

CITY COUNCIL

Gary Hansen, Mayor  
Vincent Holvik, Vice Mayor  
Jeff Cobb, Council Member  
Sandie Hobbs, Council Member  
Jim Yoder, Council Member

CITY MANAGER  
Steve Holsinger

CITY CLERK  
Natalie Butler



201 North Lassen Street  
Willows, CA 95988  
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[www.cityofwillows.org](http://www.cityofwillows.org)

**CITY COUNCIL MEETING AGENDA**

**Tuesday, August 9, 2011**

**7:00 p.m.**

1. Call to Order Willows City Council Regular Meeting 7:00 p.m.
2. Pledge of Allegiance
3. Roll Call
4. Agenda Review: (Requested Changes by Council or Staff)
  - a) Consider acceptance, by motion, of City Council August 9, 2011, Agenda.
5. Presentations & Proclamations:
  - a) Charles Anderson from the League of California Cities will give the Council a presentation on Economic Development.
6. Public Comment / Written Communications: Persons wishing to speak on a matter not on the agenda may be heard at this time; however, no action will be taken unless placed on a future agenda. (*Public Comment is generally restricted to three minutes*).
7. Consent Agenda: Consent items are considered to be routine by the City Council and will be enacted in one motion. There will be no separate discussion on these items unless a Councilperson or citizen requests, in which event the item will be removed from the consent agenda.
  - a) Consider approval of General Check Register.
  - b) Consider approval of Payroll & Direct Deposit Check Registers.
  - c) Consider approval of the Minutes of the Willows City Council Meeting held July 12, 2011.
  - d) Consider approval of the Minutes of the Willows City Council Meeting held July 26, 2011.
  - e) Consider adoption of a Resolution authorizing the City Manager to execute the restated Lease Agreement for operation of the Recycling Center between the Willows Kiwanis Club and the City of Willows.
  - f) Consider adoption of a Resolution seeking proposals to establish a Professional Services Agreement for Legal Advertising Services.

8. **Public Hearings:** *(Persons wishing to speak on a Public Hearing item are asked to approach the microphone to address the Council and limit comments to three minutes. It is also requested that you please state your name for the record).*

- a) Conduct a Public Hearing to Acknowledge the Accomplishments under CDBG Grant No. 08-PTAG-5357 (Housing Element Study) and Authorize Staff to Complete the Close-Out Process of the Grant.

9. **Ordinances:** None

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

11. **New Business:**

- a) Consider approval of acceptance of a bid proposal and enter into a contract with Madsen Roofing Company to repair and replace the roofing surface at the Civic Center per plans and specifications and appropriate \$118,294 in Community Discretionary Funds (Fund 330) as the primary funding source for the project.
- b) Consider allowing the Fire Chief to go out to bid for Fitness Equipment in conjunction with the Fire Department's Health and Wellness Program and approve the RFP specification sheet and time line.
- c) Consider adoption of a specific goal and possible strategies to facilitate attainment of that goal during the 2012/13 Budget Development process.

12. **Council Member Reports:**

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

**PERFORMANCE EVALUATION** – Pursuant to Government Code § 54957 (b) (1), which states:

“Subject to paragraph (2), nothing contained in this chapter shall be construed to prevent the legislative body of a local agency from holding closed sessions during a regular or special meeting to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee unless the employee requests a public session.”

**TITLE:** City Manager

14. **Report-Out from Closed Session:**

15. **Adjournment:**

**CERTIFICATION:** Pursuant to Government Code §54954.2 (a), the agenda for this meeting was properly posted on or before August 5, 2011.

A complete agenda packet, including staff reports and back-up information, is available for public inspection during normal work hours at City Hall or the Willows Public Library at 201 North Lassen Street in Willows or on the City's website at [www.cityofwillows.org](http://www.cityofwillows.org).

In compliance with the Americans with Disabilities Act, the City of Willows will make available to members of the public any special assistance necessary to participate in this meeting. The public should contact the City Clerk's office at 934-7041 to make such a request. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

**MINUTES OF THE WILLOWS CITY COUNCIL ADJOURNED MEETING HELD**  
**July 12, 2011**

1. The meeting was called to order at 7:00 p.m. by Mayor Hansen.
2. **PLEDGE OF ALLEGIANCE:** Police Sergeant Jason Dahl led the Pledge of Allegiance.
3. **ROLL CALL:**  
Present: Council Members Yoder, Cobb, Hobbs, & Mayor Hansen  
Absent: Holvik
4. **Agenda Review:**
  - a) It was **moved** by Council Member Yoder and **seconded** by Council Member Cobb to accept the City Council July 12, 2011, agenda as presented. The motion unanimously passed.
5. **Presentations & Proclamations:** None.
6. **Public Comment/ Written Communications:**

Rose Marie Thraikill gave the Council an update on past and upcoming Community and Chamber of Commerce events and activities. She also stated that the Willows Chamber of Commerce made a request of the City back in April for the City Department Heads to hold a "State of the City" public meeting, as the Chamber feels that there should be more dialogue between the City and the Businesses and the people in the community. She stated that the Chamber is still very interested in hosting this meeting and therefore they have made arrangements to hold a "State of the City" public meeting and luncheon at 12:00 p.m. at LaCascada Restaurant on Tuesday, September 20 and she made a formal request of the Mayor to find out the availability of Department Heads to attend and give an update on each of the City Departments. Mayor Hansen acknowledged Ms. Thraikill's request.

7. **Consent Agenda:**

Prior to taking action on the Consent Agenda, Rose Marie Thraikill asked that item 7 (e) which is to consider adopting a Resolution to correct and cure any perceived violations of the "Ralph M. Brown Act" during the regularly scheduled Council meeting held June 14, 2011, by rescinding specific directions provided to staff during the June 14, 2011, Meeting, be removed from the Consent Agenda. She stated that this has been a very controversial issue in the area and because of that she does not believe this item belongs on the Consent Agenda. She stated that Consent items are considered routine and this item is definitely not routine, so she asked that it be removed from the Consent Agenda and acted on separately. Mayor Hansen then announced that item 7 (e) would be removed from the Consent Agenda. It was then **moved** by Council Member Yoder and **seconded** by Council Member Hobbs to approve the Consent Agenda as

revised with the removal of item 7 (e). The motion unanimously passed and the following items were approved/adopted:

- a) Approval of General Check Register.
- b) Approval of Payroll & Direct Deposit Check Registers.
- c) Approval of the Minutes of the Willows City Council Meeting held June 14, 2011.
- d) Approval of the Minutes of the Willows City Council Special Budget Meeting held June 21, 2011.
- f) Approval of additional appropriation of \$858 in Cops Hiring Recovery Program (CHRP) Funds (Fund #378).
- g) Passage of second reading by title only, and final adoption of Ordinance Numbers 695-2011, 696-2011, 697-2011, 698-2011, 699-2011, 700-2011, 701-2011, 702-2011, 703-2011, 704-2011 & 705-2011.

It was then **moved** by Council Member Yoder and **seconded** by Council Member Cobb to adopt Consent Agenda item 7 (e). The motion unanimously passed and the following item was passed:

- e) Adoption of a Resolution to Correct and Cure any perceived violations of the "Ralph M. Brown Act" during the regularly scheduled Council Meeting Held June 14, 2011, by rescinding specific directions provided to staff during the June 14, 2011, Meeting.

**8. Public Hearings:**

- a) Conduct Public Hearing to receive comments and consider approval of the CDBG required Grantee Performance Report for Submission:

The California Department of Housing and Community Development – Community Development Block Program (CDBG) requires specific reporting of grantee activity and performance annually and at the conclusion of a grant period. As part of the performance report, a public hearing is to be held to gather public comment and input. The portion of housing rehabilitation loans that meet the criteria to be considered program income by CDBG standards are placed into a Revolving Loan Accounts (RLS) for reuse in one of the following ways according to the City's Program Income Re-Use Plan:

- Housing Rehabilitation Loans
- Economic Development Loans
- Placement of Funds into an open CDBG Grant activity
- Placement of Funds into a CDBG Eligible activity

No activity occurred pertaining to these funds in 2010-11, as the fund was significantly depleted prior to the 2009-10 fiscal year and funds are being collected to a point of being able to complete a project in accordance with the re-use plan.

Mayor Hansen opened the Public Hearing at 7:17 p.m. and receiving no comments, subsequently closed the Hearing at 7:17 p.m. It was then **moved** by Council Member Yoder and **seconded** by Council Member Hobbs to approve the grantee performance report for submission. The motion unanimously passed.

9. **Ordinances:** Action taken under item 7 (g).
10. **Items introduced by City Council or Administrative Staff for discussion purposes only:** None
11. **New Business:**
  - a) Consider the creation of a City Council Budget Steering Subcommittee for Fiscal Year 2012/2013 and appoint two Council Liaisons to serve on the committee:

The City Manager stated that as the Council and Staff worked through the development process for the 2011/2012 Fiscal Year budget there were a number of lengthy discussions that were held and there seemed to be some confusion about what the target deficit number was, what the goals of the development process was, and where the Council ultimately wanted to end up. Because of this communication breakdown, ultimately at the assessment upon the conclusion of adopting the budget it was stated that the Council and Staff had made a very poor effort in putting the budget together. He stated that he can accept that, and that he believes there are some things that Staff could have done better, but as part of that discussion there was a suggestion that perhaps the Council should form a subcommittee that could spearhead the efforts to identify some things early on and spearhead the process throughout the development of next fiscal year's budget. The earlier the City starts this process, the better, so if this is the direction that the Council chooses to take it would be advantageous to appoint two members to a Budget Steering Subcommittee as soon as possible and they could start this process immediately. The committee should come up with a stated goal and several objectives to achieve throughout the budget development process and perhaps design some methodologies in order to achieve those objectives or goals. This was an idea that was originally generated by the Council Members and with that said, he requested that the Council hold a discussion and appoint two members to this subcommittee and get the process underway as soon as possible.

Council Member Yoder stated that he agrees with the idea of the budget steering subcommittee. The Council for several years has tried to piece meal a budget together and they have taken an extreme amount of money from the reserves in order to fulfill current obligations, and then the Council has criticized the State of California for doing the same things that the City is doing. He stated that the Council needs to get the City's own fiscal house in order and they need to start early, identify the programs and the departments and determine what is essential to City operations, what the City needs, how many people the City needs, and they need to balance the budget. The Council has already looked at the Library and the Library is now currently sharing resources with Orland and he believes this is something the Council needs to look into possibly doing with all the departments. The Council needs to look at all departments and determine what and how things can be done better and how they can be more efficient. The Council definitely needs to be more "hands-on" with each of the departments so when they make future decisions they can be assured that they are making them given the resources that they have. The City Staff and the Council need to make these decisions together and the outlook for the future is grim so if the Council doesn't do something now, they will just continue to drain the reserves and they may find themselves like some other cities with either a small reserve and/or bankrupt. He does not believe that is the responsible thing to do to continue to allow for a deficit budget year after year.

Council Member Cobb agreed that what the Council is discussing is a very important topic and the City had quite a few issues with the development of the 2011/2012 Fiscal Year budget process. He doesn't believe that only a mid-year budget review is enough and he believes the Council needs to develop a subcommittee and take the full year and take full advantage of it and look at all options because this is instrumental in the progression of the City. With that, he stated he also believes that the Council shouldn't make a decision on which members the subcommittee panel should consist of until Council Member Holvik is present. He believes all of Council Members should be in attendance before they determine who is going to serve on this panel.

Council Member Hobbs stated that she really likes the idea that was in the staff report that talked about development of a revenue enhancement strategy to increase the City's revenue because she believes that one thing the Council really needs to focus on is how to get creative and figure out how to generate more revenue. She also wanted to clarify that in no way does the subcommittee do the jobs of the Department Managers because she thinks the Managers know how to balance a budget. She also believes that many times people can become complacent and not catch things because they are just in a "mode". She believes spearheading is a good thing but she thinks the subcommittee going in and line-iteming each department's budget is not the right way to go. She believes that should be the responsibility of the department heads. She believes the development of this subcommittee is a good and positive thing and she agrees with Council Member Yoder that the City's fiscal house is not in order and that needs to stop.

Mayor Hansen stated that he agrees with everything that his fellow Council Members have said and his vision of this subcommittee would be in no way a means to micro-manage the management staff, but rather to work closer with the management staff and get a handle on the upcoming fiscal year's tough budget.

The City Manager then addressed the Council regarding Council Member Cobb's earlier suggestion that the Council wait to appoint a subcommittee until all Council Members were present. He stated that he has had some extensive conversations with Council Member Holvik regarding this subcommittee and the fact that he would be absent for tonight's Meeting. Council Member Holvik had indicated to him that he would be happy with whatever decision the Council was to make. He stated that he is getting the impression that each of the five Council Members has an interest in serving on the subcommittee but the subcommittee isn't the final authority. The subcommittee is just that hands-on group that is going to meet with the departments and the management staff in determining what direction the Council wants to take with the City's budget development process for the upcoming fiscal year. He stated that if in fact all five members have an interest in serving, he suggested that maybe the best way to determine which two members would serve on the subcommittee would be to simply put all five members' names in a hat and draw out two names. If this is acceptable to the Council then there is no slight to Council Member Holvik's being absent as long as his name were included in the hat. This was something that he had discussed with Council Member Holvik knowing that he would not be present at this meeting. He stated that he is concerned about any delays in getting the subcommittee formed because he would like to meet with the selected members before the next Council meeting in order to get the process started right away. He wishes to have an item on the August 9 City Council Meeting Agenda in order for the full Council to discuss and determine the appropriate direction going forward. So without delay, he stated that he would really like to see

the subcommittee members identified at tonight's meeting if possible. The Mayor then asked the other Council Members who would be interested in serving on the subcommittee and all present, including the Mayor, indicated that they were all interested and willing to serve on it. At this time the City Clerk placed the five Council Members' names in a hat offered by Vern Roberts of the audience and Sergeant Jason Dahl asked Holly Myers of the audience to draw two names from the hat as he held it. The two names Mrs. Myers drew were Council Members Cobb and Holvik. The City Manager then stated that he will try to pin down a date and time to meet with the subcommittee members prior to the next City Council meeting.

**12. Council Member Reports:**

Council Member Yoder stated that he and Council Member Hobbs will be attending an EDC Conference in Sacramento on July 28.

Council Member Hobbs reported that she had a very productive meeting with the Citizens for Economic Stability (CES) last Thursday. She stated that she is encouraged about working with that group because she believes that as long as the Council can stay focused on economic development and how to generate revenue for the City she thinks it is for the common good of the entire community. She said that she plans to meet with them again to discuss some creative ideas. Council Member Hobbs also stated that CES puts together a newsletter on their website and a few editions ago it was pointed out in one of their articles that there was an EDC meeting held between the County and the City of Orland and it was stated in the article that the City of Willows was a "no-show" at that meeting. She stated that she would like to clarify that the City of Willows never received an invite to this particular meeting. The City of Willows was supposed to have received an invitation from a County Board of Supervisor, but unintentionally, the Supervisor failed to communicate this information to the Council, therefore the Council wasn't even aware that such a meeting was taking place. For the record she wanted to make it clear that the Council was never invited to attend, and therefore should not have been referred to as a "no-show". She closed by stating that the EDC subcommittee does plan on meeting with that group in the future.

Mayor Hansen reported that he recently attended a bi-annual meeting with the County, State representatives and other interested parties to discuss various issues concerning the County's Solid Waste facility in Artois. The Solid Waste facility has been removed from the list of violators of State standards as of June 24, 2011, and it is now in compliance with State permits. There was a design update about the first phase of the landfill closure and basically there is 3.5 million dollars in the bank currently for that closure, however, that closure is going to cost just under 8 million dollars. He stated it will be interesting to find out where the other 5 million dollars will come from before July of 2012.

**13. Executive Session:** None

**14. Adjournment:** Mayor Hansen adjourned the meeting at 7:45 p.m.

Dated: June 28, 2011

NATALIE BUTLER

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City Clerk

The City of Willows is an Equal Opportunity Provider

**MINUTES OF THE WILLOWS CITY COUNCIL REGULAR MEETING HELD**  
**July 26, 2011**

1. The meeting was called to order at 7:01 p.m. by Mayor Hansen.
2. **PLEDGE OF ALLEGIANCE:** Council Member Cobb led the Pledge of Allegiance.
3. **ROLL CALL:**  
Present: Council Members Cobb, Hobbs, Holvik & Mayor Hansen  
Absent: Yoder
4. **Agenda Review:**
  - a) It was **moved** by Council Member Holvik and **seconded** by Council Member Hobbs to accept the City Council July 26, 2011, Agenda as presented. The motion unanimously passed.
5. **Presentations & Proclamations:**
  - a) Barbara LaDoucer presented Mayor Hansen and the City Council with a Citation of Appreciation on behalf of the American Legion Auxiliary for the City's support, assistance and contributions they have given to the Legion Auxiliary over the past years.
  - b) Cathy Emerson, Project Manager for the Center for Economic Development, CSU, Chico, spoke to the Council explaining that a tri-county consortium (Glenn, Colusa and Lake), spearheaded by the Center for Economic Development and Corporation for Education Network Initiative in California will be submitting a grant application to expand and boost broadband use throughout the three-county region. Currently broadband availability is very low at local schools throughout the region and typically cannot be tapped in for any other use. The grant application is intended to secure funding for a three year broadband planning project. It is anticipated widespread broadband availability would foster economic development throughout the region, as well as improve services for local hospitals, government agencies and support for the local business community. The City Manager has drafted a letter in support of applying for the grant funding and is requesting that the Council authorize him to submit the letter of support and also to approve membership in the Tri-County Broadband Consortium Project.  
  
Some members of the audience, as well as members of the Council, had a few questions for Ms. Emerson which she addressed. Upon conclusion of discussions, Council Member Holvik **moved, seconded** by Council Member Cobb, to approve membership in the Tri-County Broadband Consortium Project and to authorize the City Manager to submit a letter of support for grant funding. The motion unanimously passed.
6. **Public Comment/Written Communications:** None.

7. **Consent Agenda:**

It was **moved** by Council Member Holvik and **seconded** by Council Member Hobbs to approve the Consent Agenda as presented. The motion unanimously passed and the following items were approved/adopted:

- a) Approval of General Check Register (23394-23430).
- b) Approval of Payroll & Direct Deposit Check Registers (Z02687-Z02725 & 31324-31351).
- c) Approval of the Minutes of the City Council Special City Council Budget Meeting held June 28, 2011.

8. **Public Hearings:**

- a) Conduct a Public Hearing to receive public input on the cost of weed abatement for the 2011 Weed Abatement season and upon conclusion, consider adoption of a Resolution confirming the costs of abatement and declaring them a special assessment:

Prior to turning this item over to Fire Chief Peabody to introduce, the Mayor indicated that the Council had received a letter on this subject from Bruce Palmgren and he read the letter into the record as follows:

“Dear Council Members, I request a ten day extension to present my objections in writing to the invoice submitted to me by the abatement administrator. It is unjust and unreasonable. I am totally disabled and cannot attend evening events. By copy of this letter, I hereby notify Mr. Skip Sykes of my request. Respectfully submitted, Bruce Palmgren.”

At this time Mayor Hansen then turned this item over to Chief Peabody for introduction. Chief Peabody stated that on April 26 the City Council adopted a Resolution declaring rubbish, refuse, and weeds to be a public nuisance and that the City Fire Department had made a survey of the areas in town that had a nuisance and notified the property owners that they must remove this nuisance or the City would perform the task and bill the property owner accordingly. In accordance with the California Administrative Code, a hearing is required prior to the adoption of the Resolution confirming cost of weed abatement and declaring those costs a lien against those properties on which work was performed. The purpose of this hearing is to discuss only the cost of the abatement.

Mayor Hansen opened the Public Hearing at 7:26 p.m. During the public hearing, Larry Bowman of 260 S. Crawford protested the abatement charges for the property located at 921 West Laurel Street, Rick Reynolds protested the abatement charges for the property located at 680 North Shasta Street and Valerie Corkill was asking for clarification of the work that was performed at 35 Donnie Lane. Barbara LaDoucer also spoke during the public hearing to ask why a property at the corner of Lassen and French Streets hadn't been given an abatement notice. With no more people requesting to speak during the public hearing, Mayor Hansen closed the Public Hearing at 8:03 p.m. Chief Peabody and Fire Captain Skip Sykes addressed all of the speakers' questions and concerns. Council discussion then ensued and after hearing the

circumstances surrounding the nature of the protests regarding the abatements that took place at 921 West Laurel Street and 680 North Shasta Street, the Council thought it would be best to waive the abatement charges for those properties and to remove them from the list.

Council Member Holvik **moved, seconded** by Council Member Cobb to adopt a Resolution confirming the costs of abatement and declaring them a special assessment with the removal of the abatement charges for 921 West Laurel Street (APN 001-231-014) and 680 North Shasta Street (APN 005-282-005). The motion unanimously passed.

9. **Ordinances:** None

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

Council Member Holvik asked the Police Chief about the June Police Activity Report and inquired about the difference between calls for service and self-initiated activity. Chief Spears explained that self-initiated activity is when an Officer is on patrol and witnesses a crime occurring as opposed to it being a dispatched call for service.

Council Member Hobbs announced that the Citizens for Economic Stability (CES) group will be sponsoring a Brown Act Training Workshop on August 4 from 5:30 p.m. to 7:30 p.m. at the Veterans' Memorial Hall. All of the Council Members thanked Holly Myers, a member of CES, for inviting the Council to attend the training, however, a majority of the Council Members indicated that they already had prior obligations or commitments and would not be able to attend the training.

The City Manager stated that the next Council Meeting to be held on August 9 is close to the anniversary of his fourth year of employment with the City. In a number of previous years, the Council has conducted an evaluation of the City Manager, which is something that is referenced in his contract. If there is no objection from the Council, he stated that he would like to schedule an evaluation to take place in Closed Session on August 9 in order to commence the evaluation process. He thinks that with some of the events of the past year, it is time that the Council formally address the performance of the City Manager. Either discussion can take place during the Closed Session on how the Council wishes to conduct the evaluation, or the Council can follow the process that has been used in past years. Since his employment with the City there has only been one formal evaluation actually completed and filed with the City. There was a second evaluation that took place, but that evaluation was never officially signed or turned over to City Staff by the Council to file, so there is currently only one evaluation on record with the City. So unless there are any objections from the Council he requested that the Council at least initiate the evaluation process at the August 9 meeting. The Mayor and Council Members all agreed and staff was directed to put this item on the August 9 Agenda as a Closed Session item. Council Member Hobbs then stated that she would like to see evaluations take place throughout the City on a regular and routine basis, as she believes performance evaluations to be a very important and valuable tool for employees as well as employers. She stated that she has heard from different employees throughout the City that they hadn't had evaluations in a long time and she would like to see evaluations conducted on an annual basis.

11. **New Business:** None

12. **Council Member Reports:**

Council Member Hobbs stated that she and Council Member Yoder will be attending an EDC seminar on Thursday in Sacramento. She also stated that the CES group is also looking into developing an EDC. She stated that as part of her and Council Member Yoder continuing to research the potential formation of an EDC for the City, she has asked the City Manager to provide her with information from other Cities of similar size whether or not they have established an EDC and find out who is involved, how are they functioning, the pros and cons of an EDC, etc.

Mayor Hansen reported that he and Council Member Yoder attended the most recent Regional Transit Commission and Transportation Committee meetings, and as he has stated at previous meetings, there have been severe cut-backs to the transit services County-Wide because of budget issues. At the most recent meeting there was a recommendation and a motion and it was approved by the Committee and the Commission to negotiate with Paratransit Services to craft a revised contract under the current contract option for a two year extension.

13. **Executive Session:** None

14. **Adjournment:** Mayor Hansen adjourned the meeting at 8:26 p.m.

Dated: July 26, 2011

NATALIE BUTLER

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City Clerk

The City of Willows is an Equal Opportunity Provider

**AGENDA ITEM**

August 9, 2011

**TO:** Mayor Hansen and Members of City Council

**FROM:** Steve Holsinger, City Manager

**SUBJECT:** Extension of the Current Lease Agreement for Operation of the Recycling Center between Willows Kiwanis Club and the City of Willows.

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**RECOMMENDATION**

By Motion, adopt a resolution, authorizing the City Manager to execute the Restated Lease Agreement for Operation of the Recycling Center between Willows Kiwanis Club and the City of Willows.

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**SITUATION**

During the past twenty-two years the City has allowed the continued occupation of a vacant Street Easement (i.e. Ash Street) located at approximately 490 South Tehama Street under a "lease" agreement between the Willows Kiwanis Club and the City of Willows. The Kiwanis Club operates a recycling center at this location. The original agreement developed and approved by the City Council in 1989 established the lease term of one year. Each year thereafter, it became a necessary formality to have City Council renew the lease term. Historically the formal authorization to continue the lease agreement suffered from frequent lapses in continuity. Sometime in the early 2000's the lease term was extended to three year windows. However during the past decade the agreement has expired several times. This again occurred following the last renewal in 2006, establishing the expiration date of December 31, 2009.

Therefore, Staff is recommending a modification of two sections of the original lease agreement. First the term of the lease is proposed to run concurrently with the fiscal periods for the City of Willows. An automatic renewal provision has been incorporated with the provisions under "term" and a stop-gap measure to allow some close-out or relocation activity should the necessity to terminate lease occur in the future. The second change merely extended the notice period to 60 days as opposed to 30 in the original agreement. These changes appear to be prudent language improvements within the provisions of the lease agreement. The City of Willows has not identified any alternative use for the property in question and encourages the continued operation of the recycling center at this location. Staff is recommending approval of the proposed changes in this renewal agreement.

**FINANCIAL CONSIDERATIONS**

None are anticipated in conjunction with the renewal agreement.

**NOTIFICATION**

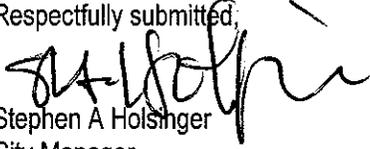
Willows Kiwanis Club

**RECOMMENDATION**

By Motion, adopt a resolution, authorizing the City Manager to execute the Restated Lease Agreement for Operation of the Recycling Center between Willows Kiwanis Club and the City of Willows.

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Respectfully submitted,



Stephen A Holsinger  
City Manager

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Attachments:

Resolution of the City Council of the City of Willows authorizing the City Manager to execute the Restated Lease Agreement for Operation of the Recycling Center between Willows Kiwanis Club and the City of Willows.

Exhibit 'A' – Restated Lease Agreement for Operation of the Recycling Center between Willows Kiwanis Club and the City of Willows.

**City of Willows  
City Council  
Resolution No. \_\_\_\_ 2011**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS APPROVING  
AN EXTENSION OF THE RESTATED LEASE AGREEMENT BETWEEN THE CITY  
OF WILLOWS AND THE WILLOWS KIWANIS CLUB AND AUTHORIZING THE  
CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY**

**Whereas**, the City of Willows is the owner of vacant real property located at 490 South Tehama Street in the City of Willows; and

**Whereas**, the Kiwanis Club wishes to utilize the above-described property for the purpose of operating a recycling center; and

**Whereas**, it is understood this activity would be in the best interest of the general public and a continuing convenience of the citizens of the City of Willows; and

**Whereas**, the Kiwanis Club has operated a recycling center at this location since 1989

**Now Therefore Be It Resolved** the City Council of the City of Willows does hereby approve the Restated Lease Agreement between the City of Willow and the Willows Kiwanis Club; incorporated by reference as Exhibit A and the City Manager is hereby authorized to sign the same, on behalf of the City.

**IT IS HEREBY CERTIFIED** that the foregoing Resolution No. \_\_\_\_ 2011 was duly introduced and legally adopted by the City Council of the City of Willows at its regular meeting held on this 9th day of August 2011, by the following roll call vote: ( )

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved

Attested

\_\_\_\_\_  
Gary Hansen, Mayor

\_\_\_\_\_  
Natalie Butler, City Clerk

CITY OF WILLOWS, )  
A Municipal Corporation, )  
And )  
WILLOWS KIWANIS CLUB, )  
A Non-profit Corporation )

**LEASE AGREEMENT**

THE CITY OF WILLOWS, a Municipal Corporation, hereinafter referred to as "City," hereby leases to the Willows Kiwanis Club, a Non-profit Corporation, hereinafter referred to as "Lessee," the use of the real property situated at 490 South Tehama Street in Willows, California.

**AGREEMENT**

In consideration of the mutual promises of the parties, it is hereby agreed as follows:

1. TERM OF THE AGREEMENT:

a.) Fiscal Year Term: The term of this agreement shall be for one year at a time and shall commence on July 1<sup>st</sup> of each year through June 30<sup>th</sup> of the following year, that is, it shall run concurrently with the City's Fiscal Year period.

b.) Initial Transition Term: To facilitate transition of this term from the original 1989 agreement, the initial term of this agreement shall be from August 9, 2011 through June 30, 2012.

c.) Automatic Renewal: The agreement shall automatically renew for each subsequent fiscal year, unless notice is given in writing by the City or the Kiwanis to the other party, not less than sixty (60) days before the expiration of the then current term. If either party does notify the other of the sixty (60) day termination notice; then the term of the agreement shall automatically convert to one final six-month term, from the expiration of the term in which termination notice was provided. Unless an agreement is extended in writing between the two parties, the agreement shall expire at the end of the final six-month term; on December 31<sup>st</sup> of that final termination year.

2. RENTAL AMOUNT: Lessee shall not be required to pay to the City any cash rental sum. However, Lessee is specifically authorized to continue to maintain improvements to the property described herein. Said improvements are illustrated on Exhibit "A" which is attached hereto and incorporated herein by this reference, and upon termination of this agreement, these improvements shall become the sole property of the City of Willows.
  
3. USE OF PROPERTY: Lessee is authorized to use the property described above for purposes of operation of their recycling center. Lessee shall be solely responsible for payment of all water, electricity, natural gas, telephone charges, and all other charges associated with the use of the property. Lessee is responsible for payment and disposal of all garbage, rubbish, and waste produced by this activity.  

Lessee is solely responsible for any damage to City property that results from the use of the above-described real property and any equipment or machinery used by Lessee on the premises.
  
4. CONDUCT OF BUSINESS: Lessee shall comply with all ordinances of the City and the County of Glenn as well as all Federal and State statutes, laws, rules and regulations, especially those laws pertaining to operation of a recycling center. Lessee further agrees to conduct this business upon the premises in an orderly and prudent manner and not to commit or allow to be committed any nuisance on or about the premises. Lessee agrees not to allow their patrons to conduct themselves in a loud or boisterous manner nor will they operate this business in a manner that will interfere with the quiet enjoyment of the area by members of the community. In conducting this business, Lessee shall not interfere in any way with the flow of traffic or activities of its customers in or about Tehama Street in Willows.
  
5. DISCRIMINATION: Lessee shall not discriminate against any employee, applicant for employment, patron, or member of the general public on account of race, creed, color, national origin, gender, or religion.

6. LIABILITY AND INDEMNITY: Lessee covenants and agrees that they will at all times exercise reasonable care and diligence in and about the use and occupation or operation of the premises in conducting this business so as to avoid causing injury to any person or persons whomsoever, or to any property. Lessee shall and will protect, indemnify, and save harmless the City from any liability to any and all persons for damage and injury caused or sustained by such persons by reason of any act on the part of said Lessee, or any of their members, employees, agents, or servants, or any other person, in relation to the operation of this recycling center. Further, Lessee agrees to protect, indemnify, and save harmless the City from all actions, suits, attorney's fees and costs of litigation arising out of any claim for injury to person or property in relation to the conduct of this business on the above-mentioned property.

Lessee shall maintain in full force and effect during the term of this agreement, a valid and unexpired comprehensive public liability and property damage insurance policy, with a minimum combined single limit of \$500,000.

Lessee, at all times, shall keep fully insured, at their own expense, all persons employed by them in connection with this agreement as required by California Labor Code Sections 3200 et seq. and shall hold the City free and harmless from all liabilities that may arise by reason of the injuries to any of the employees of the Lessee who are injured while performing at work or labor necessary to carry out the provisions of this agreement. All insurance policies shall name the City and its Councilmembers, officers, agents, and employees as additional co-insureds. Lessee shall file with the City a certificate of insurance duly executed by the Lessee's insurance carrier or carriers, which shall serve as evidence of the continued existence of said insurance policy. Lessee's insurance carrier shall be required to give the City ten (10) days written notice prior to the cancellation of the Lessee's insurance.

7. NO ASSIGNMENT: Lessee shall not sell, assign or transfer this agreement, or any interest therein, either in whole or in part, without the written consent of the City Council of the City. In no event shall Lessee have any right to lease the premises or sell or lease any of the improvements thereon that are owned by the City.

8. DEFAULT: In the event of default made by Lessee in the performance of any of the obligations under this agreement, the City may, at its option and without notice, terminate this agreement. The City may also exercise any and all other rights in law or in equity, which are or may become available to the City in the event of a breach and/or default by Lessee in its obligations hereunder.
  
9. EXCLUSIVE USE: Lessee is hereby granted by the City the exclusive use of the property described herein and the City, during the term of this agreement, will not enter into a similar agreement with any other person, firm or corporation.
  
10. TERMINATION: Either party has the right to terminate this agreement upon giving sixty (60) days written notice of their intent to terminate the agreement. Notices shall be given by personal delivery or first class mail. Notice to the City shall be addressed to the City Manager, City of Willows, 201 North Lassen Street, Willows, California 95988, and Notice to Kiwanis shall be addressed to Club President, Willows Kiwanis Club, P.O. Box 133, Willows, California 95988.

Dated:

Dated:

\_\_\_\_\_  
Willows Kiwanis Club

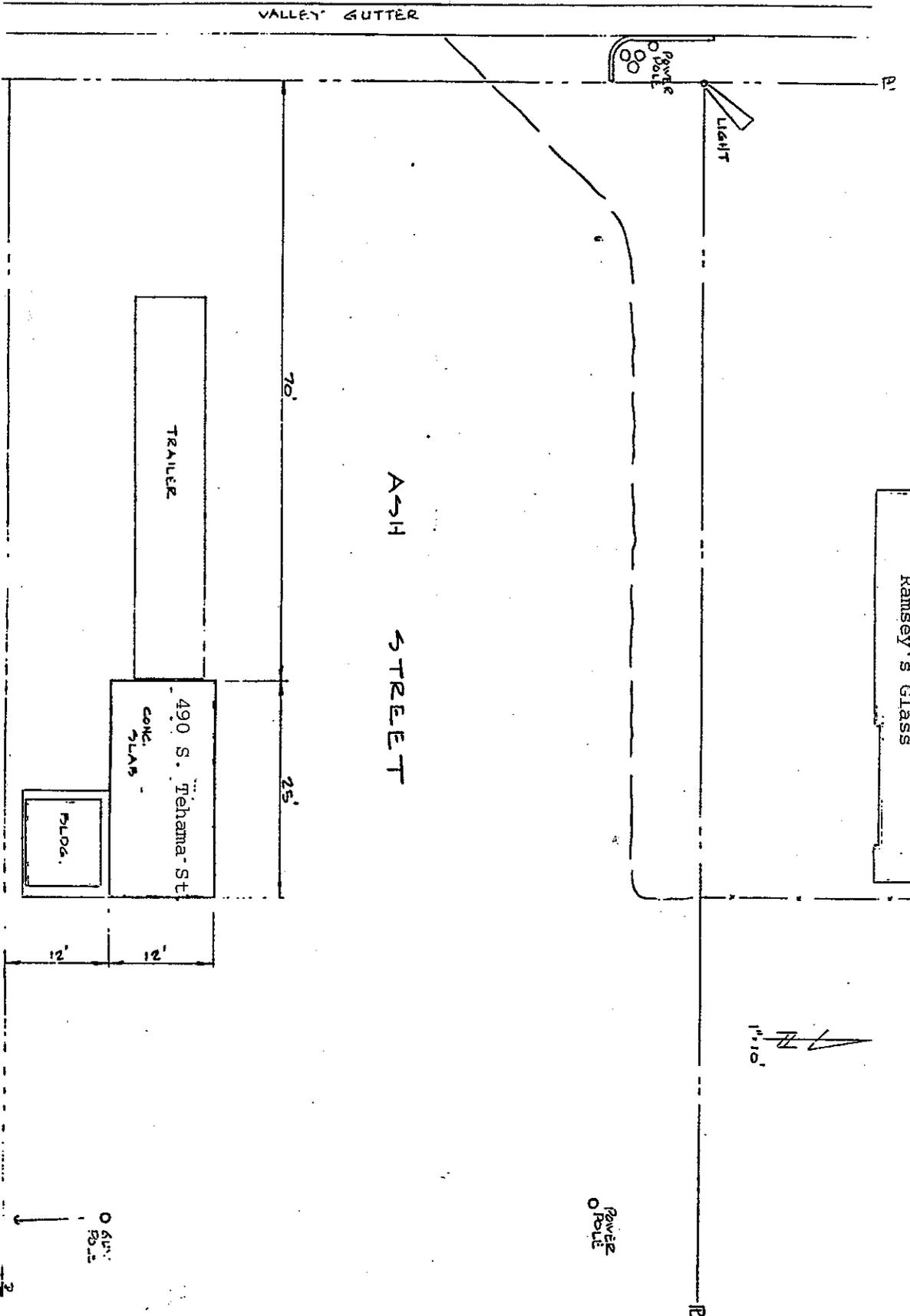
\_\_\_\_\_  
STEVE HOLSINGER, City Manager  
City of Willows

ATTEST:

\_\_\_\_\_  
Natalie Butler, City Clerk

EXHIBIT A  
Lease Agreement Between  
City of Willow &  
Willows Kiwanis Club

TEHAMA STREET



**AGENDA ITEM**

August 9, 2012

**TO:** Honorable Mayor Hansen and Members of City Council  
**FROM:** Steve Holsinger, City Manager  
**SUBJECT:** Request for Proposals for Legal Advertising for City of Willows

---

**RECOMMENDATION**

Staff is recommending City Council authorize by Resolution seeking proposals to establish a Professional Services Agreement for Legal Advertising Services; required by the City Clerk's Office for the City of Willows

---

**SUMMARY**

Currently the City of Willows contracts with the Sacramento Valley Mirror to publish Legal Notices and other documents from the City Clerk's Office as required. Our current contract for services expired on June 30, 2011. Staff recommends the City Council authorize the City Clerk to solicit bids for advertising services through the next fiscal period in accordance with Government Code of the State of California, Section 6040, et seq.

**FINANCIAL CONSIDERATIONS**

Unknown at this time, however anticipated not-to-exceed six thousand dollars annually.

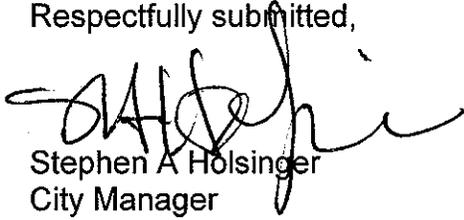
**ALTERNATE ACTIONS**

1. Staff is recommending City Council authorize by Resolution seeking proposals to establish a Professional Services Agreement for Legal Advertising Services; required by the City Clerk's Office for the City of Willows
  2. Request additional information from Staff.
  3. Reject the recommendation and deny authorization to seek proposals.
- 

**RECOMMENDATION**

Staff is recommending City Council authorize by Resolution seeking proposals to establish a Professional Services Agreement for Legal Advertising Services; required by the City Clerk's Office for the City of Willows

Respectfully submitted,

A handwritten signature in black ink, appearing to read "SAHolsinger". The signature is fluid and cursive, with the first name "SA" being particularly prominent.

Stephen A Holsinger  
City Manager

Attachments:        Resolution authorizing City Clerk to solicit bids for advertising services.  
                              Quotation Form and General Provisions.  
                              Sample Professional Services Agreement for advertising services.

**CITY OF WILLOWS**  
**CITY COUNCIL**  
**RESOLUTION NO. -2011**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS  
DIRECTING THE CITY CLERK TO ADVERTISE FOR SEALED PROPOSALS FOR THE  
PUBLICATION OF LEGAL NOTICES FOR THE CITY OF WILLOWS**

**WHEREAS**, the City of Willows desires to solicit bids for the publication of legal notices;  
and

**WHEREAS**, it is in the best interest of the City of Willows to obtain the best price and  
the widest circulation possible for public notices;

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The City Clerk is hereby directed to publish once in the Sacramento Valley Mirror a copy of this Resolution inviting sealed proposals or bids by all newspapers of general circulation in the City of Willows for the publication of ordinances and other legal notices and matters required to be published in the City of Willows.
2. A copy of this Resolution, with the Quotation Form, and General Provisions shall be sent to Willows Journal and the Sacramento Valley Mirror.
3. The rates for publishing such ordinances, notices and legal matters shall not exceed the customary rate charged for publishing legal notices of a private character.
4. All such proposals or bids shall be based upon the lines per column inch of printing surface occupied, with a column width of 1.82, and the columns excluding space margin shall also be specified. Proposals or bids shall be for 9.0 point and 10.0 point leading with lines per column inch stated.
5. All bids to be considered must be in conformity with the provisions of Section 6040 et seq. Of the Government Code of the State of California, reference to which is hereby made for further particulars.
6. The bidder shall set forth in the proposal the newspapers court adjudication number and the total number of newspapers circulated in the City of Willows city limits per issue as of January 1 of this year (i.e., 2011).
7. Bidders are not required to furnish security bonds, but must have a valid City of Willows business license.

8. The City of Willows hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, qualified minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.
9. Sealed bids to be considered by the City of Willows shall be delivered to the City Clerks Office, 201 N Lassen Street, Willows, CA 95988, not later than 4:00 p.m. on September 1, 2011, at which time they will be publicly opened and read aloud. A report will be forwarded to the City Council no later than September 13, 2011, at which time the City Council shall award the bid to the lowest responsive, responsible bidder.
10. The City of Willows reserves the right to reject any and all bids.

It is hereby certified that the foregoing Resolution No. \_\_\_\_\_-2011 was duly introduced and duly adopted by the City Council of the City of Willows at its regular meeting held on this 9<sup>th</sup> day of August by the following Roll Call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

APPROVED:

\_\_\_\_\_  
Gary Hansen, Mayor

ATTESTED:

\_\_\_\_\_  
Natalie Butler, City Clerk

**City of Willows**  
201 N Lassen Street, -- Willows, CA 95988  
(530) 934-7041

**2011 Quotation Form**  
Bid for Legal Publications

Name of Newspaper \_\_\_\_\_

Name of Publishing Company \_\_\_\_\_

Mailing Address \_\_\_\_\_

Office Address \_\_\_\_\_

Telephone \_\_\_\_\_

1. Price per column inch from 9/1/2011 to 6/30/2012 \_\_\_\_\_

2. Width of column excluding space margin shall be 1.82 \_\_\_\_\_

3. Type Style shall be at the discretion of the Publisher, Font Size shall be 9.0 with 10.0 Leading.

4. Number of lines per column inch? \_\_\_\_\_

5. Total Circulation per Issue in the City of Willows \_\_\_\_\_

6. Total Paid Subscribers in the City of Willows \_\_\_\_\_

7. Legally adjudicated newspaper of general circulation in Willows?

Date Adjudicated? \_\_\_\_\_ Court Decree # \_\_\_\_\_

8. Additional Comments: \_\_\_\_\_

Print Name \_\_\_\_\_ Title \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Please return in Sealed Envelope Marked "Bid - Legals"  
to the Office of the City Clerk at the address above**

**Bids Due by 4:00 p.m., September 1, 2011  
Anticipated date of Award of Bid is September 13, 2011**

## GENERAL PROVISIONS

1. The City of Willows is inviting proposals for legal advertising for the Office of the City Clerk.
2. Each bidder shall be held responsible for familiarizing himself/herself with conditions to be encountered and requirements of the specifications.
3. Proposals must be made on the forms furnished by the City. Do not remove the specifications or any of the pages herein but submit as a complete package with any additional information to be provided by the company.
4. A sample of a City of Willows contract is attached. All contracts shall be reviewed and approved as to form by the City Attorney prior to execution.
5. This proposal and contract that may be awarded related to it shall be valid from date of approval by the City Council until June 30, 2012.
6. Provide along with the bid documents, a sample layout and the exact cost of the following advertisement:

### "NOTICE INVITING BIDS FOR LEGAL ADVERTISING FOR THE CITY OF WILLOWS

Notice is hereby given that by virtue of authority in Section 20169 of the California Public Contract Code, the City of Willows, calls for proposals to publish legal notices required to be published in a newspaper of general circulation for the City of Willows for the period beginning on the date of award of bid (anticipated for September 13, 2011), and ending June 30, 2012. To be qualified to bid, bidder must be a responsible publisher of a newspaper of general circulation, legally adjudicated by the Superior Court of Glenn County.

The City reserves the right to reject any and all bids or to waive irregularities in any bid. The City reserves the right to select the successful bidder on the basis of circulation, regular subscriptions, services and other factors than the lowest price.

Sealed bids must be received at the City Administrative offices, 201 North Lassen Street, Willows, CA 95988 no later than 4:00 p.m. on September 1, 2011, and will be opened in public at or about that hour in the City Council Chambers. The City of Willows is an Equal Opportunity Provider.

/s/ Natalie Butler, City Clerk"

7. The City of Willows reserves the right to evaluate the proposal based on several qualifications including circulation of the paper, days published, experience, samples, ability to respond-lead time and cost. Although cost is one of the evaluating factors, the City is not bound to award the contract based on price alone (per Chapter 6.54 - (3) of the Willows Municipal Code).
8. Prices quoted on the proposal shall be in effect from date of award of bid and remain in effect until June 30, 2012.

**CITY OF WILLOWS  
PROFESSIONAL SERVICES CONTRACT  
LEGAL PUBLICATIONS**

**THIS CONTRACT**, made and executed this \_\_\_\_ day of \_\_\_\_\_, 2011, by and between the City of Willows, California, hereinafter referred to as "City", and \_\_\_\_\_ hereinafter referred to as "Contractor" and "Bidder":

**WITNESSETH:** City and Contractor do mutually agree as follows:

1. The Resolution Inviting Proposals, Proposal, Specifications and all amendments thereof, when approved by the parties hereto, copies of which are attached hereto, are hereby incorporated in and make a part of this Contract by reference, as though fully set forth herein, and all of the foregoing shall constitute the Contract documents.
2. Contractor agrees to publish legal notices as specified in the Contract documents and in the manner specified therein.
3. City agrees to pay contractor the amount specified in the Contract documents and in the manner specified herein.
4. Time is of the essence of this Contract. If contractor should fail to publish legal notices as specified in paragraph 2 above, City may give 30 days written notice to Contractor to provide the required service in a timely manner, and if the Contractor fails to do so, the Contractor shall be liable to the City for damages incurred, including, but not limited to, the price differential in procuring legal advertising in conformance with the Contract documents on the open market from another vendor, with or without advertised competitive bidding.
5. Contractor agrees that in the performance of this Contract, Contractor is an independent Contractor, not an employee, agent or officer of the City.
6. This Contract shall be interpreted, construed and given effect in all respects according to the laws of the State of California.
7. Contractor shall not assign this Contract, or any part thereof, or any monies due or to become due thereunder without prior written consent of City.
8. Contractor shall indemnify and hold harmless the City, and its officers and employees, from and against any and all claims, demands, suits, damage, injury and liability, including costs and expenses incurred in connection therewith, however caused, resulting from, arising out of, or in any way connected with the performance of the contract.
9. Contractor shall hold the City, its officers, agents and employees, harmless from liability of any nature or kind, including costs and expenses, for infringement or use of a copyrighted or uncopyrighted composition, secret process, patented or unpatented invention, article or appliance furnished or used in connection with the contract.

10. Contractor warrants that no gratuities (in the form of entertainment, gifts, or otherwise) were offered or given by the Contractor, or any agent or representative of the Contractor, to any officer or employee of the City with a view toward securing the Contract or securing favorable treatment with respect to any determinations concerning the performance of the Contract. For breach or violation of this warranty, the City shall have the right to terminate the contract, either in whole or in part, and any loss or damage sustained by the City in procuring in the open market legal publication shall be borne and paid by the Contractor. The rights and remedies of the City provided in this clause shall not be exclusive and are in addition to any other rights and remedies provided by law or under the Contract.

11. Subject to the provisions of this Contract, all terms, covenants, conditions and provisions hereof shall inure and shall bind each of the parties

*City of Willows ("City")*

\_\_\_\_\_  
Steve Holsinger, City Manager

Dated: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Natalie Butler, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Gary Krup, City Attorney

*("Contractor")*

\_\_\_\_\_  
By

Dated: \_\_\_\_\_

\_\_\_\_\_  
Title

**AGENDA ITEM**

**TO:**  Steve Holsinger, City Manager

**FROM:** Tim Sailsbery, Finance Director

**SUBJECT:** Closeout of CDBG Grant No. 08-PTAG-5357

---

**RECOMMENDATION**

Conduct a Public Hearing to Acknowledge the Accomplishments under CDBG Grant No. 08-PTAG-5357 and Authorize Staff to Complete the Close-Out Process of the Grant

**SITUATION (or BACKGROUND):**

The City of Willows was awarded Community Development Block Grant-08-PTAG-5357 in August, 2009 to provide planning and technical assistance funds in the processing and completion of a Housing Element Study. The Study was completed and accepted by the Willows City Council at a public hearing on June 8, 2010. The California Department of Housing and Community Development also accepted the document as complete.

The purpose of this public hearing is not to re-open the discussion of the Housing Element Study, rather it is a technical requirement of the California Department of Housing and Community Development to acknowledge the accomplishment of the purpose of the grant funding and declare the close-out of the grant. I was remiss in not making this action part of the public hearing process at the June 8, 2010 public hearing, as acknowledgement of the accomplishment under the grant is traditionally part of the acceptance of the final product.

A total of \$35,000 was awarded for planning and technical assistance on this grant. \$33,250 was provided to assist with the cost of the study and \$1,750 for internal administrative costs. The full amount of the study proceeds was utilized, and \$982 of the \$1,750 eligible administrative costs was assigned to the grant.

**FINANCIAL CONSIDERATIONS:**

None.

August 9, 2011

**NOTIFICATION**

Notice of Public Hearing published in local newspaper of general circulation

**ALTERNATE ACTIONS**

None

**RECOMMENDATION**

Conduct a Public Hearing to Acknowledge the Accomplishments under CDBG Grant No. 08-PTAG-5357 and Authorize Staff to Complete the Close-Out Process of the Grant

---

Respectfully submitted,



Tim Salsbery  
Finance Director

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**AGENDA ITEM**

**TO:** Willows City Council  
**FROM:** Public Works Director  
**SUBJECT:** Civic Center Re-roof Project.

---

**RECOMMENDATION**

Approve by motion to accept bid proposal and enter into a contract with Madsen Roofing Company to effect repair and replacement of roofing surface per plans and specifications, and, approve by motion the appropriation of \$118,294 in Community Discretionary Funds (Fund 330) as the primary funding source for the project.

---

**SITUATION (or BACKGROUND)**

The City Council directed staff to seek bids for the replacement of the roofing membrane atop the Civic Center which has failed in several areas.

The Public Works Director researched various options and costs associated with the replacement of the failing roof material and found that through California Multiple Awards Schedule (CMAS) that a like material could be purchased through State Contract.

Garland Company is the provider of the materials under this contract and therefore provides all warranty and inspection services as well as technical support to the City as well as direction to roofing companies certified by them, to apply this type of membrane roofing system. The materials cost totaled \$42,379.

Staff also put together a bid package reflective of the installation of this roofing system and received bids from seven companies and opened bids on August 2, 2011. Madsen Roofing met all of the specified criteria in the bid documents and addendum sent out to all companies who attended a mandatory pre-bid inspection and meeting for the project. Madsen's bid for installation was \$79,573.

In addition to the materials (\$42,379) and installation (\$79,573) staff recommends a 10% contingency, totaling \$12,195, primarily to cover potential structural repairs that may be found internally when the existing roof material is removed. As such, the total cost of the project is not to exceed \$134,147.

August 9, 2011

As previously discussed, the USDA-Rural Development grant to assist with a portion of the cost of the roof repair did not materialize (funding allocation total to this region and relative competitiveness of the grant application). Absent grant funding to assist with the project, Staff has earmarked the Community Discretion Fund as the primary resource to pay for the project. These discretionary funds have been earmarked by Council historically for community facilities and community projects. At the close of FY 6/30/11, the fund contains approximately \$188,000 and is replenished over time via rental receipts on the Lassen St. residential properties and CDBG housing loan repayments in years where the total of said payments are less than \$25,000.

In addition to the Community Discretionary fund, Council carried forward \$15,853 in General Fund to assist with the project. Staff recommends an appropriation of \$118,294 in Community Discretionary Funds in combination with the \$15,853 in General Fund carryover to fund the project.

If Community Discretionary funding is utilized, the Budget Committee may consider the possibility of reviewing replenishment of the Fund above and beyond existing sources, including the possibility of a General Fund allocation over time to recover the cost of the project.

#### **FISCAL IMPACT**

Appropriation of \$118,294 in Community Discretionary Funds

#### **RECOMMENDATION**

Approve by motion to accept bid proposal and enter into a contract with Madsen Roofing Company to effect repair and replacement of roofing surface per plans and specifications, and, approve by motion the appropriation of \$118,294 in Community Discretionary Funds (Fund 330) as the primary funding source for the project.

---

Respectfully submitted,



Greg Tyhurst  
Public Works Director

Approved by,



Steve Holsinger  
City Manager

**AGENDA ITEM**

August 4, 2011

**TO:** Honorable Mayor Hansen and Members of City Council  
**FROM:** Steve Holsinger, City Manager  
**SUBJECT:** Consider Adoption of Goals & Objectives for the 2012-2013 Budget Development Process.

---

**RECOMMENDATION**

Staff is seeking direction from Council concerning adoption of an action plan for the Fiscal Year 2012/2013 Budget Development Process.

---

**SUMMARY**

During the July 12<sup>th</sup> regular city council meeting, the council appointed two members to serve on a budget development sub-committee to commence development of an action plan to serve as the steering guidelines for the Fiscal 2012-2013 budget development process. Last week the sub-committee met to discuss and develop an outline for discussion purposes. The outline is a "draft" document for discussion purposes only and was developed based upon council commentary concerning preferences for future budget development; expressed during the regular council mtg this past June 28<sup>th</sup>, in conjunction with the 2011/12 budget adoption process.

The outline has three very specific components: an over-riding Goal/Objective for the 2012-2013 budget development process and two basic strategies to facilitate attainment of this goal. First strategy for consideration is Revenue Enhancement. The Second strategy is Expenditure Reduction/elimination. These topics/concepts and sub-strategies in each category are introduced for discussion purposes only at this time.

Staff is recommending the City Council discuss the options outlined, introduce for discussion any items not specifically referenced and finally adopt a steering document/outline for the development of the 2012-2013 Fiscal Year Budget.

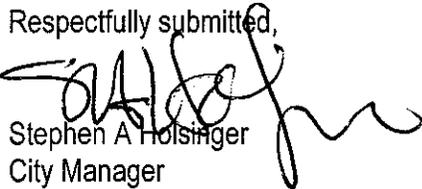
**FINANCIAL CONSIDERATIONS** None are anticipated at this time.

**RECOMMENDATION**

Staff is seeking direction from Council concerning adoption of an action plan for the Fiscal Year 2012/2013 Budget Development Process.

---

Respectfully submitted,

  
Stephen A Holsinger  
City Manager

City of Willows  
Fiscal 2012/13  
Budget Sub-Committee  
Discussion Outline

It is the hope of this committee to promote an open, fair and thorough evaluation of the following possibilities to facilitate achievement of the primary goal in conjunction with the development of the FY 2012 – 2013 General Fund Budget.

**PRIMARY GOAL**

It is paramount for city staff; in collaboration with city council, city employees and involving community input, to develop and present for final adoption a “balanced” General Fund Budget; meaning total expenditures shall not exceed all available “revenues” projected for the City of Willows during the FY 2012/13. More specifically; revenues shall not include any borrowing, transfer, allotment, or allocation from the General Fund Reserve Balance.

**PRINCIPAL OBJECTIVES**

**Potential Revenue Enhancements:**

1. Review current fee structure to consider adjustment as necessary. Examples:
  - a.) development fees, building fees, encroachment fees
  - b.) park utilization or public facilities fees
  - c.) administrative fees (i.e., copy fees, permits, etc.)
  - d.) business license fee
2. Review Transient-Occupancy-Tax to consider adjustment as necessary.
  - a.) authorize an audit of TOT collection
  - b.) consider increase of TOT rate by 2%
3. Consider creation of new Tax model/methods
  - a.) consider partnering with Glenn County for specific sales-tax over-ride
  - b.) consider creation of parcel tax for Fire Services District.

**Potential Expenditure Reductions:**

1. Thoroughly evaluate any/all shared resources opportunities with Glenn County and surrounding cities
  - a.) solicit negotiation opportunity with County Sheriff to consolidate law enforcement services within the City of Willows.
  - b.) solicit negotiation opportunity with Orland or neighboring cities for administrative/city management services (i.e. City Mgr, Planner, BO, City Clerk, Recreation, etc)
  - c.) solicit negotiations with County/Orland/cities for out-sourcing financial mgmt services.

- d.) solicit negotiation with Willows Volunteer Fire Service to assume an all volunteer fire services unit; similar to Orland, and/or others.
2. Cut programs or eliminate city services.
    - a.) close the city Library, return branches to Glenn County for operation.
    - b.) eliminate Recreation Dept & all programming
    - c.) eliminate City Mgr & Clerk positions; have Council manage day-to-day ops and maintain/retain all city records, etc (similar to county model)
  3. Maintain Status-Quo and reduce the Workforce in accordance with City Policy
    - a.) prepare a proposed budget and then calculate the exact number of employees possible to retain (i.e. affordable with projected revenue) consistent with available funding. Notify all others of position elimination and lay-off.

RR  
FF

August 9, 2011

**AGENDA ITEM**

TO: Steve Holsinger, City Manager  
FROM: Wayne Peabody, Fire Chief  
SUBJECT: Request for Proposal for Gym Equipment at the Fire Station

---

**RECOMMENDATION**

Approve, by motion, the attached RFP specification sheet and time line

---

**SITUATION (or BACKGROUND):**

In April 2010 the City accepted an Assistance to Firefighter Grant to develop a Health and Wellness Program. Currently we have finished building modifications needed for the space for the gym, we are currently reviewing the SOP's for the program and we are receiving bids for medical exams and Immunizations. The next step in the process is to go out to bid for gym equipment, attached you will find bid specifications for: one Elliptical trainer, one Elliptical Cross Trainer, one Commercial Multi Four Stack Station and one Dumbbell set with rack.

---

**FINANCIAL CONSIDERATIONS:**

The grant is written for \$20,500 for cardiovascular and weight equipment.

**NOTIFICATION:**

1. Willows Public Safety Association (WPSA)
2. Willows Volunteer Firefighter
3. Willows Auxiliary

**ALTERNATE ACTION:**

1. Approve, by motion, The attached RFP specification and time
2. Approve, by motion, as amended by council, The attached RFP specification and time frame
3. Request additional information from staff
4. Reject staff recommendation and not authorize the attached RFP specification and time frame

**RECOMMENDATION:**

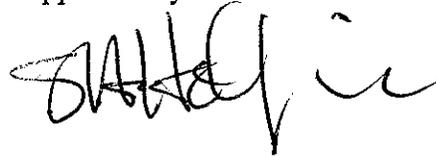
Approve, by motion, the attached RFP specification and time line

Respectfully submitted



Wayne Peabody  
Fire Chief

Approved by



Steve Holsinger  
City Manager

**ATTACHMENTS:**

- A: Bid specifications
- B: Time Frame
- C: News Paper notice

# EXHIBIT A

## City of Willows Request for Proposal Gym Equipment

### 1.0 SUMMARY OF REQUIRMENTS

The City of Willows is request proposals for cardiovascular and weight equipment. Proposals shall include specifications for each piece of equipment, maintenance requirements. Proposals will also include setup by factory representatives and shipping.

#### 1.1 Time Frame

To be eligible, completed proposals must be submitted to:

**City of Willows  
Fire Department  
445 S Butte St  
Willows Ca 95988**

And received by 2:00 p.m. on 2011 August 30<sup>th</sup>.

### 2.0 GENERAL INFORMATION AND INSTRUCTIONS TO BIDDERS

Proposals have been requested in order to afford the proponents a more flexible opportunity to employ their expertise and innovation and thereby satisfy the City's needs in a more cost-effective manner. Proposals should be based on these instructions and the attached project requirements.

#### 2.1 Errors, Omissions, Clarifications

All questions and request for clarifications relating to the Request for Proposal process and/or identification of any errors or omissions in the Request for Proposal documents shall be directed to Chief Wayne Peabody (530) 934-3322, or in writing via fax (530)934-5969, or via e-mail at [wpeabody@cityofwillows.org](mailto:wpeabody@cityofwillows.org)

#### 2.2 Proposal Submissions

Two signed and sealed copies of the proposal shall be submitted. The proposal shall be completed and unabridged and shall not refer to any of the other copies for additional information, clarification, or details. Sealed proposals clearly marked with **City of Willows Gym Equipment RFP** Title shall be delivered to the Willows Fire Department, 445 S Butte St, Willows, Ca 95988 until 2:00 p.m. on the closing date. The City of

Willows will not be held liable for any cost incurred in the preparation of this proposal.

2.3 Proposal Contents

All proposals shall provide all detailed information as requested in the RFP document. Failure to be fully responsive in accordance with the RFP request for all detailed information may result in rejection of a proposal without further consideration by the City of Willows.

2.4 Late Proposals

Late proposal will not be accepted and will be returned to the proponent.

2.5 Signed Proposals

The proposal must be signed by a person authorized to sign on behalf of the contractor binding the contractor to statements made in response to this Request for Proposal.

2.6 Irrevocability of Proposals

By submission of a clear and detailed written notice, the contractor may amend or withdraw its proposal prior to closing date and time. Upon closing time all proposals become irrevocable. By submission of a proposal, the service provider agrees that should the proposal be successful, the service provider will provide equipment as detailed.

**3.0 PROPOSAL EVALUATION AND SELECTION PROCESS**

3.1 Proposal Opening

All proposals will be opened in public at 2:01 p.m. by the Willows Fire Chief or designee, at 445 S. Butte St, Willows Ca 95988 on the same day as the deadline for RFP responses.

3.2 Proposal Evaluation

All proposals will be initially evaluated by staff to assess the qualifications and capabilities of bidders to meet the minimum standards specified in the RFP.

Throughout the evaluation process, the City at its sole discretion, may request additional written clarification and/or supplemental information from selected bidders as part of the initial evaluation process.

- 3.3 The lowest or any proposal may not necessarily be accepted. The City of Willows reserves the right to accept any proposal in whole or in part unless otherwise stipulated.

#### 4.0 **CONTRACT AWARD/RIGHT TO TERMINATE**

- 4.1 Notice of award will be posted on the City's Web site, [www.cityofwillows.org](http://www.cityofwillows.org) and a letter.
- 4.2 The City of Willows reserves the right to terminate this contract at its sole and absolute discretion upon 30 days written notice, and the service provider will have no rights or claims against the City.

#### 5.0 **PROPOSED CARDIOVASCULAR EQUIPMENT**

##### 5.1 Elliptical Fitness Cross Trainer:

- A: Automatic Cross Ramp angles 13 to 40 degrees
- B: Variable stride cross ramp
- C: Moving handle bars
- D: 20 Resistance levels
- E: Console to be stream lined/Advanced LED display
- F: 10 pre-installed programs
- G: Electronic readout to include: Calories, Crossramp angle, Distance, Heart rate, Resistance levels, smart rate, strides, stride per minute, time, vertical feet climbed, watts and Workout Summary

##### 5.2 Elliptical Trainer:

- A: Automatic Cross Ramp angles 13 to 40 degrees
- B: Moving Handle bars
- C: Double polyurethane wheels with oversized axle and sealed bearings
- D: Foot pedals are polypropylene plastic and self-draining
- E: Durable 6-phase generator system with no contacting parts to reduce friction and wear provides 20 levels of workouts with consistent resistance. Levels range from 18 watts to 720 watts.
- F: 15 pre installed programs
- G: Resistance level incline level resistance strides, min total strides calories heart rate time remaining time elapsed time in zone segment time remaining average speed calories, min calories, hour watts mets target hr average hr% complete workout profile workout summary.
- H: Heart rate monitor located on fixed handlebars

### 5.3 Four Stack Multi Gym

- A: Construction to be all-welded by inter-gas Mig welding to conform with and in accordance with the following codes and/or standards: 3:1 AWS, A3.0 welding terms and definitions 3.2 AWS D1.1-81 Structural Welding Code-steel 3.2 AWS D9.1 Specifications.
- B: Frame Finish shall be prepared mechanically and chemically for power-coating. Power Coating shall be a minimum of 3.0-5.0 mil
- C: Padding shall be 2" thick rebound foam meeting ASTM 1692 and MVSS302 standards for flammability. Foam density shall be a minimum of 8lbs per cubic foot.
- D: Upholstery shall be a minimum of 32 oz Sulfide-stain resistant Naugahyde formulated to meet small scale flammability test requirements contained in Federal standard 191 A (CCC-A-680 a). All pads shall be double-stitched; foam is glued to a ¾" thick support board, and trimmed to fit exactly.
- E: Bearing shall be either non-friction roller bearings with a Basic Radial Load Rating of 2420 pounds, contained in a custom cast and machined housing or a self-lubricating bronze bushing in a machined steel housing to provide smooth movement and precise alignment.
- F: Weight Transport shall be a minimum of ¼" aircraft cable with black nylon coating. Cable breaking strength of 4200lbs
- G: Pulleys are to be 4 ½" diameter fiberglass impregnated nylon with a precision fit cable groove and 6203 double sealed non-friction roller bearings.
- H: Weight Plates are to be solid steel weight stack plates with a black finish, self-aligning low friction sleeve bearing surround the guide rods on every weight stack plate.
- I: Spring suspension will be heavy duty die cast springs underweight stacks to reduce shock vibration.
- J: Guide rods will be solid steel and hard chrome plated to ensure quiet operations and low friction movement
- K: Lanyard Pins to be coiled self-storing cord, to prevent pin, removable or loss.

- L: Fasteners are to meet ANSI B18.3 specifications
- M: Hand grips are to be 45 durometer rubber hand grips

5.4 5-75 Lbs Dumbbells with Rack:

- A: Rubber Hex dumbbells 5-75lbs in 5 lbs increments
- B: Three tiered shelf rack designed for rubber hex dumbbells

5.5 Utility Flat bench

- A: Padding shall be a minimum of 2" thick rebound foam meeting ASTM 1692 and MVSS302 standards for flammability. Foam density shall be a minimum of 8lbs per cubic foot.
- B: Frame Finish shall be prepared mechanically and chemically for power-coating. Power Coating shall be a minimum of 3.0-5.0 mil

5.6 Adjustable Weight bench

- A: Bench adjust from 0-85 degrees
- B: Frame to be 3X3 steel tubing
- C: Unit will have transport wheels and a handle

**6.0 Closing Date**

Proposals clearly marked as **City of Willows Gym Equipment RFP** Title shall be accepted up to and including 2:00 p.m. 2011 August 30<sup>th</sup> at the Willows Fire Department, 445 S Butte St, Willows, Ca 95988. Proposals received after the closing time and date will be returned unopened.

WILLOWS



WILLOWS FIRE DEPARTMENT  
CHIEF WAYNE PEABODY  
445 S. BUTTE ST.  
WILLOWS, CA 95988  
PHONE: (530) 934-3323  
FAX: (530) 934-5969  
www.cityofwillows.org



City of Willows  
Bid Form  
Gym Equipment

Bidder's name:

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Address and Phone:

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Bid Price: (FOB Willows)  
(per attached spec)

Elliptical Cross Trainer: \_\_\_\_\_

Elliptical Trainer: \_\_\_\_\_

4 position Mutli Gym: \_\_\_\_\_

Dumbbells with rack: \_\_\_\_\_

Utility Flat Bench: \_\_\_\_\_

Adjustable Weight Bench: \_\_\_\_\_

Installation Price:

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Ca Sales Tax 7.25%:  
(FOB Willows)

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Proposed Delivery Date

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Signed:

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Date:

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# EXHIBIT B

## City of Willows Request for Proposal Fire Department Gym Equipment Time Line

- August 9<sup>th</sup> Council meeting approval of RFP & Time Line
- August 17<sup>th</sup> and August 24<sup>th</sup>- Publish Notice Inviting Bids
- August 30<sup>th</sup> Deadline for Receipt of Bids (2 p.m.)
- August 30<sup>th</sup> Bid Opening (2:01 p.m.)
- September 13<sup>th</sup> Council to Award contract

# EXHIBIT C

## City of Willows Request for Proposal Fire Department Gym Equipment News Release

### NOTICE INVITING BIDS FOR Fire Department Gym Equipment City of Willows Willows, Ca

NOTICE IS HEREBY GIVEN that sealed bids will be received at the Willows Fire Department, 445 S Butte St , Willows Ca 95988, until 2 p.m. August 30<sup>th</sup> , at which time they will be opened and read at the fire station on August 30<sup>th</sup> at 2.01 p.m. for performing work as follows:

#### Gym Equipment for Fire Department

Each bid shall be made in accordance with the specifications and proposal requirements thereof.

Specifications and proposal forms may be obtained at the Willows Fire Department, 445 S Butte St, Willows, Ca 95988.

The City Council of the City of Willows reserves the right to reject any and all bids, to waive any irregularities, and to make that award which is in the best interest of the City. The City of Willows is an Equal Opportunity Provider.

/s/ Natalie Butler, City Clerk

Publication Dates: August 17 & August 24, 2011