

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, March 13, 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 March 13, 2012, Agenda.
5. Presentations & Proclamations:
 - a) A Proclamation declaring the month of April as "Sexual Assault Awareness Month" in the City of Willows will be presented to Ginger Scarborough of Rape Crisis Intervention & Prevention.
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 February 14, 2012, Regular City Council Meeting Minutes.
 - d) Consider approval of the February 28, 2012 Regular City Council Meeting Minutes.
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) Consider adoption of a resolution awarding a construction contract to Robert J. Frank Construction Inc. for the Gateway Monument Sign, Phase 2 project.
- b) Consider authorizing the City Manager to create, recruit and appoint a new Deputy Public Works Director and back-fill an entry level vacancy resulting from provisional promotions of two incumbent members of the Public Works Department.

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 March 8, 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.

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MINUTES OF THE WILLOWS CITY COUNCIL REGULAR MEETING HELD
February 14, 2012

1. The meeting was called to order at 7:06 p.m. by Mayor Holvik.
2. **PLEDGE OF ALLEGIANCE:** Sandie Hobbs led the Pledge of Allegiance.
3. **ROLL CALL:**

<u>Present:</u>	Council Members Yoder, Cobb, Taylor-Vodden, & Mayor Holvik
<u>Absent:</u>	Hansen
4. **Agenda Review:** It was **moved** by Council Member Yoder and **seconded** by Council Member Cobb to accept the February 14, 2012, City Council Meeting agenda as presented. The motion unanimously passed.
5. **Presentations & Proclamations:**
 - a) Mayor Holvik presented Leon Thur with a Certificate of Appreciation for his service on the Willows Planning Commission from January 2008 through December 2011.
 - b) Police Chief Bill Spears presented Certificates of Appreciation to Titus Properties, Willows Wal-Mart, Andy's Theatre, Willows Round Table Pizza, Dr. Joanne Reid, Willows Papa Murphy's Pizza, Joyful Noise Preschool, Willows Tri-Counties Bank, Willows Umpqua Bank, Willows Bank of America, Willows Public Library, Willows Hardware, Sani-Food Market, Willows Denny's Restaurant, and Willows Starbucks for being drop-off locations for the Toys for Tots program for 2011. Chief Spears stated that the 2011 Toys for Tots program was extremely successful.
 - c) David Allee of the Glenn County Human Resource Agency, gave the City Council an update on the Cities and County Economic Development Steering Committee's Strike Team and Navigation process and the Universal Permitting process. Mr. Allee stated that at this time the Strike Team members have not been chosen, but he would prefer to use individuals from the private sector and the business community rather than using public officials.
 - d) Mayor Holvik publicly acknowledged and congratulated Sergeant Jason Dahl for recently graduating from the FBI Academy.
6. **Public Comment/Written Communications:**

Prior to opening public comment, Mayor Holvik made an announcement that he would like to see the public comment portion of the agenda *not* be used as a means to talk about things that are history. Things that have already been discussed publicly in the past and have been acted on or addressed by the Council previously do not need to keep re-surfacing and the Council has other

things to tend to with their business and their time. Mayor Holvik then opened up public comment.

- a) Mike Roberts, citizen, stated that he is starting up a community volunteer group to try to remove the bird nests from the trees in Memorial Park in order to deter the herons and egrets from returning to Memorial Park again this summer. He asked that if anybody is interested in helping to assist in these efforts to chase off the birds, to contact him at 934-3084.
- b) Police Officer Kelly Trent addressed the Council indicating that she was doing so in her capacity as a citizen of Willows and not as a member of the Willows Peace Officers Association (WPSA). She stated that somebody brought to her attention a letter that was posted in a local newspaper this last weekend. The letter was on a subject that as far as she is concerned has been put to rest. She stated that the Council was nice enough to come to the WPSA, and to come to her, and the City Manager was nice enough to come to her and they discussed the issue and it was put to rest. She would like this person who keeps bringing this issue up in public to put it to rest. The situation is done and over with, and she stated that the WPSA, as City employees, would just like to move on and be at peace, and she hopes this individual will just leave it alone.

Mayor Holvik then stated that for clarification reasons and for the record, he had to mention that the situation that Ms. Trent was referring to was the DUI arrest of the wife of the City Manager by the Willows Police Department.

- c) Mayor Holvik stated that he received a letter from Jeff Williams that Mr. Williams requested be read into the record at tonight's meeting. As much as he thought about this and decided he would not read the letter, he stated that he was obligated to read the letter, as this is the written communications portion of the Council Meeting and he does not want to be a person who censors public opinion. He stated that he will read the letter although some things in the letter are not factual, but he will just let that be what it is. He read Mr. Williams' letter into the record as follows:
"First I would like to apologize for doing this in letter form, but I will be out of town tonight. This is just my view point and opinion from sitting in the audience. If I heard [Council Member] Gary [Hansen] correctly I was shocked that he said he never saw the questions on the [special tax measure] survey until it had already started, but he voted for the survey anyway. I don't think a matter should be placed on the agenda and voted on at the very same meeting as I am personally a little slow and need some time to form an opinion on a subject or issue. I appreciate the council members public apology, but unless I missed it I didn't hear the city manager apologize at the Feb. 9th Meeting. I understand that the council consist of a panel of what I would call, citizens volunteering their time to make our community a better place. Which we in the community very much appreciate. But the city manager at nearly 100,000.00 dollars a year plus benefits, should have picked up on the errors with the questions on the survey. This is his full time job. I also believe that regardless if he wasn't required to do it or not he should have gotten multiple (sic) bids for the a company to do the survey as the former city manager mentioned at the Dec. 13th council meeting. While not being sure if it was proper or not

the clapping at the meeting on Feb. 9th were people in the audience basically agreeing with the statements of the speaker addressing the council. Thank You for your time, Jeff Williams”.

Mayor Holvik stated that since he has read the letter into the record against his better judgment, there are a few items in the letter that he would like to address. One matter that he addressed was the clapping at meetings. He stated that this is a public forum and a government place and it is not a popularity contest and that is why he stopped the clapping and he will continue to stop the clapping. He stated that there were a few other items in the letter that were taken out of context, but he is simply going to let that go and move on.

7. Consent Agenda:

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

- a) Approval of General Check Register (24165-24219)
- b) Approval of Payroll & Direct Deposit Check Registers (Z03200-Z003300 & 31641 - 31686).
- c) Approval of a Resolution appointing Coastland Civil Engineering as the Engineer of Work for the City of Willows Landscape and Light Assessment District and direct the preparation of the annual Engineer’s Report for Fiscal Year 2012/13.
- d) Approval of the City of Willows Treasurer’s Report schedule of cash and investments as of December 31, 2011.

8. Public Hearings:

- a) Conduct a Public Hearing to receive public input regarding possible CDBG Grant Projects during the upcoming Super NOFA for 2012:

The City is required to hold a public hearing to obtain public input concerning consideration on decisions regarding applications for Community Development Block Grant funds. This public hearing is for the CDBG Super NOFA that the City may apply for during the upcoming 2012 funding cycle. The major activity for categories under the Super NOFA funding cycle include General, Economic Development, and Planning and Technical Assistance; Housing – New Construction; Housing – Acquisition; Housing – Rehabilitation; Community Facilities/Public Services; Public Works; and Economic Development. Projects funded with CDBG funds must carry out at least one of the three National objectives as follows: Benefit to Targeted Income Group (TIG) persons, elimination of slums and blight, and emergency and urgent need.

The City anticipates applying for up the maximum grant amount available under the General and Economic Development components, if said funds become available, as well as the maximum grant amount of \$100,000 from the General and Economic Development Planning and Technical Assistance components.

If an appropriate qualifying project arises, the City may also apply under the State Over-The-Counter Economic Development Program for up to \$3,000,000 in funding for project specific, job creation or maintenance business assistance financing.

Mayor Holvik then opened the Public Hearing at 7:42 p.m. Karen Roberts of the audience spoke during the public hearing and simply inquired exactly what a Super NOFA is. Mayor Holvik and the City Manager explained that NOFA stands for Notice of Funding Availability and in order to qualify to apply for the CDBG funded projects there are certain criteria that have to be met, such as holding a series of public hearings. Some projects funded in the past by CDBG funds were sidewalk rehabilitations, sewer projects, feasibility studies, etc. Hearing no more comments from the audience, Mayor Holvik closed the Public Hearing at 7:45 p.m. For further clarification purposes, the City Manager explained that this is the first of two required public hearings to apply for CDBG grant projects. The second public hearing must be held at least thirty days after this hearing and it will be a hearing to receive input on project-specific grant funding. He anticipates this hearing will take place on March 27, and the completed application(s) for funding must be submitted at the beginning April in order to even be considered.

9. **Ordinances:** None

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

Police Chief Spears expressed how proud he was of the Fire Department for recently conducting a program for the local Cub Scouts. They played host to 16 Cub Scouts on an over-night program where they taught them several types of drills and the following day they held a relay competition. He stated that it was a well thought-out and safety-minded program and he thanked the Fire Department for hosting this educational event and said it was very beneficial for the children. Chief Spears also announced that on March 1st, the "Tip-a-Cop/Tip-a-VIP" event would be taking place at Casa Ramos Mexican Restaurant from 5:00 p.m. to 9:00 p.m. and all proceeds from that event will go toward the K-9 Program.

Council Member Taylor-Vodden announced that she received an email from a citizen regarding the recent request of the City by the Kiwanis Club to allow them to hang banners throughout the City with pictures of local men and women currently serving in the Armed Forces. The citizen was asking why we would place these types of banners on Wood Street as opposed to placing them in the downtown Memorial Plaza. Council Member Taylor-Vodden responded by explaining that the project was actually being organized by the Kiwanis Club and not by the City. However, she also suggested that there could possibly be a collaborative way for the City to work together with the Kiwanis to expand this banner project to include banners in the Memorial Plaza area. She indicated that she would let the Kiwanis Club know that this was suggested.

11. New Business:

- a) Consider allowing the Public Works Director to enter into a contract for Engineering services for compliance with new National Pollution Discharge Elimination System (NPDES) permit for the Wastewater Treatment Facility and establish draft and final work plans for all technical studies required by the Regional Water Quality Control Board with Nexgen Utility Management and appropriate funding in the amount of \$39,950 out of account 318.7307.400 (Sewer Enterprise Fund):

The Willows Wastewater Facility was issued a new National Pollution Discharge Elimination System (NPDES) permit in October of 2011, and as part of the new permit, a Time Schedule Order (TSO) was established requiring that the City look at ways to accomplish meeting the new standards of the permit and provide reports to the Regional Water Quality Control Board on an ongoing basis. An RFP was sent out to six firms and three responded with their proposals for the requested services.

The reports shall establish the criteria and methodology necessary to reduce pollutants in the waste stream before such enters into the receiving waters currently allowed by the new permit. Additionally, reports and studies shall also establish a work plan that will accomplish these long term goals of meeting permit compliance standards. After acceptance of the draft and final work plans by the Regional Water Quality Control Board, the implementation of such work plans will be at an additional charge. The estimated cost to implement the improvements is approximately three million dollars, which means that an eventual increase in the City's sewer rates is likely imminent.

Council discussion ensued and although the Council Members expressed their displeasure with the new regulations as well as the thought of having to increase sewer rates, they have no other choice but to comply with the law. It was **moved** by Council Member Yoder and **seconded** by Council Member Taylor-Vodden to allow the Public Works Director to enter into a contract for engineering services for compliance with new NPDES permit for the Wastewater Treatment Facility, and to establish draft and final work plans for all technical studies required by the Regional Water Quality Control Board with Nexgen Utility Management in the amount of \$39,950 and to appropriate funding out of account 318.7307.400. The motion unanimously passed.

- b) Consider adoption of a Resolution designating placement of limited parking signs on a through street – North Humboldt Avenue from Green Street to the Northern City Limits:

The Public Works Director has recently received several inquiries into possibly limiting parking of commercial type vehicles on Humboldt Avenue north of Green Street to the north City limits. The concerned parties have expressed that the overnight parking of commercial sized trucks have blocked a large portion of the street as well as caused damage to the curb and gutter along those stretches. Another concern is that of safety, as there is very limited lighting in this area and it could be possible for a vehicle to accidentally run into the back of one of the commercial vehicles due to lack of sufficient visibility.

While it is apparent that these are issues of concern, the use of street parking by commercial trucks is necessary for such to conduct business at the DMV office and other commercial facilities from time to time along Humboldt Avenue. The Safety Committee therefore recommends that a Resolution be adopted to establish two hour parking limits without permits, as have been established in the past on certain other streets within the City. This would allow residents on that street to continue to utilize public parking or street parking as long as they obtain a permit from the Willows Police Department on a yearly basis as is the policy now. However, the permit would not allow residents to park commercial sized trucks in that area, only regular automobiles.

Council discussion ensued and the Council was conflicted because they don't want to see further damage to the curbs and gutters, as the City simply can't afford these types of repairs, however, it was pointed out that the commercial vehicles that are parked there likely belong to residents that live in that general area who are not allowed to park these vehicles at their residences due to residential parking restrictions. As the discussion continued, more Council Members believed this was not in the best interest of the community at this time and that the City just needs to keep monitoring and assessing additional damages, if any, caused by these vehicles and perhaps revisit this in the future if damages are becoming excessive. It was **moved** by Council Member Taylor-Vodden to adopt a Resolution designating placement of limited parking on a through street on North Humboldt Avenue from Green Street to the Northern City Limits. The motion died due to lack of a second.

12. Council Member Reports:

Council Member Taylor-Vodden reported that she attended the annual Museum Meeting and she also recently attended a Senior Housing Needs Meeting at the Senior Nutrition Center.

Mayor Holvik reported that he also recently attended the Senior Housing Needs Meeting and they talked about their grants, a survey that is being conducted, and availability of properties to place Senior Housing. They plan to be announcing a Community and Public Meeting on this topic in the future. Mayor Holvik also reported that he attended his first Library Board of Trustees meeting in his capacity as the Council liaison to the Board.

13. Executive Session: None

14. Adjournment: Mayor Holvik adjourned the meeting at 8:25 p.m.

Dated: February 14, 2012

NATALIE BUTLER

City Clerk

The City of Willows is an Equal Opportunity Provider

MINUTES OF THE WILLOWS CITY COUNCIL REGULAR MEETING HELD
February 28, 2012

1. The meeting was called to order at 7:00 p.m. by Vice Mayor Cobb.
2. **PLEDGE OF ALLEGIANCE:** City Clerk Natalie Butler led the Pledge of Allegiance.
3. **ROLL CALL:**

<u>Present:</u>	Council Members Yoder, Hansen, Taylor-Vodden, & Vice Mayor Cobb
<u>Absent:</u>	Holvik
4. **Agenda Review:** It was **moved** by Council Member Yoder and **seconded** by Council Member Hansen to accept the February 28, 2012, City Council Meeting agenda as presented. The motion unanimously passed.
5. **Presentations & Proclamations:**
 - a) Vice Mayor Cobb Presented the Willows Fire Chief Wayne Peabody and the Willows Rural Fire Chief Reggie Michaud with a Proclamation honoring the Willows Fire Department in celebration of its 125 years of dedicated service to the community.
 - b) Marc Nemanic, Executive Director of 3Core (F.K.A. Tri-Counties EDC), gave the Council a brief summary report on 3Core's services to the City over the past five years and it appears that for every dollar the City has spent on 3Core for the various projects that have been approved, the City is getting approximately an \$11.00 return on their investment.
 - c) Cathy Emerson with the Center for Economic Development at California State University, Chico, gave the Council an update on the Northern California Broadband Initiative.
6. **Public Comment/Written Communications:** None
7. **Consent Agenda:**

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

- a) Approval of General Check Register (24165-24219)
- b) Approval of Payroll & Direct Deposit Check Registers (Z03301-Z003332 & 31687 - 31706).
- c) Approval of the January 24, 2012, Regular City Council Meeting Minutes.

d) Approval of Appropriation and Transfers as directed by the Council at the February 9, 2012, Mid-Year Budget Review Meeting.

8. **Public Hearings:** None

9. **Ordinances:** None

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

Finance Director Tim Sailsbery stated that the Council has already agreed to hold a special budget meeting on March 12 at 11:00 a.m., but due to changes in staffing and training of a new employee in the Finance Department, he stated that he would like to change the date of the budget meeting preferably to the week of March 26. It was ultimately the consensus of the Council to reschedule the Meeting originally scheduled for March 12 to March 28 at 11:00 a.m.

Police Chief Spears announced that the Tip-a-Cop/Tip-a-VIP K-9 fundraiser would be taking place from 5:00 – 9:00 p.m. at Casa Ramos Mexican Restaurant on March 1.

The City Manager announced that Wal-Mart would be holding their Grand Opening on March 14. There are several events planned for the Grand Opening and the Mayor and/or Vice Mayor will plan to make a short speech during the opening ceremonies. It is encouraged that Council Members, Management staff and employees attend the event if available to do so. Recreation Director Carol Lemenager announced that she would be having a “Keep our Pool Afloat” hot dog fundraiser at the Grand Opening and Fire Chief Peabody announced that the Fire Department will have their smoke house at the event as well.

11. **New Business:**

a) Tow Services For the City of Willows:

The City of Willows tow services have been being provided by Hi-Way Towing under contract. The current contract has expired and is due to be re-bid in accordance with the original agreement. The new contract will provide for a specific towing company to provide services including flat repair, towing of city vehicles and other governmental towing (evidence tows, storage, etc.) and/or other field vehicle servicing needs. The contract shall be a minimum of one year from date of issuance and may be extended for two additional one year periods if the City and successful bidder mutually agree. The agreement shall not exceed a total of three years. It was **moved** by Council Member Hansen and **seconded** by Council Member Yoder to authorize the City Manager, Finance Director and Police Chief to seek bids for a contract in providing tow services for the City of Willows.

b) ARRA Funding for energy efficient light replacement:

The City received notification of grant funding available through the American Recovery & Reinvestment Act (ARRA) for retrofitting lights that qualified throughout the City with a more

energy efficient type. Lighting in the Willows Westside Mall Area, as well as Street Lights still owned by the City were identified for this type of retrofit. The City Engineer put together a bid package and this project was put out to bid in April of 2011, with bids being opened on May 17, 2011. Two bids were received for the project with both far exceeding the Engineer's Estimate for the project. The bid results proved too costly to complete the project and were therefore rejected in June of 2011. Since that time the Public Works Director scaled back the project to the Willows Westside Mall area and the intersection of Sycamore and Tehama Streets. He spoke with PG&E representatives and through them was put into contact an authorized contractor and received a bid of \$29,047.50 from Advanced Lighting Services Inc. to complete the project. He is seeking Council authorization to move forward with this project. It was **moved** by Council Member Yoder and **seconded** by Council Member Taylor-Vodden to allow the City Manager to enter into an agreement with Advanced Lighting Services Inc., utilizing ARRA Funding in the amount of \$29,047.50. The motion unanimously passed.

12. Council Member Reports:

Council Member Yoder reported that he attended the most recent Transit & Transportation Committee Meetings.

Council Member Hansen reported that there was recently a meeting of the Public Safety Subcommittee, consisting of himself and Council Member Taylor-Vodden, to discuss citizens' complaints over personal use of City-owned vehicles and also to discuss the vacant Police Officer position created when Darrin Brown resigned from the Police Department. Their report-out of that meeting and their recommendation to the full Council was that as it pertains to personal use of vehicles, no policy had been broken and therefore they believe no formal action needs to be taken. Their recommendation regarding the vacant Police Officer position was for the Police Chief to begin the recruitment process as soon as possible.

Council Member Yoder stated that he had a very nice time at the Retirement party held for Greg Tyhurst, Brian Taylor and Shirley Benningfield last week at the Fire Department and he stated their years of dedicated service to the City will be missed.

Council Member Taylor-Vodden announced that she has received a second phone call about the Kiwanis Club banners being place on Wood Street, and for whatever reason, Wood Street seems to be an issue for some people.

Vice Mayor Cobb reported that he attended the recent Waste Management meeting.

13. Executive Session: None

14. Adjournment: Vice Mayor Cobb adjourned the meeting at 8:18 p.m.

Dated: February 28, 2012

NATALIE BUTLER

City Clerk

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AGENDA ITEM

March 13, 2012

TO: Honorable Mayor Holvik and Members of City Council
FROM: John Wanger, City Engineer
SUBJECT: Award of the Gateway Monument Signs Phase 2 Project

RECOMMENDATION

Staff recommends that the City Council approve the resolution awarding a construction contract for the Gateway Monument Sign Phase 2 Project to Robert J Frank Construction Inc. in the amount of \$63,300, and that an overall budget of \$72,700 be established for this project.

SUMMARY

In 2011, Public Works staff was successful in obtaining federal monies (Transportation Enhancement funds) for funding the replacement of the monument sign on W. Wood Street west of North Villa Avenue and installation of a new sign on E. Wood Street at its intersection with N. Ventura Street (Gateway Monument Sign Phase 2 Project.) Overall funding obtained and available for the project includes \$109,000 (to be used for design, construction, inspection and contingencies.) As the project is 100% funded with federal funds, no matching funds from the City are required.

Plans and specifications were completed for the project at the end of January 2012 and the project was advertised for public bid at the beginning of February in accordance with the Public Contract Code. Bids were opened on February 23, 2012. One (1) bid was received for \$63,300. The bid was received from Robert J Frank Construction Inc. (Robert J Frank) of Redding.

Staff has reviewed Robert J Frank's bid and determined that it satisfies the bidding requirements for the Project.

FINANCIAL CONSIDERATIONS -

The estimated construction costs are summarized below:

Construction Contract	\$63,300
Estimated Construction Management/Inspection	\$ 3,000
Construction Contingency (10%)	<u>\$ 6,400</u>
Total Estimated Construction Cost	\$72,700

As previously mentioned, this project is federally funded through Caltrans. As the overall project funds allocated by Caltrans for this project include \$109,000, the bid amount and overall projected budget for this project is well within the funds available. As this project is scheduled to be completed within 40 working days, the project should be completed and invoiced to Caltrans in time for reimbursement within this fiscal year.

NOTIFICATION

None required

ALTERNATE ACTIONS

None recommended

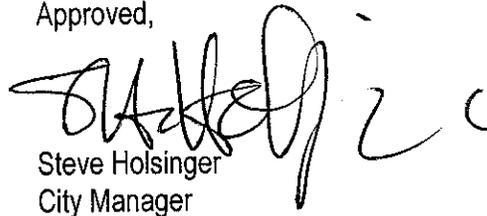
RECOMMENDATION

Staff recommends that the City Council approve the resolution awarding a construction contract for the Gateway Monument Sign Project to Robert J Frank Construction Inc. in the amount of \$63,300 and that an overall budget of \$72,700 be established for this project. .

Respectfully submitted,

John Wanger
City Engineer

Approved,



Steve Holsinger
City Manager

Attachments: Resolution

RESOLUTION No. _____

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF WILLOWS, STATE OF CALIFORNIA,
AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT WITH ROBERT J FRANK
CONSTRUCTION INC. FOR THE GATEWAY MONUMENT SIGNS PHASE 2 PROJECT**

WHEREAS, in accordance with California Public Contract Code Section 20162 and other applicable law, the City of Willows solicited bids for the Gateway Monument Signs Phase 2 Project ("Project"); and

WHEREAS, bids for the Project were opened on February 23, 2012 in accordance with California Public Contract Code Section 4105.5 and other applicable laws; and

WHEREAS, one bid was received for \$63,300 from Robert J Frank Construction Inc. of Redding; and

WHEREAS, staff has determined that Robert J Frank Construction Inc's bid satisfies the bidding requirements for the Project; and

WHEREAS, staff has verified that Robert J Frank Construction Inc possesses valid California Contractor's Licenses under the requested Class A, number 520207 (expires 11/30/2013) as required to qualify to perform the Project; and

WHEREAS, the Project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to the following authorities: Section 15301(l)(4) and Section 15302 of Title 14 of the California Code of Regulations for demolition and replacement of existing structures and facilities.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WILLOWS AS FOLLOWS:

1. The above recitals are true and correct and are hereby incorporated into this Resolution as findings of the City Council of the City of Willows.
2. The Project is exempt from CEQA in accordance with Sections 15301(l)(4) and 15302 of the CEQA Guidelines.
3. In accordance with California Public Contract Code Section 20160 and following and other applicable laws, the City Council of the City of Willows hereby finds the bid of Robert J Frank Construction Inc for the Gateway Monument Signs Project to be the lowest, responsive bid and waives any irregularities in such bid in accordance with applicable law.
4. The contract for the Gateway Monument Signs Project is hereby awarded to Robert J Frank Construction Inc, in the amount of \$63,300, conditioned on Robert J Frank's timely executing the Project contract and submitting all required documents, including, but

not limited to, executed bonds/surety, certificates of insurance, and endorsements, in accordance with the Project bid documents.

5. The City Manager is hereby authorized and directed to execute with Robert J Frank Construction Inc for performance of the Project in accordance with the bid documents and applicable law upon submission by Robert J Frank of all documents required pursuant to the Project bid documents.

6. That the overall budget for the Project be established at \$72,700.

7. The City Manager is hereby authorized to execute any contract change orders in accordance with the Project contract documents so long as the total Project cost does not exceed the total funding for this Project in the adopted budget.

8. City staff is hereby directed to issue a Notice of Award to Robert J Frank Construction Inc.

9. This Resolution shall become effective immediately.

10. All portions of this resolution are severable. Should any individual component of this Resolution be adjudged to be invalid and unenforceable by a body of competent jurisdiction, then the remaining resolution portions shall be and continue in full force and effect, except as to those resolution portions that have been adjudged invalid. The City Council of the City of Willows hereby declares that it would have adopted this Resolution and each section, subsection, clause, sentence, phrase and other portion thereof, irrespective of the fact that one or more section subsection, clause sentence, phrase or other portion may be held invalid or unconstitutional.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council on this 13th day of March, 2012, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
APPROVED:

ATTESTED:

Mayor Holvik

Natalie Butler, City Clerk

AGENDA ITEM

March 13, 2012

TO: Honorable Mayor Holvik and Members of City Council

FROM: Steve Holsinger, City Manager

SUBJECT: Approve creation of Deputy Public Works Director Position & direct staff to advertise and fill staffing vacancies created by retirement of Public Works Director, Greg Tyhurst.

RECOMMENDATION

Staff is seeking approval from Council concerning authorization to create, recruit and appoint a new Deputy Public Works Director and back fill an entry level vacancy resulting from provisional promotions of two incumbent members of the Public Works Dept.

SUMMARY

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

Since the late December retirement of the original three public works staff, two additional senior supervisors have announced their retirement; Brian Taylor, Public Works Superintendent and Greg Tyhurst, Public Works Director, both have officially retired this past week. City Council did authorize the recruitment and replacement of Superintendent Taylor's position this past December. Despite a diligent effort to attract qualified personnel for this assignment, staff was unable to identify a candidate that possessed all of the required certifications; more specifically, those technical qualifications in conjunction with Water & Waste Water Treatment and distribution. This has resulted in the need to re-evaluate our public works departmental structure and identify the following four step process to address our required public works service commitments, maintain our ability to deliver community expectation for services and ultimately develop another first rate management staffing compliment for the public works department.

Furthermore, we do have highly qualified and experienced personnel on staff with an interest in assuming the responsibilities of the Superintendent position. Unfortunately the City of Willows must have a supervisor on staff with the appropriate certifications to complete and submit the appropriate reporting required by State Agencies in conjunction with Water & Waste Water Treatment facilities. Previously this responsibility rested with the Director of the department. However, with the retirement of Mr. Tyhurst our compliance is temporarily in limbo and will be addressed on an as needed specialty contractual basis.

Given the current financial position of the City of Willows and the budgeted dollars appropriated within this past year's fiscal work plan, it is highly unlikely we could recruit a qualified public works director to assume these required responsibilities; which also possess the appropriate certifications and with a willingness to participate along all other management staff in the city's current voluntary furlough plan for department directors and administrative staff. This has recently been the experience of neighboring cities of Red Bluff and Live Oak which both encountered great difficulty in recruiting for Public Works Directors over the past two years. Ultimately the City of Live Oak settled on a part-time contract arrangement with a retired former director. All of this is of some significance for the City of Willows, as staff is proposing a combination of these efforts to address our current vacancies and develop a long term competent staffing component for the future of our Public Works service commitments.

Whereupon the proposed solution would require Council authorization to create and appoint a new Deputy Public Works Director as step one. Staff has had some on-going dialogue with an individual in another city; which possess all of the certification necessary for our requirements, has impressive educational credentials, former supervisory experience, but limited direct overall public works exposure. However, this individual is relatively familiar with the City of Willows and available to work within the proposed wage scale and participate in the management imposed voluntary furlough program. With a moderate amount of general supervision, mentoring on broader public works issues and exposure to greater engineering criteria specific to streets, construction, storm drains, etc., this individual could very quickly assume the role of Public Works Director for the City of Willows. It is my understanding this methodology has been employed by the City of Willows previously and it has been extremely successful for the organization and the community as well. Staff fully anticipates the duplication of past successes by re-employing this tried & true method of senior management development.

Step two will require a well qualified mentoring figure, most specifically in the form of returning our former Director Greg Tyhurst on a part-time consulting basis; in full compliance with PERS statutes concerning hour limits, etc. Although it is necessary for Greg to completely vacate his position with the city for no less than sixty days immediately following retirement, he would ultimately be available to return on some limited scope & justifiable basis. Staff believes it is essential to have Greg available over the next twelve to eighteen months to monitor and actively participate in the Time- Schedule Order issued by the Regional Water Quality Control Board (RWQCB) in conjunction with our WWTP permit and discharge compliance standards. Once again, this is essentially mimicking the contractual basis of Public Works in Live Oak, however do keep in mind they also are one of the five small Northern Cities impacted by the recent reversal of agriculture drain exemption in the "Basin Plan" by the RWQCB. Although it is significant to note Mr. Tyhurst has agreed to a compensation rate some twenty percent less than Live Oak currently pays for PWD services. It is anticipated Greg would return on an as needed basis to assist with specific public works requirements, however it is not anticipated this would require more than ten hours per week under normal circumstances. Greg's considerable corporate knowledge, specific public works skills and pleasant demeanor suit perfectly for this mentoring role. It is clearly an asset for the City of Willows and would almost certainly assure overall success of the process and facilitate the rapid ascension of our Deputy into the Directorship role in the immediate future. This is an equally critical component of the overall multi-step proposal to address our essential staffing compliment within the public works services area. Furthermore it is not structured to have any additional impact on the general fund component of the Public Works Services area.

Steps two & half and three were immediate day-to-day operations impacts within the Public Works Dept and they have already been addressed by management intervention. The retirement of Brian Taylor and Greg Tyhurst on the same day last week, essentially left the department without any formally appointed supervisors to direct the work of staff on a day-to-day basis. Therefore at the direction of the city manager on Tuesday, March 6th a provisional appointment was made naming James Corneliussen as the new Public Works Superintendent.

However, this appointment left the secondary crew-leader position of Maintenance Worker II vacant. Therefore, the city manager additionally promoted/appointed Natisa Davidson into this vacant crew-leader position. Both of these employees have outstanding service records with the City of Willows, have demonstrated exceptional devotion to the performance of required assignments and possess a combined history of twenty years of specific public works knowledge within the department and the City of Willows. Although these are provisional assignments, it is the city manager's expectation that both employees will enthusiastically embrace the opportunity and challenges of advancement. Both will grow comfortably into their new roles within the department and become part of the overall success story in re-structuring our Public Works Services commitments.

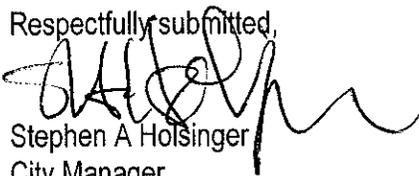
Finally step four is the only remaining missing link. With the provisional appointments of two incumbent staff members, we have inadvertently created an entry level vacancy within an already severely depleted public works crew. As part of the retirement incentive program, staff assumed an overall reduction in Public Works Staffing of three employees. However, as a result of the five retirements; with only one newly created replacement position and two incumbent promotional appointments the ultimate staffing level was effectively reduced from ten employees to the current level of five employees. Even with the creation of the New Deputy Director we are still short one employee. Therefore staff is requesting immediate approval to recruit and appoint an entry level public works member to fulfill our community service commitments during the extremely busy summer and fall demand cycles. It is understood that the promotional opportunities were provisional however we can not postpone the immediate replacement of an entry level worker. Management will monitor the situation closely and make any future adjustments that may become necessary. However it is extremely important to replace the staffing component to the anticipated level before the beginning of the busy park activity season. Therefore, staff is respectfully requesting approval of the four steps outlined above and authority to make immediate appointments as necessary to meet the community service expectations.

FINANCIAL CONSIDERATIONS Although a moderate amount of salary savings may ultimately result in the four step process outlined above, staff is not able to quantify that amount at this time. However, it is possible to assure that funding required in this re-structure will not exceed any GF monies already appropriated in the 2011/2012 fiscal year work plan. Funding for the Director/Consultant Contract would be paid solely from Sewer Enterprise Fund; as the vast majority of these activities are directly related to the sewer enterprise system operation; collection, treatment and discharge/permitting obligations.

RECOMMENDATION

Staff is seeking approval from Council concerning authorization to create, recruit and appoint a new Deputy Public Works Director and back fill an entry level vacancy resulting from provisional promotions of two incumbent members of the Public Works Dept

Respectfully submitted,


Stephen A Holsinger
City Manager

Attachments: Deputy Director Position Description
Employment Agreement – Greg Tyhurst, PT Public Works Director/Consultant
Management & Confidential Employee Salary Schedule

DEPUTY DIRECTOR OF PUBLIC WORKS

DEFINITION

Under general direction, to plan, coordinate and supervise daily activities and operations associated with City engineering projects and the construction and/or maintenance of City streets, water and sewer systems, parks, grounds and equipment; to assist the Director in general administrative, management, budgetary and engineering functions; to administer department activities in the absence of the Director; and to perform related duties as assigned.

DISTINGUISHING CHARACTERISTICS

Deputy Director of Public Works is a single-position classification responsible for assisting in the daily operations of the Public Works Department. The incumbent supervises subordinate Public Works staff in maintenance, operations, construction and repair functions and makes periodic field inspections. The Deputy performs the duties of the Director of Public Works as necessary in the Director's absence.

EXAMPLES OF DUTIES – Duties may include, but are not limited to, the following:

- Provides general administrative, budgetary, management and engineering assistance to the Director of Public Works.
- Confers with staff concerning the planning, scheduling and assigning of maintenance, operations, construction and repair functions.
- Monitors work in progress and at completion for compliance with plans, specifications, policies, procedures, and standards of quality and safety; recommends improvements as appropriate.
- Coordinates, supervises and evaluates the work of subordinate staff; assists with staff recruitment and selection; provides staff training and development as needed.
- Ensures the proper development and implementation of work safety programs; demonstrates the proper and safe use of department vehicles, tools and equipment.
- Reviews budget requests; monitors and assists in controlling expenditures.
- Reviews and/or prepares equipment specifications; makes procurement recommendations as required.
- Assists in identifying the need for and recommends long-range capital improvements.
- Develops and reviews project cost estimates.
- Coordinates project design and construction plan preparation with engineering consultants.
- Coordinates assigned activities with other City departments, government agencies and public utilities as necessary.
- Compiles information for and prepares periodic and special reports regarding departmental activities.
- Represents the department and City in various meetings as required.
- Receives and responds to inquiries, concerns and complaints regarding department programs, activities and personnel.
- Attends meetings, training, workshops, conferences, etc., as appropriate to enhance job knowledge and skills.

MINIMUM QUALIFICATIONS

Knowledge of:

- All federal, state, county and city laws, codes, rules, regulations and standards affecting municipal public works programs and projects.
- Principles of supervision, training and performance evaluation.
- Methods, materials, tools and equipment used in public works maintenance, repair and construction work, particularly as applied to streets, water and sewer systems, parks, and equipment maintenance and repair.
- Operation, utilization and maintenance of motorized public works equipment.

- Principles of public works construction and engineering.
- Design, planning and development of specifications for public works maintenance and construction projects.
- Long-range planning of public works facilities.
- Principles of budget preparation and expenditure control.
- Modern office practices and technology, including the use of computers for data and word processing and records management.
- Proper English usage, spelling, grammar and punctuation.
- Technical and administrative record-keeping and report preparation.
- Safe work practices.

Ability to:

- Understand, interpret and apply federal, state and local laws, rules and regulations, policies and procedures pertaining to department operations.
- Assist in developing, implement and interpret goals, objectives, policies and procedures, and work standards.
- Determine work priorities and effectively coordinate and schedule resources and staff to perform activities and projects within time limits.
- Analyze problems, evaluate alternatives and make sound recommendations in support of goals.
- Effectively train, supervise and evaluate the performance of assigned staff.
- Provide effective safety training and ensure compliance with safety regulations.
- Plan, coordinate and supervise the proper maintenance, repair and construction of public works facilities, systems and equipment.
- Read and interpret complex construction plans and specifications.
- Apply basic civil engineering principles to the solution of problems in the field of public works.
- Accurately estimate equipment, materials, and costs for public works projects.
- Safely operate a variety of light and heavy construction equipment.
- Establish and maintain effective working relationships with those contacted in the course of the work.
- Represent the City effectively in meetings with others.
- Prepare clear and concise records and reports.
- Communicate clearly and concisely, both orally and in writing.
- Assist in the preparation of departmental operating and capital improvement budgets, and control budget expenditures.
- Use computers for word and data processing and records management.
- Administer department activities in the absence of the Director.

Education:

High school degree or equivalent, supplemented by certification in Water & Wastewater Treatment Systems; including distribution and collections.

Experience:

Four years of increasingly responsible public works construction, operations and maintenance experience, including at least one year in a lead or supervisory capacity.

Other Requirements:

Possess a Grade I Wastewater Treatment Plant Operator Certificate issued by the California State Water Resources Control Board. Possess a Grade I Water Distribution Certificate issued by the American Water Works Association.

Possession of a valid Class B California operator's license issued by the State Department of Motor Vehicles, or the ability to obtain one within six months of the date of hire.

CITY OF WILLOWS
AND GREG TYHURST
EMPLOYMENT AGREEMENT

For the position of Public Works Director, Part-Time Consultant

This agreement is made and entered into this 8th day of May, 2012, between the CITY OF WILLOWS, a municipal corporation, hereinafter referred to as "CITY" and Greg Tyhurst, hereinafter referred to as "Employee".

WITNESSETH

WHEREAS, CITY desires to employ the services of Employee as CITY Public Works Director/Consultant; and

WHEREAS, CITY agrees to employ the services of Employee part-time as the Public Works Director/Consultant to perform the functions and duties as specified in the CITY classification specification and to perform other legally permissible and proper duties and functions of the CITY from time to time as may be assigned by City Manager; and

WHEREAS, Employee shall, by this agreement, become an "at-will" employee of the CITY and will serve at the pleasure of the City Manager. All rules and policies in existence prior to the execution of this agreement shall not be applicable or defeat the intent of the parties that this position is "at-will".

NOW, THEREFORE, FOR AND IN CONSIDERATION OF THE MUTUAL PROMISES AND COVENANTS HEREINAFTER CONTAINED, THE PARTIES HERETO AGREE AS FOLLOWS:

1. Salary: The CITY agrees to pay Public Works Director/Consultant for services rendered, as provided herein, \$55.00 per hour, not to exceed 960 hours per fiscal year, effective May 8, 2012 and payable in bi-weekly payroll periods.
2. Retirement:
As part-time, Employee is not eligible for participation in PERS. Employee may participate in the City's ICMA Deferred Compensation Plan. All contributions are made by employee; no contribution will be made by CITY.
3. Sick Leave/Vacation/Holidays: As Part-time, Employee is not eligible for these benefits.
4. Health, Dental and Vision Insurance: As Part-time, Employee is not eligible for these benefits.
5. Resignation and Termination: Employee shall give CITY at least 30 days advance written notice of termination of this agreement by Employee. Employee may be terminated at any time, without cause. Notwithstanding City's absolute right to terminate Employee without cause, Employee may be terminated at any time for cause. Cause shall be for any "improper conduct" as defined in the Personnel Rules and Regulations of the City of Willows. Notwithstanding any other provision of this agreement to the contrary, Employee shall not be entitled to any severance pay or other compensation whether Employee is terminated for cause or to terminate this agreement without cause.
6. Term of Agreement: This Agreement is effective May 8, 2012 and shall remain in full force and effect, unless terminated by either party for any reason, at any time, in writing, with an effective date for such termination, (see "Resignation and Termination").
7. Other Terms and Conditions of Employment: The City Manager shall fix any other terms and conditions of employment, as may be determined from time to time, provided such terms and conditions are not inconsistent with or in conflict with the provisions of the Agreement or any other law.

8. General Provisions

- (a) This agreement shall be binding upon and inure to the benefit of the successors, assigns, heirs at law and personal representative of Employee.
- (b) If any provisions, or any portion thereof, contained in this Agreement is held to be unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

IN WITNESS WHEREOF, the City of Willows has caused this Agreement to be signed and executed on its behalf by its Mayor, and duly attested by its City Clerk, and the Employee has signed and executed this Agreement, both in duplicate, the day and year first above written.

Date: _____

City of Willows

By: _____

Date: _____

By: Vince Holvik, Mayor

Date: _____

By: Steve Holsinger, City Manager

ATTEST:

Natalie Butler, City Clerk

APPROVED AS TO FORM:

Gary Krup, City Attorney

Salary Scale- Management and Confidential Employees
 Effective November 1, 2006

POSITION	STEP A	STEP B	STEP C	STEP D	STEP E	Resolution Numbers
	11/1/2006	11/1/2006	11/1/2006	11/1/2006	11/1/2006	
Police Chief	6516	6842	7184	7543	7920	#50-2008
Fire Chief	5245	5507	5783	6072	6375	
Public Works Director	5245	5507	5783	6072	6375	#09 - 2008
Finance Director	5245	5507	5783	6072	6375	
Deputy Public Works Director	4492	4717	4952	5200	5460	proposed
Building Official	4179	4388	4607	4838	5080	#08 - 2008
Library Director	4011	4212	4422	4643	4875	
Recreation Director	3702	3887	4081	4286	4500	
Administrative Secretary	2838	2980	3139	3296	3461	
Administrative Analyst	2838	2980	3139	3296	3461	
Police Administrative Secretary	2623	2754	2892	3036	3188	
Finance Clerk	2308	2423	2545	2672	2805	