Maintenance Fee/per dollar value of job	0.0028	NEW
Note: No fees shall be charged for any building permits required for the installation of energy conservation or water conservation fixtures, appliances or equipment			

CITY OF WILLITS
RATES AND FEES SCHEDULE
FISCAL YEAR 2010/11

GENERAL FUND		FY 10/11	FY 09/10
CITY FACILITIES			
Community Center Hall			
	Basic Use Fee/per day	225.00	
	Use Fee with alcohol/per day	525.00	
Community Center Hall Non-Profit			
	4 hours or less	25.00	
	4 hours or less with alcohol	50.00	
	All day rental (more than 4 hours)	50.00	
	All day rental (more than 4 hours) with alcohol	100.00	
	Mandatory Bar Deposit (Refundable) all renters/per day	500.00	NEW
	Cleaning & Damage Deposit (Refundable)/per day	300.00	
	Cleaning & Damage Deposit (Refundable) with alcohol/per day	500.00	
Council Chambers			
	Basic Use Fee/per hour	12.00	
	Non Profit/per hour	5.00	
	Cleaning & Damage Deposit (Refundable)/per day	50.00	
City Hall Conference Room			
	Basic Use Fee/per hour	10.00	
	Non-Profit/per hour	5.00	
	Cleaning & Damage Deposit (Refundable)/per day	50.00	
	Staff Member Cleanup after use of any City Facility/per hour	50.00	
Note:	City facilities require Security that will be provided by the City at an additional cost to ALL events serving alcohol.		
	The number of Security Guards will depend on the size of your party.		
	100 or less: 2 unarmed guards plus supervisor/per hour	65.00	
	101 - 200: 3 unarmed guards plus 1 supervisor/per hour	85.00	
	201 - 300: 4 unarmed guards plus 1 supervisor/per hour	105.00	
Note:	Certificate of Insurance required for Community Center and Park use. Garbage service to be provided and paid for by user.		
Baechtel Grove Gym			
	Rental per hour	12.00	

CITY OF WILLITS
RATES AND FEES SCHEDULE
FISCAL YEAR 2010/11

GENERAL FUND		FY 10/11	FY 09/10
PARK FEES			
Rodeo Grounds			
	Basic Use Fee/per day	125.00	
	Cleaning & Damage Deposit (Refundable)/per day	100.00	
	Cleaning & Damage Deposit with alcohol (Refundable)/per day	400.00	
	Staff Member Cleanup/per hour per person	50.00	
Recreation Grove			
	Includes use of Hut and Stage/per day	125.00	
	Cleaning & Damage Deposit (Refundable)/per day	100.00	
	Cleaning & Damage Deposit with alcohol (Refundable)/per day	400.00	
	Staff Member Cleanup/per hour per person	50.00	
Ball Fields			
	Tournaments & Special Events/per day per field	100.00	
	Cleaning & Damage Deposit (Refundable)/per day	100.00	
	Cleaning & Damage Deposit with alcohol (Refundable)/per day	400.00	
	Staff Member Cleanup/per hour per person	50.00	
Note: Certificate of Insurance required for Community Center and Park use. Garbage service to be provided and paid for by user.			
WILLITS CULTURAL ARTS BUILDING FEES			
Great Room			
	Basic Use Fee/per day (more than 4 hours)	175.00	
	Use Fee with alcohol/per day	450.00	
	4 hours or less/per day	50.00	
	4 hours or less with alcohol/per day	200.00	
Great Room - Non Profit Use			
	Basic Use Fee/per day (more than 4 hours)	175.00	
	Use Fee with alcohol/per day	450.00	
	4 hours or less/per day	50.00	
	4 hours or less with alcohol/per day	200.00	
Great Room - Deposits & Cleaning			
	Cleaning & Damage Deposit (Refundable)/per day	100.00	
	Cleaning & Damage Deposit with alcohol (Refundable)/per day	400.00	
	Staff Member Cleanup/per hour per person	50.00	
Classroom Rental			
	4 hours or less/per day	50.00	
	All day rental/per day	125.00	
Classroom Rental - Non Profit Use			
	4 hours or less/per day	50.00	
	All day rental/per day	100.00	
Classroom - Deposits & Cleaning			
	Cleaning & Damage Deposit (Refundable)	200.00	
	Cleaning & Damage Deposit with alcohol (Refundable)	600.00	
	Staff Member Cleanup/per hour per person	50.00	

CITY OF WILLITS
RATES AND FEES SCHEDULE
FISCAL YEAR 2010/11

GENERAL FUND		FY 10/11	FY 09/10
SWIMMING POOL FEES			
Open Swim			
	Adults/per day	4.50	3.50
	Children (12 and under)/per day	4.50	3.50
	Season Pass/per 20 swims (Adults and Children)	80.00	62.00
Water Aerobics (Adults 18 and over)/per session		4.50	3.50
	Season Pass	195.00	150.00
Adult Lap Swim (18 and over)/per session		4.50	3.50
	Season Pass	130.00	100.00
Group Evening/Weekend Use (2 hours includes lifeguards)		260.00	200.00
Swimming Lessons			
	First Child/per two week session	60.00	46.00
	Second Child	52.00	40.00
	Third + each additional child/per child	43.00	33.00
Week Long Summer Camp (1/2 hour per day)/per week		338.00	260.00
Other Camps (1/2 day)/per day		338.00	260.00

CITY OF WILLITS
RATES AND FEES SCHEDULE
FISCAL YEAR 2010/11

AIRPORT FUND		FY 10/11	FY 09/10
Hangar Rental			
	Small hangars (900 square feet)/per month	200.00	150.00
	Medium hangars (1,000 square feet)/per month	200.00	150.00
	Large hangars (1,080 square feet)/per month	200.00	150.00
End Storage Lockers/per month		30.00	
Tie Downs/per night		5.00	
Tie Downs/per month		30.00	
Auto Parking Fee/per month		26.00	
Hanger Waiting List Deposit (Refundable)		100.00	
Note: All renters must provide proof of liability insurance in the amount of \$2,000,000			
Coverages must include Liquor Liability, Premises, Bodily Injury, Broad Form			
Property Damage, Products Liability, Personal Injury Liability, Fire Legal Liability			
SEWER FUND		FY 10/11	FY 09/10
Sewer Connection Fees/per EDU (Equivalent Domestic Unit)		7,840.00	
Note: LAFCO regulations restrict the provision of City services outside of the City limits.			
Services may be provided only in special circumstances which do not conflict with those regulations.			
Lateral Sewer Installation Charges			
	Deposit (Applied to cost determined by time and materials)	1,000.00	
	Inspection Fee	25.00	

CITY OF WILLITS
RATES AND FEES SCHEDULE
FISCAL YEAR 2010/11

SEWER FUND		FY 10/11	FY 09/10
Sewer Special Fees			
	Inspection/testing fee	25.00	
	Septage disposal/per load	40.00	
	Additional charge/per gallon	0.12	0.10
	Septage disposal - trucks of 500 gallons or less/per load	20.00	
	Additional charge/per gallon	0.12	0.10
	Leachate/per load	30.00	
	Additional charge/per gallon	0.04	
	Industrial/per load	30.00	
	Additional charge/per gallon	0.04	
	Groundwater cleanup/per gallon	0.003	
	Fats, Oils, & Grease Discharge Permit/per year	60.00	NEW
	Wastewater Discharge Permit/per year	100.00	\$300/5 yrs
Preparation of Mainline Extension and/or Reimbursement Agreement			
	Per hour by City Attorney	200.00	
Annual Sewer Charges - Residential			
	Charge per EDU within the City of Willits and Meadowbrook Manor	607.00	
Annual Sewer Charges - Commercial and Industrial			
Annual Wastewater Flow			
	Non-residential customers shall be billed based on wastewater flow. Wastewater flow for each fiscal year is defined to be total water use for the previous December through March ("winter water use") annualized and reduced by 10 percent to account for water which does not enter the wastewater system.		
Minimum Charge			
	The minimum annual charge for each commercial/industrial wastewater account is the rate for a single EDU		
Strength Factors			
	All non-residential customers shall be charged based on the strength of their wastewater, as follows:		
	<u>Low Strength</u> - Wastewater with strength characteristics, in terms of biochemical oxygen demand (BOD) and suspended solids (SS) of less than wastewater discharged by residential customers. Strength factor of 0.8 for rate calculation. Includes institutional, laundromats, carwashes and other low strength dischargers.		
	<u>Domestic Strength</u> - Wastewater with strength characteristics, in terms of BOD and SS comparable to wastewater discharged by residential customers. Strength factor of 1.0 for rate calculation. Includes most customers such as retail, office, general, hospitals and convalescent homes, medical office, hotels and motels, and mobile home parks.		
	<u>High Strength</u> - Wastewater with strength characteristics, in terms of BOD and SS of more than wastewater discharged by residential customers. Strength factor of 1.7 for rate calculation. Includes supermarkets, restaurants, bakeries and mortuaries.		

CITY OF WILLITS
RATES AND FEES SCHEDULE
FISCAL YEAR 2010/11

SEWER FUND		FY 10/11	FY 09/10
Rate Calculation			
An amount determined by applying the following rates to the annual wastewater flow for each commercial/industrial account:			
	Low Strength/per hundred cubic feet (hcf)	6.23	5.69
	Domestic Strength/per hcf	7.60	6.94
	High Strength/per hcf	11.91	10.88
Annual Charges - Mixed Use, Non-Residential			
The annual charge for mixed use, non-residential customers on a single water meter shall be determined by estimating water use by each strength category and developing a blended strength factor for each account. That blended strength factor will then be applied to the domestic strength rate (residential) to determine the annual charge.			
Annual Charges - Commercial on Master Meter			
The annual charge for commercial customers served by a master meter, all of whom are within the same strength category as described above, shall be based upon winter water use, annualized, and applied to that strength category's rate, with the minimum charge per account (not occupant) of one EDU.			
Annual Charges - Multiple Parcels on One Meter with Non-Residential Uses			
The annual charge for a parcel served by multiple water meters shall be based upon the sum of winter water usage, annualized, of all meters serving said parcel and applied to the appropriate strength factor.			

CITY OF WILLITS
RATES AND FEES SCHEDULE
FISCAL YEAR 2010/11

WATER FUND		FY 10/11	FY 09/10
Water Meter - Minimum Charges		Monthly	
<u>Codes</u>	<u>Meter Size in Inches</u>	<u>Base Rate</u>	
A	5/8" & 3/4"	26.90	
B - C	3/4"	40.30	
D - E	1"	67.20	
F - G	1 1/2"	134.50	
H - I	2"	215.00	
J	3"	430.20	
K	4"	605.10	
L	6"	1,344.40	
No water allowance is included with meter monthly base rate.			
Water Department will determine all meter installation locations.			
Water Usage Charges		<u>Per hcf</u>	
Tier 1	0 to 3 hundred cubic feet (hcf)	4.00	
Tier 2	4 to 10 hcf	7.40	
Tier 3	11 to 19 hcf	9.90	
Tier 4	20 hcf and greater	12.50	
	Non-Residential Quantity Charge/per hcf	7.60	
Preparation of Mainline Extension Agreements or Amendments thereto			
	Per hour by City Attorney	200.00	
Private Fire Protection Service			
Charges per month			
	<u>Meter Size</u>	<u>Flat Rate</u>	
	Up to 4"	24.00	
	6"	30.00	
	8"	40.00	
	10"	60.00	
Unauthorized use will be charged at the non-residential quantity charge per hcf plus a \$100 fine.			
Water Service Deposits			
	Homeowners	42.00	
	Renters	75.00	
	Small Businesses	75.00	
	Restaurants/Industrial	105.00	
Backflow Device			
If State regulations require a cross connection device, the customer is responsible to purchase, install and maintain the approved backflow device.			
	Annual Testing Fee for Accounts with Backflow Devices	36.00	
	Charged at \$3.00 per month		
	Customer responsible for maintaining devices		
Meter Installation Deposit		1,000.00	
	Applied to actual meter installation cost (time and materials)		

CITY OF WILLITS
RATES AND FEES SCHEDULE
FISCAL YEAR 2010/11

WATER FUND		FY 10/11	FY 09/10
Monthly Meter Maintenance Fee		8.00	
	For meters that have been installed at the customer's request, and not yet activated; and		
	For meters that have been de-activated at the customer's request		
	All past due charges must be paid in full before re-activation of service		
	No water service can be obtained until a building permit has been issued by the City		
Temporary Construction Meter (installed at fire hydrant)			
	Installation fee - Plus time & materials for meter installation	150.00	
	Deposit (refundable)	100.00	
	Residential - 5/8" meter/per month	26.90	
	Plus water usage at Non-residential Quantity Charge/per hcf	7.60	
	All services to be install by City staff or City's agent		
	Maximum six months service		
Miscellaneous Fees			
	Expiration of Application	25.00	
	Re-connection Fee	40.00	
	Emergency After-Hours Call Out	100.00	
	Holidays, weekends, and after 4:00 p.m. on weekdays		
	Meter Test Deposit	75.00	
	Unauthorized Use of Fire Hydrant	500.00	
	Plus \$2.00 per 100 gallons used		
	Reinstallation Fee for Meter Removed	100.00	
	Requires payment of new Water Service Deposit		
	Reconnection of Meter off for over 1 year	100.00	
	Intentional Damage to City Locks (plus cost of parts and labor)	150.00	
	Misdemeanor - Maximum Fine	300.00	
	Downsize Meter Charge (plus time & materials)	100.00	
Truck Fill Station Charges			
	Hydrant Permit Fee/per year	50.00	
	Access Fee	30.00	
	Pin Number Change Fee	25.00	
	Key Deposit	25.00	
	Reprogram Charge for Non-payment/per gallon	0.00307	
Water Service Connection Fees			
Capital Improvement Fees			
	Single Family Residential - Inside City Limits/per EDU	3,025.00	
	Plus the actual cost of parts and labor		
	Single Family Residential - *Outside City Limits/per EDU	6,025.00	
	Plus the actual cost of parts and labor		
	Each Motel Room, Hotel Room, Campground Space, Laundry Room, Recreation Room, etc.	3,025.00	
Commercial Units:			
	5/8" Meter	3,025.00	
	1" Meter	4,525.00	
	1 1/2" Meter	6,025.00	
	2" Meter	8,025.00	
	3" Meter	12,025.00	
	4" Meter	20,025.00	
	6" Meter	28,025.00	
*Note: LAFCO regulations restrict the provision of City services outside of the City limits. Services may be provided only in special circumstances which do not conflict with those regulations.			

CITY OF WILLITS
RATES AND FEES SCHEDULE
FISCAL YEAR 2010/11

GENERAL FUND					
CITY ADMINISTRATION					
QUARTERLY BUSINESS LICENSE FEES					
		RENTALS			
GROSS RECEIPTS		RETAIL SALES			
		PROF. SERVICES	MANUFACTURES	CONTRACTORS	
AT LEAST	NOT MORE THAN	REAL ESTATE	WHOLESALERS	SUBCONTRACTORS	
\$ -	\$ 4,999.00	\$ 15.00	\$ 15.00	\$ 15.00	
5,000.00	9,999.00	20.00	15.00	15.00	
10,000.00	14,999.00	25.00	16.00	16.00	
15,000.00	24,999.00	40.00	16.00	16.00	
25,000.00	49,999.00	65.00	17.00	17.00	
50,000.00	74,999.00	76.00	17.00	17.00	
75,000.00	99,999.00	96.00	19.00	19.00	
100,000.00	124,999.00	116.00	20.00	20.00	
125,000.00	149,999.00	141.00	20.00	20.00	
150,000.00	199,999.00	167.00	24.00	25.00	
200,000.00	249,999.00	192.00	28.00	32.00	
250,000.00	299,999.00	224.00	38.00	41.00	
300,000.00	349,999.00	239.00	42.00	48.00	
350,000.00	399,999.00	256.00	47.00	56.00	
400,000.00	449,999.00	271.00	50.00	65.00	
450,000.00	499,999.00	286.00	56.00	72.00	
500,000.00	549,999.00	305.00	62.00	80.00	
550,000.00	599,999.00	319.00	69.00	88.00	
600,000.00	649,999.00	336.00	74.00	96.00	
650,000.00	699,999.00	352.00	79.00	100.00	
700,000.00	749,999.00	368.00	83.00	112.00	
750,000.00	799,999.00	383.00	87.00	120.00	
800,000.00	849,999.00	399.00	92.00	128.00	
850,000.00	899,999.00	415.00	101.00	137.00	
900,000.00	949,999.00	433.00	105.00	144.00	
950,000.00	999,999.00	447.00	111.00	151.00	
1,000,000.00	1,249,999.00	463.00	117.00	159.00	
1,250,000.00	1,499,999.00	480.00	120.00	176.00	
1,500,000.00	1,749,999.00	494.00	125.00	192.00	
1,750,000.00	1,999,999.00	510.00	133.00	208.00	
2,000,000.00	2,249,999.00	527.00	138.00	224.00	
2,250,000.00	2,499,999.00	542.00	142.00	239.00	
2,500,000.00	2,749,999.00	559.00	147.00	256.00	
2,750,000.00	2,999,999.00	575.00	151.00	271.00	
3,000,000.00	3,499,999.00	591.00	159.00	287.00	
3,500,000.00	3,999,999.00	607.00	176.00	305.00	
4,000,000.00	4,499,999.00	623.00	192.00	319.00	
4,500,000.00	4,999,999.00	638.00	208.00	336.00	
5,000,000.00	5,499,999.00	654.00	224.00	352.00	

CITY OF WILLITS
RATES AND FEES SCHEDULE
FISCAL YEAR 2010/11

GENERAL FUND					
CITY ADMINISTRATION					
QUARTERLY BUSINESS LICENSE FEES (CONTINUED)					
		RENTALS			
GROSS RECEIPTS		RETAIL SALES			
		NOT MORE	PROF. SERVICES	MANUFACTURES	CONTRACTORS
AT LEAST	THAN	REAL ESTATE	WHOLESALEERS	SUBCONTRACTORS	
\$ 5,500,000.00	\$ 5,999,999.00	\$ 670.00	\$ 239.00	\$ 359.00	
6,000,000.00	6,499,999.00	687.00	256.00	383.00	
6,500,000.00	6,999,999.00	704.00	271.00	402.00	
7,000,000.00	7,499,999.00	719.00	287.00	415.00	
7,500,000.00	7,999,999.00	734.00	305.00	436.00	
8,000,000.00	8,499,999.00	749.00	319.00	447.00	
8,500,000.00	8,999,999.00	767.00	336.00	463.00	
9,000,000.00	9,499,999.00	781.00	352.00	480.00	
9,500,000.00	9,999,999.00	797.00	359.00	480.00	
10,000,000.00	above	797.00	383.00	480.00	
Card Rooms				Based on Gross Receipts Above	
Card Dealers				Based on Gross Receipts Above	
Amusement Devices, Exhibitions				Based on Gross Receipts Above	
Video, Mechanical Amusement, Sound Machines				Based on Gross Receipts Above	
Skill Games, Pool Tables (Distributor & Business)				Based on Gross Receipts Above	
Flea Market				Based on Gross Receipts Above	
BUSINESS LICENSE FEES - FLAT RATE					
Auctioneer/per day				100.00	
Peddler/per day				50.00	
Handbill Distributor				50.00	
Solicitor				50.00	
Christmas Tree Lots				50.00	
Other Business not otherwise specified/per quarter				15.00	
Bingo initial application fee				50.00	
Plus 1% of monthly gross receipts over \$5,000 derived from Bingo games, paid monthly					
Duplicate License				20.00	
Late Charge/per month after 30 days				10%	
Application Processing Fee				20.00	
Reinstatement of Business License Revoked				25.00	
TOBACCO LICENSE FEES				FY 10/11	FY 09/10
Application Processing Fee				75.00	20.00
Annual Fee, First Year				75.00	20.00
Annual Renewal Fee				75.00	20.00

Disbursements Journal

WARRANT	DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F 9 S	ACCOUNT
GENERAL CHECK FORM									
15487	05/17/10	REGISTRY OF CHARITAB	4421 ANNUAL RENEWAL FEE	75.00	508825	05172010		P N H	100.1002.2001.002
15564	05/17/10	AFLAC	4266 125 PLAN	250.00	508826	05172010		P N H	690.246
15565	05/17/10	BANK OF AMERICA	4395 WWTP FAX CHARGES	750.00	508842	7145		P N H	100.140
15566	05/19/10	PERPETUAL ENERGY SYS	4254 WATER PLANT ELECTRI	6,055.28	508824	A/C76-7501-01-		P N H	503.5033.2110.000
15567	05/20/10	HARTFORD RETIREE PRE	4422 MEDICAL INSURANCE	822.38	508827	ID 145007725		P N H	690.231
15568	05/21/10	DUCKS UNLIMITED	.08621 CLEANING DEPOSIT REFU	400.00	508823	05212010		P N H	600.602
15569	05/24/10	AFLAC	4266 125 PLAN	386.45	508828	05242010		P N H	690.246
15570	05/26/10	SANDERS/CATHY	4420 OFFICE SUPPLIES	70.42	508822	STAPLES		P N H	100.1002.2055.000
15571	05/28/10	MENDO-LAKE CREDIT UN	104 DIRECT DEPOSIT	3,130.00	508845	05232010		P N H	690.237
15572	05/28/10	AFLAC	4036 125 PLAN POLICY PREMI	883.64	508846	287708		P N H	690.246
15573	05/28/10	HARTFORD LIFE INSURA	709 DEFERRED COMPENSATI	2,010.00	508847	0109420		P N H	690.236
15574	05/28/10	MENDOCINO CHILD SUPP	1057 CHILD SUPPORT	295.00	508848	0000058979		P N H	690.233
15575	05/28/10	CONTRA COSTA CHILD S	4267 CHILD SUPPORT	194.50	508849	0070000067600		P N H	690.233
15576	05/28/10	FRANCHISE TAX BOARD	695 PAYROLL DEDUCTION	428.41	508850	1201580375		P N H	690.233
15577	05/28/10	UNITED STATES TREASU	4252 PAYROLL DEDUCTION	300.00	508851	05232010		P N H	690.233
15578	05/28/10	PERS	256 EMPLOYER CONTRIBUT	19,973.74	508853	0876		P N H	690.229
15578	05/28/10	PERS	256 EMPLOYEE CONTRIBUTI	7,429.35	508853	0876		P N H	690.230
				27,403.09	*CHECK TOTAL				
15579	05/28/10	AFLAC	1018 125 PLAN	25.00	508817	139435ER		P N W	690.246
15580	05/28/10	ALL ID SYSTEMS	4423 CARD PRINTER	2,064.79	508832	754436	003375	P N W	651.6510.2199.000
15581	05/28/10	ANTHEM BLUE CROSS	627 MEDICAL INS PREMIU	58,402.67	508816	000285230B		P N W	690.231
15582	05/28/10	AT&T	4123 POLICE	835.21	508774	000001340320		P N W	100.1020.2015.000
15582	05/28/10	AT&T	4123 PUBLIC WORKS	266.19	508774	000001340320		P N W	100.1040.2015.000
15582	05/28/10	AT&T	4123 POOL	15.01	508774	000001340320		P N W	100.1030.2015.000
15582	05/28/10	AT&T	4123 SEWER PLANT	95.34	508774	000001340320		P N W	501.5013.2015.000
15582	05/28/10	AT&T	4123 WATER PLANT	237.81	508774	000001340320		P N W	503.5030.2015.000
15582	05/28/10	AT&T	4123 AIRPORT	15.82	508774	000001340320		P N W	500.5001.2110.000
15582	05/28/10	AT&T	4123 WCAC	29.83	508774	000001340320		P N W	600.601
15582	05/28/10	AT&T	4123 4601-2-3 40%	296.22	508774	000001340320		P N W	100.1002.2015.000
15582	05/28/10	AT&T	4123 24%	177.73	508774	000001340320		P N W	206.2060.2015.000
15582	05/28/10	AT&T	4123 12%	88.87	508774	000001340320		P N W	210.2100.2015.000

WARRANT	DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F 9 S	ACCOUNT
GENERAL CHECK FORM									
15582	05/28/10	AT&T	4123 12%	88.87	508774	000001340320		P N W	100.1015.2015.000
15582	05/28/10	AT&T	4123 12%	88.87	508774	000001340320		P N W	100.1010.2015.000
15582	05/28/10	AT&T	4123 PLANNING 9341 1/3	10.61	508774	000001340320		P N W	206.2060.2015.000
15582	05/28/10	AT&T	4123 1/3	10.60	508774	000001340320		P N W	100.1010.2015.000
15582	05/28/10	AT&T	4123 1/3	10.60	508774	000001340320		P N W	210.2100.2015.000
				2,267.58	*CHECK TOTAL				
15583	05/28/10	ATT MOBILITY	4253 ENGINEERING	106.69	508773	838580415		P N W	100.1042.2015.000
15583	05/28/10	ATT MOBILITY	4253 PUBLIC WORKS	77.45	508773	838580415		P N W	100.1040.2015.000
15583	05/28/10	ATT MOBILITY	4253 PLANNING	45.99	508773	838580415		P N W	206.2060.2015.000
15583	05/28/10	ATT MOBILITY	4253 CODE ENFORCEMENT	25.48	508773	838580415		P N W	206.2060.2015.000
15583	05/28/10	ATT MOBILITY	4253 WATER	33.69	508773	838580415		P N W	503.5030.2015.000
15583	05/28/10	ATT MOBILITY	4253 SEWER	99.94	508773	838580415		P N W	501.5013.2015.000
15583	05/28/10	ATT MOBILITY	4253 BUILDING	31.33	508773	838580415		P N W	100.1015.2015.000
15583	05/28/10	ATT MOBILITY	4253 PD	142.22	508773	838580415		P N W	100.1020.2015.000
				562.79	*CHECK TOTAL				
15584	05/28/10	AUTO MART	750 VEHICLE REPAIR #237	1,055.04	508835	37723		P M W	100.1022.2044.000
15585	05/28/10	B & B INDUSTRIAL SUP	9 SIGN PIPE	239.61	508813	126632		P N W	200.2003.2101.045
15586	05/28/10	BANK OF AMERICA	10 BOOK PURCHASE	23.30	508775	9825		P N W	100.1042.2055.000
15586	05/28/10	BANK OF AMERICA	10 COMPLETE STREETS	68.00	508775	9825		P N W	100.1010.2050.000
15586	05/28/10	BANK OF AMERICA	10 AP FUEL TEST	2.87	508775	9825		P N W	500.5001.2041.000
15586	05/28/10	BANK OF AMERICA	10 ADVERTISEMENT	382.72	508775	9825		P N W	100.1005.2091.000
15586	05/28/10	BANK OF AMERICA	10 ADVERTISEMENT	35.10	508775	9825		P N W	100.1005.2091.000
15586	05/28/10	BANK OF AMERICA	10 PLANNER REFILL	33.12	508775	9825		P N W	206.2060.2055.000
15586	05/28/10	BANK OF AMERICA	10 WATER PLANT INTERNET	59.99	508775	9825		P N W	503.5030.2015.000
				605.10	*CHECK TOTAL				
15587	05/28/10	BANK OF AMERICA	4395 WWTP PLANS FAX	280.00	508844	7145		P N W	100.140
15587	05/28/10	BANK OF AMERICA	4395 OFFICE SUPPLIES	37.17	508844	7145		P N W	100.1002.2199.000
15587	05/28/10	BANK OF AMERICA	4395 POOL OPERATOR CERT	320.88	508844	7145		P N W	100.1030.2101.045
15587	05/28/10	BANK OF AMERICA	4395 UPS DELIVERY CHARGE	1,106.40	508844	7145		P N W	430.4330.2055.000
				1,744.45	*CHECK TOTAL				
15588	05/28/10	BOND/TOM	4410 MILEAGE TO POOL CLASS	117.00	508776	1031		P N W	100.1030.2081.030
15588	05/28/10	BOND/TOM	4410 PER DIEM	68.00	508776	1031		P N W	100.1030.2081.030
				185.00	*CHECK TOTAL				
15589	05/28/10	BURTNESS/KEVIN	4185 ENG IT MAINTENANCE FE	100.00	508812	CW 2010-10		P M W	100.1042.2081.030
15589	05/28/10	BURTNESS/KEVIN	4185 PW IT MAINTENANCE FEE	50.00	508812	CW 2010-10		P M W	100.1040.2081.030
				150.00	*CHECK TOTAL				
15590	05/28/10	CATHERINE KILLION'S	4027 JANITORIAL SERVICE	800.00	508836	05262010		P M W	100.1016.2061.020
15590	05/28/10	CATHERINE KILLION'S	4027 HALL CLEANING	175.00	508836	05262010		P M W	600.602
15590	05/28/10	CATHERINE KILLION'S	4027 JANITORIAL PW	130.00	508836	05262010		P M W	100.1040.2081.030
15590	05/28/10	CATHERINE KILLION'S	4027 JANITORIAL ENG	130.00	508836	05262010		P M W	100.1042.2081.030
				1,235.00	*CHECK TOTAL				

Disbursements Journal

WARRANT	DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F 9 S	ACCOUNT
GENERAL CHECK FORM									
15591	05/28/10	CAYLER/PAUL	4259 CELL REIMBURSEMENT	100.00	508838	05272010		P N W	100.1002.2015.000
15592	05/28/10	CDW-G	4018 MONITORS	956.02	508833	SPN4538	003373	P N W	651.6510.2199.000
15593	05/28/10	COUNTY OF MENDOCINO	33 PD ELECTRIC APRL 2010	772.44	508834	2010-4		P N W	100.1020.2110.000
15593	05/28/10	COUNTY OF MENDOCINO	33 PD WATER APRIL 2010	74.70	508834	2010-4		P N W	100.1020.2110.000
15593	05/28/10	COUNTY OF MENDOCINO	33 PD GARBAGE APRIL 2010	71.45	508834	2010-4		P N W	100.1020.2110.000
				918.59	*CHECK TOTAL				
15594	05/28/10	COUNTY OF MENDOCINO	199 MEADOWBROOK MNR REPORT	50.00	508787	4232010		P N W	501.5010.2055.000
15594	05/28/10	COUNTY OF MENDOCINO	199 SEWER REPORT	100.00	508787	4232010		P N W	501.5010.2055.000
				150.00	*CHECK TOTAL				
15595	05/28/10	CTI VALUELINE	4377 PRINTER INK ENGINEERI	104.43	508777	425124		P N W	100.1042.2055.000
15596	05/28/10	DEEP VALLEY SECURITY	40 PW & ENG OFFICE SECURI	16.48	508778	182611		P N W	100.1040.2081.030
15596	05/28/10	DEEP VALLEY SECURITY	40 PW & ENG OFFICE SECURI	49.42	508778	182611		P N W	100.1042.2081.030
15596	05/28/10	DEEP VALLEY SECURITY	40 PW SHOP SECURITY	22.00	508778	182611		P N W	100.1041.2081.030
				87.90	*CHECK TOTAL				
15597	05/28/10	DINGMAN/DALE	4411 MINI BLIND	58.64	508779	51010		P N W	600.601
15598	05/28/10	EBA ENGINEERING INC	3985 2010 MONITORING	2,064.45	508821	21528		P N W	201.2011.2081.030
15599	05/28/10	FIREFLY FRAMING	4412 WCAC FRAMING	128.11	508781	10051201		P N W	600.601
15600	05/28/10	FRYMAN SEPTIC TANK S	56 RENTAL BALL FIELDS AP	206.63	508780	678970/678966		P M W	100.1050.2101.045
15600	05/28/10	FRYMAN SEPTIC TANK S	56 RENTAL SKATEPARK/BALL	244.69	508780	678970/678966		P M W	100.1050.2101.045
				451.32	*CHECK TOTAL				
15601	05/28/10	GRANITE CONSTRUCTION	4024 DURAPATCH COLD MIX	1,482.21	508782	123927	003369	P N W	201.2011.2101.035
15601	05/28/10	GRANITE CONSTRUCTION	4024 DURAPATCH COLD MIX	370.55	508782	123927	003369	P N W	503.5031.2101.035
				1,852.76	*CHECK TOTAL				
15602	05/28/10	GROENIGER & CO INC.	4072 WET BAR	1,335.83	508783	4012324-00		P N W	503.5031.2041.000
15602	05/28/10	GROENIGER & CO INC.	4072 HARDWARE	1,571.53	508783	4012324-00	003368	P N W	503.5031.2041.000
				2,907.36	*CHECK TOTAL				
15603	05/28/10	HDS WHITE CAP CONST	4399 REPAIR MORTAR	795.84	508811	26078112		P N W	100.1042.2101.045
15604	05/28/10	HIS DESIGN	4237 WATER SYSTEM PLAN	945.00	508814	05252010		P M W	503.5034.2081.030
15604	05/28/10	HIS DESIGN	4237 SEWER SYSTEM PLAN	1,035.00	508814	05252010		P M W	501.5011.2081.030
				1,980.00	*CHECK TOTAL				
15605	05/28/10	I B E W	255 EMPLOYEE CONTRIBUTION	375.84	508841	05282010		P N W	690.235
15606	05/28/10	INTERSTATE BATTERIES	206 BATTERY VEHICLE #108	89.12	508784	190110871		P N W	201.2011.2101.045

Disbursements Journal

WARRANT	DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F 9 S	ACCOUNT
GENERAL CHECK FORM									
15607	05/28/10	LANCE/JAMES H.	4054 LEGAL SVC BROOKTAIL	3,740.00	508786	2732		P M W	501.5017.6001.000
15608	05/28/10	LAYTONVILLE DISPOSAL	4006 PUMP LEACHATE	500.00	508785	LANDFILL		P M W	213.2133.2095.000
15609	05/28/10	LITTLE LAKE AUTO PAR	46 TRUCK 93 SERVICE	50.57	508830	10057		P N W	503.5031.2044.000
15609	05/28/10	LITTLE LAKE AUTO PAR	46 OIL/FILTER	31.62	508830	10057		P N W	100.1015.2041.000
15609	05/28/10	LITTLE LAKE AUTO PAR	46 GLASS CLEANER/CAR WASH	22.91	508830	10057		P N W	100.1020.2199.000
				105.10	*CHECK TOTAL				
15610	05/28/10	MELLUISH/SIMON	4413 TB TEST	18.00	508788	05252010		P N W	100.1005.2061.013
15610	05/28/10	MELLUISH/SIMON	4413 FINGERPRINTING	18.00	508788	05252010		P N W	100.1005.2061.013
				36.00	*CHECK TOTAL				
15611	05/28/10	MENDOCINO JANITORIAL	4255 PD JANITORIAL SERVI	1,100.00	508820	1441		P M W	100.1016.2061.020
15612	05/28/10	MUNIQUIP INC	4418 STUD/NUT/LOCK WASHER	226.28	508815	101788		P N W	501.5013.2041.000
15613	05/28/10	OCE IMAGISTICS	158 COPIER	75.00	508789	741684		P M W	100.1040.2041.000
15613	05/28/10	OCE IMAGISTICS	158 COPIER	74.99	508789	741684		P M W	100.1042.2041.000
				149.99	*CHECK TOTAL				
15614	05/28/10	P G & E COMPANY	114 SEWER OPERATIONS	7.85	508795	05252010		P N W	501.5013.2110.000
15614	05/28/10	P G & E COMPANY	114 WATER PLANT	17.15	508795	05252010		P N W	503.5033.2110.000
15614	05/28/10	P G & E COMPANY	114 TENNIS COURT LIGHTS	12.61	508795	05252010		P N W	100.1050.2110.000
15614	05/28/10	P G & E COMPANY	114 ENGINEERING	170.88	508795	05252010		P N W	100.1042.2110.000
				208.49	*CHECK TOTAL				
15615	05/28/10	PACE SUPPLY CORP	12 CLEAN OUT	100.90	508794	05252010		P N W	501.5011.2041.000
15615	05/28/10	PACE SUPPLY CORP	12 CLEAN OUT/PVC/LID/BOX	80.75	508794	05252010		P N W	501.5011.2041.000
15615	05/28/10	PACE SUPPLY CORP	12 MONUMENT FRAME/COVER	772.66	508794	05252010		P N W	100.1042.2101.045
15615	05/28/10	PACE SUPPLY CORP	12 CLOSET CARRIER	820.63	508794	05252010		P N W	405.4050.4003.000
15615	05/28/10	PACE SUPPLY CORP	12 HARDWARE	218.53	508794	05252010		P N W	405.4050.4003.000
				1,993.47	*CHECK TOTAL				
15616	05/28/10	PEABODY/BOB	4415 PER DIEM	68.00	508792	05252010		P N W	100.1030.2081.030
15617	05/28/10	PEAT/LESTER	4281 WATER OPERATOR III	2,040.00	508796	MAY 2010		P M W	503.5033.2081.030
15618	05/28/10	PITNEY BOWES	4414 POSTAGE	37.45	508790	97334480205		P N W	100.1002.2055.000
15619	05/28/10	PRIME SOLUTION INC	4419 SCRAPER BLADE	287.64	508819	5562		P N W	501.5013.2041.000
15620	05/28/10	PRINCIPAL MUTUAL LIF	629 LIFE INS PREMIUM	916.30	508793	N85577-1		P N W	690.231
15621	05/28/10	PRINTING PLUS	127 PRINTING	122.89	508791	11820		P M W	600.601
15622	05/28/10	R E M I F	135 DENTAL INS PREMIUM	6,164.00	508798	JUNE 2010		P N W	690.231
15622	05/28/10	R E M I F	135 VISION INS PREMIUM	915.00	508798	JUNE 2010		P N W	690.231
15622	05/28/10	R E M I F	135 EAP INS PREMIUM MAY	1 243.02	508798	JUNE 2010		P N W	690.231
				7,322.02	*CHECK TOTAL				

WARRANT	DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F 9 S	ACCOUNT
GENERAL CHECK FORM									
15623	05/28/10	REDWOOD ELECTRICAL S	4416 AIRPORT HANGER REWI	2,390.00	508852	1594		P N W	500.5001.2045.000
15624	05/28/10	REDWOOD HEATING & CO	4417 SKYLIGHT FLASHING	464.47	508799	37072		P N W	405.4050.4003.000
15625	05/28/10	REESE CONSULTING	4424 PRETREATMENT TANK M	1,400.00	508837	10-0184		P N W	503.5034.2061.012
15626	05/28/10	RODNEY L WILBURN JR	4313 W COMMERCIAL STREET	427.50	508810	5		P M W	202.2020.4003.000
15626	05/28/10	RODNEY L WILBURN JR	4313 CENTRAL ST REHAB	1,627.00	508810	5		P M W	202.2020.4003.000
15626	05/28/10	RODNEY L WILBURN JR	4313 W COMMERCIAL STREET	190.00	508810	5		P M W	202.2020.2081.030
15626	05/28/10	RODNEY L WILBURN JR	4313 W COMMERCIAL ST	1,263.50	508810	5		P M W	202.2020.4003.000
				3,508.00	*CHECK TOTAL				
15627	05/28/10	ROUND TREE GLASS	138 TEMPERED GLASS	29.61	508797	47375		P N W	600.601
15628	05/28/10	SANTA ROSA FIRE INC	4167 EXTINGUISHER SERVICE	352.92	508802	122636/122635		P N W	100.1041.2081.030
15628	05/28/10	SANTA ROSA FIRE INC	4167 EXTINGUISHER SERVICE	106.43	508802	122636/122635		P N W	201.2011.2101.045
15628	05/28/10	SANTA ROSA FIRE INC	4167 EXTINGUISHER SERVICE	18.51	508802	122636/122635		P N W	213.2133.2101.045
15628	05/28/10	SANTA ROSA FIRE INC	4167 EXTINGUISHER SERVICE	18.50	508802	122636/122635		P N W	501.5011.2081.030
15628	05/28/10	SANTA ROSA FIRE INC	4167 EXTINGUISHER SERVICE	98.00	508802	122636/122635		P N W	100.1016.2041.000
				594.36	*CHECK TOTAL				
15629	05/28/10	SHAW ENVIRONMENTAL I	4257 STORMWATER REPORT	915.25	508800	515249-R8-0050		P N W	213.2133.2081.030
15630	05/28/10	SIERRA CHEMICAL CO.	4330 WWTP TESTS	462.00	508818	83699		P N W	501.5013.2061.015
15631	05/28/10	SOLID WASTE OF WILLI	330 BIN SERVICE	308.81	508801	2082		P N W	501.5013.2041.000
15632	05/28/10	UKIAH PAPER SUPPLY I	164 BATH TISSUE/TOWEL	225.65	508804	362678		P N W	100.1050.2101.045
15633	05/28/10	UNITED PARCEL SERVIC	165 WWTP PLANS SHIPPING	325.62	508803	00005382F9190		P N W	430.4330.2055.001
15633	05/28/10	UNITED PARCEL SERVIC	165 1/2 SERVICE CHARGE	25.00	508803	00005382F9190		P N W	100.1040.2055.000
15633	05/28/10	UNITED PARCEL SERVIC	165 1/2 SVC CHARGE & SHIPP	41.42	508803	00005382F9190		P N W	100.1042.2055.000
				392.04	*CHECK TOTAL				
15634	05/28/10	USA BLUEBOOK INC	3997 GLOVES	177.97	508829	153975		P N W	503.5031.2101.033
15635	05/28/10	W P O A	262 EMPLOYEE CONTRIBUTION	922.68	508840	05282010		P N W	690.234
15636	05/28/10	WILLITS KIDS CLUB	3981 PAYROLL DEDUCTION	40.00	508839	05282010		P N W	690.248
15637	05/28/10	WILLITS NEWS	179 POOL MANAGER JOB POST	357.40	508806	174155/174157		P N W	100.1005.2091.000
15637	05/28/10	WILLITS NEWS	179 LEGAL ADVERTISEMENT	59.04	508806	174155/174157		P N W	100.1002.2090.000
				416.44	*CHECK TOTAL				
15638	05/28/10	WILLITS ONLINE LLC	4108 WCAC INTERNET SERVICE	45.00	508807	361337		P M W	600.601
15639	05/28/10	WILLITS POWER	1245 PARTS AND REPAIR	42.47	508809	1113		P M W	100.1050.2101.045
15639	05/28/10	WILLITS POWER	1245 PARTS AND REPAIR	18.74	508809	1113		P M W	100.1050.2041.000
15639	05/28/10	WILLITS POWER	1245 PARTS AND REPAIR	28.36	508809	1113		P M W	100.1041.2101.045
				89.57	*CHECK TOTAL				

Disbursements Journal

WARRANT	DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F 9 S ACCOUNT
		GENERAL CHECK FORM						
15640	05/28/10	WINZLER & KELLY CONS	590 RAILROAD AVE BRDG P	6,700.00	508805	51471		P N W 203.2030.4003.000
		GENERAL CHECK FORM	TOTAL	162,947.06				

Disbursements Journal

WARRANT	DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F 9 S ACCOUNT
REPORT TOTALS:				162,947.06				

RECORDS PRINTED - 000148



Item No. **4c**

Meeting Date: **June 9, 2010**

AGENDA SUMMARY REPORT

To: Honorable Mayor and Council Members

From: Adrienne Moore, City Clerk

Agenda Title: ADOPTION OF RESOLUTION AUTHORIZING WILLITS FRONTIER DAYS PARADE ROUTE FOR JULY 4, 2010 AND DECORATIONS ON PG&E POLES

Type: Presentation Consent Regular Agenda Public Hearing Urgent Time: _____

Summary of Request: Frontier Days has requested that the City approve the parade route for their annual parade on July 4th. The parade route will start at East Commercial Street and Highway 101, proceed south on Highway 101 to East Valley, and disband at Madden Lane and East Valley Street. PG&E has been contacted regarding placing the July 4th decorations on their poles.

Recommended Action: Adopt resolution authorizing Willits Frontier Days parade route for July 4, 2010 and decorations on PG&E poles.

Alternative(s): None recommended.

Fiscal Impact: N/A

Personnel Impact:

Reviewed by: City Manager City Attorney Finance Director Human Resources Risk

Council Action: Approved Denied Other: _____

Records: Agreement Resolution # _____ Ordinance # _____ Other _____

RESOLUTION NO. 2010-

RESOLUTION OF THE WILLITS CITY COUNCIL AUTHORIZING FRONTIER DAYS PARADE ROUTE – JULY 4, 2010, AND DECORATIONS ON PG&E POLES

WHEREAS, the Willits Frontier Days Association has applied to the State of California to conduct the annual Frontier Days Parade on State property; and

WHEREAS, said parade will begin at 11:00 a.m., on July 4, 2010, commencing at the City Park at East Commercial Street and Humboldt Street and proceed west on East Commercial Street, south on Highway 101 to East Valley Street, and disband at Madden Lane and East Valley Street; and

WHEREAS, the Frontier Days Parade will require the temporary closure of State Highway Route 101 on July 4, 2010, between Commercial Street and East Valley Street beginning at approximately 9:00 a.m. until approximately 1:00 p.m.; and

WHEREAS, said temporary closure will cause the re-routing of vehicular traffic on Main Street (Highway 101), as follows: Main Street west on Commercial Street to School Street; School Street south to Pine Street; Pine Street east to Coast Street; Coast Street south to West Valley Street; West Valley Street east to Highway 101; northbound traffic to follow same detour route in northerly direction; and

WHEREAS, in order for the parade to be held, Willits Frontier Days Association needs to seek permission from the Willits City Council, pursuant to the Caltrans and California Highway Patrol's Joint Policy Guidelines for Special Events on State Conventional Highway Rights-of-Ways to conduct a parade; and

WHEREAS, Willits Frontier Days Association also requests approval to install Frontier Days decorations on PG&E light poles on Highway 101 from Commercial Street south to the intersection of Highway 20, provided authorization is received from the PG&E Company.

NOW, THEREFORE, BE IT RESOLVED that the Willits City Council approves and consents to the proposed Frontier Days Parade and recommends approval of and consents to the proposed re-routing of traffic onto and over the described city streets upon terms and conditions deemed appropriate and necessary by the State of California, Department of Transportation.

BE IT FURTHER RESOLVED that the Willits City Council does hereby approve the installation of Frontier Days decorations on PG&E Company light poles on Highway 101 from Commercial Street south to the intersection of Highway 20, provided authorization is received from the PG&E Company.

The above and foregoing Resolution was introduced by Councilmember _____ seconded by Councilmember _____, and passed and adopted at a regular meeting of the Willits City Council, held on the 26th day of May, 2010, by the following vote:

AYES:
NOES:
ABSENT:

BRUCE BURTON, Mayor
City Council of the City of Willits

ATTEST:

ADRIENNE MOORE
City Clerk



Item No. 4d

Meeting Date: June 9, 2010

AGENDA SUMMARY REPORT

To: Honorable Mayor and Council Members

From: Paul Cayler, City Manager

Agenda Title: ADOPTION OF RESOLUTION APPROVING AN AWARD OF CONTRACT TO MENDOCINO CONSTRUCTION SERVICES, INC., FOR THE WEST COMMERCIAL STREET REHABILITATION PROJECT

Type: Presentation Consent Regular Agenda Public Hearing Urgent Time: _____

Summary of Request: During 2009, City staff, Consultant Rod Wilburn, of Willow Basin Engineering, and a group of community stakeholders, worked collaboratively to design the West Commercial Street Rehabilitation Project. After holding two community outreach meetings in July and August 2009, the City of Willits Engineering Department presented the final design of the project to the City Council at the regularly scheduled meeting in November 2009. Council approved the design at the meeting. The design was then finalized and a Notice to Bidders was published on March 20, 2010.

The West Commercial Street Rehabilitation Project bid opening was held on May 10, 2010. Five bids were received; of the five, the three lowest bids were: Mendocino Construction Services, Inc., at \$400,901, Argonaut Constructors at \$434,252, and Western Engineering at \$434,278. After reviewing the bid documents submitted by the apparent low bidder, Mendocino Construction Services, Inc., staff has concluded that their bid is valid. The bid received from Mendocino Construction Services fell \$198,695 under the Engineer's Estimate of \$599,596, which reduces the overall expense to the City. Therefore, staff recommends awarding the contract to Mendocino Construction Services, Inc.

Funding for the project will be split between the City and a grant provided by the American Recovery and Reinvestment Act (ARRA), administered by Caltrans. Caltrans-ARRA has approved most of the expenses for the project, but there are a few costs that do not qualify for the grant funds. The bid for the project only contains Caltrans-ARRA approved expenses. Since the bid was considerably lower than the Engineer's Estimate, the City contacted Caltrans to request that additional expenses related to materials testing and construction management in the amount of \$28,000 be covered under the grant funds. Caltrans indicated that they would qualify as approved expenses. Based on the bid received from Mendocino Construction Services, Inc., and the estimated \$28,000 for materials testing and construction management, the overall Caltrans-ARRA approved construction budget is now \$471,791, which includes a 10% contingency factor. Caltrans-ARRA has granted funding up to \$432,285 for approved costs. Therefore, the City's portion of Caltrans-ARRA approved expenses is \$39,506.

Expenses not covered by the Caltrans-ARRA funding include redwood and concrete planters, plant matter, soil, irrigation, and installation labor. These costs are estimated at \$51,700. The City's portion of the anticipated expense for construction (approved costs-\$39,506 and unapproved costs-\$51,700) is \$91,206. Additional expenses associated with initial and on-going maintenance of the planters have been identified. The first year's budget for the maintenance of plantings in the project site is estimated at \$16,500 (which includes a 10% contingency factor). Therefore, the total City expense for construction, plantings, and the first year of maintenance is \$107,706.

In summary, the total project cost is estimated at \$539,991, of which Caltrans-ARRA has granted the City \$432,285 and the City will be responsible for \$107,706.

A tabulation of anticipated costs is attached for review.

Recommended Action: That the City Council adopt a resolution awarding a construction contract to Mendocino Construction Services, Inc., for the West Commercial Rehabilitation Project, in an amount not to exceed \$400,901. In addition, upon recommendation of the City Engineer, authorize the City Manager or his designee to approve change orders no greater than 10% of the total contract amount.

Alternative(s): Award the construction contract for the West Commercial Street Rehabilitation Project to the next lowest bidder.

Fiscal Impact: Of the total project costs of \$539,991, Caltrans-ARRA has committed to granting the City \$432,285, and the City is responsible for \$107,706. If approved, the City will transfer \$91,206 from Fund 203 into Fund 207, a fund established for this project. The additional costs for the first year of planter maintenance, in the amount of \$16,500, would be budgeted in Fund 202. There will be ongoing fiscal impacts for personnel and maintenance related to the planters, these will be budgeted in Fund 202.

Personnel Impact: There will be some impact on personnel related to administering the contract and managing the construction of this project. There will be ongoing impacts on personnel for the continued maintenance of the planters.

Reviewed by: City Manager City Attorney Finance Director Human Resources Risk

Council Action: Approved Denied Other: _____

Records: Agreement Resolution # _____ Ordinance # _____ Other _____

RESOLUTION NO. 2010-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLITS AWARDING A CONSTRUCTION CONTRACT TO MENDOCINO CONSTRUCTION SERVICES, INC., OF WILLITS, CALIFORNIA, FOR THE CONSTRUCTION OF THE WEST COMMERCIAL STREET REHABILITATION PROJECT

WHEREAS, the scope of work for this project includes rehabilitation and upgrading of pavement, sidewalk, curb, gutter, ADA facilities and traffic calming structures; and

WHEREAS, the project was advertised for competitive bids on March 20, 2010, and five bids were received for the project and publicly opened on May 10, 2010; and

WHEREAS, Mendocino Construction Services, Inc., of Willits, California, is the lowest qualified bidder; and

WHEREAS, the bid analysis indicates that the bid is responsive and competitive, the contractor has good references, and has completed similar projects with the City of Willits; and

WHEREAS, staff recommends that this contract for the 2010-01 West Commercial Street Rehabilitation Project be awarded to the low bidder, Mendocino Construction Services, Inc., of Willits, California, for their bid amount of \$400,901; and

WHEREAS, the anticipated cost of construction of this project, if awarded to Mendocino Construction Services, Inc. of Willits, California, is estimated as follows:

<u>Construction Cost</u>	
Contractor's Bid for Construction	\$400,901
Materials Testing & Construction Management	\$ 28,000
Construction Contingency (10%)	\$ 42,890
Concrete & Redwood Planters	\$ 29,700
Planter installation (labor and materials)	\$ 22,000
1 st Year Planter Maintenance	<u>\$ 16,500</u>
	\$539,991

WHEREAS, Caltrans is administering funds to the City granted to them by the American Recovery and Reinvestment Act (ARRA), in the amount of \$432,285, for the construction of this project; and

WHEREAS, this project will not impact the General Fund, as there are sufficient funds budgeted in the Proposition 1B Transportation Bond Projects and Transportation Sales Tax Improvement Program Funds to pay for this work.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Willits awards a construction contract to Mendocino Construction Services, Inc., in the amount of \$400,901, for the West Commercial Street Rehabilitation Project, and authorizes the City Manager to execute the contract.

The above and foregoing Resolution was introduced by Councilmember seconded by Councilmember , and passed and adopted at a regular meeting of the City Council of the City of Willits, held on the day of , 2010, by the following vote:

AYES:
NOES:
ABSENT:

BRUCE BURTON, Mayor
City Council of the City of Willits

ATTEST:

ADRIENNE MOORE
City Clerk

Engineer's Estimate - West Commercial Street Rehabilitation Project
 REVISED ESTIMATE / NOW INCLUSIVE OF CONTRACTOR'S ACTUAL BII

Last Updated
 6/1/10

CONTRACTOR'S BID - <u>CALTRANS APPROVED</u>					
No.	Item Description	Est. Quantity	Units	Unit Cost	Total
1	Mobilization, Insurance and Permits	1	LS	\$ 7,100.75	\$ 7,100.75
2	Traffic Control/Management	1	LS	\$ 5,685.00	\$ 5,685.00
3	Storm Water Pollution Prevention	1	LS	\$ 1,280.00	\$ 1,280.00
4	Materials Testing (Contractor's portion)	1	LS	\$ 5,750.00	\$ 5,750.00
5	Adjust Manholes to Grade	4	EA	\$ 394.00	\$ 1,576.00
6	Adjust Water Valves, Water Meters, Cleanouts, and Monuments to Grade	22	EA	\$ 313.00	\$ 6,886.00
7	Reset Existing Utility Boxes (Electrical, Traffic Loop)	2	EA	\$ 750.00	\$ 1,500.00
8	Edge Grind	1740	SY	\$ 3.60	\$ 6,264.00
9	Cross Sidewalk Drains	6	EA	\$ 702.00	\$ 4,212.00
10	Subgrade Stabilization/Digouts	1020	SY	\$ 43.00	\$ 43,860.00
11	3/4" Asphalt Concrete Pavement	490	Ton	\$ 99.40	\$ 48,706.00
12	1/2" Asphalt Concrete Pavement	650	Ton	\$ 94.10	\$ 61,165.00
13	Pavement Reinforcing Fabric	5830	SY	\$ 1.95	\$ 11,368.50
14	Concrete Valley Gutter	90	SF	\$ 21.50	\$ 1,935.00
15	30" Curb and Gutter	1268	LF	\$ 32.00	\$ 40,576.00
16	Vertical Curb	41	LF	\$ 41.75	\$ 1,711.75
17	Concrete Sidewalk (4" Thickness)	5235	SF	\$ 10.80	\$ 56,538.00
18	Concrete Driveways (6" Thickness)	1300	SF	\$ 11.20	\$ 14,560.00
19	Concrete ADA Access Ramps	1454	SF	\$ 11.00	\$ 15,994.00
20	Raised Concrete Crosswalks (8" Thickness)	1900	SF	\$ 14.00	\$ 26,600.00
21	Traffic Stripes, Center Line (4" Thermoplastic)	600	LF	\$ 0.50	\$ 300.00
22	Traffic Stripes, Bike Lane (6" Thermoplastic)	5600	LF	\$ 0.60	\$ 3,360.00
23	Curb Marking (Paint)	400	LF	\$ 1.25	\$ 500.00
24	Crosswalk Pavement Markings (Thermoplastic)	1850	SF	\$ 3.20	\$ 5,920.00
25	Signs	3	EA	\$ 207.00	\$ 621.00
26	Traffic Loop	4	EA	\$ 1,000.00	\$ 4,000.00
27	Trench Drain and Grate	72	LF	\$ 273.00	\$ 19,656.00
28	Through Sidewalk Drain and Grate	12	LF	\$ 273.00	\$ 3,276.00
Contractors Bid - Sub Total					\$ 400,901.00

ADDITIONAL PROJECT COSTS - <u>CALTRANS APPROVED ITEMS</u>					
No.	Item Description	Est. Quantity	Units	Unit Cost	Total
29	Materials Testing (City portion)	1	LS	\$ 12,500.00	\$ 12,500.00
30	Construction Management	1	LS	\$ 15,500.00	\$ 15,500.00
Additional Caltrans Approved Costs - Sub Total					\$ 28,000.00

Sub Total of All Caltrans Approved Items	\$ 428,901.00
10% Contingency	\$ 42,890.10
TOTAL CALTRANS APPROVED ITEMS (includes contractors bid)	\$ 471,791.10

ANTICIPATED CALTRANS FUNDING	\$ (432,285.00)
Under Funded by ARRA - therefore be City Share of Caltrans approved items only	\$ 39,506.10

Transfer from Fund 203 to 207

ADDITIONAL PROJECT COSTS (APPROVED BY COUNCIL 11/2009) - <u>NON CALTRANS APPROVED ITEMS</u>					
No.	Item Description	Est. Quantity	Units	Unit Cost	Total
31	Concrete Planters (exclusive of plants)	32	EA	\$ 531.25	\$ 17,000.00
32	Redwood Planters (<i>this is material only - volunteer's to construct planters</i>)	48	EA	\$ 208.34	\$ 10,000.32
Subtotal					\$ 27,000.32
10 % Contingency					\$ 2,700.03
TOTAL					\$ 29,700.35

Transfer from Fund 203 to 207

ADDITIONAL PROJECT COSTS - <u>NON CALTRANS APPROVED ITEMS</u>					
No.	Item Description	Est. Quantity	Units	Unit Cost	Total
33	Irrigation	1	LS	\$ 10,000.00	\$ 10,000.00
34	Plant Matter & Soil (materials only)	80	EA	\$ 100.00	\$ 8,000.00
35	Labor (initial installation of plants)	1	LS	\$ 2,000.00	\$ 2,000.00
Subtotal					\$ 20,000.00
10 % Contingency					\$ 2,000.00
TOTAL					\$ 22,000.00

Transfer from Fund 203 to 207

ADDITIONAL PROJECT COSTS - <u>NON CALTRANS APPROVED ITEMS</u>					
No.	Item Description	Est. Quantity	Units	Unit Cost	Total
36	1st Years Maintenance of Plants 2010/11 budget year (<i>there will be ongoing costs for this</i>)	1	LS	\$ 15,000.00	\$ 15,000.00
Subtotal					\$ 15,000.00
10 % Contingency					\$ 1,500.00
TOTAL					\$ 16,500.00

Budget in Fund 202, not as transfer to 207

TOTAL	\$ 539,991.45
Caltrans Funding	\$ (432,285.00)
City Funding from Fund 202 Transferred to Project Fund of 207	\$ 107,706.45



Item No. **4e**

Meeting Date: **June 9, 2010**

AGENDA SUMMARY REPORT

To: Honorable Mayor and Council Members

From: Jim Lance, City Attorney

Agenda Title: APPROVAL, ON BEHALF OF THE CITY OF WILLITS AND THE CITY OF WILLITS COMMUNITY DEVELOPMENT AGENCY, TO AUTHORIZE THE CITY MANAGER AND THE COMMUNITY DEVELOPMENT DIRECTOR TO EXECUTE AN AGREEMENT SETTling MENDOCINO COUNTY SUPERIOR COURT CASE NO. SCUk CVG 078692 ENTITLED, "THE CITY OF WILLITS AND THE WILLITS COMMUNITY DEVELOPMENT AGENCY, PLAINTIFFS VS. MILDRED SANCHEZ, ET AT, DEFENDANTS"

Type: Presentation Consent Regular Agenda Public Hearing Urgent Time: ____

Summary of Request: In 2007, the City and the Community Development Agency (hereafter "City") brought suit against the owners of the real property located at 69 West Mendocino Street, Willits (the "site") and the former dry cleaning business known as Redwood Empire Cleaners. The City owns the real property immediately to the south and west of the site. During the course of constructing the Wood and School Street Parking Lot Project, the City discovered that the soil and groundwater underneath the City's real property was contaminated with tetracholorethene ("PCE), a chemical commonly used in dry cleaning operations. The City incurred expenses in the handling and disposal of the contaminated soil, as required by the Regional Water Quality Control Board. The lawsuit was filed for the purpose of recovering those costs.

In the early 1970's, the Defendants obtained a policy of liability insurance with limits of \$50,000. Upon the filing of this lawsuit, the insurers became obligated to defend and investigate the claim. This has resulted in significant, ongoing investigation and monitoring of the contamination at the expense of the insurer and without personal expense to the Defendants. A settlement has now been reached in which the insurer will pay the sum of \$45,000 to the City on behalf of the Defendants upon dismissal of the lawsuit. Staff recommends that the suit be settled on the terms set forth within the attached agreement.

Recommended Action: Approve the settlement agreement and direct that it be signed by the City Manager and the Community Development Director.

Alternative(s): None recommended.

Fiscal Impact:

Personnel Impact:

Reviewed by: City Manager City Attorney Finance Director Human Resources Risk

Council Action: Approved Denied Other: _____

Records: Agreement Resolution # _____ Ordinance # _____ Other _____

SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT (“Agreement”) is made and entered into as of this _____ day of April, 2010, by and between the City of Willits and the Willits Community Development Agency (collectively, “Willits”) on the one hand and Mildred Sanchez, the Estate of Rene Sanchez (individually and formerly doing business as Redwood Empire Cleaners), and Mildred A. Sanchez as Trustee of the Sanchez Family Trust (collectively, “Sanchez”) on the other. For convenience, Willits and Sanchez may be collectively referred to in this Agreement as the “Parties,” and each individually as a “Party.”

RECITALS

A. Sanchez is the current owner of real property located at 69 West Mendocino Street, in Willits, California (the “Site”). From approximately 1950 through 2004, Sanchez operated a dry cleaning business on the Site known as Redwood Empire Cleaners.

B. Willits owns real property located immediately to the south and west of the Site, which is part of a public works redevelopment project referred to as the Wood and School Street Parking Lot Project. In April 2005, Willits discovered that the soil and groundwater underneath the parking lot was contaminated with tetrachloroethene (“PCE”), a chemical commonly used in dry cleaning operations, and its breakdown products.

C. In February 2007, Willits filed an action in the Superior Court for the County of Mendocino to recover costs and fees incurred by Willits in removing and otherwise responding to the contamination (the “Action”). The Action is titled *The City of Willits and The Willits Community Development Agency v. Mildred Sanchez, et al.*, Case No. SCUk CVG 0798692. In the Action, Willits also sought to recover its attorneys’ fees incurred in responding to the contamination and prosecuting the Action, as specifically permitted under the Polanco Redevelopment Act, California Health & Safety Code Section 33459 *et seq.* (“Polanco Act”).

D. To avoid the costs and burdens of continued litigation, the Parties now wish to resolve the claims asserted by Willits’ in the Action, on the terms set forth below.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants, conditions, promises and payments contained in this Agreement, and for other good and valuable consideration, the receipt and legal sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

1. Payments by Sanchez. In consideration for dismissal of the Action, the release of claims set forth below, and the other covenants contained herein, Sanchez agrees to pay Willits the total sum of Forty Five Thousand Dollars (\$45,000.00) (the "Settlement Payment"). A portion of the Settlement Payment is to reimburse Willits for its attorneys' fees pursuant to the Polanco Act. The Settlement Payment shall be made by check payable to the Willits Community Development Agency and delivered to H. James Lance, 3000 Robinson Creek Road, Ukiah, California, 95482 within twenty (20) days of the Effective Date of this Agreement.

2. Dismissal By Willits. In consideration for the Settlement Payment, the release of claims set forth below, and the other covenants contained herein, Willits agrees that, within ten (10) days following receipt of the Settlement Payment, Willits shall file a request for dismissal of the Action with prejudice in the Superior Court, and serve a copy of the dismissal on counsel for Sanchez.

3. Release of Claims.

A. Release by Willits. Upon receipt of the Settlement Payment set forth in Paragraph 1 above, and except as set forth below, Willits forever discharges and releases Sanchez, and her affiliates, agents, assigns, beneficiaries, representatives, indemnitors, and successors, for all damages, costs or fees incurred by Willits through the Effective Date of this Agreement, arising from contamination at the Site and the claims alleged in the Action. Notwithstanding the foregoing, however, nothing in this Agreement is intended to or shall (i) release or otherwise compromise any claims by Willits arising after the Effective Date of this Agreement, including claims for costs or expenses incurred after the Effective Date for investigation and remediation, if any, and/or in connection with claims asserted by third parties relating to contamination at, under or emanating from the Site, or (ii) preclude or otherwise interfere with the ability of Willits to exercise its lawful authority over the Site, including the exercise of land use, zoning and police powers. In addition, nothing contained in this Paragraph 3.A shall constitute a release of Sanchez from her obligations under this Agreement.

B. Release by Sanchez. Except as set forth below, Sanchez, for herself and any affiliates, agents, assigns, beneficiaries, representatives, indemnitors and successors (including all purchasers of the Site or any portion thereof), and for all others claiming under or through any of them, forever discharges and releases Willits, its agencies, agents, boards, committees, departments, divisions, employees, officials (both appointed and elected), officers and any other related subdivision or entity, from all claims, past, present and future, whether known or unknown, relating to contamination (including PCE and its breakdown products) at, on, under or emanating from the Site. In connection with the above release, Sanchez acknowledges and expressly waives any rights under Section 1542 of the California Civil Code, which provides:

“A general release does not extend to Liabilities which the creditor does not know of or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor.”

Notwithstanding the foregoing, however, nothing in this Agreement is intended to or shall release or otherwise compromise claims by Sanchez related to alleged water damage to structures on the Site, if any. In addition, nothing contained in this Paragraph 3.B shall constitute a release of Willits from its obligations under this Agreement.

4. No Admission of Liability. This Agreement is made solely for the purposes of resolving the differences between the Parties addressed herein, and nothing in this Agreement shall be construed as or constitutes an admission of liability by any Party.

5. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of California. Claims for a violation of this Agreement shall be brought in a court of appropriate jurisdiction within the County of Mendocino.

6. Full Capacity and Authority. Each of the Parties represents and warrants, for itself only, that the person signing this Agreement has full authority and representative capacity to execute this Agreement on behalf of the entity for whom they are purporting to act.

7. Binding Authority. This Agreement, and all the provisions and terms set forth herein, shall be binding upon, and inure to the benefit of, the Parties hereto and their respective successors and permitted assigns (permitted assigns shall automatically include any subsequent purchaser(s) of the Site, or any portion thereof).

8. Notices. All notices required by this Agreement shall be provided in writing and shall be deemed received when (a) personally served, (b) two (2) days after being sent by registered or certified mail, return receipt requested, postage or charges prepaid, or by recognized overnight carrier, and addressed to the party for whom intended at such party's address herein specified, or at such other address as such party may have substituted therefore by proper notice to the other.

Notice to Willits shall be sent to:

Mr. Paul Cayler
111 E. Commercial Street
Willits, CA 95490
Phone: (707) 459-4601
caylerp@willitscity.com

with a copy to:

H. James Lance, Esq.
3000 Robinson Creek Road
Ukiah, CA 95482
Phone: (310) 459-6475
lancelaw@pacific.net

Notice to Sanchez shall be sent to:

Mrs. Mildred Sanchez
C/O Ms. Gayle Greene
P.O. Box 710
Mendocino, CA 95460

with a copy to:

Stephen B. Ardis, Esq.
Isola Law Group
405 West Pine Street
Lodi, CA 95240
Phone: (209) 367-7055
sardis@isolalaw.com

9. Entire Agreement. This Agreement contains the entire agreement and understanding between the Parties hereto with respect to the matters referred to herein. No other representations, covenants, undertakings, or other prior or contemporaneous agreements, oral or written, respecting such matters, which are not specifically incorporated herein, shall be deemed in any way to exist or to bind any of the parties. The Parties acknowledge that they have not

executed this Agreement in reliance on any such representations, covenants, undertakings, or agreements.

10. Benefit of Counsel. The Parties acknowledge that they have had the benefit of counsel of their own choice and have been afforded an opportunity to review this Agreement with their chosen counsel. The Parties further acknowledge that each of them, through their respective counsel, participated in the preparation of this Agreement, and it is understood that no provision hereof shall be construed against any party by virtue of the activities of said party or its attorney in the preparation and execution of this Agreement.

11. Severability. If any provision of this Agreement is deemed invalid or unenforceable, the remaining terms of this Agreement shall remain in full force and effect.

12. Counterparts. This Agreement may be executed in multiple counterparts, and all of which together shall be deemed to be a single document. In order to facilitate the settlement, the Parties agree that this Agreement shall be effective and binding upon the exchange of executed signature pages by facsimile or electronic mail, on the condition that each party shall provide original signatures to the other as soon as possible thereafter.

13. Amendments. This Agreement shall not be modified by any oral representation made before or after the execution of this Agreement. All modifications to this Agreement must be in writing and signed by the Parties.

14. Effective Date. This Agreement shall become effective upon its execution by the Parties.

IN WITNESS WHEREOF, the undersigned parties, by authority duly given, have executed this Agreement as of the Effective Date.

THE CITY OF WILLITS

By: Paul Cayler
Its: City Manager
Date: May ___, 2010

[SIGNATURES CONTINUED ON NEXT PAGE.]

THE WILLITS COMMUNITY DEVELOPMENT AGENCY

By: Alan Falleri
Its: Community Development Director
Date: May ___, 2010

MILDRED SANCHEZ, individually and formerly
doing business as REDWOOD EMPIRE CLEANERS

By: Mildred Sanchez
Date: May ___, 2010

THE ESTATE OF RENE SANCHEZ, individually and formerly
doing business as REDWOOD EMPIRE CLEANERS

By: Mildred Sanchez
Its: Trustee
Date: May ___, 2010

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Item No. 11a

Meeting Date: June 9, 2010

AGENDA SUMMARY REPORT

To: Honorable Mayor and Council Members

From: Alan Falleri, Community Development Director

Agenda Title: DISCUSSION AND POSSIBLE ACTION TO AMEND COUNCIL ACTION TAKEN ON SEPTEMBER 23, 2009, REGARDING A LICENSE AGREEMENT WITH JASON AND KRISTIN BRADFORD FOR THE USE OF CITY PROPERTY, TO DELETE THE REQUIREMENT THAT ENCROACHING IMPROVEMENTS BE REMOVED AT THE OWNER'S EXPENSE

Type: Presentation Consent Regular Agenda Public Hearing Urgent Time: 30 min

Summary of Request: On September 23, 2009, the City Council voted to revoke the license with Jason and Kristin Bradford and ordered the removal of the improvements the Bradford's had placed in the Maple Street right-of-way. Since that time, staff has been involved in various negotiations with the Bradford's and present occupants of the property to complete the removal of the improvements. The greenhouse and fence at the northwest corner of the property have been removed as well as a travel trailer, which was parked in the Maple Street right-of-way (which has been relocated to the street frontage at 284 Redwood Avenue). Several months ago, staff became aware of attempts by a local group of citizens to work toward a new settlement with Councilmember Hanson. As such, staff discontinued pursuing further action to remove the remaining improvements at that time. The remaining improvements consist of vegetated swales and earthworks for surface water diversion and retention, and fruit trees with posts and wire supports and other plantings. A new fence has been constructed along the westerly property boundary, which is the easterly right-of-way line for Maple Street. Councilmember Hanson has requested that this issue be brought back to the full Council for consideration of the settlement that has been worked out with the neighborhood.

Recommended Action: Accept the settlement worked out between Councilmember Hanson and the community group and direct staff to cease further efforts to cause the removal of the remaining improvements in the Maple Street right-of-way.

Alternative(s): Direct staff to continue to pursue enforcement of the removal of all improvements from the Maple Street right-of-way and restoration of the area to pre-improvement conditions.

Fiscal Impact: Fiscal impact would depend on direction given by the Council. Pursuing removal of improvements will involve additional staff time and costs of physically removing and disposing of the improvements, possible legal challenges and diverting staff from other tasks. Allowing the improvements to remain will necessitate a discussion of future maintenance and costs of same if borne by the City.

Personnel Impact: As with fiscal impacts above, impacts on personnel would depend on direction given by the Council. Pursuing removal of improvements will involve additional staff time and possible legal challenge, which would divert staff from other tasks. Allowing the improvements to remain could place additional work on staff for future maintenance.

Reviewed by: City Manager City Attorney Finance Director Human Resources Risk

Council Action: Approved Denied Other: _____

Records: Agreement Resolution # _____ Ordinance # _____ Other _____