

CITY COUNCIL

Vince Holvik, Mayor
Jeff Cobb, Vice Mayor
Gary Hansen, Council Member
Terry Taylor-Vodden, Council Member
Jim Yoder, 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, June 26, 2012

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 June 26, 2012, Agenda.
5. Presentations & Proclamations: None
6. 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*).
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 June 12, 2012, Regular City Council Meeting Minutes.
 - d) Consider 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) Consider 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: (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).
NONE

9. Ordinances: NONE

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

11. New Business:

- a) Discuss Administrative Procedures & Policy No. 9-1 and consider, by motion, revising or amending the policy including:
- Determine the maximum length of Candidates' Statements (either 200 words or 400 words).
 - Determine whether Candidates or the City shall bear the cost of publishing Candidates' Statements in the voter pamphlet. (\$500 deposit)
 - 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.
- b) Consider adoption of a Resolution proposing an increase in the Hotel Users Tax; Calling for an Election to submit to the voters the question relating 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.

12. Council Member Reports:

13. Executive Session: None

14. Adjournment:

CERTIFICATION: Pursuant to Government Code §54954.2 (a), the agenda for this meeting was properly posted on or before June 21, 2012.

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.

The City of Willows is an Equal Opportunity Provider

CITY OF WILLOWS RULES OF MEETING ORDER AND DECORUM

(Adopted by the Willows City Council 6/12/2012)

PRIOR TO THE MEETING:

The Council requests that you observe the order and decorum of the Council Chamber by turning off or setting to vibrate all cellular telephones and pagers prior to entering the Chamber. It is also requested that no food or drinks (other than water in a capped bottle) be brought in the Chamber.

PUBLIC COMMENTS:

The meetings of the City Council and all municipal entities, commissions, and boards of the City of Willows ("the City") are open to the public. At regularly scheduled meetings, members of the public may address the City on any item listed on the agenda while that item is under consideration, or may address the City during the "Public Comment" portion of the meeting on any NON-LISTED matter over which the City has jurisdiction. At special or emergency meetings, members of the public may only address the City on items listed on the agenda. *Communications by individuals are generally restricted to three minutes.* The City may request speakers to designate a spokesperson to provide public input on behalf of a group, based on the number of people requesting to speak and the business of the City.

In accordance with the Brown Act, all matters to be acted on by the City at Regular Meetings must be posted at least 72 hours prior to the City meeting. In cases of an emergency, or when a subject matter needs immediate action or comes to the attention of the City subsequent to the agenda being posted, upon making certain findings, the City may act on an item that was not on the posted agenda.

AGENDA STAFF REPORTS AND HANDOUTS:

Staff reports and other disclosable public records related to open session agenda items are available at City Hall, 201 North Lassen Street, Willows, CA 95988 during regular business hours or on the City's Website at www.cityofwillows.org.

CONDUCT IN THE CITY COUNCIL CHAMBERS:

Each person who addresses the City on any item shall do so in an orderly manner and shall not make personal, impertinent, slanderous or profane remarks to any member of the Council, staff or general public which disrupts, disturbs or otherwise impedes the orderly conduct of the Meetings.

Members of the audience shall not engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, clapping, whistling, stamping of feet or other acts which disturb, disrupt, impede or otherwise render the orderly conduct of the meetings infeasible. A member of the audience engaging in any such conduct shall, at the discretion of the presiding officer, a majority of the City, or the Sergeant-At-Arms be subject to ejection from the meeting per Gov. Code Sect. 54954.3(c).

Removal from the Council Chambers

Any person who commits the following acts in respect to a meeting of the City shall be removed from the Council Chambers per Gov. Code Sect. 54954.3(c).

- (a) Disorderly, contemptuous or insolent behavior toward the City or any member thereof, tending to interrupt the due and orderly course of said meeting;
- (b) A breach of the peace, boisterous conduct or violent disturbances, tending to interrupt the due and orderly course of said meeting;
- (c) Disobedience of any lawful order of the Mayor, which shall include an order to be seated or refrain from addressing the City; and
- (d) Any other unlawful interference with the due and orderly course of said meeting.

Your participation in City Meetings is always welcome and your courtesy in obeying these rules of decorum is appreciated.

MINUTES OF THE WILLOWS CITY COUNCIL REGULAR MEETING HELD
June 12, 2012

1. The meeting was called to order at 7:00 p.m. by Mayor Holvik.
2. **PLEDGE OF ALLEGIANCE:** Dennis James led the Pledge of Allegiance.
3. **ROLL CALL:**

<u>Present:</u>	Council Members Yoder, Hansen, Taylor-Vodden, Cobb & Mayor Holvik
<u>Absent:</u>	None
4. **Agenda Review:** The City Manager requested the removal of item 11 (a) which was to consider general fund appropriation in the amount of \$12,500 for nuisance abatement for abatement services at 245 North Plumas Street. It was then **moved** by Council Member Yoder and **seconded** by Council Member Hansen to accept the June 12, 2012, City Council Meeting agenda as amended. The motion unanimously passed.
5. **Presentations & Proclamations:**
6. **Public Comment:** Dennis James announced that the VFW Post 1770 and Glenn County Veterans will host an American flag retirement activity on Flag Day, June 14, at 9:00 a.m. The ceremony will take place on the steps of the Memorial Hall and Willows Troop 57, Scouts and Veterans will be retiring tattered American flags. The public is encouraged to attend.
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 and the following items were approved/adopted:
 - a) Approval of General Check Register (24605-24676).
 - b) Approval of Payroll & Direct Deposit Check Registers (31890-31930 & Z03495-Z03563).
 - c) Approval of the May 22, 2012, Regular City Council Meeting Minutes.
 - d) Adoption of a Resolution in support of the PG&E proposed Economic Incentive Rate for Central and Northern California areas with unemployment rates 25% greater than the State average.
 - e) Adoption of a Resolution consenting to the extension of service charges imposed on improved real property within the incorporated area of the City of Willows for Fiscal Year 2012/2013 for the use and/or ability to use the Glenn County Solid Waste System.
8. **Public Hearings:**
 - a) Landscaping and Lighting Assessment District public protest hearing, open and review any received ballots and consider adoption of a Resolution approving the Engineer's

Report as filed and confirming the assessment diagram and amounts set forth therein and authorize the levy and collection of assessments for Fiscal Year 2012/13:

Prior to this item being heard, the City Manager stated that he had a conflict of interest, as he is a property owner in the Birch Street subdivision. He then exited the Council Chambers.

City Engineer John Wanger presented the staff report explaining that the Willows Landscaping and Lighting Assessment District was initially formed by the City in 2005 to pay for costs associated with maintaining landscaping and maintenance in the Birch Street Village subdivision; (Zone A), in accordance with the Landscaping and Lighting Act of 1972 ("Act").

The Act requires that the City undertake certain proceedings for any fiscal year in which assessments are to be levied and collected. These proceedings are typically accomplished at three separate Council meetings. The first action, appointing an Engineer of Work and directing the preparation of the annual Engineer's Report, was completed by the Council on February 14, 2012. The second action to receive the Preliminary Engineer's Report and set the date of the required public information meeting as May 15, 2012, and the public protest hearing as June 12, 2012, was completed on April 24, 2012. Tonight is the third and final step in the process – conduct the public protest hearing, open and review ballots, approve the Engineer's Report as presented or as amended tonight and authorize the levy of assessments for FY 2012-13.

Ballot packets were mailed to the parcel owner proposed for annexation into a new Zone B (Walmart). Proposition 218 requires property owners to vote, by separate ballot, any new annexation of their property into an assessment district. At tonight's meeting, the rules governing this type of an assessment district requires that a public protest hearing be held to hear any comments/concerns from property owners within the district. Staff recommends opening, receiving comments and closing the public hearing. Following the public hearing, staff recommends a short recess be provided for staff to conduct a ballot count of received ballots. If a majority of "yes" ballots are received for a specific Zone, then the annexations into the specific Zone may be approved by the Council. If a majority of "no" ballots are received for a specific Zone, then the annexation proceedings for that specific Zone must be dropped.

At the conclusion of tonight's public hearings and the counting of received ballots, the City Council may authorize the levy and collection of the annual assessments, as preliminarily approved on April 24, 2012, or decrease them, but cannot increase them greater than the amounts set on April 24, 2012.

Presented to the Council was the final Engineer's Report as prepared by Coastland Civil Engineering. Because the Council did not request any changes to the preliminary report filed on April 24, 2012, the proposed assessments shown in this report have not changed from the preliminary report. The City Council should review the report one final time and let staff know if there are any desired changes to be made to the report. If not, the proposed assessments shown in the report will be passed on to the County Assessor's office for inclusion on the tax rolls.

In brief, the report outlines costs from FY 2011-12, summarizes the projected costs for FY 2012-13 and provides the proposed overall assessments. In order to keep up with inflation, the

estimated maximum annual assessment is proposed for increase by the allowable annual CPI (year 2011) of +2.6% for Zone A, and new Zone B will have a maximum annual assessment, and allow cost of living adjustments annually. The raised maximum annual assessment for Zone A is now \$416.73 per parcel, and the new maximum annual assessment for Zone B is \$5,920.00 per parcel. While the estimated maximum annual assessment will increase for Zone A, the actual amount that will be levied and collected during FY 2012-13 will be reduced from \$258.00 in FY 2011-12 to \$210.32 per parcel. This reduced assessment is due to the spread of assessment engineering costs over two zones. The actual amount that will be levied and collected for Zone B during FY 2012-13 is to be \$4,453.90 per parcel.

During FY 2008-09, the Council implemented a minimum reserve balance of 10% to 20%. It is noted that the projected Assessment District reserve balance for Zone A at the end of FY 2012-13 is slightly above that target. If it is found that an excess reserve balance does exist at the end of FY 2012-13, the assessments may be reduced the following year. The reserve for Zone B is anticipated to build over the next few years to reach the desired minimum level.

If the Council finds there is no majority protest to the annexation into Zone B, and finds the report acceptable, the Council should adopt the resolution before them approving the Engineer's Report and authorizing the levy of assessments per the Engineer's Report. The adoption of tonight's resolution is pursuant to Section 22631 of the Streets and Highways Code. The assessment information will then be transmitted to the County for the inclusion on the tax rolls.

Mayor Holvik opened the Public Hearing at 7:12 p.m. Ed Schnurbusch spoke during the hearing and asked if there are any waivers of the assessment costs for disabled Veterans, as he has a relative that lives in that district and because he is a disabled Veteran, his property taxes are waived. The Engineer explained that there is nothing in State Statute that allows for waivers of these assessment fees. The Mayor then closed the hearing at 7:13p.m. The City Clerk then opened the ballot received from the property owner of Walmart (Zone B), and the ballot reflected a "yes" vote that they would accept the assessment. It was then **moved** by Council Member Yoder and **seconded** by Council Member Cobb to adopt a Resolution approving the annual Engineer's Report, Confirming the assessment diagram and the annual assessment amounts and authorizing the levy and collection of assessments for fiscal year 2012/13 for the City of Willows Landscaping and Lighting Assessment District Zone A – Birch Street Village and Zone B – Walmart. The motion unanimously passed.

b) CDBG Program Income Reuse Plan:

At the May 22 meeting the Council approved the use of \$37,000 of Program Income to replace the bay doors at the Fire Station as a Community Facilities Project under a CDBG Grant. One of the steps necessary in order to complete this process is to conduct a public hearing to solicit public input in order to update the Program Income Reuse plan to allow for the use of program income in this manner. Previously the Program Income reuse plan limited use to revolving into additional loans or to place into an open grant. Utilizing funds that are within CDBG objectives but are not revolving or part of an open grant has now been added to the updated plan document that is before the Council for approval this evening. Once adopted by Resolution and provided there are no amendments in the interim, the Program Income Reuse plan will govern the use of

program income funds for a period of up to five years.

Mayor Holvik opened the public hearing at 7:19 p.m. and hearing no comments, subsequently closed the hearing at 7:19 p.m. It was then **moved** by Council Member Hansen and **seconded** by Council Member Taylor-Vodden to adopt a Resolution adopting the City of Willows Program Income Reuse Plan for the Administration and Utilization of Program Income resulting from activities funded under the State of California Community Development Block Grant Program. The motion unanimously passed.

9. **Ordinances:** None

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

11. **New Business:**

- a) This item was removed from the agenda under item 4, "Agenda Review".
- b) 1. City Council Chamber Rental Policy:

Recently the Council introduced some discussion about the use and/or rental of the City Hall facility and expressed concerns about potential costs associated with frequent use of city facilities without an appropriate mechanism to recover costs of impacts to the city. Staff was directed to conduct a survey of other agencies and bring a recommendation back for Council's consideration.

Staff requested information from other agencies and found that many cities lack similar policies for use of City Hall or simply did not allow outside use or rental of their facilities. In larger agencies it was common not to allow use of City Hall, often because other venues were more readily available with established policy and use fees in place (i.e., Senior Centers, Recreation Centers, Libraries, etc.) Smaller agencies typically had no formal policy or did not allow use of their facilities by outside agencies. Staff found an example of a reasonable policy and made some Willows specific edits for Council review and consideration. Staff is now seeking direction from the Council on the interest in establishing a similar policy for the City of Willows.

Council discussion ensued and although there appeared to be a consensus of the Council that a policy should be created, the Council Members did not have a general consensus on what the established fee should be, who would have the responsibility to waive fees (the Council or the City Manager) if a fee waiver was requested, etc. The Council did agree that due to the fact that the City utilizes the School District's facilities for a variety of recreational and police activities free of charge, that the School Board would be exempt from paying a rental fee for the Chambers once a policy is adopted. The City Manager pointed out that many of the other groups that use the Chambers are non-profits or volunteer boards such as the Willows EDC and the Greater Willows Improvement League and he suggested that perhaps the creation of a fee may discourage certain groups from continuing to utilize the facility because they may not be able to afford to do so. After a lengthy discussion among the entire Council, no specific Council

direction was given to the Staff and no formal action was taken on this item, as the Council didn't appear to have a consensus on many of the items that were discussed. Staff indicated they would continue to research this and make some modifications and revisions to the rental agreement that was introduced to the Council tonight, and they will come back at a future meeting with a more definitive rental agreement/policy at a later meeting for the Council to discuss and consider adopting.

b) 2. Rules of Meeting Order and Decorum:

This item is somewhat of a "companion" item to 11 (a), in that during the process of seeking samples of Council Chambers Rental Agreements, some cities provided examples of their Rules of Meeting Order and Decorum during public meetings. As such, Staff is presenting for Council consideration, a policy establishing the orderly conduct of city business meetings and is seeking direction from the Council on the possible adoption of these rules of order.

Council discussion ensued and all of the Council Members indicated that they liked the Rules of Decorum, which are already part of State statute, and this is simply a way to formalize the rules to be followed by the City. The Council, by a unanimous consensus, formally adopted the rules as presented (attached hereto as Exhibit A), and they stated that these rules should be attached to the agenda face of all future City Meetings.

12. Council Member Reports:

Council Member Hansen reported that he attended the most recent Transportation Committee meeting and the first Farmers' Market. Council Member Taylor-Vodden added that she also attended the Farmers' Market and that there are a lot of future events scheduled to take place in conjunction with future Farmers' Markets, including a Business Expo.

Mayor Holvik reported that he recently attended a Senior Housing Meeting. He also announced that he will be absent during the second meeting in June and the first meeting in July and that Vice Mayor Cobb would be running the meetings in his absence. Lastly, he reminded everybody that there will be a Special Budget Meeting at 6:00 p.m. on June 19 to potentially adopt the budget for fiscal year 2012/13.

13. Executive Session: None

14. Adjournment: Mayor Holvik adjourned the meeting at 7:58 p.m.

Dated: June 12, 2012

NATALIE BUTLER

City Clerk

The City of Willows is an Equal Opportunity Provider

AGENDA ITEM

June 26, 2012

TO: Honorable Mayor Holvik and Members of City Council
FROM: Steve Holsinger, City Manager
SUBJECT: Award Contract for Legal Advertising for City of Willows

RECOMMENDATION

Staff is recommending the City Council authorize by Resolution, accepting the proposal submitted by the Sacramento Valley Mirror for Legal Advertising Services and authorize the City Manager to execute a Professional Services Agreement between the City of Willows & Sacramento Valley Mirror.

SUMMARY

Recently the City Clerk solicited bids for advertising services for publication of Legal Notices and other documents as required. As a result of this effort, two bid packets were distributed and two bids were received. Based upon the Bid qualifications; along with associated Cost Quote(s) the Sacramento Valley Mirror was determined to be the "lowest responsive, responsible bidder" for Legal Advertising Services. Therefore, staff is recommending award of Legal Advertising Contract to the Sacramento Valley Mirror.

FINANCIAL CONSIDERATIONS

Unknown at this time, however not anticipated to exceed funding available in the City of Willows 2012/2013 Fiscal Work Plan.

ALTERNATE ACTIONS

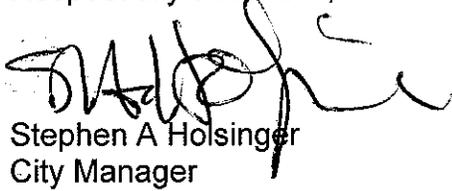
1. Staff is recommending City Council authorize by Resolution accepting the proposal submitted by the Sacramento Valley Mirror for Legal Advertising Services and authorizes the City Manager to execute a Professional Services Agreement between the City of Willows & Sacramento Valley Mirror.
 2. Request additional information from Staff.
 3. Reject the recommendation and deny authorization to enter professional services agreement.
-

RECOMMENDATION

Staff is recommending City Council authorize by Resolution accepting the proposal submitted by the Sacramento Valley Mirror for Legal Advertising Services and authorize the City

Manager to execute a Professional Services Agreement between the City of Willows & Sacramento Valley Mirror

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stephen A. Holsinger". The signature is fluid and cursive, with a large initial "S" and "H".

Stephen A Holsinger
City Manager

Attachments: Resolution authorizing award of bid for advertising services and Professional Services Agreement to be executed by City Manager.

Bids received for Legal Publications

**CITY OF WILLOWS
CITY COUNCIL RESOLUTION NO. -2012**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS
AWARDING A PROFESSIONAL SERVICES AGREEMENT FOR THE PUBLICATION
OF LEGAL NOTICES FOR THE CITY OF WILLOWS AND AUTHORIZING THE CITY
MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY**

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; and

WHEREAS, the City of Willows did solicit bids for the publication of legal notices; and

WHEREAS, the CITY wishes to contract for such services with a newspaper of general circulation in the City of Willows; and

WHEREAS, Sacramento Valley Mirror is experienced in providing such services for municipal corporations and other public & private agencies and is able to provide personnel with the proper experience and background to carry out the requirements involved; and

WHEREAS, the City of Willows wishes to retain the Sacramento Valley Mirror for the performance of said services; and

WHEREAS, Sacramento Valley Mirror, is an independent contractor, and not an employee of the City.

NOW, THEREFORE, BE IT RESOLVED, in consideration of the mutual covenants, benefits and premises herein stated, the parties hereto agree as follows:

The Agency does hereby appoint Sacramento Valley Mirror, in a contractual capacity, to perform the services in accordance with the terms and conditions hereinafter set forth and as attached hereto as Exhibit(s) "A"
PROFESSIONAL SERVICES CONTRACT -LEGAL PUBLICATIONS

BE IT FURTHER RESOLVED that the City Council of the City of Willows does hereby approve the agreement between the City of Willows and Sacramento Valley Mirror attached and authorized the City Manager of the City of Willows to execute said agreement.

PASSED AND ADOPTED by the City Council of the City of Willows this 26th day of June, 2012, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Vince Holvik, Mayor

Natalie Butler, City Clerk

EXHIBIT A

CITY OF WILLOWS PROFESSIONAL SERVICES CONTRACT LEGAL PUBLICATIONS

THIS CONTRACT, made and executed this day of July 1, 2012, by and between the City of Willows, California, hereinafter referred to as "City", and the Sacramento Valley Mirror hereinafter referred to as "Contractor" and "Bidder", and shall remain in effect until June 30, 2013:

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: July 1, 2012

ATTEST:

Natalie Butler, City Clerk

Sacramento Valley Mirrow ("Contractor")

By Tim Crews

Dated: _____

Title

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

Fiscal Year 2012/2013 Quotation Form
Bid for Legal Publications

Name of Newspaper The Sacramento Valley Mirror

Name of Publishing Company (Above)

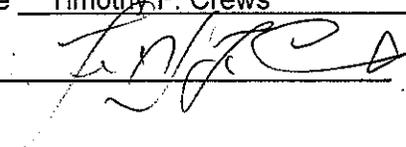
Mailing Address 138 W. Sycamore St., Willows, CA 95988

Office Address (Above)

Telephone 530/934-9511

1. Price per column inch from 7/01/2012 to 6/30/2013 \$5.40 for legal ads submitted
electronically, copy ready
2. Width of column excluding space margin shall be ~~4.82~~ 1.92"
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? 8
5. Total Circulation per Issue in the City of Willows 1165
6. Total Paid Subscribers in the City of Willows 392
7. Legally adjudicated newspaper of general circulation in Willows?
Date Adjudicated? April 22, 2003 Court Decree # 02CV00614
8. Additional Comments: See attached

Print Name Timothy F. Crews Title Publisher/Editor/Owner

Signature  Date May 30, 2012

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., May 31, 2012
Anticipated date of Award of Bids is June 26, 2012

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 June 26, 2012), and ending June 30, 2013. 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 May 31, 2012, 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

The cost of this ad would be \$32.40 (6 column inches)

**Dear Councilmembers,
Please note that our legal columns are 1.92 inches wide, whereas the Willows Journal legal columns are 1.5 inches wide.**

Also, please consider that we are totally a locally owned Glenn County newspaper with the only office in downtown Willows, whereas the Willows Journal's main office is in Yuba City, which is part of by Freedom Communications, Inc. in Irvine, Calif., which is now owned by investment bankers due to Freedom's bankruptcy filing.



CITY OF WILLOWS

POSTED

BUSINESS LICENSE APPLICATION

Return this form with Tax to:
 City of Willows
 Finance Department
 201 N. Lassen Street
 Willows, CA 95988
 530) 934-7041

- RENEWAL
- NEW BUSINESS

Please type or print.
 Make changes in printed information where necessary.

BUSINESS NAME SACRAMENTO VALLEY MIRROR (SAC0003)		
BUSINESS LOCATION (Complete Address, City, State, Zip) 138 W. SYCAMORE ST. WILLOWS CA 95988		
MAILING ADDRESS IF DIFFERENT THAN BUSINESS LOCATION ADDRESS 138 W. SYCAMORE ST. WILLOWS CA 95988		
BUSINESS TELEPHONE (530) 934-9511	OWNER'S HOME PHONE (530) 934-3640	DATE BUSINESS STARTED IN WILLOWS 07/01/06
BUSINESS OWNER TIM CREWS		FEDERAL EMPLOYER ID / SSN # 533-42-3142
HOME ADDRESS (Complete Address, City, State, Zip) 4399 CO. RD. 302 WILLOWS CA 95988		
RESALE NUMBER (BOARD OF EQUALIZATION)	STATE EMPLOYER ID #	STATE CONTRACTORS LICENSE NUMBER

IS APPLICATION FOR SOLE PROPRIETORSHIP PARTNERSHIP CORPORATION
 (LIST ALL PARTNERS) (LIST OFFICERS & TITLES)

NAME/TITLE	HOME ADDRESS	(AREA CODE) PHONE

TIM CREWS
 138 W. SYCAMORE ST.
 WILLOWS CA 95988

TO CALCULATE YOUR TAX, USE
 CATEGORY 5.05.²³⁰
 IN SECTION C. (PG 2).

**CITY USE ONLY -
 DO NOT WRITE IN THIS AREA**

APN # _____
 ZONING _____

PLEASE CHECK APPROPRIATE BOXES:

- YES NO Do you have any coin-operated machines (any type) on premises? If so, how many?
 Provide name and address of owners of coin-operated machines on back of application. Section A (PG 2).
- YES NO Do you lease equipment from others? If yes, complete back of application. Section B (PG 2).

TYPE OF BUSINESS (Give full description)

AVOID PENALTIES - FILE PROMPTLY

AFFIDAVIT: I hereby declare under penalty of perjury, that the reported information is true and correct to the best of my knowledge.

SIGNATURE [Signature] DATED 4/26/2012

RECEIVED BY [Signature] DATE 5/29/12 AMOUNT 34.50 RECEIPT # _____ CASH
 CHECK

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

Fiscal Year 2012/2013 Quotation Form
Bid for Legal Publications

Name of Newspaper Willows Journal & Orland Observer
Name of Publishing Company Tri Counties Newspapers
Mailing Address 130 N. Butte St. Suite A, Willows, CA 95988
Office Address same
Telephone 934-6800

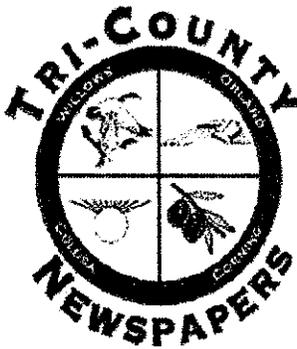
1. Price per column inch from 7/1/2012 to 6/30/2013 Government rate = \$6.32
2. Width of column excluding space margin shall be 1.82 Column width = 1.544"
3. Type Style shall be at the discretion of the Publisher, Font Size shall be 9.0 with 10.0 Leading. Page size 9.89 x 2.65"
4. Number of lines per column inch? 9 lines per inch 8pt w/ 5pt leading
5. Total Circulation per Issue in the City of Willows Paid circulation = 953
6. Total Paid Subscribers in the City of Willows Paid circulation = 953
7. Legally adjudicated newspaper of general circulation in Willows?
Date Adjudicated? 12/26/51 Court Decree # 9076
8. Additional Comments: see attached

Print Name Debbie Baggett Title Adv. & Mktg Director
Signature Debbie Baggett Date 5/31/12

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., May 31, 2012
Anticipated date of Award of Bid is June 26, 2012

The Willows Journal
130 N. Butte St., Suite A
Willows, CA 95988



Orland Press-Register
130 N. Butte St., Suite A
Willows, CA 95988

Colusa County Sun-Herald
249 5th Street
Colusa, CA 95932

Corning Observer
1208 Solano Street
P.O. Box 558
Corning, CA 96021

Page 2 of Bid for Legal Publications

8. Additional Comments:

The Willows Journal and Orland Observer are part of Freedom Newspapers, Inc. a family of community newspapers. Freedom has a long and extensive history in publishing weekly, bi-weekly and daily newspapers. Our staff is available to assist you Monday through Friday from 8 am to 5 pm. With an associate dedicated to serving the needs of our legal clients, you can expect a speedy response and accurate fulfillment of your needs.

The Willows Journal and Orland Observer publish bi-weekly each Wednesday and Saturday to 953 paid subscribers in Willows and 747 paid subscribers in Orland. When placing legal ads in the Willows Journal, your legal notice is also placed in the Orland Observer at no additional cost.

Further extending the reach to a larger audience, legal notices are placed online on our newspaper website and are part of the My Public Notices network, providing searchable legal notices within the entire state. The website for the Willows Journal averages 12,466 unique visitors per month with an additional 2,422 mobile visitors. The website for the Orland Observer averages 8,576 unique visitors per month with an additional 2,090 mobile visitors. Our network of products provides the largest reach in the area.

Legal notices are type set in a 2-column format (samples included) using 8 point type with 5 point leading, fully complying with state and county requirements. Our point size and leading are intended to assure our clients are not spending more on legal notices than is necessary. Our format allows for the best use of space and reduces the length of legals when compared to a larger point size.

We take pride in our printing quality and have received state recognition for our quality, clarity and print registration (sample included).

Deadlines for legal notices are 3 pm Fridays for Wednesday publication and 3 pm Tuesdays for Friday publication.

**CITY OF WILLOWS
NOTICE OF CITY COUNCIL VACANCY/
APPOINTMENT**

The City of Willows will be accepting applications through 5:30 p.m. on November 1, 2011, for one available seat on the Willows City Council. The term of office will expire in November of 2014. An application and vacancy announcement is available at the City Clerk's office of the Civic Center, 201 North Lassen Street, Willows or by visiting the City's website at www.cityofwillows.org under "News". For questions, please call 934-7041. The City of Willows is an Equal Opportunity Provider.

WJ - October 19 & 26, 2011

Ad #00127791

AGENDA ITEM

June 26, 2012

TO: Honorable Mayor Holvik and Members of City Council

FROM: Steve Holsinger, City Manager

SUBJECT: Approve an Extension of the Professional Service Agreement with Wildan Planning and Environmental Services Division.

RECOMMENDATION

Staff recommends that the City Council approve by resolution an extension of the Professional Services Agreement with Wildan Engineering to provide General Planning & Environmental Services to the City of Willows throughout Fiscal Year 2012/2013.

SUMMARY

Throughout the past couple fiscal years, several options for providing Planning & Environmental Services have been explored by city staff. A Contract for Planning Services was awarded to Wildan Engineering Consultants for the fiscal 09/10 period; ending June 30, 2010. That Contract has since been extended through during each subsequent fiscal year, at the same terms & conditions.

The proposal is to provide Planning Services under the same hourly billing rate as in prior years. Wildan Engineering Consultants currently serve Glenn County with Engineering Services. The Wildan Group has recently extended Planning Services to Glenn County by utilizing (via mutual consent) Karen Mantele; Willows' city planner. Contract extension will allow the City of Willows to be able to maintain a consistent one-day-per-week planner at city hall. Staff recommends approval of the Wildan proposal.

FINANCIAL CONSIDERATIONS -

Total expense is not anticipated to exceed allocated funding within the 2012/2013 fiscal work plan.

NOTIFICATION

Albert V. Warot, Director of Planning
Wildan Engineering Group

RECOMMENDATION

Staff recommends that the City Council approve by resolution an extension of the Professional Services Agreement with Wildan Engineering to provide General Planning & Environmental Services to the City of Willows throughout Fiscal Year 2011/2012.



Steve Holsinger
City Manager

Attachments: Resolution authorizing extension of agreement
Exhibit "A" - Wildan Proposal Letter – dated June 21, 2012

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS
AND AUTHORIZING AN EXTENSION OF THE PUBLIC AGENCY AGREEMENT
WITH WILDAN ENGINEERING CONSULTANTS FOR GENERAL PLANNING
AND ENVIRONMENTAL SERVICES DURING FISCAL 2012/2013**

WHEREAS, the City recognizes the importance of providing regular and professional comprehensive Planning & Environmental Services; and

WHEREAS, the CITY wishes to contract for such services with a private consultant; and

WHEREAS, Wildan Consulting is experienced in providing such services for municipal corporations and is able to provide personnel with the proper experience and background to carry out the duties involved; and

WHEREAS, the City of Willows wishes to retain Wildan Consultants, for the performance of said services; and

WHEREAS, Wildan Consulting is an independent contractor and not an employee of the City.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Willows does hereby approve the Professional Services Agreement between the City of Willows and Wildan Consultants be extended throughout Fiscal Year 2012/2013.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council on this 26th day of June, 2012, by the following vote:

AYES in favor of:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTESTED:

Mayor Vince Holvik

Natalie Butler, City Clerk

EXHIBIT A



June 21, 2012

Mr. Steve Holsinger
City Manager
City of Willows
201 North Lassen
Willows, CA 95988

Subject: Contract Planning Services

Dear Mr. Holsinger:

It has been our privilege to serve as the City of Willows' contract planning staff for the past three fiscal years. If the City so desires, it would be our pleasure to continue to serve in this capacity during the coming (2012-13) fiscal year. Ms. Karen Mantele would be assigned to continue to serve as the City's contract Planning Director, with additional technical support staff available for her to call upon, if and when needed.

Ms. Mantele's services would be billed on an hourly basis at her current rate of \$85.00. This rate is fully burdened and the City would not be billed extra for any overhead or other incidental costs. We understand that the City has budgeted \$28,000 from its General Fund for planning administration services during the 2012-13 fiscal year, which would allow for Ms. Mantele to be present at City Hall for approximately six (6) hours per week. These hours would be devoted to providing public counter coverage, preparing City initiated ordinances/studies and performing general office administration, but exclude any time expended on discretionary case processing

All work associated with the processing of development applications would continue to be tracked separately and the City would be fully reimbursed for these costs from developer deposits. In this manner, the City will continue to realize full cost recovery for these planning services. Moreover, when combined with the 6 hours of planning administration time per week, the time expended in processing development applications could enable Ms. Mantele to devote a total of 10 to 16 hours of effort per week to the City of Willows, depending upon the level of development activity that occurs. This, in fact, has been our experience during this past year.

We sincerely appreciate the opportunity to once again offer our professional planning services to the City of Willows and look forward to the possibility of continuing to assist you with your planning needs. If you have any questions, please contact me at (916) 924-7000, extension 6209, or awarot@willdan.com.

Respectfully submitted,

Willdan Engineering

Albert V. Warot
Director of Planning

AW:mh
91005-11\06-190\P12-145_6114

AGENDA ITEM

June 26, 2012

TO: Honorable Mayor Holvik and Members of City Council
FROM: Natalie Butler, City Clerk
SUBJECT: Election Policies

RECOMMENDATION

Discuss Administrative Procedures & Policy No 9-1 and consider, by motion, revising or amending the policy.

SUMMARY

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 is \$500 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 Police to reflect this change (See items 2 & 3 under "Purpose" and "Policy".)

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.

FINANCIAL CONSIDERATIONS

Financial Considerations are unknown at this time, as this would be determined by the number of Candidate Statements received for the three upcoming open Council Seats.

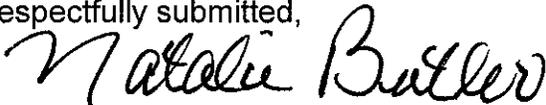
ALTERNATE ACTIONS

1. Request additional information to be provided by staff.
-

RECOMMENDATION

Discuss Administrative Procedures & Policy No 9-1 and consider, by motion, revising or amending the policy.

Respectfully submitted,



Natalie Butler,
City Clerk

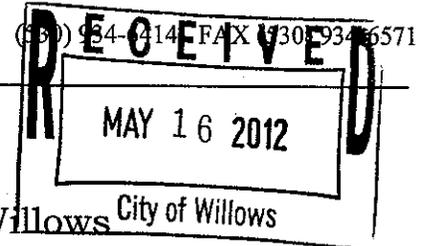
Attachments: Municipal Election Calendar for the November 6, 2012 General Election
 Administrative Procedure and Policy No. 9-1



COUNTY OF GLENN ELECTIONS DEPARTMENT

SHERYL THUR
Assessor
County Clerk
Recorder
Elections

Courthouse Complex
516 West Sycamore Street, 2nd Floor
Willows, CA 95988



DATE: May 15, 2012
TO: Natalie Butler, City Clerk, City of Willows
FROM: Lisa Teeter, Supervising Office Technician
SUBJECT: **NOVEMBER 6, 2012 GENERAL ELECTION**

As you know, pursuant to an ordinance passed by the city and adopted by the board of supervisors, all regularly scheduled city elections are to be consolidated with the statewide general election in November of each even-numbered year. Though the election is months away, we are already beginning to prepare for it. To help you prepare for it, we have enclosed a brief election calendar.

Our records show that the following positions are to be filled:

- City Council, 4-year term; incumbent: Gary L. Hansen
- City Council, 4-year term; incumbent: Vincent Holvik
- City Council, 4-year term; incumbent: James I. Yoder

Since city candidates will be filing in your office, we recommend that you telephone us prior to issuing nomination papers in order to ascertain whether or not the potential candidate is a properly registered voter of the city per Government Code § 36502(a).

If you have any questions, please call us at **934-6414**.

BRIEF MUNICIPAL ELECTION CALENDAR FOR THE NOVEMBER 6, 2012 GENERAL ELECTION

July 2 through July 16

During this period the city clerk must publish a **notice of election** one time in a newspaper of general circulation in the city. (Elections Code § 12101) The notice must state:

- The date and polling hours of the election
- The offices to be filled, specifying full or short terms

July 9

Deadline for city to submit **rules for candidate statements of education and qualifications** to the county elections official.

- Determines whether statements shall be limited to 200 words or 400 words;
- Determines whether candidates or the city shall bear the cost of publishing the statements in the voter pamphlet. (Elections Code § 13307)

Suggested deadline for city to determine whether **tie votes** shall be resolved by lot or a runoff election to be conducted on a Tuesday not less than 40 nor more than 125 days after the certification of the election that resulted in a tie. (Elections Code § 10551)

July 16 through August 10

Candidate **nomination period**. Nomination documents must be obtained from and filed with the city clerk during normal office hours as posted. Candidates must collect the signatures of not less than 20 and not more than 30 registered voters. The nomination papers shall contain an affidavit of the nominee that he will accept the office if elected. Only registered voters of the city may circulate nomination papers for city offices. (Elections Code §§ 10220-10227)

Candidates may not **withdraw** after August 10.

A candidate, at his option, who wishes to have his **candidate statement of education and qualifications** included in the voter sample ballot pamphlet must file the statement and pay the printing cost deposit (if the city will not bear the cost) at the time the declaration is filed. The deposit is \$500. (Elections Code § 13307)

August 10

Last day for the county board of supervisors to **approve a resolution** from the city requesting consolidation of a **ballot measure** with the statewide election; a copy of the resolution must be sent to the county elections official. The resolution must set forth the exact form of the question as it is to appear on the ballot. (Elections Code §§ 10002, 10403)

August 11

Suggested date for the county elections official to publish a notice inviting **direct arguments for and against** ballot measures and establishing a deadline of approximately 10 days hence for arguments to be submitted.

Rebuttal arguments must be filed by the authors of the selected direct arguments not more than 10 days after the final date for filing direct arguments.

August 11 to August 15

Possible **nomination period extension**. (Elections Code § 10225)

If the eligible incumbent fails to file nomination papers by 5 p.m. on August 10, then any person other than the incumbent shall have until 5 p.m. on August 15 to file nomination papers for the office. If there is no incumbent eligible to be elected, then there shall be no extension.

August 15

If by 5 p.m. there are **no nominees or only one nominee** for an elective city office, the city council may decide to fill the office by appointment - or proceed with the election. (Elections Code § 10229)

Prior to the council's action, the city clerk must publish a one-time notice of the facts and options. The council may not appoint until five days after this publication.

If no appointment is made by August 23 the election is held for that office.

NOTE: No appointment shall be made if any other citywide office or measure is on the ballot; the election is held regardless of insufficient nominees.

August 17

Deadline for city clerk to file with the county elections official the **names of city candidates** to appear on the ballot. (Elections Code § 10403)

September 27 to October 16

The county elections official mails **sample ballots** to voters that include polling place information and an absentee ballot application. (Elections Code § 13303)

October 22

Last day for residents to **register to vote** for the election. (Elections Code § 2107)

October 30

The city clerk shall publish not later than one week before the election, the **names of city candidates** in the order they will appear on the ballot, and the respective offices for which they have been nominated. Publication shall be at least one week prior to Election Day. (Elections Code § 12110)

The city clerk shall publish one time a **synopsis of city measures**. (Elections Code § 12111)

Tuesday, November 6

Election Day. Polls open at 7:00 a.m. and close at 8:00 p.m.

November 8

The county elections official begins the **official canvass**. (Elections Code § 15300, 15360)

When the canvass is complete, the county elections official shall submit the certified results to the county board of supervisors, who shall declare elected those candidates having the highest number of votes. (Elections Code § 15400)

November 30

No later than the fourth Friday following the election, the city council shall meet and pass a resolution reciting the fact of the election and its results, and **install the newly elected officers**. (Elections Code §§ 10262, 10263)

Non-Terminated Officeholders

City of Willows

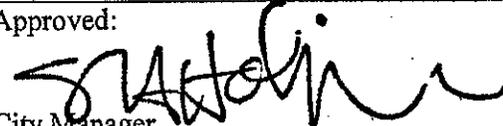
Contact: Mike Mistrot, City Manager 201 N. Lassen Street, Willows, CA 95988 phone: (530) 934-7041

City Council Member

OFC=175

Jeffrey T. Cobb 413 French St, Willows, CA 95988 CIT=1146 OH=2148	Term: 2010-2014 Entry: Elected	Start: 11/23/2010	<input type="checkbox"/> InitialStart End: 11/23/2014 Next Election: 11/4/2014
Gary L. Hansen 405 S Shasta St, Willows, CA 95988 CIT=1055 OH=1919	Term: 2008-2012 Entry: Elected	Start: 12/1/2008	<input type="checkbox"/> InitialStart End: 12/1/2012 Next Election: 11/6/2012
Vincent Holvik 553 N Shasta St, Willows, CA 95988 CIT=78 OH=1920	Term: 2008-2012 Entry: Elected	Start: 12/1/2008	<input type="checkbox"/> InitialStart End: 12/1/2012 Next Election: 11/6/2012
Theresa M. Taylor-Vodden P.O. Box 182, Willows, CA 95988 CIT=582 OH=2342	Term: 2010-2014 Entry: Appointed to fill vacancy	Start: 12/13/2011	<input type="checkbox"/> InitialStart End: 11/23/2014 Next Election: 11/4/2014
James I. Yoder 585 Glennwood Ln, Willows, CA 95988 CIT=604 OH=1921	Term: 2008-2012 Entry: Elected	Start: 12/1/2008	<input type="checkbox"/> InitialStart End: 12/1/2012 Next Election: 11/6/2012

CITY OF WILLOWS
ADMINISTRATIVE PROCEDURE AND POLICY MANUAL

Subject: Election Procedures (Rules for Candidate Statements of Education and Qualifications): a. Candidate Statements b. Tie Vote	Number: 9-1
	Effective Date: 8/8/2006
Department(s) Affected: Planning, Public Works, Building, Engineering	Supersedes: 9-1 dated 7/11/2000
	Authority: Resolution Number 20-2000 & Minute Order of 07/25/06
File Reference(s):	Subsequent Council Reviews on: May 27, 2008 & June 8, 2010
	Approved:  City Manager

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 responsibility for cost of candidate statement translation and printing in Spanish if requested by the candidate.
4. Determine the procedure for breaking a tie vote.

II. **POLICY:**

1. Candidates' statements shall be limited to a maximum of 200 words.
2. The City will be responsible for the cost of printing and publishing the candidates' statements in the voter pamphlet.
3. Should a candidate wish to have their candidate's statement translated and printed in Spanish, in addition to English, the candidate will pay the actual cost incurred.
4. During an election, a tie vote shall be broken by lot.

AGENDA ITEM

June 26, 2012

TO: Honorable Mayor Holvik and Members of City Council

FROM: Steve Holsinger, City Manager

SUBJECT: Consideration and possible approval of a Sales & Use Tax and/or a Hotel Users Tax Measure(s) to be placed on the November 2012 Consolidated General Election in Glenn County.

RECOMMENDATION

Staff is recommending approval, by Resolution of the City Council, a Hotel Users Tax Measure for the upcoming November 2012 elections process in Glenn County.

SUMMARY

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.

This past May 22nd, 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 the 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 approval of the proposed TOT increase.

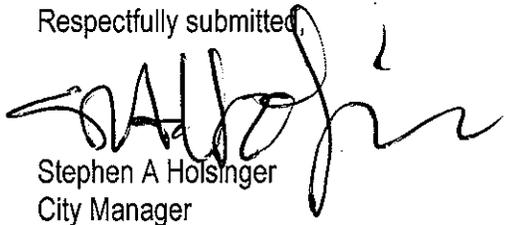
FINANCIAL CONSIDERATIONS:

Expenses for the upcoming General Election are allocated in the 2012/13 fiscal work plan. It is not anticipated that expenditures relative to this single tax measure will exceed the budgeted funding.

RECOMMENDATION

Staff is recommending approval, by Resolution of the City Council, a Hotel Users Tax Measure for the upcoming November 2012 elections process in Glenn County

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S. Holsinger", written over the typed name and title.

Stephen A Holsinger
City Manager

Attachments: Resolution to Approve Ballot Measure for Hotel Users Tax.
Supplemental information as required by Elections Code.

RESOLUTION NO. _____ 2012

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS
PROPOSING AN INCREASE IN THE HOTEL USERS TAX; CALLING FOR
AN ELECTION TO SUBMIT TO THE VOTERS THE QUESTION RELATING
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

WHEREAS, the City Council of the City of Willows desires to increase its already existing Hotel Users Tax, which is imposed on persons occupying "Hotels" in the City of Willows in order to enhance the financial stability of the City; and

WHEREAS, the City Council proposes the adoption of an increase in the Hotel Users Tax as set forth below and desires to submit said tax increase as a measure to be voted upon at an upcoming election; and

WHEREAS, the need to enhance the City's revenues results from several years of the State of California transferring revenues, otherwise owed and payable to the City, to other entities and for other uses; and

WHEREAS, it is desirable that an election be called for the purpose of permitting the City's voters to determine whether the increase in the Hotel Users Tax should be adopted; and

WHEREAS, it is desirable that said election be consolidated with other elections throughout Glenn County to be held on November 6, 2012, and that within the City, the precincts, polling places and election officers of the consolidated elections be the same; and

WHEREAS, it is desirable that the County Clerk of the County of Glenn canvass the returns of said election and that the elections be handled in all respects as if there were only one election.

NOW THEREFORE, the City Council of the City of Willows

resolves as follows:

Section 1. That pursuant to the requirements and laws of the State of California relating to general law cities, there is called and ordered to be held in the City of Willows, California, on Tuesday, November 6, 2012, an election.

Section 2. That the Board of Supervisors of the County of Glenn is hereby requested to consent and agree to consolidation of said election with the statewide general election taking place on said date.

Section 3. Subject to approval by the electorate, the City Council proposes the adoption of an increase in the City's Hotel Users Tax from 10 percent to 12 percent as set forth in the ordinance specified in Section 5 below.

Section 4. That the City Council, pursuant to its right and authority, does order submitted to the voters at the said election the following question:

"Shall the ordinance increasing the Hotel Users Tax from 10 percent to 12 percent be adopted?"

Section 5. That should said question be approved by the requisite vote, the following ordinance shall be enacted:

"The people of the City of Willows do ordain that Chapter 3 Section 25.030 Tax Imposed of the Willows Municipal Code be amended to read as follows:

Sec. 25.030 Tax imposed

For the privilege of occupancy in any hotel, each hotel

user is subject to and shall pay a tax in the amount of 12 percent of the rent charged by the operator. Said tax constitutes a debt owned by the hotel user to the City, which is extinguished only by payment to the operator or City. The hotel user shall pay the tax to the operator of the hotel at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the hotel user ceasing to occupy space in the hotel. If for any reason the tax due is not paid to the operator of the hotel, the tax administrator may require that such tax be paid directly to the tax administrator."

Section 6. The County Clerk is authorized to canvass the return of said election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

Section 7. The City Clerk is hereby directed to issue instruction to the County Clerk to take any and all steps necessary for the holding of the election.

Section 8. The City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the County Clerk of the County of Glenn.

Section 9. Notice of holding the election is hereby given and the City Clerk is authorized, instructed and directed to give further and/or additional notice of the election in time, form and manner as required by law.

Section 10. The City Clerk shall fix and determine a reasonable date prior to the election after which arguments for or against the question may be submitted to the City Clerk, and shall cause any arguments for or against the question to be printed and enclosed with the sample ballot.

Section 11. In all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections pursuant to the Elections Code.

PASSED AND ADOPTED by the City Council of the City of Willows this 26th day of June, 2012, by the following vote:

AYES:

NOES:

ABSENT:

Approved:

Attest:

Vince Holvik, Mayor

Natalie Butler, City Clerk

Arguments Supporting Adoption of a 12% Hotel User Tax

1. The City currently has an ordinance which establishes a "Hotel User Tax" (HUT) for occupancy in any hotel or motel within the City of Willows.
2. The current HUT is 10% of the room rate and has not been adjusted for ten years. It was raised from 8% to 10% in November 2000.
3. The HUT is not a general property tax imposed upon local property owners.
4. The HUT is not a tax imposed upon local hotel or motel owners/operators.
5. The HUT will only apply to those visitors who stay in a hotel or motel within the City of Willows.
6. Visitors to our community make use of city services and facilities during their stay in the City of Willows. The revenues generated from the HUT assist the city in maintaining the level of services and facilities in our city without creating an additional financial burden on our residents and property owners.
7. The City Council has proposed amending the City's Ordinance to increase the HUT rate from 10% to 12%. Such an amendment requires local voter approval in accordance with State Law.
8. The proposed increase in HUT is required to partially off-set significant city services expenditures which have increased by over sixty percent (60%) during the period between 2000 – 2012 (since the last HUT increase).
9. Revenues generated by the increase in HUT are general fund revenues which will be used to sustain or expand many municipal activities deemed priorities by the City Council, including: Fire Department, Police patrol, Library services, Recreation programming, the local swimming pool, Parks and Public Works services, including street sweeping, leaf pick-up, sanitary sewer collection, transmission, treatment and disposal.

Willows City Council

By: _____
Vince Holvic, Mayor

CITY OF WILLOWS MEASURE
TO INCREASE THE HOTEL USERS TAX

Impartial Analysis by the City Attorney

Section 3.25.030 of the City of Willows Municipal Code currently imposes a ten percent (10%) "Hotel Users Tax," on persons occupying "Hotels" in the City of Willows. The City Council of the City of Willows desires to enact an ordinance amending Section 3.25.030 to increase the Hotel Users Tax to 12%. Therefore, the City Council is submitting the following question to the voters at the general municipal election to be held in the City of Willows on Tuesday, November 6, 2012:

"Shall the ordinance increasing the Hotel Users Tax from ten percent (10%) to twelve percent (12%) be adopted?"

The Tax is normally paid by the hotel user to the operator of the hotel at the time payment for the room rental is made. The hotel operator is required to collect the tax, and the operator remits the tax to the City of Willows. The tax revenues are paid into the City's General Fund and used to pay for municipal activities and services including police protection, fire protection, library, recreational programs and public works.

The California Constitution, Article 13C requires that "No local government may impose, extend or increase any general tax unless and until that tax is submitted to the electorate and approved by a majority vote." This measure is therefore submitted to the electorate for their approval or rejection.

A "Yes" vote would approve the adoption by ordinance of a twelve percent (12%) "Hotel Users Tax" and would increase the City's General Fund revenues by approximately \$80,000.00.

A "No" vote would reject the measure and would mean that the City's revenues from the "Hotel Users Tax" would remain at ten percent (10%).

The above statement is an impartial analysis of the City of Willows Measure to increase the Hotel Users Tax. If you desire a copy of the ordinance or measure, please call the office of the City Clerk at (530) 934-7041 and a copy will be mailed at no cost to you.

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City Attorney