

CITY COUNCIL

Jeffrey T. Cobb, Mayor
Terry Taylor-Vodden, Vice Mayor
Larry Domenighini, Council Member
Lawrence Mello, Council Member
Gary L. Hansen, Council Member

CITY MANAGER
Steve Holsinger

CITY CLERK
Natalie Butler



201 North Lassen Street
Willows, CA 95988
(530) 934-7041
www.cityofwillows.org

CITY COUNCIL REGULAR MEETING AGENDA

Tuesday, January 14, 2014

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 January 14, 2014, Agenda.
5. **Planning Commissioners Oath of Office:** The City Clerk will administer the Oath of Office to newly-appointed Planning Commissioner Shirley Benningfield and re-appointed Planning Commissioner Peggy White.
6. **Presentations & Proclamations:** None
7. **Public Comment / Written Communications:** Members of the public wishing to address the Council on any item(s) *not on the agenda* may do so at this time when recognized by the Mayor/Vice Mayor; however, no formal action will be taken unless placed on a future agenda. (*Public Comment is generally restricted to three minutes*).
8. **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, Payroll & Direct Deposit Check Registers.
 - b) Consider approval of the City Council Minutes for the regular meeting held on December 10, 2013.
9. **Public Hearings:**
(Persons wishing to speak during a Public Hearing are asked to approach the microphone to address the Council and limit comments to three minutes. Although not required, it is also requested that you please state your name for the record).
 - a) **2013/2014 Appropriation Limit:** Conduct a Public Hearing regarding the 2013/2014 Appropriation Limit for the City of Willows and adopt a Resolution establishing said limit.
10. **Ordinances:** None

11. Items introduced by City Council or Administrative Staff for discussion purposes only:
12. New Business:
 - a) Fund to Fund Transfer Request: By motion, consider approval of the following transfers:
 - Transfer Fund 324 to Fund 318 and close Fund 324.
 - Transfer Fund 370 to Fund 333 and close Fund 370.
13. Council Member Reports:
14. Executive Session: None
15. Adjournment:

CERTIFICATION: Pursuant to Government Code §54954.2 (a), the agenda for this meeting was properly posted on or before January 10, 2014.

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.

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.

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MINUTES OF THE WILLOWS CITY COUNCIL REGULAR MEETING HELD
December 10, 2013

1. Mayor Cobb called the meeting to order at 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE:** Public Works Director Skyler Lipski led the Pledge of Allegiance.
3. **ROLL CALL:**

Present: Domenighini, Taylor-Vodden, Mello, Hansen, & Mayor Cobb
Absent: None
4. **Agenda Review:** It was **moved** by Council Member Hansen and **seconded** by Council Member Domenighini to accept the December 10, 2013 agenda as amended. The motion unanimously passed.
5. **Presentations & Proclamations:** None
6. **Public Comment/Written Communications:**

The following person(s) spoke during public comments:

Tim Crews spoke briefly about the revelation that former Police Chief Bill Spears had been secretly recording conversations, meetings and encounters over more than a year and a half period. He stated that this is very distressing and it is a crime and the recordings were tied to no investigation. In one of these tapes that he acquired just today, he found former Chief Spears trying to pressure the City's Finance Director/Human Resource Director, Tim Sailsbery, into giving him a statement that was a falsehood, while at the same time lecturing him on the integrity of Police Officers. He believes that the City needs to come clean about this and they need to find out what happened to the other tapes that were made in that year and a half period, because he believes the ones that were turned over by Police Chief Dahl were just a fragment. He just thinks that the City needs to get to the bottom of these types of incidents. He stated that he has lived here for 25 years and he has seen these types of things time and time again and everybody just says "oh well, that's just the way it is", but he stated it is not the way it should be.

Brian Ramos of 'The Friends of the Willows Library' announced upcoming events that will be occurring at the Willows Library.

Gail Green stated that Chief Dahl did not attend or lead the annual Christmas Light Parade as she asserts that past Police Chiefs have. She believes that when Chief Dahl stepped up to be the Chief, it should be his responsibility to do those types of things.

7. **Consent Agenda:**

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

- a) Approval of General, Payroll and Direct Deposit Check Registers (26727-26821;Z04735-Z04851;32864-32912).
- b) Approval of the Regular City Council Meeting Minutes of October 22, 2013.
- c) Approval of the Regular City Council Meeting Minutes of November 12, 2013.
- d) Adoption of 4 Resolutions affirming and updating cafeteria Plan Terms with the City of Willows and the Willows Employees Association, Willows Public Safety Association, Department Heads and Confidential Employees, and the City Manager.

8. Public Hearings:

- a) Conduct a public hearing to solicit input on City-owned farmable real estate and upon conclusion, consider awarding an agricultural lease to Gary L. Simleness and authorize the Finance Director to negotiate the lease agreement:

The City owns approximately 60 acres of farmable real estate for which Council has authorized to lease for agricultural purposes. The existing lease expired on November 30, 2013 and at the October 22 City Council Meeting the Council directed staff to advertise for bidders for a new lease agreement. Said advertisement was published and the bid period ran through November 21 at 2:00 p.m. The City received 6 bids, with the highest responsive bid received by Gary L. Simleness with a first year bid of \$18,185.30. Staff recommends the Mayor conduct the public hearing and award the bid to Mr. Simleness.

Mayor Cobb opened the public hearing at 7:12 p.m. Bob Faust spoke during the public hearing and had some general questions about the term of the lease and the location of agriculture property. Staff addressed his questions and Mayor Cobb then closed the public hearing at 7:14 p.m. It was **moved** by Council Member Domenighini and **seconded** by Council Member Hansen to award the lease contract to Gary L. Simleness and authorize the Finance Director to negotiate the lease agreement with Mr. Simleness, subject to successful agreement and adherence to the terms and conditions of the lease. The motion unanimously passed.

9. Ordinances: None

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

Mayor Cobb stated that he will have to miss the January 14, 2014, City Council Meeting because he will be out of town and he asked Vice Mayor Taylor-Vodden to please chair the meeting in his absence.

The City Manager reminded the Council and Staff about the City's annual Christmas Party that will take place on Friday, December 13. He stated that no public funds will be expended for the party and it is all a volunteer effort of the employees and by generous donations by the Council

Members. He also reminded the Council that he would be out of town beginning on December 18 and returning on January 18. He stated that he will be available by cell phone, but that during his absence Finance Director Tim Sailsbery would be standing in as the Leadership authority for City operations. Lastly, he reminded Mayor Cobb that the annual City Selection Committee Meeting that he needs to attend is scheduled to take place on Monday, January 6, 2014, at the Board of Supervisors office.

11. New Business:

a) Civic Center Parking Lot Slurry Seal Project:

The Civic Center parking lot has not received treatment in a number of years and is in need of resurfacing. City Public Works Staff have recently crack-sealed the parking lot and the Council recently approved a budget allocation for a slurry sealing project to occur to the parking lot in order to provide an extra wearing course that will extend the life of the parking lot as well as provide for disabled parking stalls that will be in conformance with current state and federal standards.

Bid documents were prepared for that project and were legally advertised for public bid in accordance with the Public Contract Code. Bids were opened on Wednesday, November 13. Two bids were received ranging from \$12,957 to \$13,707.18, with the low bid being from Valley Slurry Seal International (VSSI). Staff has reviewed VSSI's bid and determined that it satisfies the bidding requirements for the project. Per the bid documents the overall project must be awarded on the lowest responsible bid received. The total estimated construction cost for the project is \$14,000 which is based on the bid amount of \$12,957 with a construction contingency of \$1043. The project will be funded with the use of Property Tax Assessment Fee Settlement Funds of \$10,000, Civic Center Building Maintenance Funds of \$1000, and Public Works Streets General Special Department Expenditure of \$3000.

Brief Council discussion ensued. Council Member Domenighini gave the Council advance notice that he would be voting no on this project simply because he originally voted no on the original allocations of the Property Tax Assessment Fee Settlement Funds (PTAF) because he believed the PTAF funds should have been placed into the General Fund rather than allocated for special projects. It was **moved** by Council Member Hansen and **seconded** by Council Member Mello to approve a Resolution awarding a construction contract for the Civic Center Parking Lot Slurry Seal Project to Valley Slurry Seal International in the amount of \$12,957, and that an overall budget of \$14,000 be established for the project. The motion passed 4/1, with Council Member Domenighini voting nay.

b) Parking Modifications to City-owned property:

Charles Geyer and Margaret Corona with AlSCO-Geyer Irrigation Systems have entered into a lease agreement for retail space in the former Holiday/Sunshine Market Building located on Tehama Street in Downtown Willows. They plan to open a multi-purpose business operation to include an ACE Hardware retail center and a Willows extension of their existing AlSCO-Geyer Agricultural Irrigation outlet in Arbuckle. Both projects/proposals are fully entitled for this

location and do not require review or approval before the Planning Commission or the City Council. However, because the City of Willows, under the auspices of the former Willows Redevelopment Authority had acquired ownership of the parcels surrounding all private development in the Willow Walk Mall area, modification to these common areas require approval from the owner of record, which is the City of Willows. Therefore, ACE Hardware is requesting authority to complete minor modifications to the parking area by relocating two currently existing handicapped parking stalls and the removal of adjacent landscaping in order to accommodate an outdoor Retail/Specialty Sales and storage area.

The two handicapped parking stalls would be relocated to the center of the common parking area immediately adjacent to the main entryway of the ACE Hardware Outlet. Moving these stalls will accommodate removal of a small area of landscape materials immediately adjacent to the building's East exterior wall and located between the main entry doors and the common Mall entry area doors to the South of the main entry. This would allow development of a well-defined and fenced off area between the two entry areas to house the outdoor retail display location. Plans are currently under review by the City Building, Planning and Engineering Departments and construction will be professionally completed in accordance with approved specifications.

Discussion ensued, and while the Council was agreeable to the parking and landscape modifications, there were some concerns raised over the fence and what will become of the fence should the tenant vacate the building. It was ultimately the consensus of the Council that if the tenant was to move, the removal of the fence would be a reviewable option that would be up to the discretion of the Council. They directed that the conditions of approval that are prepared for this project reflect that. It was **moved** by Council Member Taylor-Vodden and **seconded** by Council Member Domenighini to adopt a Resolution approving minor modifications to parking and landscape areas immediately adjacent to the Willows ACE Hardware Retail Sales location at 255 North Tehama Street in Downtown Willows. The motion unanimously passed.

c) Planning Commission Vacancies:

Two Planning Commission terms (Commissioners Peggy White and Amy Alves) are due to expire at the end of December, 2013. Council Members Taylor-Vodden and Domenighini, at the City Council's October 22, 2013, Regular Meeting, volunteered to interview candidates and report back to the full Council with their recommendation to select two individuals to serve on the Planning Commission beginning January 2014 and expiring December 2017. The City received three applications from City Residents Peggy White, Shirley Benningfield and Robert Griffith. The candidates were interviewed on December 4 and Council Members Taylor-Vodden and Domenighini are recommending Peggy White and Shirley Benningfield be appointed to fill these terms. It was **moved** by Council Member Domenighini and **seconded** by Council Member Taylor-Vodden to appoint Peggy White and Shirley Benningfield to serve on the Planning Commission for a term beginning January 2014 and ending December 2017. The motion unanimously passed.

12. **Council Member Reports:**

Council Member Hansen reported that he attended the Christmas Craft Faire and the Light Parade last Saturday and he was impressed with the turnout.

Council Member Taylor-Vodden reported that she was unable to make the Light Parade due to other obligations. She stated that she worked at the 24 hour endurance race at Thunderhill Raceway and it was very well attended. She stated that people from other Countries even attended the event and everybody she spoke to had very nice things to say about the Willows community. She also reported that she attended a LAFCO meeting yesterday.

Council Member Domenighini reported that there is no Library Board Meeting this month and he was unable to attend the last Transit & Transportation Commission Meeting. He stated that at the last Library Board Meeting that he attended there was a discussion about having the Library Director, Jody Meza, set up a tour of the Library for all of the Council Members. He suggested that the tour could take place just prior to a regular Council Meeting in February.

Council Member Mello gave a report-out of a Special Public Safety Subcommittee Meeting entitled "Police Officer" that occurred on November 6. He reported that the Subcommittee Members, consisting of Council Member Taylor-Vodden and himself, conducted this meeting and functioned on behalf of the City Manager. After their review of the results of the investigation conducted in conjunction with the suspended Police Officer, that Police Officer has returned to work. The details of the investigation are confidential and are part of that Officer's personnel file and no additional action is anticipated. That concludes the involvement of the Subcommittee Members under these circumstances. He also reported that he attended the Waste Management Regional Agency Meeting on November 20. Lastly, he thanked Holly Myers for putting up the Holiday Wreaths at the Post Office and on the Historic Downtown Willows signs. There is also another group headed by Nicky Burley that he thanked for placing holiday decorations at various locations throughout the City. He also thanked Ben Titus for putting up the Avenue of Flags for Veterans' Day.

Mayor Cobb reported that he attended the Light Parade and it was fantastic, and he stated that the Willows community is very lucky to have events like this.

13. **Executive Session:** None

14. **Adjournment:** Mayor Cobb adjourned the meeting at 7:47 p.m.

Dated: December 10, 2013

NATALIE BUTLER

City Clerk

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AGENDA ITEM

TO: Willows City Council
FROM: Tim Sailsbery, Finance Director
SUBJECT: 2013/14 Appropriation Limit

RECOMMENDATION

Conduct a Public Hearing regarding the 2013/2014 Appropriation Limit for the City of Willows and adopt resolution establishing said limit.

SITUATION (or BACKGROUND):

The City is required to establish its appropriations limit annually by Council resolution. The appropriation limitation imposed by Propositions 4 and 111 creates a restriction on the amount of revenue that can be appropriated in any fiscal year. The limit is based on the actual appropriations during the 1978-79 fiscal year and is increased each year using the growth of population and inflation. Not all revenues are restricted by the limit, only those that are designated as "proceeds of taxes" are included.

The City's appropriation limit for fiscal year 2013/14 is \$8,326,093. With qualified proceeds of taxes \$2,993,534 for the year, the City is \$5,332,559 under the limit. The City Auditor has reviewed the worksheets.

FINANCIAL CONSIDERATIONS:

No direct financial consideration as the City is below the Appropriation Limit for 2013/14.

NOTIFICATION

Notice of Public Hearing published in local newspaper

ALTERNATE ACTIONS

1. Adopt by Resolution
2. Request additional information from staff
3. Reject staff recommendation and/or direct item to be returned at later date.

RECOMMENDATION

Conduct a Public Hearing regarding the 2013/2014 Appropriation Limit for the City of Willows and adopt resolution establishing said limit.

Respectfully submitted,



Tim Sailsbery
Finance Director

Attachments:

Appropriations Limit Worksheets 2013/14 (Bound)
Resolution

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS
ESTABLISHING 2013/2014 APPROPRIATION LIMIT

WHEREAS, Proposition 4 which was on the ballot at a special election held on November 6, 1979, added Article XIII B to the Constitution to place various limitations on the fiscal powers of local government; and

WHEREAS, Proposition 111 amended Article XIII B requiring the city to choose adjustment factors annually; and

WHEREAS, the adjustment factors used to determine the 2013/14 appropriation limit are the California per capita income increase and county population growth.

NOW, THEREFORE, BE IT RESOLVED that the City of Willows' 2013/14 Appropriation Limit is \$8,326.093.

PASSED AND ADOPTED by the City Council of the City of Willows this 14th day of January, 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Terry Taylor-Vodden, Vice-Mayor

ATTEST:

NATALIE BUTLER, City Clerk

AGENDA ITEM

TO: Willows City Council
FROM: Tim Sailsbery, Finance Director
SUBJECT: Fund to Fund Transfer Request

RECOMMENDATION

Approve, by motion, the following transfers:
\$76,980.87 from Fund 324 (Debt Service) to Fund 318 (Sewer Enterprise) and close Fund 324.
\$42,085.08 from Fund 370 (Revolving Loans) to Fund 333 (Economic and Community Development) and Close Fund 370.

SITUATION (or BACKGROUND):

Both of the transfer items requested involve “housekeeping” type issues to consolidate funds that are no longer necessary to maintain.

The Debt Service Fund (Fund 324) was in place in order to maintain a reserve in accordance with debt service covenants of the State Revolving Fund Loan provided in 1994 for upgrades to the Sewer Treatment Facility. The final payment on that loan was made in December, and as such, maintaining a stand-alone debt service fund is no longer necessary. These funds should be transferred to the Sewer Enterprise fund, with designation of use, if any, to be determined at a later time.

The Revolving Loan Fund (Fund 370) consists of old CDBG loan repayments that are classified as miscellaneous (discretionary) funds. The City already maintains two such funds to account for such loan repayments that do not have a specified requirement for future revolving or for CDBG grant augmentation. These Funds (Community Discretionary, Fund 330 and Economic and Community Development, Fund 333) render the need to maintain Fund 370 unnecessary. As such, movement into Fund 333 and closure of Fund 370 is recommended. Council then has the discretion to utilize said funds on community or economic projects.

FINANCIAL CONSIDERATIONS:

No net financial change.

RECOMMENDATION

Approve, by motion, the following transfers:

\$76,980.87 from Fund 324 (Debt Service) to Fund 318 (Sewer Enterprise) and close Fund 324.

\$42,085.08 from Fund 370 (Revolving Loans) to Fund 333 (Economic and Community Development) and Close Fund 370.

Respectfully submitted,



Tim Sailsbery
Finance Director
