

MINUTES OF THE WILLOWS CITY COUNCIL REGULAR MEETING HELD
January 26, 2010

1. The meeting was called to order at 7:00 p.m. by Mayor Baker.
2. **PLEDGE OF ALLEGIANCE:** Paige Baker led the Pledge of Allegiance.
3. **ROLL CALL:**
Present: Holvik, Towne, Hansen & Baker (Yoder joined the meeting at 7:07 p.m.)
Absent: None
4. **Agenda Review & Acceptance:** There were no recommended changes to the agenda by Staff or Council.
5. **Oral and Written Communications / Public Comment:** None
6. **Consent Agenda:** It was **moved** by Council Member Towne and **seconded** by Council Member Hansen to approve the Consent Agenda as presented. The motion was passed unanimously and the following items were approved/adopted:
 - a) Approval of General Check Register (21161-21194).
 - b) Approval of Payroll & Direct Deposit Check Registers (30391-30410 & Z001156-Z01196).
 - c) Approval of Minutes of the City Council January 12, 2010, Regular Meeting.
7. **Presentations and Proclamations:**
 - a) Police Chief Bill Spears presented Certificates of Appreciation to Willows Hardware, Sani-Food Market, Willows Starbucks, Willows Denny's, Willows Wal-Mart and the Last Stand Bar and Grill for their support in the "Toys for Tots" and "Cans for Cops" Campaigns and for allowing their business to be designated "drop-off" locations for these two campaigns.
 - b) Jason Grant of Premier Power and Stuart Schiffman of Solar Power Partners gave a presentation to the Council stating that they have prepared a Solar Energy Facility Proposal for the City in order to provide a solar energy facility at the City's Wastewater treatment plant. After reviewing the electrical load data at the plant, their model shows that an optimally sized fixed tilt solar energy facility would be 518 kW DC. Based on system size and other inputs to the model, they could offer the City a preliminary Power Purchase Agreement (PPA) rate of \$0.1540 per kWh with an annual 3.9% escalator. At this rate, the City can expect to save \$5,603 the first full year of operations and approximately \$470,998 over twenty years.

As one of America's premier independent solar power developers, Solar Power Partners (SPP) develops, owns and operates distributed solar energy facilities and sells solar generated electricity through PPAs. A solar PPA, or sPPA, is a long-term agreement to buy power from a company that produces electricity, and serves as an excellent alternative to financing and owning the system. SPP, using its own source of funds, builds a solar energy facility on

our customer's site and maintains and operates the facility for 20 years or longer. This facility generates reliable, long-term clean energy for use by their customers. Under the terms of the PPA, SPP assumes the risks and responsibilities of ownership when it purchases, operates, and maintains the solar facility. SPP cleans the solar panels regularly, provides preventative maintenance services, repairs any faults, monitors the energy production and maintains the system's overall health and well-being. Customers run their businesses as usual, without the responsibilities of owning a power plant.

At the end of the PPA term, the City has the option of purchasing the solar facility at fair market value, renewing the PPA on favorable terms, or opting to have the solar facility removed at no cost. The PPA enables customers to benefit from the use of clean energy while still receiving some of the benefits of ownership in the form of lower electricity costs and a progressive public image.

SPP will finance, own, operate and maintain the solar energy facility and will negotiate the power purchase agreement and site lease agreement with the City. SPP will then execute a separate contract with Premier Power for the design and installation of the solar energy facility.

Once the presentation concluded, significant discussion ensued among the Council, Staff, Mr. Grant and Mr. Schiffman and it was ultimately decided by unanimous consensus of the Council to direct staff to prepare an action item for a future agenda in order to consider moving forward with this project.

8. Public Hearings:

- a) Conduct a Public Hearing to receive and consider public input on the Abatements which occurred at 208 N. Sacramento Street (APN 003-151-001) and 322 W. Sycamore Street (APN 003-170-006) and upon conclusion, consider adoption of two Resolutions to confirm the abatement costs and declare them a special assessment. .

City Manager Steve Holsinger introduced this item to the Council explaining that the Willows Fire Department had received numerous complaints about the conditions of 208 N. Sacramento Street and 322 W. Sycamore Street. Upon inspection of both properties the Fire Department found numerous violations to include, but not limited to, illegal occupancy, hazardous electrical and heating, poor housekeeping, building available for entry of unauthorized persons, discarded building material and furniture, and general fire hazards. Per the City's Municipal Code Chapter 8.05 protocols were followed to have the public nuisances removed by the property owners. All attempts to contact the property owners were unsuccessful. The City Manager was called to both sites and they were both deemed an Immediate Dangerous Public Nuisance and the order was given to abate the properties. The City abatement contractor was directed to complete the necessary work. The abatement expenses from the City Contractor are to be billed to the property owners plus a 40% administration fee. Property owners that do not pay may have a lien placed against their property as a special assessment and these charges will appear on their tax statement from the county. With that, the City Manager requested that Mayor Baker conduct the public hearing in order to solicit any public input. Mayor Baker declared the public hearing open at 7:52 p.m. Jeff Williams had some questions about the procedures followed by the City in order to try to make contact with the property owners and how many attempts were made to contact them. He was also inquiring about the abatement fees and whether the amounts shown in the staff report reflected the 40% administrative fee. The City Manager addressed Mr. Williams'

questions explaining that several attempts were made to contact the owners by Certified Mail using the last known address on file with the County Assessor's office. He also stated that the abatement fees reflected in the Resolutions did already include the additional 40% administrative fee and that those will be the actual amounts assessed on the Property Owners' tax bills. Mayor Baker closed the public hearing 7:59 p.m. It was then **moved** by Council Member Holvik and **seconded** by Council Member Hansen to adopt a Resolution of the City Council of the City of Willows Confirming costs of abatement (\$12,130.48) and declaring a special assessment on Assessor's Parcel Number 003-151-001 (208 North Sacramento Street). The motion was unanimously passed. It was then **moved** by Council Member Holvik and **seconded** by Council Member Yoder to adopt a Resolution of the City Council of the City of Willows Confirming costs of abatement (\$2122.89) and declaring a special assessment on Assessor's Parcel Number 002-171-005 (322 W. Sycamore Street). The motion was unanimously passed.

- b) Conduct a Public Hearing to receive and consider public input concerning the City's proposed Hazard Mitigation Plan, and consider, by motion, adoption of a Resolution approving the plan.

The City Manager explained that the Federal Disaster Mitigation Act of 2000 requires that cities, counties and special districts have a Local Hazard Mitigation Plan to be eligible to receive FEMA hazard mitigation funds. During the development of the plan, City staff looked at all the natural hazards; Wildfire, Floods, Dam/Levee Failure, Earthquakes, Sinkholes, Landslides, Winter Storms, Volcano, Drought/Extreme Heat, Erosion, Severe Thunderstorms, Tornadoes, Hurricanes, Tropical Storms, Nor'easters and Tsunami. Due to the geographical characteristics of our location, not all of the typical hazards that may affect other parts of the country, or even other parts of California, are a threat in the City of Willows. During the planning process staff looked at a few specific major areas: Hazard Identification and Analysis, Community Vulnerability Assessment, Mitigation Action Plan and Maintenance of the Program. In order to complete the plan prior to Council adoption it is necessary to allow public input on the current plan during the monitoring and evaluation process. With that, the City Manager requested that Mayor Baker conduct the public hearing in order to solicit public input. Mayor Baker opened the public hearing at 8:08 p.m., and receiving no comments, subsequently closed the hearing at 8:08 p.m. At this point, Council requested a few minor changes in wording on the Resolution – specifically, changing “City of Cloverdale” to “City of Willows” and also changing “Bay Area” to “Sacramento Valley”. Additionally, there were some minor font discrepancies pointed out in the actual Hazard Mitigation Plan itself. The Clerk noted the changes and will be making all corrections prior to placing the Resolution into the Official Resolution Book. It was then **moved** by Council Member Holvik and **seconded** by Council Member Hansen to adopt a Resolution of the City Council of the City of Willows, approving the City of Willows Local Hazard Mitigation Plan with the aforementioned changes to the Resolution and the Plan. The motion was unanimously passed.

9. **Ordinances:** None.

10. **Items introduced by City Council or Administrative Staff for discussion purposes only:**

- a) Chief Spears informed the Council that last night's “Tip a Cop / Tip a VIP” fundraiser had a very nice turn-out, with approximately 160 people in attendance and \$2300.00 raised on tips alone. The Police Department and VIPS are tentatively planning to hold another “Tip a Cop / Tip a VIP” fundraiser in August. He also informed the Council that

he has heard a report that there may be a possible telephone scam going on in the City in which people are placing telephone calls to homes in order to solicit money for a Police K-9 unit. He assured the Council that the Willows Police Department does not ever solicit money by telephone.

11. **New Business:** None

12. **Council Member Reports:**

Council Member Yoder reported that he attended the recent Transit & Transportation Committee Meeting and the new Chair for 2010 is County Supervisor John Viegas and Council Member Hansen was elected to serve as Vice Chair.

Council Member Hansen stated that he has been in regular communication with Fire Chief Peabody about the Fire Department having to make several recent rescues of stranded motorists and passengers on County roads and/or State highways that were clearly marked “closed” due to flooding from the recent rain storms. He expressed that he is very concerned over the idea that the City is taking their fire engines and other vehicles and equipment through flood waters to rescue motorists who chose to ignore the closure signs and risked trying to drive on roads which were clearly dangerous. Not only is this creating unnecessary wear and tear to the City’s fleet, but more importantly, it is putting City staff in harms way and forcing them into dangerous situations. He wonders if the City could impose a fine for Cost Recovery by creating an Ordinance which would allow the City to cite and fine people who are clearly breaking the law and putting City staff and equipment at risk. Police Chief Spears stated that he would take the lead, along with Fire Chief Peabody and Public Works Director Greg Tyhurst, and do some research to see if any other Cities have a similar Ordinance in place. He will follow up with the Council after his research is completed.

13. **Executive Session:** None

14. **Adjournment:** The meeting adjourned at 8:22 p.m.

Dated: January 26, 2009

NATALIE BUTLER

City Clerk