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, November 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 November 13, 2012, Agenda.
5. Presentations & Proclamations: NONE.
6. Public Comment / Written Communications: Members of the public wishing to address the Council on any item(s) *not on the agenda* may do so at this time when recognized by the Mayor/Vice Mayor; however, no formal action will be taken unless placed on a future agenda. *(Public Comment is generally restricted to three minutes).*
7. Consent Agenda: Consent items are considered to be routine by the City Council and will be enacted in one motion. There will be no separate discussion on these items unless a Councilperson or citizen requests, in which event the item will be removed from the consent agenda.
   a) Consider approval of General Check Register.
   b) Consider approval of Payroll & Direct Deposit Check Registers.
   c) Consider approval of four resolutions affirming and updating the cafeteria plan terms with the City of Willows and the Willows Employees' Association, Willows Public Safety Association, Department Heads & Confidential Employees and the City Manager.
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. Although not required, it is also requested that you please state your name for the record).*
   a) NONE

9. Ordinances: Hotel Users Tax – Voter approved Ballot Measure of November 6, 2012

a) Consider by motion and read by Title Only, first passage of an Ordinance Entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS AMENDING SECTION 3.25.030 OF THE WILLOWS CITY CODE and direct staff to return the ordinance for final adoption at the appropriate subsequent meeting.

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

11. New Business:

a) Consider adoption of a Resolution acknowledging the Matching Funds portion of the previously approved Use of CDBG Program Income Funds will be a committed General Fund expenditure during the Fiscal 12/13 project for replacement of the Fire Station Doors.
b) Consider approval, by motion to direct staff to commence advertising and recruitment for Planning Commissioner replacement in anticipation of the vacancy created by Larry Domenighini's election to the City Council during the November 6th general election.

12. Council Member Reports:

13. Adjournment:

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

The City of Willows is an Equal Opportunity Provider

Item 7e

November 13, 2012

AGENDA ITEM

TO: Steve Holsinger, City Manager

FROM: Tim Sailsbery, Finance Director

SUBJECT: Updating Cafeteria Plan Terms

RECOMMENDATION

Approve Resolutions Affirming and Updating Cafeteria Plan Terms With the City of Willows and the Willows Employees Association, Willows Public Safety Association, Department Heads and Confidential Employees, and City Manager

SITUATION (or BACKGROUND):

The City has provided various employee benefits via a cafeteria plan since the late 1990's. Part of the process of maintaining the cafeteria plan is to update the terms and conditions of the plan periodically. The attached resolutions provide the proper update to the terms, conditions, and amounts provided to all full-time, benefitted employees through November 30, 2013. Such resolutions will continue on a periodic "housekeeping" basis to reflect terms and conditions of the plan.

Staff acknowledges that four resolutions are somewhat cumbersome. However, each resolution recognizes a distinct group within the City's employ in accordance with the original cafeteria plan resolutions. As such, resolutions are provided for each grouping.

FINANCIAL CONSIDERATIONS:

No additional appropriation currently. The effect of the cafeteria plan and corresponding health insurance rates are already factored into the 2012-13 adopted budget.

NOTIFICATION

N/A

ALTERNATE ACTIONS

1. Authorize as presented
2. Reject affirmation and update
3. Request additional information and postpone authorization consideration to a future date.

RECOMMENDATION

Approve Resolutions Affirming and Updating Cafeteria Plan Terms With the City of Willows and the Willows Employees Association, Willows Public Safety Association, Department Heads and Confidential Employees, and City Manager

---

Respectfully submitted,

Tim Sailsbery
Finance Director

Attached: Cafeteria Plan Document
Resolutions (4)

CITY OF WILLOWS' Cafeteria Plan

Willows Employee Association
Willows Public Safety Association
Confidential Employees and Department Heads
City Manager

1. **Term of Agreement:** The agreement is for the period beginning December 1, 2012 and ending November 30, 2013.

2. **Continuation of Existing Agreements:** Except as specifically indicated in this Resolution, the terms and conditions contained in the previously approved MOUs and resolutions between the City and the Association will continue in effect through the duration of this agreement.

3. **Health Insurance:**

Effective December 1, 2012

The City will provide payment for health insurance premiums in the amount of $115 per employee, per month, towards enrollment in the City's sponsored CalPERS health plan, regardless of the number of dependents the employee has enrolled in the City's sponsored CalPERS health plan.

Employees may choose not to enroll in the City of Willows' sponsored CalPERS health plan. Employees who opt out of enrollment in the City of Willows' sponsored CalPERS health plan will not receive the City's payment for health insurance premiums provided to other employees who are enrolled in the City's sponsored CalPERS health plan. If an employee in this status subsequently elects to be covered by the City's sponsored health plan, they may enter the plan subject to enrollment criteria established by CalPERS.

4. **Employer Contributions to Cafeteria Plan Benefits:**

The City will maintain a Section 125 qualifying Cafeteria Plan which shall provide for the following menu of benefits:

- Balance of premiums for the City's sponsored CalPERS health plan
- AFLAC supplemental insurance
- Dental and vision insurance through Premier Access Dental and Vision
- Deferred Compensation in a Section 457 plan with ICMA or Nationwide

A benefit under the Cafeteria Plan is contingent upon an understanding that the benefit qualifies as a pre-tax benefit pursuant to State and Federal tax laws. If for any reason State or Federal law precludes one or more of the above listed benefits from the protection of a Section 125 Cafeteria Plan, the City may remove that benefit from the Plan in order to maintain the City's Cafeteria Plan as a Section 125 qualifying plan.

The City will contribute a flexible benefit allowance to all employees eligible to participate in the Cafeteria Plan. Receipt of any flexible benefit allowance to the Cafeteria Plan shall be in addition to the City's contribution that is provided towards the employee's premiums for the City's sponsored health plan as stated above. The City's flexible benefit allowance provided to an employee shall be determined based on the employee's participation level, as follows:

TIER 1: Eligible Employees who opt-out of enrollment in the City's sponsored CalPERS health plan shall receive a Cafeteria Plan allowance of $481.00 per month. The allowance is to be used only towards the purchase of those benefits available through the City's Cafeteria Plan. In order to be eligible for this benefit, the employee must provide written proof of other medical insurance coverage.

TIER 2: Eligible employees who elect to enroll in employee-only medical coverage under the City's CalPERS sponsored health plan shall receive a Cafeteria Plan allowance of $662.53 per month effective December 1, 2012. The allowance is to be used only towards the purchase of those benefits available through the City's Cafeteria Plan.

TIER 3: Eligible employees who elect to enroll in employee-plus-one medical coverage under the City's CalPERS sponsored health plan shall receive a Cafeteria Plan allowance of $1,440.06 per month effective December 1, 2012. The allowance is to be used only towards the purchase of those benefits available through the City's Cafeteria Plan.

TIER 4: Eligible employees who elect to enroll in employee-plus-two-or-more medical coverage under the City's CalPERS sponsored health plan shall receive a Cafeteria Plan allowance of $1,906.58 per month effective December 1, 2012. The allowance is to be used only towards the purchase of those benefits available through the City's Cafeteria Plan.

All MOU changes will be memorialized in a resolution of the City of Willows City Council.

RESOLUTION NO. _____

Resolution of the City Council of the City of Willows Affirming and Updating Cafeteria Plan Terms in Agreement With the City of Willows and the Willows Employees' Association

WHEREAS, the City endeavors to provide adequate health and welfare benefits for employees and their dependents;

WHEREAS, the City and the Willows Employees' Association ("Association") believe it to be in the best interest of the City and the Association's represented employees to continue to make available quality health insurance, as well as access to other flexible welfare benefits via the City's Cafeteria Plan; and

WHEREAS, the City and the Association have met and conferred to discuss the update of the cafeteria plan amounts,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Willows does hereby approve an agreement between the City and the Association reflecting the following:

1. **Term of Agreement:** The agreement is for the period beginning December 1, 2012 and continue through November 30, 2013.

2. **Continuation of Existing Agreements:** Except as specifically indicated in this Resolution, the terms and conditions contained in the previously approved Memorandums of Understanding and resolutions between the City and the Association will continue in effect through the duration of this agreement.

3. **Health Insurance:**

Effective December 1, 2012

The City will provide payment for health insurance premiums in the amount of $115 per employee, per month, towards enrollment in the City's sponsored CalPERS health plan, regardless of the number of dependents the employee has enrolled in the City's sponsored CalPERS health plan.

Employees may choose not to enroll in the City of Willows' sponsored CalPERS health plan. Employees who opt out of enrollment in the City of Willows' sponsored CalPERS health plan will not receive the City's payment for health insurance premiums provided to other employees who are enrolled in the City's sponsored CalPERS health plan. If an employee in this status subsequently elects to be covered by the City's sponsored health plan, they may enter the plan subject to enrollment criteria established by CalPERS.

4. **Employer Contributions to Cafeteria Plan Benefits:**

The City will maintain a Section 125 qualifying Cafeteria Plan which shall provide for the following menu of benefits:

- Balance of premiums for the City's sponsored CalPERS health plan
- AFLAC supplemental insurance
- Dental and vision insurance through Premier Access Dental and Vision
- Deferred Compensation in a Section 457 plan with ICMA or Nationwide

A benefit under the Cafeteria Plan is contingent upon an understanding that the benefit qualifies as a pre-tax benefit pursuant to State and Federal tax laws. If for any reason State or Federal law precludes one or more of the above listed benefits from the protection of a Section 125 Cafeteria Plan, the City may remove that benefit from the Plan in order to maintain the City's Cafeteria Plan as a Section 125 qualifying plan.

The City will contribute a flexible benefit allowance to all employees eligible to participate in the Cafeteria Plan. Receipt of any flexible benefit allowance to the Cafeteria Plan shall be in addition to the City's contribution that is provided towards the employee's premiums for the City's sponsored health plan as stated above. The City's flexible benefit allowance provided to an employee shall be determined based on the employee's participation level, as follows:

TIER 1: Eligible Employees who opt-out of enrollment in the City's sponsored CalPERS health plan shall receive a Cafeteria Plan allowance of $481.00 per month. The allowance is to be used only towards the purchase of those benefits available through the City's Cafeteria Plan. In order to be eligible for this benefit, the employee must provide written proof of other medical insurance coverage.

TIER 2: Eligible employees who elect to enroll in employee-only medical coverage under the City's CalPERS sponsored health plan shall receive a Cafeteria Plan allowance of $662.53 per month effective December 1, 2012. The allowance is to be used only towards the purchase of those benefits available through the City's Cafeteria Plan.

TIER 3: Eligible employees who elect to enroll in employee-plus-one medical coverage under the City's CalPERS sponsored health plan shall receive a Cafeteria Plan allowance of $1,440.06 per month effective December 1, 2012. The allowance is to be used only towards the purchase of those benefits available through the City's Cafeteria Plan.

TIER 4: Eligible employees who elect to enroll in employee-plus-two-or-more medical coverage under the City's CalPERS sponsored health plan shall receive a Cafeteria Plan allowance of $1,906.58 per month effective December 1, 2012. The allowance is to be used only towards the purchase of those benefits available through the City's Cafeteria Plan.

PASSED AND ADOPTED by the Willows City Council this 13th day of November, 2012, by the following vote:

AYES:
NOES:
ABSENT:

_____
Jeff Cobb, Vice Mayor

ATTEST:

_____
City Clerk

RESOLUTION NO. _____

Resolution of the City Council of the City of Willows Affirming and Updating Cafeteria Plan Terms in Agreement With the City of Willows and the Willows Public Safety Association

WHEREAS, the City endeavors to provide adequate health and welfare benefits for employees and their dependents;

WHEREAS, the City and the Willows Public Safety Association ("Association") believe it to be in the best interest of the City and the Association's represented employees to continue to make available quality health insurance, as well as access to other flexible welfare benefits via the City's Cafeteria Plan; and

WHEREAS, the City and the Association have met and conferred to discuss the update of the cafeteria plan amounts,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Willows does hereby approve an agreement between the City and the Association reflecting the following:

1. **Term of Agreement:** The agreement is for the period beginning December 1, 2012 and continue through November 30, 2013.

2. **Continuation of Existing Agreements:** Except as specifically indicated in this Resolution, the terms and conditions contained in the previously approved Memorandums of Understanding and resolutions between the City and the Association will continue in effect through the duration of this agreement.

3. **Health Insurance:**

Effective December 1, 2012

The City will provide payment for health insurance premiums in the amount of $115 per employee, per month, towards enrollment in the City's sponsored CalPERS health plan, regardless of the number of dependents the employee has enrolled in the City's sponsored CalPERS health plan.

Employees may choose not to enroll in the City of Willows' sponsored CalPERS health plan. Employees who opt out of enrollment in the City of Willows' sponsored CalPERS health plan will not receive the City's payment for health insurance premiums provided to other employees who are enrolled in the City's sponsored CalPERS health plan. If an employee in this status subsequently elects to be covered by the City's sponsored health plan, they may enter the plan subject to enrollment criteria established by CalPERS.

4. **Employer Contributions to Cafeteria Plan Benefits:**

The City will maintain a Section 125 qualifying Cafeteria Plan which shall provide for the following menu of benefits:

- Balance of premiums for the City's sponsored CalPERS health plan
- AFLAC supplemental insurance
- Dental and vision insurance through Premier Access Dental and Vision
- Deferred Compensation in a Section 457 plan with ICMA or Nationwide

A benefit under the Cafeteria Plan is contingent upon an understanding that the benefit qualifies as a pre-tax benefit pursuant to State and Federal tax laws. If for any reason State or Federal law precludes one or more of the above listed benefits from the protection of a Section 125 Cafeteria Plan, the City may remove that benefit from the Plan in order to maintain the City's Cafeteria Plan as a Section 125 qualifying plan.

The City will contribute a flexible benefit allowance to all employees eligible to participate in the Cafeteria Plan. Receipt of any flexible benefit allowance to the Cafeteria Plan shall be in addition to the City's contribution that is provided towards the employee's premiums for the City's sponsored health plan as stated above. The City's flexible benefit allowance provided to an employee shall be determined based on the employee's participation level, as follows:

TIER 1: Eligible Employees who opt-out of enrollment in the City's sponsored CalPERS health plan shall receive a Cafeteria Plan allowance of $481.00 per month. The allowance is to be used only towards the purchase of those benefits available through the City's Cafeteria Plan. In order to be eligible for this benefit, the employee must provide written proof of other medical insurance coverage.

TIER 2: Eligible employees who elect to enroll in employee-only medical coverage under the City's CalPERS sponsored health plan shall receive a Cafeteria Plan allowance of $662.53 per month effective December 1, 2012. The allowance is to be used only towards the purchase of those benefits available through the City's Cafeteria Plan.

TIER 3: Eligible employees who elect to enroll in employee-plus-one medical coverage under the City's CalPERS sponsored health plan shall receive a Cafeteria Plan allowance of $1,440.06 per month effective December 1, 2012. The allowance is to be used only towards the purchase of those benefits available through the City's Cafeteria Plan.

TIER 4: Eligible employees who elect to enroll in employee-plus-two-or-more medical coverage under the City's CalPERS sponsored health plan shall receive a Cafeteria Plan allowance of $1,906.58 per month effective December 1, 2012. The allowance is to be used only towards the purchase of those benefits available through the City's Cafeteria Plan.

PASSED AND ADOPTED by the Willows City Council this 13th day of November, 2012, by the following vote:

AYES:
NOES:
ABSENT:

_____
Jeff Cobb, Vice Mayor

ATTEST:

_____
City Clerk

RESOLUTION NO. _____

Resolution of the City Council of the City of Willows Affirming and Updating Cafeteria Plan Terms in Agreement With the City of Willows and the City Manager

WHEREAS, the City endeavors to provide adequate health and welfare benefits for employees and their dependents;

WHEREAS, the City and the City Manager believe it to be in the best interest of the City to continue to make available quality health insurance, as well as access to other flexible welfare benefits via the City's Cafeteria Plan

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Willows does hereby approve an agreement between the City and the City Manager following:

1. **Term of Agreement:** The agreement is for the period beginning December 1, 2012 and continue through November 30, 2013.

2. **Continuation of Existing Agreements:** Except as specifically indicated in this Resolution, the terms and conditions contained in the previously approved Memorandums of Understanding and resolutions between the City and the Association will continue in effect through the duration of this agreement.

3. **Health Insurance:**

Effective December 1, 2012

The City will provide payment for health insurance premiums in the amount of $115 per employee, per month, towards enrollment in the City's sponsored CalPERS health plan, regardless of the number of dependents the employee has enrolled in the City's sponsored CalPERS health plan.

Employees may choose not to enroll in the City of Willows' sponsored CalPERS health plan. Employees who opt out of enrollment in the City of Willows' sponsored CalPERS health plan will not receive the City's payment for health insurance premiums provided to other employees who are enrolled in the City's sponsored CalPERS health plan. If an employee in this status subsequently elects to be covered by the City's sponsored health plan, they may enter the plan subject to enrollment criteria established by CalPERS.

4. **Employer Contributions to Cafeteria Plan Benefits:**

The City will maintain a Section 125 qualifying Cafeteria Plan which shall provide for the following menu of benefits:

- Balance of premiums for the City's sponsored CalPERS health plan
- AFLAC supplemental insurance
- Dental and vision insurance through Premier Access Dental and Vision
- Deferred Compensation in a Section 457 plan with ICMA or Nationwide

A benefit under the Cafeteria Plan is contingent upon an understanding that the benefit qualifies as a pre-tax benefit pursuant to State and Federal tax laws. If for any reason State or Federal law precludes one or more of the above listed benefits from the protection of a Section 125 Cafeteria Plan, the City may remove that benefit from the Plan in order to maintain the City's Cafeteria Plan as a Section 125 qualifying plan.

The City will contribute a flexible benefit allowance to all employees eligible to participate in the Cafeteria Plan. Receipt of any flexible benefit allowance to the Cafeteria Plan shall be in addition to the City's contribution that is provided towards the employee's premiums for the City's sponsored health plan as stated above. The City's flexible benefit allowance provided to an employee shall be determined based on the employee's participation level, as follows:

TIER 1: Eligible Employees who opt-out of enrollment in the City's sponsored CalPERS health plan shall receive a Cafeteria Plan allowance of $481.00 per month. The allowance is to be used only towards the purchase of those benefits available through the City's Cafeteria Plan. In order to be eligible for this benefit, the employee must provide written proof of other medical insurance coverage.

TIER 2: Eligible employees who elect to enroll in employee-only medical coverage under the City's CalPERS sponsored health plan shall receive a Cafeteria Plan allowance of $662.53 per month effective December 1, 2012. The allowance is to be used only towards the purchase of those benefits available through the City's Cafeteria Plan.

TIER 3: Eligible employees who elect to enroll in employee-plus-one medical coverage under the City's CalPERS sponsored health plan shall receive a Cafeteria Plan allowance of $1,440.06 per month effective December 1, 2012. The allowance is to be used only towards the purchase of those benefits available through the City's Cafeteria Plan.

TIER 4: Eligible employees who elect to enroll in employee-plus-two-or-more medical coverage under the City's CalPERS sponsored health plan shall receive a Cafeteria Plan allowance of $1,906.58 per month effective December 1, 2012. The allowance is to be used only towards the purchase of those benefits available through the City's Cafeteria Plan.

PASSED AND ADOPTED by the Willows City Council this 13th day of November, 2012, by the following vote:

AYES:
NOES:
ABSENT:

_____
Jeff Cobb, Vice Mayor

ATTEST:

_____
City Clerk

RESOLUTION NO. _____

Resolution of the City Council of the City of Willows Affirming and Updating Cafeteria Plan Terms in Agreement With the City of Willows and Department Heads and Confidential Employees

WHEREAS, the City endeavors to provide adequate health and welfare benefits for employees and their dependents;

WHEREAS, the City and the Department Heads and Confidential Employees believe it to be in the best interest of the City to continue to make available quality health insurance, as well as access to other flexible welfare benefits via the City's Cafeteria Plan

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Willows does hereby approve an agreement between the City and the Department Heads and Confidential Employees reflecting the following:

1. **Term of Agreement:** The agreement is for the period beginning December 1, 2012 and continue through November 30, 2013.

2. **Continuation of Existing Agreements:** Except as specifically indicated in this Resolution, the terms and conditions contained in the previously approved Memorandums of Understanding and resolutions between the City and the Association will continue in effect through the duration of this agreement.

3. **Health Insurance:**

Effective December 1, 2012

The City will provide payment for health insurance premiums in the amount of $115 per employee, per month, towards enrollment in the City's sponsored CalPERS health plan, regardless of the number of dependents the employee has enrolled in the City's sponsored CalPERS health plan.

Employees may choose not to enroll in the City of Willows' sponsored CalPERS health plan. Employees who opt out of enrollment in the City of Willows' sponsored CalPERS health plan will not receive the City's payment for health insurance premiums provided to other employees who are enrolled in the City's sponsored CalPERS health plan. If an employee in this status subsequently elects to be covered by the City's sponsored health plan, they may enter the plan subject to enrollment criteria established by CalPERS.

4. **Employer Contributions to Cafeteria Plan Benefits:**

The City will maintain a Section 125 qualifying Cafeteria Plan which shall provide for the following menu of benefits:

- Balance of premiums for the City's sponsored CalPERS health plan
- AFLAC supplemental insurance
- Dental and vision insurance through Operating Engineers Local No. 3
- Deferred Compensation in a Section 457 plan with ICMA or Nationwide

A benefit under the Cafeteria Plan is contingent upon an understanding that the benefit qualifies as a pre-tax benefit pursuant to State and Federal tax laws. If for any reason State or Federal law precludes one or more of the above listed benefits from the protection of a Section 125 Cafeteria Plan, the City may remove that benefit from the Plan in order to maintain the City's Cafeteria Plan as a Section 125 qualifying plan.

The City will contribute a flexible benefit allowance to all employees eligible to participate in the Cafeteria Plan. Receipt of any flexible benefit allowance to the Cafeteria Plan shall be in addition to the City's contribution that is provided towards the employee's premiums for the City's sponsored health plan as stated above. The City's flexible benefit allowance provided to an employee shall be determined based on the employee's participation level, as follows:

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TIER 3: Eligible employees who elect to enroll in employee-plus-one medical coverage under the City's CalPERS sponsored health plan shall receive a Cafeteria Plan allowance of $1,440.06 per month effective December 1, 2012. The allowance is to be used only towards the purchase of those benefits available through the City's Cafeteria Plan.

TIER 4: Eligible employees who elect to enroll in employee-plus-two-or-more medical coverage under the City's CalPERS sponsored health plan shall receive a Cafeteria Plan allowance of $1,906.58 per month effective December 1, 2012. The allowance is to be used only towards the purchase of those benefits available through the City's Cafeteria Plan.

PASSED AND ADOPTED by the Willows City Council this 13th day of November, 2012, by the following vote:

AYES:
NOES:
ABSENT:

_____
Jeff Cobb, Vice Mayor

ATTEST:

_____
City Clerk

Item 9(a)

AGENDA ITEM November 13, 2012

TO: Honorable Mayor Holvik and Members of City Council

FROM: Steve Holsinger, City Manager

SUBJECT: Introduction and approval of first reading of the Hotel Users Tax Ordinance, approved by Willows voters during the Consolidated General Elections held November 6, 2012.

RECOMMENDATION

By motion and reading by title only, passage of first reading of an Ordinance Entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS AMENDING SECTION **3.25.030** OF THE WILLOWS CITY CODE

SUMMARY

This past June, City Council adopted a Resolution in support of placing a Ballot Measure on the November 6, 2012 to seek an increase in Hotel Users Tax by 2%; since city expenses over the past decade have increased by over 60%, yet there has been no consideration for increasing this potential revenue offset. Willows voters approved the Hotel Users Tax Measure during the recent election. Therefore staff recommends adoption of the TOT Ordinance and implementation of the voter decree.

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FINANCIAL CONSIDERATIONS

None at this time

RECOMMENDATION

By motion and reading by title only, passage of first reading of an Ordinance Entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS AMENDING SECTION **3.25.030** OF THE WILLOWS CITY CODE

Respectfully submitted,

Stephen A Holsinger
City Manager

Attachments: Hotel Users Tax Ordinance; amending Muni-code section 3.25.030 Tax imposed

ORDINANCE NO. _____ 2012

AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF WILLOWS AMENDING
SECTION **3.25.030** OF THE WILLOWS CITY CODE

THE CITY COUNCIL OF THE CITY OF WILLOWS ORDAINS that Section **3.25.030** of the Willows City Code is amended to read as follows:

Section **3.25.030 Tax imposed**

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

This ordinance shall take effect February 1, 2013.

INTRODUCED for first reading the 13th day of November, 2012.

PASSED AND ADOPTED this 27th day of November, 2012, by the following vote:

AYES:

NOES:

ABSENT:

Approved: Attest:

_____ _____

Vince Holvik, Mayor Natalie Butler, City Clerk

ITEM 11(a)

November 13, 2012

AGENDA ITEM

TO: Steve Holsinger, City Manager

FROM: Tim Sailsbery, Finance Director

SUBJECT: Acknowledge Matching Funds for PI Waiver Project for Fire Station Doors

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RECOMMENDATION

Adopt the resolution approving the use of General Fund money in support of the program income (PI) waiver project for fire station door replacement

SITUATION (or BACKGROUND):

At the May 22 meeting, Council approved the use of $37,000 of Program Income to replace the bay doors at the Fire Station as a Community Facilities Project. As we continue to process the requirements set forth by the California Department of Housing and Community Development for the ultimate use of these funds, we are required to have, in the form of a resolution, confirmation that the amount and source of matching funds being used on the project. At project inception, it was estimated that $1,000 of General Fund dollars would be used on the project, primarily in the areas of time spent by the Fire Chief in managing the project and the City Engineer in reviewing bid documents and providing labor compliance review on the contractor selected to complete the project.

Please note that this is not an additional appropriation of General Fund dollars. The activities of the Fire Chief and City Engineer will fall under already existing approved appropriation of the General Fund. It is merely a commitment of said funds toward this project.

FINANCIAL CONSIDERATIONS:

None- Funds already appropriated as part of the 2012-13 General Fund approval

NOTIFICATION

California Department of Housing and Community Development

ALTERNATE ACTIONS

1. Adopt Resolution as presented

2. Reject the Resolution as presented

RECOMMENDATION

Adopt the resolution approving the use of General Fund money in support of the program income (PI) waiver project for fire station door replacement

---

Respectfully submitted,

Tim Sailsbery
Finance Director

Attachment:

Resolution

RESOLUTION NO. _____

RESOLUTION OF THE WILLOWS CITY COUNCIL APPROVING THE USE OF GENERAL FUND MONEY IN SUPPORT OF THE PROGRAM INCOME WAIVER PROJECT FOR FIRE STATION DOOR REPLACEMENT

WHEREAS, the City Council of the City of Willows has previously approved the submittal of an application for a Waiver of Use of Program Income Funds for the replacement of bay doors at the Willows Fire Station in the amount of $37,000, and

WHEREAS, the City of Willows intends to augment this project with $1,000 of General Fund expenditures, and

WHEREAS, the City of Willows acknowledges that said augmentation is to be acknowledged via resolution

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Willows does hereby commit to the use of $1,000 of General Fund expenditure to supplement the $37,000 requested for use under the Program Income Waiver Program

Passed and adopted by the Willows City Council this 13th day of November, 2012, by the following vote:

Ayes:

Noes:

Absent:

_____
Jeff Cobb, Vice Mayor

Attest:

_____
Natalie Butler, City Clerk

ITEM 11(b)

AGENDA ITEM November 13, 2012

TO: Honorable Mayor Holvik and Members of City Council

FROM: Steve Holsinger, City Manager

SUBJECT: Commence recruitment for a Planning Commissioner to complete the remaining vacated term created by the departure of Larry Domenighini.

RECOMMENDATION

Staff recommends that the City Council approve and direct staff to commence advertising and recruitment efforts to fill the anticipated planning commission vacancy created by the resignation of Planning Commissioner, Larry Domenighini; elected to City Council during the November 6, 2012 General Election.

SUMMARY

The election of Planning Commissioner, Larry Domenighini to the City Council during the recent general election will create a vacancy on the Planning Commission. Staff is recommending the council authorize the recruitment of a replacement for the remaining unexpired term of the former commissioner.

FINANCIAL CONSIDERATIONS -

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

NOTIFICATION

Planning Commission Chairperson, Candis Woods

RECOMMENDATION

Staff recommends that the City Council approve and direct staff to commence advertising and recruitment efforts to fill the anticipated planning commission vacancy created by the resignation of Planning Commissioner, Larry Domenighini; elected to City Council during the November 6, 2012 General Election

Steve Holsinger
City Manager