

MINUTES OF THE WILLOWS CITY COUNCIL REGULAR MEETING HELD
June 26, 2012

1. The meeting was called to order at 7:01 p.m. by Vice Mayor Cobb.
2. **PLEDGE OF ALLEGIANCE:** Council Member Hansen led the Pledge of Allegiance.

3. **ROLL CALL:**

Present: Council Members Yoder, Hansen, Taylor-Vodden, & Vice Mayor Cobb
Absent: Mayor Holvik

4. **Agenda Review:** It was **moved** by Council Member Taylor-Vodden and **seconded** by Council Member Hansen to accept the June 26, 2012, City Council Meeting agenda as presented. The motion unanimously passed.
5. **Presentations & Proclamations:** None

6. **Public Comment:**

Buddy Brackensick spoke about the Fiscal Year 2012/13 Budget that the Council recently adopted on June 19, 2012. He specifically spoke about the wage negotiations that took place between the Associations and the Negotiators and he stated that he has concluded that it was the City that wouldn't budge during the negotiations and not the Unions. He stated that he believes this was a bad thing for the Council to do by reinstating raises to the Unions, when they were willing once again to defer their raises for on additional year. The Police Chief also asked to defer his raise with a guarantee of automatic extension of his contract and he was told no. Mr. Brackensick opined that the City did not negotiate in good faith with the Unions and wants to know why this is going on. He stated that the Unions and the Police Chief were offering to give the City \$110,000 and they were denied their offer by the Council. He wondered if this was the City's way of setting the ground work to get rid of the Police Chief or to eliminate his position or to do away with the Police Department. He stated that the Citizens of the City deserve to know what's going on.

Carl Walter, President of the Willows Public Safety Association, addressed the Council over some concerns he had with the passage of the Fiscal Year 2012/13 Budget on June 19. First, he expressed concerns over some of the verbiage in the Budget Resolution that was adopted. He also spoke of his concerns over a currently vacant position in the Police Department that the Department has been recruiting to fill for some time now. He stated that applicants were tested and interviewed and the Department was just getting ready to begin conducting background investigations and then on Monday, June 25, he was informed that the City Manager unilaterally decided to cancel the application process for this position. He wonders if the Council was aware of this decision prior to June 25 and why the cancelling of the applications process to fill this vacancy was never discussed in a public forum prior to the decision being handed down by the City Manager. He pointed out that the budget that was passed on June 19 did include funding for this particular vacant position, so he wondered why the Department can't continue to move

forward in the application process. He expressed his concerns that over the past few years, the Police Department has lost one-third of their staff and if cuts to staff continue, the level of Police Services offered to the community will be affected due to continued staffing shortages.

7. Consent Agenda:

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

- a) Approval of General Check Register (24677-24769).
- b) Approval of Payroll & Direct Deposit Check Registers (31930-31940 & Z03495-Z03563).
- c) Approval of the June 12, 2012, Regular City Council Meeting Minutes.
- d) Adoption of a Resolution awarding a professional services agreement for the publication of legal notices for the City of Willows to the lowest responsive responsible bidder, the Sacramento Valley Mirror and authorizing the City Manager to execute the agreement on behalf of the City.
- e) Adoption of a Resolution authorizing an extension of the Public Agency Agreement with Wildan Engineering Consultants for General Planning and Environmental Services during Fiscal Year 2012/2013.

8. Public Hearings: None

9. Ordinances: None

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

11. New Business:

- a) Discuss Administrative Procedures & Policy No. 9-1 and consider revising or amending the policy:

The County Elections Office has recently provided the City with a Municipal Elections Calendar in anticipation of the November 6, 2012, General Election. Prior to noticing the public and accepting nomination documents for available Council seats, it seems an appropriate time for the Council to review, discuss, reaffirm, and possibly modify the City's current Election Policy.

The City of Willows Administrative Procedures and Policy Manual No. 9-1 currently limits the candidate statement to 200 words and indicates that the City will be responsible for the cost of publishing the statement.

Elections Code 13307 states as follows:

“(a) (1) Each candidate for nonpartisan elective office in any local agency, including any city, county, city and county, or district, may prepare a candidate's statement on an appropriate form provided by the elections official. The statement may include the name, age, and occupation of

the candidate and a brief description, of no more than 200 words, of the candidate's education and qualifications expressed by the candidate himself or herself. However, the governing body of the local agency may authorize an increase in the limitations on words for the statement from 200 to 400 words. The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations.”

In past years the Council has incurred the cost to have the candidate statement printed in English and if a Candidate chose to have their statement translated to Spanish, the candidate was responsible to incur the additional cost. This year a new law was passed which now requires that candidate statements be printed in both English and Spanish. The deposit amount required for the candidate statement will be roughly \$500 according the Glenn County Registrar of Voters Office, and is based on the estimated cost of printing and mailing the statement. It is Staff’s recommendation that due to this change, the Council should modify the Administrative Policy to reflect this change. The Council should determine the maximum length of the Candidate Statement (either 200 or 400 words), determine whether the Candidate or the City shall bear the cost of publishing the Candidate Statement (approximately \$500) and determine the procedure for breaking a tie vote, either by lot or by a runoff election to be conducted on a Tuesday not less than 40 days nor more than 125 days after the certification of the election that resulted in a tie. It should be noted that on July 11, 2006, this item was on the agenda for discussion and it was asked at that time that the Council be given the opportunity to review this policy prior to each election.

Discussion ensued among the Council and the consensus of the Council Members present was to keep the Candidate Statement at a maximum of 200 words, to have the Candidate bear the cost of the Candidate Statement, and to break a tie by lot. It was **moved** by Council Member Yoder and **seconded** by Council Member Hansen to amend Administrative Policy 9-1 to read as follows:

I. **PURPOSE:**

To establish a policy with respect to the following municipal election issues:

1. Determine the maximum length of candidates’ statements.
2. Determine responsibility for cost of printing and publishing candidates’ statements in the voter pamphlet
3. Determine the procedure for breaking a tie vote.

II. **POLICY:**

1. Candidates’ statements shall be limited to a maximum of 200 words.
2. The Candidate will be responsible for the cost of printing and publishing the candidates’ statements in the voter pamphlet.
3. During an election, a tie vote shall be broken by lot.

The motion was unanimously passed.

b) Proposed increase in the Hotel Users Tax:

During this past year, the City Council hired special consultant, William Berry, to conduct a survey on potential tax measures within Glenn County. The results of the survey process were

reviewed with the City Council during a special mid-year budget review session in early February this year. It was subsequently determined that there was not sufficient time available to complete the steps necessary to place an item on the June Primary Election Ballot. Additionally, it was suggested the June primary results may provide valuable data to assist Staff and Council in the final decision making process concerning placing items on the November ballot.

At a meeting held on May 22, Mr. Berry presented additional information to the Council concerning development of tax measure language, funding options for advertising and/or soliciting voter support and potential legal reviews as required by State Elections Law. Following the June 5th primary, staff reviewed some data provided by the League of California Cities concerning elections results. Based upon staff interpretation of these election results, it is not recommended that the City of Willows pursue a sales & use tax measure at this time. However, it may be prudent at this time to seek an increase in Hotel Users Tax by 2% since city expenses over the past decade have increased by over 60%, yet there has been no consideration for increasing this potential revenue offset. Travelers in our community often benefit from an array of city services provided. A TOT increase is an equitable way to recover a portion of service expenses without placing any additional tax burdens on local residents and business owners. Staff is recommending Council consider approval of the proposed TOT increase.

Council discussion ensued and it was the consensus of the Council that they were in favor of moving forward with putting the Hotel Users Tax measure increase on the November ballot, as it is a means to generate additional revenue for the City without having much, if any, financial impact on the residents of the City. They also agreed with the City Manager that now is not an opportune time to place a sales & use tax increase measure on the ballot because it would very likely be defeated. Vice Mayor Cobb invited comments from the audience.

Mr. Patel, owner of the Economy Inn spoke against placing the Hotel Users Tax Measure increase on the November ballot. He believes that travelers will not stay in Willows if the tax were increased because Willows is not a destination city and there are no attractions here.

Roger Kumar, owner of several hotels and motels in the City also spoke against the tax measure. He believes a 2% increase is too high but he would possibly be more agreeable to a 1% increase. He believes people will continue traveling an additional 25 miles to Corning to the North or Williams to the South where the occupancy tax is 10%.

Holly Myers questioned what City Services the travelers that stay in Willows are utilizing. The City Manager addressed this question, stating that they use City parks, streets, highways, police, fire, and several other services and facilities that City residents use, and expenses for these services have increased 60% over the past decade.

In concluding this item the City Manager made a few closing remarks and he stated that he believes that Willows is, in fact, a destination city with Thunderhill Raceway, the Wildlife Refuge, hunting, and other attractions. He does not agree that people attending events in Willows will travel an extra 25 miles to pay 2% less in motel tax. He reiterated that this is not a tax on local residents, but on the travelers, and the additional revenue that the increase would generate will benefit local services. Finally, he pointed out that staff is not asking the Council to pass the tax measure, but rather seeking Council approval to place the measure on the ballot in order to let the voters of the City decide whether or not to pass the measure.

It was then **moved** by Council Member Hansen and **seconded** by Council Member Yoder to adopt a Resolution proposing an increase in the Hotel Users Tax; Calling for an election to submit to the voters the question relative to the Hotel Users Tax; Requesting the Board of Supervisors to conduct said election; And authorizing the City Clerk to carry out all necessary procedures for said election. The motion was unanimously passed.

12. Council Member Reports:

Council Member Hansen reported that he attended the most recent Transportation & Transit Committee Meeting on June 21.

Vice Mayor Cobb expressed his appreciation at the attendance of tonight's meeting and thanked all of the speakers for the comments that were received.

13. Executive Session: None

14. Adjournment: Vice Mayor Cobb adjourned the meeting at 7:51 p.m.

Dated: June 26, 2012

NATALIE BUTLER

City Clerk

The City of Willows is an Equal Opportunity Provider