

MINUTES OF THE WILLOWS CITY COUNCIL
REGULAR MEETING HELD March 8, 2016

1. Mayor Hansen called the meeting to order at 7:00 p.m.

2. **PLEDGE OF ALLEGIANCE:** Vice Mayor Yoder led the Pledge of Allegiance.

3. **ROLL CALL:**

Present: Domenighini, Mello, Williams, Yoder & Mayor Hansen.

Absent: None

4. **Presentations & Proclamations:** None

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

- Mark Fowler complimented and thanked Council Member Williams and the staff for following up on his previous suggestion to contact Cal-Trans and request that they look into and correct the poor lighting that is on the overpass on Highway 162 that crosses Interstate 5.

6. **Consent Agenda:**

M/S –Yoder/Williams to approve the Consent Agenda as presented. All Ayes and the motion unanimously passed 5/0 and the following items were approved/adopted:

- a) Approval of General Checking, Payroll Checks & Payroll Direct Deposit Registers (30590-30656; Z07084-Z07118; 34589-34612).
- b) Approval of the Minutes of the Willows City Council Meeting held on January 26, 2016.

7. **Public Hearings:**

- a) Appeal File Number 16-01 – Appeal to the City Council by Michael and Monica Schwenne of the Planning Commission decision to require covered parking as a Condition of Approval of Use Permit Number 16-02, 459 North Tehama Street; APN 005-403-012:

City Planner Karen Mantele presented the staff report for this item to the Council. Before the Council this evening is an appeal that was filed by Monica & Michael Schwenne in regards to a Planning Commission decision of February 17, 2016. Ms. Mantele gave the Council the background on this application, explaining that on January 29, 2016 Mr. & Mrs. Schwenne submitted a Planning application for a Use Permit to allow the establishment of a 2-family residential use within an existing structure located at 459 North Tehama Street. The application was circulated for comments to all internal City departments and from there it was brought before the Planning Commission for a Public Hearing on February 17, 2016. After the Commission heard the Staff Report, heard from the applicant and heard public comments, a motion was made by Commissioner Woods and seconded by Commissioner Benningfield to

adopt the Resolution that granted approval of the Use Permit allowing the Schwenne's to have this dwelling as a residential use. Because the Commission recognized that the Schwennes wanted to have this dwelling be a residential use in a Commercially-zoned District, the Commissioners felt that the property should look residential in nature. As such, one of the conditions of approval on the Resolution that was implemented as part of the approval was Condition number 6 which stated "On-site parking shall be provided in accordance with the City parking regulations Section(s) 18.120.020 (1)(a) and 18.120.050 prior to establishing the residential use." Mr. & Mrs. Schwenne are now appealing condition number 6. Attached to the City Council's Staff Report was the applicant's letter of reasoning, stating that the codes allow the Planning Commission or the City Manager the ability to forego the request for covered parking. A written request was made by Mr. Schwenne to the City Manager that was received on February 16, requesting an exemption for a garage under Section 18.120.020(3) which exemption states "Parking requirements for commercially zoned property with 50 feet or less street frontage may be reduced or waived by the City Manager, although the reduction is required for approval by the Planning Commission." That request was denied by the City Manager, stating that garage parking is a standard and it is required by the City Code for two-family residential uses.

Within Mr. Schwenne's letter of reasoning he made several statements – and if the Council would like to, Ms. Mantele could go through every one of those items. Although she has listed them in the staff report, for the public's benefit she will go through the letter that Mr. Schwenne submitted and address the points if that is the wish of the Council. The Council stated that they believe that would be appropriate.

Initially Mr. Schwenne stated that there is an issue with respect to affordability to low income housing and it is the City's obligation to provide adequate, appropriately zoned sites to meet the existing and projected housing needs of all economic segments of the community. The property is zoned to allow residential use with the approval of a Use Permit, so Ms. Mantele feels that the City has appropriately zoned areas to allow accommodation of housing needs. Another of Mr. Schwenne's issues was for the City to eliminate any constraints to the private development of a supply of housing to meet the needs of all economic segments of the community. In the City's Housing Element is Goal RC-1 which is to remove or eliminate governmental constraints on the maintenance, improvement and development of housing, where appropriate and legally possible. The policy of this goal states that the City will periodically reexamine local building and zoning codes and propose possible amendments to reduce housing construction costs without sacrificing basic health and safety considerations.

Ms. Mantele stated that the requirement for garages for a 2-family dwelling has been a part of the City's Zoning Code since 1991, as well as other prescribed standards, rules and procedures for development. A point that was made was to facilitate the actions required of the development industry in providing an adequate supply of housing. Another statement that was made in Mr. Schwenne's letter was Goal M1-1 from the City's Housing Element which is to ensure that the quality, safety, affordability and livability of the housing stock in Willows is continually maintained or upgraded and that dilapidated housing which cannot be improved is replaced. Ms. Mantele stated that within the past few years the City had a Housing Conditions survey completed which has been applied throughout the City, so there are records of the homes that are

in need of maintenance and repairs and their exact state of dilapidation and status of livability. She stated that a copy of that survey is available and it is a public document that can be viewed. Ms. Mantele also stated that the City of Willows' Building Department regularly issues building permits for maintenance or upgrading housing within the City. A building permit was issued to Mr. Schwenne for replacement of light fixtures & plumbing fixtures on January 26, 2016. The statement was made by Mr. Schwenne that the property sits in the middle of many other non-conforming low income units without garages, placing a heavy burden on a neighborhood made to comply with the zoning code requirements. The subject property at 459 North Tehama Street is the topic of discussion here, and it is not known without further investigation, whether other non-conforming uses are adjacent to, or near, this property. During Mr. Schwenne's investigation on what would be required for this use regarding parking requirements, he was directed to the City's parking standards, Code 18.120 and specifically the parking requirements for a two-family residential unit. Additionally, under Code Section 18.60.040(2), which is the "General Commercial Zoning District", it states under "Other Regulations", specifically under "Residential Uses", that parking requirements for residential uses permitted with a use permit "shall be subject to the regulations of the Residential Zones for which use is considered a permitted use". What that would mean is if the subject property was in an R-1 or an R-2 district where there were homes and/or development, garages would be required for those types of uses.

The structure was approved for residential use by the Planning Commission by way of a Use Permit. Any residential use at the subject property prior to this Use Permit approval was done without City approval and therefore was non-conforming. Section 18.110.090(1)(b) "Non-Conforming Uses and Continuations" states that if any non-conforming use is abandoned or discontinued for any reason, subsequent use of such land shall be in conformity with provisions of this title. The discontinuance of a non-conforming use for a period of six months or more is in itself evidence of abandonment.

The Appellant states that this property has been used as residential dating back to 1998. The City's Planning file states that on May 5, 1998, an application was submitted to the City for this property to be used as a billiard parlor. Subsequently the same file shows that on May 28, 1998, the City Manager sent a letter to the then property owner, Mr. Joseph Russo, indicating that residential use is allowed within this General Commercial Zone with a Use Permit. No records indicate that a Use Permit was ever applied for or granted in 1998 for residential use of the structure.

Property title verified by Glenn County is residential. The document provided is a Deed of Trust which indicates that the previous owner had a loan for the property with Bank of America and on the Deed of Trust it states "single-family". This does not provide any verification of a residential use of the property per the City code.

Another statement that was made in the Appellant's letter was reference to previous owners having appraisals and loans with multiple large banks that don't lend money for uninhabitable converted commercial spaces. Staff feels that this fact has no bearing on the requirement for a garage for a two-family residential dwelling.

Lastly, Ms. Mantele addressed the Appellant's statement that additions or changes to a property which would normally constitute a 65 year old structure would not meet 2016 demands. Ms. Mantele stated that the current parking code has been in effect since 1991, which states that "parking spaces required for one or two family dwellings shall not be less than specified herein below":

"A one car garage for each dwelling unit containing one bedroom".

Therefore, the requirement to have a one-car garage per each dwelling unit is not a "2016 demand" and has in fact been in effect since 1991. In Willows Code Section 18.25 under "definitions", a "Private Garage" is listed as an accessory building or a portion of a main building designed as a use for a shelter or for storing of vehicles by occupants of the dwelling of the same lot. A garage must be a building with a roof supported by walls. "Carport" is defined as a detached accessory building, not enclosed on more than two sides and designed to use as shelter or house automobiles.

With that, Ms. Mantele stated that she would be happy to answer any questions of the Council and she also pointed out that the Appellants, Michael and Monica Schwenne were present at the meeting and also available for questions.

Council Member Domenighini asked Ms. Mantele about the Appellant's mention of Section 18.120.020 (3) about the fifty feet or less of street frontage parking for an exemption, but he stated that this particular lot is a corner lot so it would have more than fifty feet. Ms. Mantele agreed. He also stated that the Staff Report and the Appellant's letter talks about having an adequate amount of appropriately zoned units to meet the housing numbers; which he stated that if he remembers correctly, the last Housing report that the City sent to the State, the City had a sufficient number of parcels zoned for low income housing, and a decent inventory of vacant low income housing. What Council Member Domenighini was getting at is the City has an adequate amount of low income housing available and an abundance of low income units that are potentially available, such as the Waterman Apartments on Yolo Street and the motel located on South Tehama Street. Ms. Mantele affirmed this, stating that the City's Housing Element reflects that the City has more than enough land and vacant lots in order to satisfy the RHNA numbers required for low income housing.

Mayor Hansen asked Ms. Mantele if there is adequate room on this property to build the garages as required by the code. Ms. Mantele stated that it is her opinion that there is more than sufficient room to construct one or two garages – depending on the desire of the applicant. The structure sits at the corner of the lot, leaving quite a bit of the lot open in the rear and it also abuts the alley so there is an ability to enter the structure either from Vine Street or from the alley.

Mayor Hansen opened the Public Hearing at 7:19 p.m. The applicant/owner, Mike Schwenne stated that he purchased the property back in 2012. The property is already in use as a dual-residential unit. The previous owner of the property, Joseph Russo, actually lived on the property dating back to 1998, and although he may not have been doing so legally, the City was aware of this. At one point Mr. Russo was selling carport structures at the property, at which time the City contacted him and told him that he was not able to conduct that type of business. About 2 ½ years ago after Mr. Schwenne purchased the property, he came to the City to seek out

an over-the-counter building permit to change out windows at the property. At that time he was notified that since the property had been vacant for a period of 6 months, City Code requires that he must obtain a Conditional Use Permit in order to use this property as residential. He began this process but after about 6 months it became too cumbersome so Mr. and Mrs. Schwenne decided that they didn't have the time to go through the process at that time. Once Mr. Schwenne determined that he would have time to re-focus his efforts on the Use Permit process, at that time he came back and started working on the application again a few months ago. He stated that he has been above board with everything that has been done to the property. He stated that the City has been great to work with, but the requirement to have a garage is a huge financial burden on him and his family. Mr. Schwenne indicated that if he thought it was really going to be a benefit to the next property owner, he would put it in, but the reality is that when you are in an entry-level home, having a garage isn't really a number one priority. Mr. Schwenne handed out pictures that he had taken of other neighboring residences in this CG District and he didn't find any other residents that had garages. He said there may have been one or two residences that had garages in the back of the property adjacent to the alley, but that was beyond his vantage point when taking the photos. Mr. Schwenne stated that the house adjacent to his property that is clearly visible on North Tehama has some serious inhabitability issues and he can't believe that that property isn't being noticed and addressed but that his garage is such a big focus. There are boarded up windows and the paint is falling off. He stated that he wants to make the City great and he wants to make his house inspiring to the neighbors next door and he has had other neighbors see the work that he has done which then motivated them to begin to improve their residences.

Although he understands the purpose and theory of requiring the construction of a garage in order to make the property look and feel more residential, he would argue that all of the work that he has already put into the property has made the unit come to life as a residential dwelling in that area. Mr. Schwenne stated if he is made to build a garage, it is going to be a tremendous financial burden on him and he will likely have to sell something before he can afford to begin to construct the garage. He stated that his goal is to list this property in the near future and the burden of having to construct a garage will set him back significantly. He stated that if it is the Council's decision that he has to construct a 2-car garage, he asked if he could receive some clarity on what the Council's specific definition of a garage is. City Planner Karen Mantele clarified that the definition of a garage is considered to be a roof structure supported by four walls.

Doug Ross, Willows Resident, wondered from a legal, structural standpoint, would an appeal come before a body for an appeal if it didn't have some foundation or some sort of merit. Mayor Hansen addressed Mr. Ross's question, stating that the appeal of the Planning Commission decision before the City Council is due process and the City Council is the appeal body.

Hearing no additional public comments, Mayor Hansen closed the public hearing at 7:32 p.m.

Council Member Domenighini asked Ms. Mantele if there is a definition of a garage in the California Building Code. Ms. Mantele stated that she was unaware of a definition, per se, but she did ask Building Official Clay Dawley what his interpretation of a garage would be, and Mr.

Dawley stated that it would be his interpretation that a garage is a structure that is enclosed on all four sides and has a roof; it is not an open-air structure such as a car-port.

Council Member Mello commented that one of the nice things about attending a Planning Commission Meeting is that one gets to see the future plans, activities and upcoming developments in Willows. He stated that did attend the February 17 Planning Commission Meeting where this item was originally heard and he listened to all sides. Along with that fact and what is stated in the agenda tonight, he feels that he can make a good decision.

Vice Mayor Yoder stated that he understands the requirements that the City is putting on the Schwenne family, but Mr. Schwenne makes a good argument and he has seen the improvements to the exterior of the building in that area. That area is a major thoroughfare into the City, so a lot of times a person's first views of a City make an everlasting impression. He thanked Mr. Schwenne for making the improvements to the dwelling in order to make the area look a lot better than it did prior to the improvements. He is not advocating that the City allow new or existing structures or site plans or plans to only do part of the City requirements. But again, this is an area unto itself and an older area that has very few improvements. If Mr. Schwenne's improvements are the start of a process that other residents in the area are going to see and start making that entryway into the City have a beautification process to it, he is all for that. With that being an older area, if the City is going to mandate that all structures have garages, it could be another 50 years before that area becomes viable again and has a beautification process to it. He stated that he is on Mr. Schwenne's side and he would be in favor of waiving the requirement to construct the garage.

Council Member Williams stated that he agreed with Vice Mayor Yoder. He has driven around this area and and there is a duplex right to the West of the property and he drove down the alley and saw one parking structure of sorts, but there are quite a few residents in that area that don't have a garage, a carport or anything. He thought the property looked very nice. He realizes the property isn't new and he remembers when he was growing up people were usually living there as a residence and it wasn't a business. There is plenty of off-street parking in the area without a garage being constructed. Council Member Williams stated that he would also be in favor of waiving the requirement to construct the garage.

Council Member Mello had some additional questions about where the residents of the property would park without there being a garage and if they would park on-site inside the property line or on the main road.

Mr. Schwenne stated that there is currently a driveway on the property with Class 2 base rock already on it. There is also a locked privacy fence.

Council Member Domenighini stated that it is his understanding that there would be a reason to deny this, which would be residential competing for commercial parking. Parking at this area on Tehama Street has been a big issue in the past and has been the discussion of many past Planning Commission meetings. He stated that if the City Council upholds this appeal, it is disregarding the City law. It is clear to him in the City Code that by obtaining a Conditional Use Permit for Residential use, City Code states that it is subject to the residential requirements. The residential

requirements are black and white in the City Code that it has to have a two-car garage. He stated that he is sympathetic to the applicant, but he does not see where the City Council has any authority to overturn the Planning Commission's decision on this. The Planning Commission was well within their bounds and compelled to have this requirement for this application. He then stated that he would advise the Planning Commission as a whole to resign if the Council were to overturn their decision.

Vice Mayor Yoder stated that for Council Member Domenighini to say that he would want the Planning Commission to resign is completely disregarding Council Member Domenighini's position as a City Council Member.

Council Member Domenighini stated that the Council Members take an Oath to uphold the law. Council Member Yoder stated that Council Member Domenighini does not have the ethical right to advise a body to resign just because the Council is having a discussion. He stated that is irresponsible.

Council Member Williams asked for clarification about why, if a residence is vacant for over 6 months, does that trigger the requirement for a garage. City Planner Karen Mantele explained that when a non-conforming use of a structure is not occupied for six or more months, the non-conforming use is considered to be abandoned thereafter. Any development subsequent to the abandonment would have to adhere to the current title and conform to the current codes in place when the structure becomes occupied after 6 + months of being vacant. Council Member Williams stated that while he understands what Ms. Mantele explained, he feels that that may stunt any activity to clean up any of the City's old abandoned buildings because it is just not cost effective to the owner. Council Member Williams then asked City Attorney Bob Hunt if the Council has the right to waive this requirement. Attorney Hunt stated that the Council does have the right to overturn the Planning Commission's decision to require the owner to construct a garage on the property. He stated that it is the Council's responsibility to hear the information regarding the appeal and it is then their duty to either uphold the Planning Commission's decision or overrule the Planning Commission and grant a waiver on the requirement to construct a garage.

Council Member Williams stated that one of the things that he has a hard time with is that this is an old facility and the Schwenne's have made it look attractive and now the Council is arguing over whether it has to have a garage when the properties to the North and to the East don't have garages. He then stated that he definitely respects the Planning Commission and following the letter of the law is one thing; but he also thinks that since the Schwenne's have already invested a good deal of money into upgrading the existing property, when push comes to shove if it weren't for the amount of money, they would probably construct a garage.

Attorney Hunt explained that the Council is here tonight listening to this appeal as a quasi-legislative and quasi-judicial body. In other words, judicially the Council is being asked to review a decision made by the Planning Commission. Legislatively, the Council is making a determination whether the laws of the City should be waived in this particular circumstance.

Council Member Domenighini reiterated that to him it is clear in the City Code that a 2-car garage is required, and the only remedy to this would be to change the Code by going through due process including public hearings, noticing requirements, meetings, code reviews, suggested code edits/amendments, etc. He stated that he does not see tonight how the Council could, in good conscience, overturn the Planning Commission's decision which was based solely on a common person's interpretation of a City Code.

Mayor Hansen first thanked the Appellant, Mr. Sweeney, for the improvements that he has already done to this structure and stated that the structure looks nicer than it has looked in many years. Mayor Hansen gave a brief history about this particular structure stating that there have been several commercial uses there over many years in the past, such as a café and TV repair store. Then over the following years the building was either often times vacant or had been used on and off as a non-conforming residential unit and fell into a state of disrepair. Mayor Hansen stated that his issue with this is similar to that of Council Member Domenighini's, in that the appeal is based on the City Code requirement for the construction of a garage; either two single-car garages or one 2-car garage to allow for two vehicles to have off-street parking. Mayor Hansen stated that he absolutely understands the economic factor for the applicant and the issue of the cost of \$10,000+ to construct a garage. It has been determined that there is adequate space to construct the garage on the property, and although Mayor Hansen can sympathize with the applicant as it pertains to the financial hardship, from his point of view he would have to fall back on the City Code requirements and that is where he is going to side. He stated that this is an unfortunate situation, but it really boils down to the laws, ordinances and the requirements of the City Code.

Mr. Schwenne addressed the Council and stated that in the Council talking about City Codes, are they saying that the 50 foot frontage on Tehama doesn't classify as a possible exception? He stated that the City Code clearly states that if there are any parking requirements, if there is 50 feet or less of frontage of parking on the main road, there may be a parking exemption. He stated that the City Planner Karen Mantele pointed that out to him. He asked if he would classify for that exemption. He informed the Council that he asked this question to the previous City Manager, Scott Taylor, but that he didn't want to give an answer to that question. Ms. Mantele addressed this and stated that under the City's Parking Regulations, Section 18.120.020 (3) "Commercial Uses", there is an exception which states "Parking requirements for commercially zoned property with 50 feet of less street frontage may be reduced or waived by the City Manager. All other reductions require approval by the Planning Commission". Mr. Schwenne did put his request in writing to the former City Manager to waive or reduce that requirement for the garage prior to this going before the Planning Commission meeting, but the City Manager declined Mr. Schwenne's request on the condition that garages are a standard and garages are required for residential use.

Mr. Schwenne stated that if you read through almost all of the residential parking requirements as far as additions, all of the language mainly talks about in situations where the owner is required to improve a parking situation or add or modify garages, so almost all of the language in the Code almost always talks about when the owner is adding use. He stated that he would like to point out that he is not adding any additional use of anything and if anything he may be subtracting use. Mr. Schwenne stated that he had one other issue to address to the Council that

he keeps biting his tongue on, but it hit him hard because he has studied U.S. Government. He informed the Council that on the day of the Planning Commission meeting when his Use Permit request was to be heard, while he was speaking to the now former City Manager Scott Taylor, Mr. Taylor basically told Mr. Schwenne that the Planning Commission is going to do whatever he says.

Additional Council discussion continued and Mayor Hansen stated that he was confident that all of the Council Members seemed to know what their roles are here tonight and he asked what the pleasure of the Council was at this point. Vice Mayor Yoder stated that he would like to have this item continued to the next agenda. Since one of his counterparts on the Council made a comment earlier that created a perception that for the Council to overturn the decision of the Planning Commission would be a violation of the City Council as a whole, he stated that he would like to get a better legal clarifying written opinion from the City Attorney as to whether that statement was accurate or not before the Council makes a decision regarding this appeal. It was the unanimous consensus of the City Council to continue this item to the March 22 City Council Meeting. Direction was given to the City Attorney to prepare a written legal opinion on what specifically the City Council can and cannot legally make a decision on as it pertains to this appeal. Staff was also directed to include the approved Planning Commission Minutes in the next Staff Report when this item comes back before the Council so the Council can be clear on what occurred at that meeting. Finally, Council directed staff to begin to look at other remedies and possible amendments to the code that could be reviewed and addressed in the future.

8. Ordinances:

- a) Approval of second reading by title only and adoption of Ordinance #723-2016 entitled **“AN ORDINANCE OF THE CITY OF WILLOWS, CALIFORNIA APPROVING A DEVELOPMENT AGREEMENT BETWEEN CALIFORNIA LAND INVESTORS, LLC AND THE CITY OF WILLOWS, AND ADDING CHAPTER 19.10 (DEVELOPMENT AGREEMENTS) AND ADDING SECTION 19.10.05 (DEVELOPMENT AGREEMENT BETWEEN CALIFORNIA LAND INVESTORS, LLC AND THE CITY OF WILLOWS) TO THE WILLOWS MUNICIPAL CODE”**.

M/S – Williams/Yoder to read by title only Ordinance number 723-2016. The motion unanimously passed 5/0 on a roll-call vote.

M/S – Willows/Yoder that Ordinance #723-2016 entitled **“AN ORDINANCE OF THE CITY OF WILLOWS, CALIFORNIA APPROVING A DEVELOPMENT AGREEMENT BETWEEN CALIFORNIA LAND INVESTORS, LLC AND THE CITY OF WILLOWS, AND ADDING CHAPTER 19.10 (DEVELOPMENT AGREEMENTS) AND ADDING SECTION 19.10.05 (DEVELOPMENT AGREEMENT BETWEEN CALIFORNIA LAND INVESTORS, LLC AND THE CITY OF WILLOWS) TO THE WILLOWS MUNICIPAL CODE”** pass second reading and be adopted. The motion unanimously passed 5/0 on a roll-call vote.

9. Executive Session:

PUBLIC COMMENT: Pursuant to Government Code Section 54954.3, the public was given an opportunity to directly address the legislative body on the item(s) below prior to the Council convening into Closed Session. No members of the public spoke and the council convened into Executive Session at 8:14 p.m. pursuant to California Government Code Sections 54950 et seq. to discuss the following items:

- a) **PUBLIC EMPLOYEE DISMISSAL/RELEASE** (GC Section 54957)
- b) **PUBLIC EMPLOYMENT APPOINTMENT/EMPLOYMENT** (GC Section 54957(b)1)
TITLE: Interim City Manager

10. Reconvene to Open Session & Report out, if any, on Closed Session:

The City Council reconvened into open session at 9:11 p.m. Mayor Hansen stated that the City Council has just completed the Closed Session portion of the meeting and they are now back in open session.

Mayor's Report Out from Closed Session:

Mayor Hansen reported that on item 9 (a) the Council took no reportable action. Mayor Hansen reported that on item 9 (b) the Council took no reportable action.

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

- Council Member Domenighini asked if the Council could get an update or a progress report on the ambulance services situation. Interim City Manager Wayne Peabody stated that he would place an informational item on the March 22 agenda to update the Council. Council Member Domenighini also stated that he would like to see an in-depth report at a future Council Meeting about the Police Department's desire to move into a new facility.
- Council Member Williams asked if the Council could place an agenda item on the next City Council Meeting to have a discussion about possibly prohibiting the use of tobacco in the City parks.

12. New Business:

- a) Resolution establishing a salary scale and benefit items for the Position of Fire Chief, and, by motion, set the current Fire Chief at Step B of the Scale, retroactive to February 24, 2016:

The Council, Staff and the Community recognize the outstanding effort put forth by Fire Chief Wayne Peabody. Chief Peabody has been tireless in his efforts to maintain a stable, service-oriented, successful Fire Department, and has done an outstanding job not only within Fire and Rescue Services, but he has also proven to be an outstanding resource in recognizing the bigger picture of the City of Willows and has shown exemplary leadership in championing the City as a whole.

Given Chief Peabody's success and the desire of the Council to have him take on an even greater role in leading City operations, an updated Salary Scale is recommended for the position of Fire Chief. The recommended (monthly) salary scale is as follows:

- Step A (7/01/2015) - \$8,655
- Step B (2/24/2016) - \$9,088
- Step C (7/01/2018) - \$9,542
- Step D (1/01/2020) - \$10,019
- Step E (7/01/2021) - \$10,520

In addition to the new salary scale, it is recommended that the Fire Chief Position be afforded a Deferred Compensation Match up to 5% of salary and a \$200.00 per month allowance to assist in the coverage regarding travel outside the scope of the use of the Chief's vehicle and to handle additional technological needs that may arise.

M/S – Domenighini/Yoder to adopt a Resolution of the City Council of the City of Willows establishing a salary scale and benefit items for the position of Fire Chief. The motion unanimously passed 5/0 on a roll-call vote.

M/S – Domenighini/Yoder to approve setting the Current Fire Chief salary at Step B of the wage scale, retroactive to 2/24/2016. The motion unanimously passed 5/0 on a roll-call vote.

- b) Resolution approving Coastland Civil Engineering as the Engineer of Work for the City of Willows Landscaping & Lighting:

The Landscaping and Lighting Act requires that the City undertake certain proceedings for any fiscal year in which assessments are to be levied and collected. These proceedings are accomplished at three separate City Council meetings with the following actions:

- 1) Adopt a resolution appointing the Engineer of Work and directing the preparation of the annual Engineer's Report.
- 2) Approve the Engineer's Report, declare the City Council's intent to levy assessments and set a date for a public hearing.
- 3) Conduct a public hearing and authorize the levying and collection of assessments for the upcoming fiscal year.

Before the Council this evening is a resolution which begins the proceedings for the 2016-2017 Fiscal Year. The Engineer's report will analyze the anticipated costs and determine

the corresponding assessment amounts. The City Council can make changes to the Engineer's Report once it has been prepared and filed. The Engineer's Report should be approved by the City no later than the end of June of each year so that the information can be transmitted to the County for the inclusion on the tax rolls. The County needs to have all information transmitted and correct no later than August 10 of each year. In order to meet this schedule and comply with the regulations of the Streets and Highways code for this type of Assessment District, the assessment engineering process should begin now.

Staff is recommending that the Council adopt the resolution appointing Coastland Civil Engineering as the Engineer of Work for the City of Willows Landscape and Lighting Assessment District; direct the preparation of the annual Engineer's Report for Fiscal Year 2016-2017.

M/S – Mello/Domenighini to adopt a resolution of the City Council of the City of Willows Appointing Coastland Civil Engineering as the Engineer of Work for the City of Willows Landscaping and Lighting Special Assessment District and directing the preparation and filing of the Engineer's Report for Fiscal Year 2016-2017 (Pursuant to the Landscaping and Lighting Act of 1972). The motion unanimously passed 5/0 on a roll-call vote.

13. Council Member Reports:

- Council Member Williams reported that he visited the Vietnam Veterans' "Wall that Heals" when it was recently in Willows. He expressed his gratitude to Dan Roach, Dennis James and the many other volunteers that made this event possible. He also reported that he attended the Fire Department's Tri-Tip and Bean fundraiser and he thanked all of the volunteers that put on the event. He attended the Swearing-In ceremony for the newest Police Officer, Robert Thompson.
- Mayor Hansen stated that the Veterans groups should be commended for doing a fantastic job on bringing "The Wall that Heals" to Willows. He stated that it was a remarkable and historic event. He too reported that he attended the Fire Department's Tri-Tip and Bean feed.

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14. Adjournment: Mayor Hansen adjourned the meeting at 9:26 p.m.

Dated: March 8, 2016

NATALIE BUTLER

City Clerk

The City of Willows is an Equal Opportunity Provider