

MINUTES OF THE WILLOWS CITY COUNCIL REGULAR MEETING HELD

May 22, 2012

1. The meeting was called to order at 7:00 p.m. by Mayor Holvik.
2. **PLEDGE OF ALLEGIANCE:** Police Sergeant Carl Walters led the Pledge of Allegiance.

3. **ROLL CALL:**

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

Absent: None

4. **Agenda Review:** It was **moved** by Council Member Yoder and **seconded** by Council Member Taylor-Vodden to accept the May 22, 2012, City Council Meeting agenda as presented. The motion unanimously passed.

5. **Presentations & Proclamations:**

- a) Mayor Holvik presented a Certificate of Appreciation to Mike Roberts for his volunteer efforts to improve the look of Memorial Park.
- b) William Berry of William Berry Campaigns gave the Council a presentation to explain the necessary steps to complete potential ballot measures to place on the November ballot. He explained that there are three steps to move forward with potential ballot measures. Step one would be to draft the specific ballot language for the measures and have them reviewed by legal Counsel. This must be completed and approved by a City Council Resolution prior to August 10, which is the final day to get the measures to the Registrar of Voters office. The second step is to inform and educate the public on the measures and their potential advantages. The final step would be to begin campaigning for the measures. The campaigning must be done by a private citizens committee and it is not permitted to be done by the City and there must be no use of City funds involved in during the campaigning process. The City is allowed to educate and inform the public about the measures, however, it is prohibited for the Council to specifically advocate for passage of the measures, which Mr. Berry admitted is a very fine line. He suggested that any materials prepared in conjunction with the campaigning for the measures should be reviewed by the City Attorney and also by the District Attorney in order to be sure everything is legally appropriate. He has spoken to the County and they gave him a quote of approximately \$3 to \$4 per voter to place a special measure on the ballot, which would cost approximately \$7500 to \$10,000 per measure.

Mr. Berry's presentation was informational only and no Council action was taken on this matter.

6. **Public Comment:**

Kevin Azevedo spoke to the Council to advocate for allowing bicycles to ride in the skate park. He is a bike enthusiast and requested that the Council reconsider their rule of not permitting

bicycles in the skate park, even if it was only on certain days and times of the week. Staff advised that this is something the Safety Committee would need to review if any changes to the Municipal Code were to be made in this regard.

7. Consent Agenda:

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

- a) Approval of General Check Register (24484-24604).
- b) Approval of Payroll & Direct Deposit Check Registers (31831-31889 & Z03428-Z03494).
- c) Approval of the April 24, 2012, Regular City Council Meeting Minutes.
- d) Approval of the May 9, 2012, Special City Council Meeting Minutes.

8. Public Hearings:

- a) Weed Abatement Public Hearing to provide owners an opportunity to offer comments regarding receipt of "Notice to Abate" cards and upon conclusion, order those properties that have not self-abated to be abated by the City's Abatement Contractor.

On April 24 the City Council adopted a Resolution declaring rubbish, refuse and weeds to be public nuisances. The Fire Department has made a survey of the areas in the City that are a nuisance and has notified property owners that they must remove the nuisance(s) or the City will perform this task and invoice the property owner accordingly.

It is required by Government Code 39560 through 29588 that there is to be a set fixed time for any appeals to be considered by the Council from any of the property owners. The time fixed for this appeal was 7:00 p.m., Tuesday, May 22, 2012. At this time the Council shall conduct a public hearing to hear any objections from the property owner(s) and by motion, upon the conclusion of the public hearing, the Council shall allow or overrule any objections. If the Council desires any additional information on any particular site(s) they may continue the hearing. If no objections are made, or after the City Council has disposed of those made, they shall order the Fire Chief to abate the nuisance(s).

Properties that the City Contractor abates will be billed to the property owner. For those property owners that do not pay, there will be a lien placed against their property and it will appear on their tax statement from the County.

Mayor Holvik opened the Public Hearing at 7:19 p.m. Doug Ross, citizen, spoke during the public hearing and suggested that weed length should be considered and that people should be noticed to abate once weeds get to a certain height. There are weeds throughout the City that due to their height should be considered hazardous any time of the year, not just during the Weed Abatement season. Fire Chief Peabody addressed this, stating that the Weed Abatement Season has strict time-lines that the City needs to follow per State mandates, although he agrees that

certain properties do sometimes have weeds outside of the abatement season that could be potentially threatening in the event of a fire. Mayor Holvik closed the Public Hearing at 7:22 p.m.

It was **moved** by Council Member Hansen and **seconded** by Council Member Cobb to declare the parcels that have been sent notices to abate and have not done so by June 3, to be abated by the City's Abatement Contractor and billed accordingly. The motion unanimously passed.

- b. Conduct a Public Hearing, and upon completion, approve the Resolution Approving the Application for the Use of Program Income Funds for a Public Facilities Project:

In April of 2010 the California Department of Housing and Community Development (HCD) amended regulations pertaining to the use of Program Income (Program Income refers to funds received via repayment of loans that were extended utilizing CDBG funds) to allow for the appropriation of projects outside the scope of open CDBG grants for revolving loan activities. One of the allowed areas is for improvements to public facilities.

Currently, the bay doors at the Willows Fire Station are in need of replacement. Significant ongoing maintenance has taken place over a number of years, but the doors have reached a point of necessary replacement. The City has received tentative concurrence from HCD staff that this project would qualify as a public facilities project under CDBG guidelines. Staff is now seeking Council approval to apply for approval to utilize \$37,000 in Program Income funds toward the replacement of the doors. The Fire Chief has received tentative estimates for this work, but staff will need to go through the formal bid process in accordance with City policy on projects of this size and also per CDBG procurement guidelines. If the Council approves the Resolution, Staff will return to the June 12 meeting to conduct a Public Hearing regarding amending the Program Income Reuse Plan to allow for these types of transactions to occur within our Program Income Funds.

Mayor Holvik opened the Public Hearing at 7:27 p.m. and hearing no comments, subsequently closed the Public Hearing at 7:27 p.m. It was **moved** by Council Member Hansen and **seconded** by Council Member Yoder to adopt a Resolution approving the application for the use of the Program Income Funds for a Public Facilities Project. The motion unanimously passed.

9. **Ordinances:** None

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

11. **New Business:**

- a) Transfer funding within the current Fiscal Year General Fund Budget to augment the Planning Services Budget with an increase of \$3000 to maintain current service level throughout the remaining six weeks of the 2011/12 Fiscal Period:

In May of 2011 the Council approved the renewal of the Planning Services Agreement with Wildan Engineering to maintain a consistent one-day-per-week planner at City Hall. It was anticipated at that time that our Planning Services Budget would be reduced by approximately 25% for Fiscal Year 2011/12; a projected savings of approximately \$8000 during this fiscal period. Unfortunately, several assumptions in conjunction with shared planning services with the County have not materialized as anticipated. Therefore our 2011/12 adopted budget for planning services is limited to \$25,000. Currently General Planning Services billed through April have now exhausted approximately \$24,800 of the current fiscal budget. Therefore staff is requesting an augmentation of \$3000 in funding; available through a Council authorized transfer of funding from the Legal Expense Budget, which currently has a remaining balance of \$6900 for the current fiscal period. This balance represents approximately 46% of the original budget. With six weeks remaining in the fiscal year the City is approximately 87% through with the 2011/12 budget cycle. Therefore, a reduction in legal expense funding of \$3000 would still maintain a balance of \$3900 in that account with only six weeks remaining in the fiscal period. This would represent a budget balance in excess of 25% of the original legal expense budget. Therefore staff is recommending approval of this request to restore general planning services availability one day per week for the remaining six weeks in this fiscal year.

It was **moved** by Council Member Yoder and **seconded** by Council Member Taylor-Vodden to transfer \$3000 from fund 301.4120.020 to fund 301.4120.060 in order to maintain one day weekly Planning Services throughout the remainder of the current fiscal year. The motion unanimously passed.

- b) Renewal of the 2012/2013 Contract for Services between the City of Willows and 3CORE, Inc.:

Each fiscal year it is necessary to renew our membership commitment with 3CORE (Formerly Tri-County Economic Development) and establish a list of priority projects. Typically city management staff will review the Comprehensive Economic Development Strategies (CEDS) priority list, makes any necessary updates, revisions or modifications based on Council directives and feedback throughout the preceeding year. This step has already been completed and staff is working collaboratively with the Cities/County Economic Development Steering Committee on a more regionalized CEDS focus for the immediate future.

Staff is seeking Council approval to renew the annual contract commitment for the next fiscal year. The annual cash-match contribution for 2012-2013 will be \$5000. Although an increase from last year, as Council may recall during a recent Council meeting, 3CORE representatives presented a summary for revenues generated on behalf of the City by 3CORE and based on that summary, the City's return-on-investment is approximately \$10.50 for each dollar invested. Therefore, staff is recommending Council approval for renewal of the contract.

It was **moved** by Council Member Cobb and **seconded** by Council Member Hansen to renew the 2012-2013 contract for services between the City of Willows and 3CORE, Inc. The motion unanimously passed.

12. Council Member Reports:

Council Member Taylor-Vodden reported that she and the City Manager attended the April 25 Willows Economic Development Committee Meeting.

Council Member Hansen reported that he and Mayor Holvik attended the last Solid Waste Advisory Board Meeting. He also attended the most recent Transportation Committee Meeting. He congratulated the Lamb Derby Committee on a successful weekend of events and he also commended the Museum Board for a very well organized and successful dedication of the Peter Towne Memorial Park at the Museum and he thanked the City Manager for delivering a very nice speech at the dedication.

Council Member Cobb also thanked the City Manager for his dedication of the Peter Towne Memorial Park and said it was a very nice event.

Mayor Holvik reported that he and the Recreation Director, Carol Lemenager, appeared on KHSL Channel 12 news at noon today to promote the upcoming "Row, Row, Row your boat" fundraiser for the City pool that will take place on May 24. He also reported that he attended the last Library Board of Trustees meeting and a recent Butte College Community Forum meeting.

13. **Executive Session:** Pursuant to California Government Code Sections 54950 et seq., the City Council held a Closed Session. More specific information regarding this closed session is indicated below:

a) CONFERENCE WITH LABOR NEGOTIATOR(S) pursuant to Section 54957.6

Agency Negotiators:	City Manager Steve Holsinger Finance Director Tim Sailsbery
Employee Organization(s):	Willows Employees Association Willows Public Safety Association Unrepresented Employees (All City Employees not represented by WEA or WPSA)

The Council entered into Closed Session at 7:48 p.m.

14. **Report Out from Executive Session:**

The Council reconvened into Open Session at 9:08 p.m. with Council providing direction to staff.

15. **Adjournment:** Mayor Holvik adjourned the meeting at 9:10 p.m.

Dated: May 22, 2012

NATALIE BUTLER

City Clerk

The City of Willows is an Equal Opportunity Provider