

MINUTES OF THE WILLOWS CITY COUNCIL REGULAR MEETING HELD
November 12, 2013

1. Mayor Cobb called the meeting to order at 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE:** Councilmember Mello led the Pledge of Allegiance.
3. **ROLL CALL:**

Present: Domenighini, Taylor-Vodden, Mello, Hansen, & Mayor Cobb
Absent: None

4. **Agenda Review:** The City Manager pointed out a few typographical errors on the agenda and also stated that item 5 (a) states that Dan Gupton is the ‘President’ of the Willows American Legion, but he is in fact the ‘Commander’. Council Member Domenighini asked to have item 7 (d) (Reaffirmation of appointment of current Mayor and Vice Mayor for 2014) moved to item 11 under “New Business”. It was **moved** by Council Member Domenighini and **seconded** by Council Member Hansen to accept the November 12, 2013 agenda as amended. The motion unanimously passed.
5. **Presentations & Proclamations:** Dan Gupton, Commander of the Willows American Legion, presented Ray Crabtree, President of the Willows Museum Society, a Silver Star Medal and a Purple Heart Medal which belonged to deceased Willows Resident, Corporal Russell E. Lewis. Mr. Gupton gave a brief history of Corporal Lewis and the meanings of the medals. The medals will be placed on display at the Willows Museum.
6. **Public Comment/Written Communications:**

The following person(s) spoke during public comments:

Nickie Burley announced that she and a group of “Santa’s Elves” have gotten together to decorate the town for the holidays. She stated that the group will be putting out decorations and lights throughout the town, and along the entire route of the Annual Chamber of Commerce Light Parade on December 7. She requested that everybody turn on their holiday lights during the night of December 7. She stated that if people need help with decorations that they can contact her and she can arrange to get people to help with hanging lights and putting up decorations at their homes or businesses.

Gail Green stated that she was disappointed that the Council appointed Council Member Hansen to fill the remainder of former Council Member Spears’ seat.

Jamie Millen, with the Chamber of Commerce, stated that some time ago the Chamber was asked to conduct a survey to determine how much community interest there is in having downtown banner poles erected and also to see if businesses would be willing to pay an extra \$10.00 for the next two years for their business license to fund the placement of new banner poles to advertise community events. She reported the results of the survey, which showed that

out of 64 surveys that were collected, 61 wanted to reestablish the banner poles and 3 wanted other means of displaying community events. Of the 22 businesses that were surveyed about the extra \$10.00 business license fee to help fund the poles, 6 stated they would be willing to pay the extra fee and 16 would not be willing to pay the fee. Mrs. Millen also gave the Council an update on other past and upcoming community and Chamber of Commerce events.

Jeff Williams stated that in regards to the \$65,000 allocation that the Council voted on at the last meeting to go toward IT upgrades, he is curious whether he misunderstood the comments made by the Finance Director at that meeting.

7. **Consent Agenda:**

It was **moved** by Council Member Hansen and **seconded** by Council Member mello to approve the Consent Agenda as amended under item 4. The motion unanimously passed. The following items were approved/adopted:

- a) Approval of General, Payroll and Direct Deposit Check Registers (26678-26724;Z04702-Z04734; 32826-32862).
- b) Approval of the Regular City Council Meeting held October 8, 2013.
- c) Approval of the City of Willows Treasurer's Report Schedule of Cash and Investments as of September 30, 2013.

8. **Public Hearings:**

- a) Conduct a Public Hearing and upon conclusion, consider adoption of a Resolution approving the issuance of the Bonds by the California Municipal Finance Authority (CMFA) for the benefit of Willows Pacific Associates to provide financing of the project:

The Pacific Company requested that the CMFA serve as the municipal issuer of the Bonds in an aggregate principal amount not to exceed \$8,000,000 of tax-exempt revenue bonds. The proceeds of the Bonds will be used to finance and refinance the construction and development of a senior rental housing project located at 1324 & 1330 West Sycamore Street. In order for all or a portion of the Bonds to qualify as tax-exempt bonds, the City of Willows must conduct a public hearing required by the Tax and Equity Fiscal Responsibility Act (the "TEFRA Hearing") providing the members of the community an opportunity to speak in favor of or against the use of tax-exempt bonds for the financing of the Project. Following the close of the TEFRA Hearing, an "applicable elected representative" of the governmental unit hosting the Project must provide its approval of the issuance of the Bonds for the financing of the Project.

The CMFA was created on January 1, 2004 pursuant to a joint exercise of powers agreement to promote economic, cultural and community development, through the financing of economic development and charitable activities throughout California. To date, over 175 municipalities have become members of CMFA. The CMFA was formed to assist local governments, non-profit organizations and businesses with the issuance of taxable and tax-exempt bonds aimed at

improving the standard of living in California. The CMFA's representatives and its Board of Directors have considerable experience in bond financings.

In order for the CMFA to have the authority to serve as the issuer of the bonds for the Project, it is necessary for the City of Willows to become a member of the CMFA. Before the Council tonight is a copy of the Joint Exercise of Powers Agreement to be executed by a designated signatory of the City. The Joint Exercise of Powers Agreement provides that the CMFA is a public entity, separate and apart from each member executing such agreement. The debts, liabilities and obligations of the CMFA do not constitute debts, liabilities or obligations of the members executing such agreement.

The Bonds to be issued by the CMFA for the Project will be the sole responsibility of the Borrower, and the City will have no financial, legal, moral obligation, liability or responsibility for the Project or the repayment of the Bonds for the financing of the Project. All financing documents with respect to the issuance of the Bonds will contain clear disclaimers that the Bonds are not obligations of the City or the State of California, but are to be paid for solely from funds provided by the Borrower. There are no costs associated with membership in the CMFA and the City will in no way become exposed to any financial liability by reason of its membership in the CMFA. In addition, participation by the City in the CMFA will not impact the City's appropriations limits and will not constitute any type of indebtedness by the City. Outside of holding the TEFRA hearing, adopting the required resolution and executing the Joint Exercise of Powers Agreement of the CMFA, no other participation or activity of the City or the City Council with respect to the issuance of the Bonds will be required.

The Joint Exercise of Powers Agreement expressly provides that any member may withdraw from such agreement upon written notice to the Board of Directors of the CMFA. In the case of the proposed bond financing for the Borrower, the City following its execution of the Joint Exercise of Powers Agreement, could, at any time following the issuance of the Bonds, withdraw from the CMFA by providing written notice to the Board of Directors of the CMFA.

The Board of Directors of the California Foundation for Stronger Communities, a California non-profit public benefit corporation (the "Foundation"), acts as the Board of Directors for the CMFA. Through its conduit issuance activities, the CMFA shares a portion of the issuance fees it receives with its member communities and donates a portion of these issuance fees to the Foundation for the support of local charities. With respect to the City of Willows, it is expected that 25% of the issuance fee will be granted by the CMFA to the general fund of the City. Such grant may be used for any lawful purpose of the City. The Borrower will be the beneficiary of the CMFA's charitable donation through a 25% reduction in issuance fees.

In light of the foregoing, and in order to support affordable senior housing, staff recommends that the City conduct the TEFRA Hearing, execute the Joint Exercise of Powers Agreement of the CMFA, and adopt the resolution in favor of the issuance of the Bonds by the CMFA.

Mayor Cobb opened the Public Hearing at 7:25 p.m. Nickie Burley and Doug Ross spoke during the public hearing and had a few questions regarding the bonds. Their questions were addressed by the Council, Staff and Mona Dmitrenko, Financial Advisor for the CMFA. Mayor Cobb closed the Public Hearing at 7:38 p.m.

Brief Council discussion ensued and it was **moved** by Council Member Domenighini and **seconded** by Council Member Taylor-Vodden to adopt a Resolution approving, authorizing and directing execution of a joint exercise of powers agreement and approving the issuance of revenue bonds by the authority for the purpose of financing or refinancing the construction and development of certain facilities for the benefit of Willows Pacific Associates, L.P., or related entities. The motion unanimously passed.

9. **Ordinances: None**

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

Council Member Mello stated that the topic of the downtown banner poles is likely to come up for discussion after the first of the year. He believes that staff should get another estimate for replacing the banner poles.

11. **New Business:**

- a) Reaffirm the appointment of current Mayor Jeff Cobb and Vice Mayor Terry Taylor-Vodden for 2014 in conjunction with consensus discussion and direction of the Council during the regular City Council Session held October 22, 2013: (Removed from the Consent Agenda item 7 (d) per the request of Council Member Domenighini).

Council Member Domenighini stated that his preference in appointing a Mayor and Vice-Mayor is that the Council continues with the rotation as has been the tradition in previous years. He believes that it is good for the City Council and good for the citizens to have the Council rotate through the chairs of Mayor and Vice Mayor.

Vice Mayor Taylor-Vodden stated that she is happy with the current proposal to continue with the current Mayor and Vice Mayor assignments. She stated that the Council and the City has had a rough couple of years and she feels that Mayor Cobb has handled things very well and she would like him to continue in that role, so that is her preference.

Council Member Mello stated that he would like to make a nomination for a Vice Mayor and keep the current Mayor.

Council Member Hansen stated that he spoke on this topic at the last Council Meeting and he believes that Vice Mayor Taylor-Vodden and Mayor Cobb have both done a fine job and they deserve a second term in their current roles. As Vice Mayor Taylor-Vodden stated, it has been an interesting last year and they have persevered well and have both done a fantastic job. His preference is to see them both continue in those positions for one more year.

Council Member Taylor-Vodden stated that it also affects the 2014 committee assignments that were confirmed by the Council at the last Council Meeting, because there are some committee appointments that are specific to the Mayor and/or Vice Mayor. She believes that for continuity purposes, keeping the Mayor and Vice Mayor for an additional year would be the best solution.

Jeff Williams stated that he reviewed all agendas and minutes from August 2007 to present and he has found that the Mayor and Vice Mayor has rotated out every year and he believes that is the appropriate route so newer Council Members can take on different roles.

Mayor Cobb stated that he disagreed and that the positions of Mayor and Vice Mayor have not always rotated. Vice Mayor Taylor-Vodden and Council Member Hansen also agreed that the Mayor and Vice Mayor positions have not always rotated.

It was **moved** by Vice Mayor Taylor-Vodden to nominate Mayor Cobb to the position of Mayor for the year 2014. Council Member Hansen **seconded** the nomination and the motion unanimously passed.

Council Member Mello **moved** to nominate Council Member Domenighini to the position of Vice Mayor for the year 2014. The motion died for lack of a second.

Council Member Hansen **moved** to nominate Vice Mayor Taylor-Vodden to the position of Vice Mayor for the year 2014. Council Member Domenighini **seconded** the nomination and the motion unanimously passed.

Vice Mayor Taylor-Vodden **moved** to re-affirm the Committee Assignments that the Council made at the October 22 Council Meeting. Council Member Hansen **seconded** the motion. Discussion then ensued that this was not a necessary motion, as the Committee Assignments have already been confirmed, nor are they on tonight's agenda for re-affirmation. Vice Mayor Taylor Vodden **withdrew her motion** and Council Member Hansen **seconded the withdrawal** of the motion and it was the majority consensus of the Council that this item need not and should not be acted on this evening, as assignments have already been previously confirmed.

b) Holiday Closure of Administrative Offices:

In review of administrative personnel, it was determined that a large number of administrative employees were scheduled to utilize vacation or other compensatory leave for some or all of the weeks of Christmas and New Year. The remainder of the employees in this category were polled and all were in favor of closing between the declared holidays of Christmas Eve and New Year, and were willing to utilize vacation or other accrued compensatory time off, as appropriate, for those days that would otherwise be scheduled work days. Staff is requesting that Council consider declaring a closure of the administrative offices during this period to accommodate the requests noted above. As noted, there will be utilization of accrued leave for those dates in which an individual employee was otherwise scheduled to work. Based on the requested closure, City Hall administrative offices will close following the close of business (4:30 p.m.) on December 23 and reopen at 8:30 a.m. on January 2.

Brief Council discussion ensued and it was **moved** by Council Member Hansen and **seconded** by Council Member Mello to approve a temporary closure of administrative offices from December 24 to January 1. The motion unanimously passed.

12. Council Member Reports:

Council Member Domenighini reported that he recently attended the annual Chamber of Commerce Steak & Lobster Feed. He also plans to attend the Library Board of Trustees Meeting this Thursday and the Transit & Transportation Commission meeting next week.

Council Member Hansen reported that he will be attending the Transit & Transportation Commission meeting next week.

Council Member Mello gave a brief update on the California Department of Public Health's (DPH) proposed Chromium 6 regulation. He stated that there are eight steps to the process before the regulation can get passed. The Public Hearing that he attended in Sacramento was the fourth step. Currently the plan is to get the legislation approved by October of 2014. The DPH is currently reviewing over 18,000 public comments that they have received regarding the proposed regulation but he stated that he believes the regulation will eventually get implemented.

Council Member Taylor-Vodden reported that she was unable to attend the LAFCO meeting held earlier in the day but that she plans to attend the next one. She also reported that the GWIL group has been working hard on distributing the money that is still available for façade improvement in the downtown central commercial zone. Lastly, she stated that she sits on the committee for the Farmers' Market and they are planning to have a 2014 Farmers' Market season and she believes the committee will be making some big changes to the Willows Farmers' market for next year. She urged anybody who is interested in helping to serve on the committee to contact either herself or Kandi Manhart at the Glenn County Resource Conservation District.

The Council convened into Executive Session at 8:08 p.m.

13. Executive Session: An Executive Session was held for the following:

PERFORMANCE EVALUATION – Pursuant to Government Code § 54957 (b) (1)
TITLE: Police Chief

14. Report-Out from Executive Session: No reportable action was taken by the Council and direction was provided to staff.

14. Adjournment: Mayor Cobb adjourned the meeting at 9:50 p.m.

Dated: November 12, 2013

NATALIE BUTLER

City Clerk

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