

**MINUTES OF THE WILLOWS CITY COUNCIL REGULAR MEETING HELD**  
**December 13, 2011**

1. The meeting was called to order at 7:00 p.m. by Mayor Hansen.
2. **PLEDGE OF ALLEGIANCE:** Newly appointed Council Member Terry Taylor-Vodden led the Pledge of Allegiance.
3. The City Clerk administered the Oath of Office to newly appointed City Council Member Terry Taylor-Vodden and Council Member Taylor-Vodden then took her seat at the dais.

4. **ROLL CALL:**

Present: Council Members Yoder, Cobb, Taylor-Vodden, Holvik & Mayor Hansen  
Absent: None

5. **Agenda Review:**

- a) It was **moved** by Council Member Yoder and **seconded** by Council Member Cobb to accept the agenda for the December 13, 2011, meeting as presented. The motion unanimously passed.

6. **Presentations & Proclamations:** Police Chief Spears and Officer Rich Gridley introduced the Police Department's new K-9, "Rocko". Officer Gridley has just recently completed the K-9 Handler program and Rocko is now officially in-service and is partnering with Officer Gridley as a K-9 Officer.

7. **Public Comment/Written Communications:**

- a) Mayor Hansen acknowledged receipt of a petition circulated by the Friends of the Library, encouraging the City Council to find a qualified full-time replacement for Library Cataloger Cha Yang, due to her recent retirement.

8. **Consent Agenda:**

Prior to acting on the Consent Agenda, Council Member Taylor-Vodden requested that item 8 (c) be removed and voted on separately, as she was not a Member of the City Council during that meeting. It was then **moved** by Council Member Yoder and **seconded** by Council Member Holvik to approve the Consent Agenda, minus items 8 (c). The motion unanimously passed. It was then **moved** by Council Member Yoder and **seconded** by Council Member Holvik to approve Consent Agenda items 8 (c). The motion passed with 4 Ayes and Council Member Taylor-Vodden abstaining and the following items were approved/adopted:

- a) Approval of General Check Register (23905-23987)
- b) Approval of Payroll & Direct Deposit Check Registers (Z02990-Z03125 & 31525-31589).

- c) Approval of the Minutes of the Willows City Council November 8, 2011, Meeting.
- d) Acceptance of \$1000 allocation funding from Glenn County as part of the County Correction Program, realignment funding, pursuant to AB 109.

9. **Public Hearings:** None

10. **Ordinances:** None

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

The City Manager reminded the Council that City Hall would be closed beginning on December 26 and will re-open on Tuesday, January 3, 2012, due to the Holidays. He also announced that the City Selection Committee Meeting between the Mayors of the Cities of Orland and Willows and the Chairman of the County Board of Supervisors will take place on January 4, 2012, at 8:30 a.m. at the Board of Supervisors Conference room. He announced that the New Mayors & Council Members Academy will take place January 18 – January 20, 2012, in Sacramento and also the Tri-Counties Economic Development Commission workshop will take place in Oroville on January 12, 2012. Anybody interested in attending, please inform the City Clerk.

12. **New Business:**

- a) Recommendation of appointments of three individuals to fill the upcoming expiring terms on the Willows Planning Commission:

At their September 13, 2011, City Council Meeting, Council Member Holvik and Mayor Hansen were appointed to a subcommittee in order to review applications and conduct interviews and recommend three individuals to fill the upcoming expiring terms of Kerri Warren, Candis Woods and Leon Thur on the Planning Commission. A total of five applications were received and interviews were conducted of incumbents Warren and Woods who re-applied for their seats, as well as new applicants Larry Mello, Zarka Popovik and Huston Carlyle. Mayor Hansen and Council Member Holvik both indicated that they were pleasantly surprised to have had five qualified applicants apply for the three seats. After having conducted the interviews, the subcommittee recommended that both incumbents Warren and Woods be re-appointed to their seats, as they have both done outstanding jobs serving on the Commission and are familiar with the process. The third seat they recommended be filled by Huston Carlyle, as he has an experience level that is very impressive, an extensive professional planning background, and he has interesting ideas & philosophies about the community and takes a very common sense perspective. It was the recommendation of the subcommittee that Mrs. Warren, Mrs. Woods and Mr. Carlyle be appointed to the three seats on the Planning Commission. It was then **moved** by Council Member Holvik and **seconded** by Council Member Yoder to appoint Kerri Warren, Candis Woods and Huston Carlyle to the Planning Commission. The motion unanimously passed.

- b) Consider accepting the Audit Report, Fiscal Statement and Schedule of other information pertaining to the Willows Community Redevelopment Agency:

The Willows Community Redevelopment Agency (RDA) consists of the project area commonly referred to as "the mall area". Established in 1969, the Agency is now considered inactive, in that tax increment is no longer received specific to the Agency area and the Agency is considered to no longer have any indebtedness. Reserves remaining in the Agency fund, approximately \$63,000, are utilized for maintenance of the mall grounds and, in the most recent fiscal year, funds were used to assist Sunshine Market in efforts to seek CDBG Enterprise Financing for rebuilding and restocking the store area, as the store is located within the project boundaries.

The City Council serves as the governing agency for the RDA. Staff has prepared a number of annual reporting documents that serve for informational purposes for the Council to review, as well as serve as compliance tools for administration of the RDA. The documents include, Audited Financial Statement of the RDA, Annual Fiscal Statement, Schedule of Other Information & Financial Transactions Report for the California State Controller. Staff is requesting that the Council accept the Audit Report, Fiscal Statement & Schedule of other information pertaining to the Willows Community Redevelopment Agency. Limited discussion ensued among the Council and it was **moved** by Council Member Holvik, and **seconded** by Council Member Yoder, to accept the Audit Report, Fiscal Statement, and Schedule of Other Information pertaining to the Willows Community Redevelopment Agency. The motion unanimously passed.

- c) Consider discontinuation of the 5% furlough for members of the Willows Public Safety Association (WPSA) Personnel effective December 27, 2011.

As part of a side letter agreement between the City and the WPSA in June, 2011, WPSA members agreed to a 5% furlough to run for the 2011/12 fiscal year. At the time of the agreement, California Supplemental Law Enforcement Services Funding (SLESF) in the amount of \$100,000 was likely not going to be provided by the State to the City of Willows. It was acknowledged that should the funding be restored, the discontinuance of the 5% furlough period would be up to the discretion of the City Council. The WPSA has requested that the Council consider ending the furlough period in light of the fact that SLESF funding has been restored in the amount of \$100,000. However, the State utilized Vehicle License Fee money to fund SLESF. As a result, the City lost \$22,768 in Vehicle License Fee revenue, which is General Fund Revenue of the City. Staff is requesting that the Council holds a discussion on this item and consider ending the 5% furlough for the WPSA.

Council discussion ensued with Council Member Taylor-Vodden expressing concerns that for six years the General Fund has had a deficit and she is concerned about switching debt from one area to another. Although she believes it sounds tempting to throw money back into the pot, she doesn't believe it is a good idea. She stated at this point she believes it is fair to continue the furlough. Mayor Hansen stated that he recalled there being a discussion about lifting the 5% furlough if the SLESF came through. He believes that because the funding came through, in order to maintain good faith with WPSA, the 5% furlough should be lifted. Council Member Yoder concurred with Mayor Hansen and believes that the Council needs to fulfill the obligation to lift the 5% furlough as previously discussed in June. Council Member Cobb stated that he recalls the discussion about possibly lifting the furlough if the SLESF was restored, but he

wasn't anticipating the loss of \$22,768 in VLF revenue as a result of the restoration and at this time he believes it is premature to end the furlough. Council Member Holvik stated that he agreed with Council Member Taylor-Vodden's concerns that for the past six years the General Fund has had a deficit and he anticipates that going into the next budget cycle things will be just as bad. However, the Council did tell the WPSA that they would end the furlough if the SLESF was restored and therefore he reluctantly believes the Council should lift the 5% furlough.

It was **moved** by Council Member Taylor-Vodden and **seconded** by Council Member Cobb to not discontinue the 5% furlough for WPSA personnel. Ayes: Taylor-Vodden & Cobb. Noes: Holvik, Hansen & Yoder. Motion failed.

It was then **moved** by Council Member Yoder, **seconded** by Council Member Holvik to remove the 5% furlough for members of the WPSA and to reduce General Fund appropriation for the Police Department by \$98,646 and appropriate a total of \$21,300 in General Funds to be allocated to the Police and Fire Departments to cover the cost of restoration of furloughs. Mayor Hansen called for a roll-call vote with the following results: Ayes: Holvik, Yoder & Hansen. Noes: Taylor-Vodden & Cobb. Motion passed 3/2.

- d) Consider authorizing the immediate recruitment of key staffing vacancies created by the announced retirements of the Library Cataloger, the Public Works Superintendent and the Finance Clerk:

During the development of the fiscal year 2011/12 budget, the Council authorized and directed staff to commence the necessary adjustment to the PERS Contract to provide an early retirement incentive to all current city employees, offering a two year service credit for any city employees volunteering for normal retirement between October 2011 and March 2012. Initially three public works employees expressed interest in retiring as soon as the incentive window became available. During the budget development process, accommodation for funding seasonal part-time staffing was included in the budget and the positions held by those three public works employees would be eliminated upon their ultimate retirement.

Upon adoption of the budget this past June, it was understood that any future staff vacancies would become subject to council consideration prior to any recruitment or advertising effort by Administrative Staff. One single exception to this rule is recognized by City Management; should a vacancy occur within the ranks of the public safety (sworn) employees: (i.e. a side letter agreement establishes staffing levels consistent with the level established upon ratification of the current fiscal year budget.) Therefore should any firefighter position become vacant during this fiscal year, it would be incumbent upon Management to complete the necessary steps to fill the vacancy in a timely fashion without the necessity for council review/authorization. Conversely, should a vacancy occur in any current Police Officer Position, the action required would be the immediate reinstatement of the last officer laid-off in June 2011 as part of the budget development and approval process - more specifically, the immediate recall of former officer, Trudy DeVoss. There are currently no known or announced vacancies anticipated in the Public Safety Departments and therefore no action is required at this time. Any additional vacancies, in any other departments represented by a labor agreement would become subject to future council consideration at the time of the known vacancy.

The only positions staff is requesting approval to recruit and hire at this time are full-time replacements for the unanticipated retirement vacancies created by the retirements of Cha Yang, the only current full-time employee in Library Services, Shirley Benningfield, Finance Clerk and only remaining support staff in Financial Services and Brian Taylor, Public Works Superintendent and key first line supervisor for all day-to-day public works departmental activities and services.

Staff is requesting approval to immediately recruit and appoint a full-time replacement for Cha Mee Yang who is currently the only full-time member of the Library staff, and the only staff member adequately trained to complete the "cataloging" requirements for the Willows Library. Library Director, Jody Meza, Finance Director, Tim Sailsbery and the City Manager have thoroughly evaluated and discussed alternative staffing options and have not identified a suitable and/or acceptable alternative replacement for the current Library staffing compliment. Furthermore, Ms. Meza has indicated that elimination of this full-time position at the Willows Library, may result in her inability to adequately cover the position's full time requirements and could jeopardize our current employment agreement between Orland and Willows. However, Ms. Meza and the City Manager fully agree that continuing the full-time status of this position is vested solely in the continuation of current funding from Glenn County. Should there be any further reductions in Library Funding going forward, especially coming in to the 2012/2013 FY, the position would be immediately eliminated and Library Service would be significantly altered in future years. Therefore, contingent upon continuation of the current funding level from Glenn County, staff is recommending approval of an immediate full-time replacement. Additionally, staff is requesting that some funding be allocated for up to 200 hours of post-retirement training; so Cha may return to work with our new employee, as needed, over the next few months to ensure as smooth a transition period as possible.

Staff is requesting approval to immediately recruit and appoint a full-time replacement for Finance Clerk Shirley Benningfield. Loss of this position would represent a reduction in Finance staffing of almost 70% over the past few years. This would represent the single greatest departmental staffing reduction in recent history and would quite literally make current administrative functioning impossible to maintain. Therefore, it is without hesitation that staff is recommending immediate approval of this request and funding for up to 300 hours of specific training over the next two fiscal cycles to ensure smooth transition and adequate attention to necessary year-end reporting, etc.

Finally, staff is requesting approval to immediately recruit and appoint a full-time replacement for Public Works Superintendent Brian Taylor. This recruitment will require a focused effort to identify and attract just the right person to fill this key position in the Public Works Department. Therefore staff is requesting approval to commence recruitment efforts well in advance of Mr. Taylor's planned departure in late February 2012.

Although some additional expense may be associated with approval of this request, the actual estimated expense is very difficult to calculate in advance of each specific retirement. Therefore a detailed synopsis will be included in the 2011/2012 mid-year budget review; anticipated to occur in February 2012.

Staff is seeking approval from Council authorizing them to recruit and appoint new hires to the aforementioned key staffing vacancies created by the announced retirements of three additional city employees; Cha Yang, Shirley Benningfield and Brian Taylor.

Council discussion ensued and Council Member Taylor-Vodden stated that these unanticipated vacancies have created an opportunity, or more importantly, highlighted the need for development or implementation of a two-tiered retirement system for new employees hired by the City in the future. She asked if this was something the City could do in the immediate future or what options or alternatives were available. Staff addressed the retirement options and advised on the probable timeframe for implementation of a second or two-tiered system. Council Member Taylor-Vodden again emphasized the need to investigate these options in the immediate future and restated her opinion that this is something that should be done as soon as possible.

Upon conclusion of discussion, it was **moved** by Council Member Yoder, **seconded** by Council Member Cobb to authorize staff to recruit and appoint new hires to key staffing vacancies created by the announced retirements of three additional City employees, Cha Yang, Shirley Benningfield and Brian Taylor. The motion passed unanimously 5/0, with Council Member Holvik stating for the record that his "yes" vote does not in any way reflect his initial and continued opposition for the Council to offer the early retirement incentive when it was first introduced as an option during the budget discussions.

- e) Consider adoption of a Resolution to complete a public opinion poll proposed by William Berry Campaigns in conjunction with special tax measures under consideration for the upcoming 2012 elections process in Glenn County:

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. Subsequent City Council meetings in August and September provided the identification of specific priorities and approval of an overall "Goal" for the 2012/2013 Budget Development process. Since that time the sub-committee has worked diligently on addressing many of the identified priority items; including discussion with neighboring agencies and meeting with the William Berry Campaign consulting firm.

The sub-committee requested a proposal from Mr. Berry to establish a survey mechanism to help gauge the viability and potential success of developing certain specific tax measures to include as voter referendums during the 2012 Glenn County General Elections process. Recent election results statewide would suggest strong voter support for specific tax measures to generate local revenues. The proposal has been given to the Council and staff is recommending approval to move forward with this process.

Expenditures not to exceed \$18,500 are anticipated to complete the polling process. Funding for this project was not included in the FY 2011/2012 Fiscal Work Plan for the City of Willows. If approved, an augmentation of the current FY Budget would be required during the mid-year

review process early next year. It is anticipated the funding would be authorized from General Fund Reserves.

Staff is recommending approval, by Resolution of the City Council, to complete the public opinion poll proposed by William Berry Campaigns, in conjunction with special tax measures under consideration for the upcoming 2012 elections process in Glenn County.

There was a statement made by former City Manager Russ Melquist, of the audience, that due to the cost of the survey, the City would need to go through the RFP process.

It was **moved** by Council Member Holvik and **seconded** by Council Member Cobb to adopt a Resolution authorizing a Public Agency Agreement with William Berry Campaign Consultants for specific public opinion surveying and related work in conjunction with special tax measure development for the 2012 election cycle. Council Member Yoder then asked about whether or not the City could do this without an RFP process as was suggested by Mr. Melquist. The City Manager stated that he would check with the City Attorney. Council Member Holvik then **amended** his motion to add "pending the approval of the City Attorney that no bid process is required". Council Member Cobb **seconded** the amended motion. The motion unanimously passed 5/0. It was noted that if the Council wished to place any special tax measures on the ballot for the June election, a Resolution would need to be adopted by the Council at the beginning of March.

f) Receive nominations, and by motion, appoint a Mayor and Vice Mayor for 2012:

Mayor Hansen opened nominations for appointment(s) of a Member of the Council to serve as Mayor for 2012. Council Member Yoder **moved** to nominate Council Member Holvik to be appointed to serve as Mayor for 2012. There were no further nominations for Mayor and nominations were closed. Council Member Taylor-Vodden **seconded** Council Member Yoder's motion to appoint Council Member Holvik to the seat of Mayor for 2012. The motion unanimously passed 5/0.

Mayor Hansen opened nominations for appointment(s) of a Member of the Council to serve as Vice-Mayor for 2012. Council Member Holvik **moved** to nominate Council Member Cobb to be appointed to serve as Vice-Mayor for 2012. There were no further nominations for Mayor and nominations were closed. Council Member Yoder **seconded** Council Member Holvik's motion to appoint Council Member Cobb to the seat of Vice-Mayor for 2012. The motion unanimously passed 5/0.

g) Consider appointments to various committees, commissions, and/or panels for 2012:

Following discussion and reviewing the 2011 committee appointments list, it was by consensus of the Council to make the following committee appointments/reappointments for 2012:

Airport Land Use Committee: Holvik & Cobb (alternate)

Glenn County Waste Management Regional Agency: Hansen & Holvik (alternate)

Transit Committee: Yoder & Hansen

Transportation Committee: Yoder & Hansen  
LAFCO: Taylor-Vodden & Holvik (alternate)  
City Select Committee: Mayor (Holvik)  
Countywide Mosquito & Vector Committee: Cobb  
Finance Committee: Cobb & Taylor-Vodden  
GCID Voting Delegate: Mayor (Holvik)  
League Legislative Delegate: Mayor (Holvik)  
Library Board: Holvik  
3CORE (f.k.a. Tri-Counties Economic Development Committee): Taylor-Vodden & Holvik (alternate)  
CDBG Loan Committee: Yoder & Cobb

Council Member Taylor-Vodden then stated that she would be interested in serving on the Public Safety Committee. The City Manager advised that the Council should consider adding the Public Safety Committee to their list of Standing Committees. It was the unanimous consensus of the Council to add the Public Safety Committee to the Standing Committee list and that Council Members Hansen and Taylor-Vodden would be appointed to this Committee for 2012.

13. **Council Member Reports:** None
14. **Executive Session:** None
15. **Adjournment:** Mayor Hansen adjourned the meeting at 9:42 p.m.

Dated: December 13, 2011

NATALIE BUTLER

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City Clerk

The City of Willows is an Equal Opportunity Provider