

MINUTES OF THE WILLOWS CITY COUNCIL REGULAR MEETING HELD
April 13, 2010

1. The meeting was called to order at 7:00 p.m. by Mayor Baker.
2. **PLEDGE OF ALLEGIANCE:** Council Member Yoder led the Pledge of Allegiance.

3. **ROLL CALL:**
Present: Holvik, Towne, Yoder, Hansen & Baker
Absent: None

4. **Agenda Review & Acceptance:** There were no recommended changes to the agenda by the Council or Staff and it was **moved** by Council Member Yoder and **seconded** by Council Member Hansen to accept the April 13, 2010, agenda as presented. The motion was unanimously passed.

5. **Oral and Written Communications / Public Comment:**

Local Business Owner Rick Thomas presented a petition to the City Council regarding alleged comments recently made by the City Manager which stated that the objectives of the City Manager are counterproductive to the local economy, especially in a time of extreme unemployment and economic stress. Mr. Thomas requested on behalf of himself and the signers of the petition, that the Council address their Goals and Objectives as they relate to local businesses. Discussion ensued among the Council and it was the consensus of the Council to publicly notice and conduct a Public Hearing at the next City Council Meeting scheduled to occur April 27, in order to discuss Planning and Business Development Policies and allow for discussion and input from the public about the City's Policies and Procedures.

Local Business Owner Rick Reynolds addressed the Council, stating that he believed that the City's Sign Ordinance is too restrictive. He also suggested that the Council should replace the City Manager with someone who is from Willows or lives here in the County.

Local Business Owner and Willows Resident Laura Flannery addressed the Council, mirroring Mr. Reynolds' opinion regarding the restrictiveness of the Sign Ordinance.

City Manager Steve Holsinger addressed the Council and the audience regarding the allegations set forth in the petition, categorically denying ever making the statements that were alleged. He stated that he has the same goals and aspirations as many people in the community and one of his primary goals for the City was a revitalization of the downtown district. He also spoke of the business climate in the City, stating that the Business Community and the City need to work collaboratively find a way to move things forward in the City as it pertains to businesses.

Council Member Yoder spoke in regards to the petition and the comments which were allegedly made by the City Manager, stating that he refused to go on a witch-hunt against the City Manager and that he believed that the statements attributed to the City Manager were not made and he believed that they were fabricated for personal benefit.

Local Business Owner RaeAnn Titus addressed the Council refuting Council Member Yoder's comments, stating that she was disappointed that none of the Council Members ever contacted

her about the statements made to her by the City Manager. She also stated that Council Member Yoder stated in a public forum that she was a liar and that was a low blow.

Glenn County Businessman Forrest Sprague addressed the Council stating that there are two faces to the City Manager – the “behind closed door” face, and the face that the Council sees most of the time. He stated that those in the Public and Business sector deal with a different Steve Holsinger than the Council does.

Local Business Woman and Willows Resident Terry Taylor-Vodden addressed the Council stating that she wanted to issue an apology. First, she apologized to the people in the room that she stated she would normally be glad to be associated with, but not tonight, and next, she apologized to the City Manager who she stated was the victim in this situation, and that the people who have victimized him are now standing up and asking that they not be treated in the same manner. She stated that people in the public eye have to have tough skin, but the people coming forward need to equally have tough skin if they are going to come forward because of personal vendettas and personal attacks thinly disguised as something else.

6. Consent Agenda: Mayor Baker and Council Member Towne pointed out typographical errors on the Minutes of March 9 and March 22 successively. The City Clerk noted the changes and it was then **moved** by Council Member Hansen and **seconded** by Council Member Yoder to approve the Consent Agenda with the stated changes to the minutes. The motion was passed unanimously and the following items were approved/adopted:

- a) Approval of General Check Register (21354-21545).
- b) Approval of Payroll & Direct Deposit Check Registers (30495-30555 & Z001344 – Z001418).
- c) Approval of the Minutes of the City Council March 9, 2010, Regular Meeting.
- d) Approval of the Minutes of the City Council March 22, 2010, Special Budget Meeting.

7. Presentations and Proclamations:

- a) Mayor Baker read and presented a Proclamation to Rape Crisis Center representative Karen Alves, declaring the month of April as “Sexual Assault Awareness Month”.
- b) John Dobson of Southwest Water Company and Chief Operator of the City’s Waste Water Treatment Plant, gave a presentation to the Council regarding the operations of the plant. Mr. Dobson recently received the Treatment Plant Operator of the Year award by the California Water Environmental Association (CWEA) for establishing and practicing excellent operating procedures that ensure the facility’s compliance with environmental regulations. He manages all operations and maintenance at the Willows plant and is a certified operator in wastewater treatment, water treatment, and water distribution. Upon conclusion of his presentation, on behalf of the California Water Environment Association, Mr. Dobson presented the Mayor and the Council with the award for Wastewater Treatment Plant of the Year.

8. Public Hearings:

- a) Public Hearing to consider adoption of a Resolution to amend Library Procedure #14 (Interlibrary Loan Requests) to implement a \$3.00 charge for materials borrowed from libraries outside of the free delivery service area.

Library Director Sandie Hobbs introduced this item to the Council explaining that currently there is no charge for Interlibrary Loan (ILL) services. Being a part of the North Net Library System provides the Library free delivery within many counties in northern California. However, the Library has to pay for postage when sending their ILL materials to a library outside of the free service area as well as postage for returning ILL materials to out of free service area libraries. The postage typically ranges between \$2.26 and \$3.00, which does not include the cost of administrative time to search for and prepare ILL deliveries. The Library Board of Trustees agreed that the Library is not in a position to continue to incur all of the cost of ILL service, therefore she is asking that the Mayor conduct a Public Hearing and the Council Consider adopting a Resolution to change Library Procedure 14 to impose a \$3.00 fee for out of free delivery service area materials.

With that, Mayor Baker opened the Public Hearing at 8:05 p.m. and hearing no comments from the public, subsequently closed the hearing at 8:05 p.m. It was then **moved** by Council Member Holvik and **seconded** by Council Member Yoder to adopt a Resolution amending Rule #14 of the Library Procedures Manual of the Library Rules and Regulations for the City of Willows to impose a postage recovery fee of \$3.00 per each Interlibrary Loan Service outside the North Net Library System. The motion was unanimously passed.

- b) Public Hearing regarding possible CDBG Grant Projects.

The City is required to hold a public hearing to obtain public input in order to make a decision regarding applications for Community Development Block Grant (CDBG) funds. This public hearing is for the CDBG funds the City may apply for during the 2010/11 fiscal year. Grant projects from the General Allocation may be funded in accordance with the Funding Guidelines up to \$800,000. Additionally, Grants up to \$35,000 per year from the General Planning and Technical Assistance allocation and \$35,000 per year for Economic Development Planning and Technical Assistance allocation may be awarded and do not count toward the \$800,000 cap.

The major activity categories are General, Economic Development and Planning and Technical Assistance; Housing - New Construction; Housing - Acquisition; Housing - Rehabilitation; Community Facilities/Public Services; Public Works; and Economic Development. Projects funded with CDBG funds must carry out at least one of the three National objectives as follows: Benefit to Targeted Income Group (TIG) persons, elimination of slums and blight, and emergency and urgent need.

The City anticipates applying for up to the maximum grant amount of \$800,000 under the General and Economic Development components, if said funds become available, as well as the maximum grant amount of \$70,000 from the General and Economic Development Planning and Technical Assistance components.

Mayor Baker opened the Public Hearing at 8:09 p.m. and hearing no comments, subsequently closed the hearing at 8:09 p.m.. No action, other than conducting the Public Hearing, was required by the Council.

- c)

- c) Public Hearing to receive input and consider adoption of a Resolution to adjust Planning and Document fees.

On March 27, 2007, after the City underwent a review of planning related fees, the Council adopted Resolution 06-07, setting an updated fee schedule for a number of planning-related services. As part of the Resolution, Council directed the Finance Director to establish adjustment to the fees annually based on the Consumer Price Index. The change in the CPI, Western Urban, Size B/C Cities, is 1.4% for the period from February, 2009 to February, 2010. The change in the index is the basis for the proposed fee schedule as noted in the Resolution that is being presented for potential adoption. Finance Director Sailsbery stated that the increase in fees based upon 2009/10 activity through February would generate approximately an additional \$65 on an annualized basis. Due to the current economic times we are currently experiencing and the fact that the CPI is only 1.4%, staff is recommending that the Council not increase the fees at this time.

Mayor Baker opened the Public Hearing at 8:16 p.m. Mr. Rick Thomas addressed the Council regarding the pass-through fees requirement and other permits required by the City in order to obtain and operate a business. The Finance Director explained that the pass-through fees are designed to pay for the hourly cost of services to process applications and that a summary sheet listing the number of hours spent on each project is provided to the applicant. Mr. Forrest Sprague and Mr. Rick Reynolds each addressed the Council separately, mirroring Mr. Thomas' statements and concerns over the City's planning and development fees. Mayor Baker then closed the Public Hearing at 8:33 p.m. Brief Council discussion ensued and it was **moved** by Council Member Towne to adopt a Resolution adjusting the planning and document fees based on the most current CPI increase. The motion died due to lack of a second.

9. **Ordinances:** None.

10. **Items introduced by City Council or Administrative Staff for discussion purposes only:** None

11. **New Business:**

- a) Consider adoption of a Resolution authorizing the City Manager to sign a contract with Granite Construction for the Rehabilitation of Tehama Street ARRA Project.

Public Works Director Greg Tyhurst presented this item to the Council, requesting that they adopt a Resolution awarding a construction contract for the Rehabilitation of Tehama Street ARRA Project to Granite Construction Inc. in the amount of \$303,027, and establish an overall budget of \$373,128 for the project. Mr. Tyhurst noted that the Construction Management and inspection will be provided by Coastland Civil Engineering and testing will be completed by Holdredge and Kull as sub consultants to Coastland, as staff does not have the necessary time to devote to providing these services. Both of these companies have experience in overseeing federally funded projects of this size and have provided a proposal to complete the construction management, inspection and testing services that has been found to be acceptable to staff.

This project is 100% federally funded through ARRA. The overall project funds allocated to construction by Caltrans for the project includes \$46,749 for design, \$430,818 for construction and \$72,925 for Construction Management and Inspection, for a total of \$550,492 allocated by Caltrans. As can be seen in the proposed budget, there is \$177,364 in additional funds available

above and beyond the project budget. Staff is currently in the process of working with the County and Caltrans to re-obligate these monies back to the City of Willows to be able to use for additional work on Tehama Street north of the proposed current project. Brief Council discussion ensued and it was **moved** by Council Member Holvik and **seconded** by Council Member Hansen to adopt a Resolution authorizing the City Manager to sign a contract with Granite Construction for the rehabilitation of Tehama Street ARRA Project. The motion was unanimously passed.

b) Set date and time of the next Budget Meeting.

By consensus of the Council, the next special budget meeting was set to occur on Monday, May 3, 2010 at 2:00 p.m.

12. Council Member Reports:

Council Member Hansen announced that the Shriners will be hosting a free screening clinic for children with diseases of the bones, joints, muscles, spinal cord injuries, limb length discrepancy, burns, plastic/reconstructive surgery, etc. at Glenn Medical Center on May 15 from 9:00 a.m. to 1:00 p.m.

Mayor Baker reminded everybody about the joint Cities & County meeting that will be taking place on Thursday, April 15 at Thunderhill Raceway

Mayor Baker adjourned the meeting into Executive Session at 8:47 p.m.

13. Executive Session: Pursuant to California Government Code § 54950 et seq., the City Council held a Closed Session. More specific information regarding this closed session is indicated below:

a) PERFORMANCE EVALUATION – Pursuant to Government Code § 54957 (b) (1)
TITLE: Police Chief

14. Report out of Closed Session: Mayor Baker reconvened into Open Session at 10:20 p.m. and reported that the Council directed the City Manager and the Law Enforcement Committee, consisting of Council Members Yoder and Hansen, to meet with Chief Spears to review the Evaluation.

15. Adjournment: The meeting adjourned at 10:21 p.m.

Dated: April 13, 2010

NATALIE BUTLER

City Clerk