

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 MEETING AGENDA

Tuesday, November 27, 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 27, 2012, Agenda.
5. **Certify Election Results and Swear in Newly Elected Council Members:**
 - a) Pursuant to Election Code §10263 consider approval of a Resolution Confirming Canvass of Returns and Results of Election Held November 6, 2012, and authorize the City Clerk to administer the Oath of Office to Elected Officials**.
 - b) Pursuant to Election Code §10265, City Clerk, Natalie Butler will administer the Oath of Office to the newly-elected Council Members; Larry Domenighini and Larry Mello and both new members will take their seats at the dais to continue and subsequently close the meeting.
**(Special Note: Council Member Elect William "Bill" Spears has informed the City that he will defer acceptance of a Council seat)
 - c) City Council will consider approval by Resolution, for retaining Council Member Gary Hansen in accordance with Government Code §36503; until his successor is elected and qualified.
6. **Presentations and Proclamations:**
7. **Oral and Written Communications/Public Comment:** Persons wishing to speak on a matter *not on the agenda* may be heard at this time, however, no action will be taken unless placed on a future agenda. (*Oral communications are generally restricted to three minutes*).
8. **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 waiving second reading, except by title only, and adopt an Ordinance entitled “**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOWS, AMENDING SECTION 3.25.030 OF THE WILLOWS CITY CODE**”.
- d) Consider adoption of a Resolution entitled “**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS, STATE OF CALIFORNIA, APPROVING AN AMENDMENT TO THE JOINT POWERS AGREEMENT TO PROVIDE TRANSPORTATION SERVICES**”.

9. **Public Hearings:** None

(Persons wishing to speak on a Public Hearing item are asked to approach the microphone to address the Council and limit comments to three minutes. It is also requested that you please state your name for the record)

10. **Ordinances:** Action taken under consent agenda item 8 (c).

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

12. **Council Member Reports:**

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

- a) PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE – pursuant to Govt. Code §54957

14. **Report out of Closed Session:**

15. **Adjournment:**

CERTIFICATION: Pursuant to Government Code §54954.2 (a), the agenda for this meeting was properly posted on or before November 21, 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

AGENDA ITEM

November 27, 2012

TO: *SHS* Steve Holsinger, City Manager
FROM: Natalie Butler, City Clerk
SUBJECT: Resolution Confirming Canvass of Returns and Results of Election held November 6, 2012.

RECOMMENDATION

Consider adoption of a Resolution confirming canvass of returns and results of the November 6, 2012, election.

SUMMARY

The Glenn County Clerk has canvassed the returns of the election and has certified the ballots cast, which indicate that William "Bill" Spears, Larry Domenighini and Lawrence Mello are the new members of the Willows City Council.

Measure Q, which was the proposed increase in the Hotel Users Tax from 10 percent to 12 percent passed with a majority vote, and therefore, will be increased by ordinance.

It is in order for the Council to confirm the results of the election by adopting the attached Resolution. After the Resolution is adopted, the new members of the City Council will be sworn into office.

RECOMMENDATION

Adopt a Resolution confirming canvass of returns and results of the November 6, 2012, election.

Respectfully submitted,

Natalie Butler

Natalie Butler
City Clerk

Attachments: Resolution
Certificate of County Clerk to Results of the Canvass of the Election Returns & Glenn County Statement of Vote for Willows City Council

RESOLUTION NO. XX-2012

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS
CONFIRMING CANVASS OF RETURNS AND RESULTS OF THE
CONSOLIDATED GENERAL MUNICIPAL ELECTION HELD ON TUESDAY,
NOVEMBER 6, 2012**

WHEREAS, a Consolidated General Municipal Election was held in the City of Willows on Tuesday, November 6, 2012; and

WHEREAS, the Glenn County Clerk has canvassed the returns of said election;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willows as follows:

1. That the canvass of said election is hereby confirmed.
2. That the total number of ballots cast in said election was 1909.
3. That the list of candidates nominated for the office of the City Council for the full term of four years each, as set forth in the petitions on file with the City Clerk, and the number of votes cast in favor of each candidate were as follows:

<u>NAME</u>	<u>TOTAL VOTES</u>
William Spears	1069
Larry Domenighini	841
Lawrence Mello	634
Gary Hansen	607
Trudi DeVoss	529
Vince Holvik	460
Michael Butler	341
Write-In	12

4. That Measure Q "Shall the ordinance increasing the Hotel Users Tax from 10 percent to 12 percent be adopted?" had the following number of votes cast:

Yes	937
No	841

5. That, William Spears, Larry Domenighini, and Lawrence Mello, for members of the City Council for a full term of four years, each received the highest number of votes cast for the office for which each was a candidate and said persons were thereby elected to said respective offices for the terms hereinabove set forth, and the City Clerk is hereby authorized to administer thereto the Oath of Office prescribed in the Constitution of the State of California.
6. That the Hotel Users Tax shall be increased from 10 percent to 12 percent via adoption of ordinance.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

Jeff Cobb, Vice Mayor

ATTEST:

Natalie Butler, City Clerk

CERTIFICATE OF COUNTY CLERK TO RESULTS OF THE CANVASS
OF THE PRESIDENTIAL PRIMARY ELECTION RETURNS

November 6, 2012

STATE OF CALIFORNIA }
COUNTY OF GLENN } SS

I, SHERYL THUR, County Clerk of said County of Glenn, do hereby certify that pursuant to the provisions of Section 15301 of the Elections Code, I did canvass the returns of the votes cast in the Presidential General Election held on November 6, 2012, for elective public offices, and/or for and against each measure as submitted to the vote of the electors, and that the Statement of the Votes Cast, to which this certificate is attached, shows the whole number of votes cast for each candidate and/or for and against each measure and in each of the respective precincts therein, and that the totals of the respective columns and the totals as shown for each candidate and/or for and against each measure are full, true and correct.

WITNESS my hand and Official Seal this 13th day of November, 2012

(seal)

SHERYL THUR, Glenn County Clerk

By: Susan Alves
Susan Alves, Asst. Clerk-Recorder

GLENN COUNTY Statement of Vote
GLE_20121106_E

NON-PARTISAN WILLOWS MEMBER, CITY COUNCIL														
100019	Registration	Ballots Cast	Turnout (%)	WILLIAM "BILL" SPEARS	GARY L. HANSEN	VINCE HOLVIK	LARRY DOMENIGHINI	TRUDI M. DEVOSS	LAWRENCE MELLO	MICHAEL T. BUTLER	Write-In			
CONS PRECINCT 7 7	829	212	25.57	117	65	41	97	73	68	39	5			
CONS PRECINCT 7 - Vote by Mail	829	402	48.49	250	114	93	163	116	156	83	2			
CONS PRECINCT 8 8	830	232	27.95	127	63	63	102	62	62	37	3			
CONS PRECINCT 8 - Vote by Mail	830	367	44.22	183	122	85	174	92	129	70	1			
CONS PRECINCT 9 9	739	197	26.66	106	76	45	95	37	53	34	0			
CONS PRECINCT 9 - Vote by Mail	739	375	50.74	205	128	106	170	111	121	62	1			
VBM PRECINCT 31070 24	170	0	0.00	0	0	0	0	0	0	0	0			
VBM PRECINCT 31070 - Vote by Mail	170	124	72.94	81	39	26	40	38	45	16	0			
Precinct Totals	2568	641	24.96	350	204	149	294	172	183	110	8			
Vote by Mail Totals	2568	1268	49.38	719	403	311	547	357	451	231	4			
Grand Totals	2568	1909	74.34	1069	607	460	841	529	634	341	12			
3RD CONGRESSIONAL	2568	1909	74.34	1069	607	460	841	529	634	341	12			
4TH STATE SENATE	2568	1909	74.34	1069	607	460	841	529	634	341	12			
3RD ASSEMBLY	2568	1909	74.34	1069	607	460	841	529	634	341	12			
2ND BOARD OF EQUALIZATION	2568	1909	74.34	1069	607	460	841	529	634	341	12			
3RD SUPERVISOR	170	124	72.94	81	39	26	40	38	45	16	0			
4TH SUPERVISOR	2398	1785	74.44	988	568	434	801	491	589	325	12			
GLENN COUNTY	2568	1909	74.34	1069	607	460	841	529	634	341	12			
CITY OF WILLOWS	2568	1909	74.34	1069	607	460	841	529	634	341	12			

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS
IN ACCORDANCE WITH GOVERNMENT CODE REGULATIONS AFFIRMING
RETAINING INCUMBENT COUNCIL MEMBER GARY HANSEN
ON THE WILLOWS CITY COUNCIL UNTIL A SUCCESSOR IS SEATED**

WHEREAS, in accordance with State Election Code §10263 the City Council has adopted a Resolution Confirming Canvass of Returns and Results of the Consolidated General Election Held November 6, 2012; and

WHEREAS, in accordance with State Election Code §10265, has administered the Oath of Office to two newly elected members of the City Council; and

WHEREAS, newly elected Council Candidate, Chief of Police William "Bill" Spears, has advised the City Clerk he will not accept the Oath of Office at this time; and

WHEREAS, pursuant to Government Code §36503, which in part states; ... City officers holding elective city office shall hold office for their prescribed terms from the date of the installation of officers following adoption by the council of the official canvass of their election and until their successors are elected and qualified; and

WHEREAS, the delay by Chief Spears in accepting the Council Seat currently held by Incumbent Council Member, Gary Hansen, shall create a business necessity for the City of Willows to retain Council Member Hansen pursuant to Government Code § 36503.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Willows does hereby confirm retaining Council Member Gary Hansen, in accordance with Government Code § 36503; until his successor is administered the Oath of Office and duly seated on the Willows City Council

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council on this 27th day of November, 2012, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

ATTESTED:

Vice-Mayor Jeff Cobb

Natalie Butler, City Clerk

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:

ABSTAIN:

Approved:

Attest:

Jeff Cobb, Vice Mayor

Natalie Butler, City Clerk

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS, STATE OF CALIFORNIA, TO APPROVE AN AMENDMENT TO THE JOINT POWERS AGREEMENT TO PROVIDE TRANSPORTATION SERVICES

* * *

WHEREAS, the Joint Powers Agreement to Provide Transportation Services, which created Glenn Transit Service/Regional Transit Committee was established on October 20, 1987; and

WHEREAS, the City of Willows is a recipient of Transportation Development Act funds under California Government Code section 29530 et seq.; and

WHEREAS, the City of Willows is desirous to continue the development of public transportation serving the Glenn County region.

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

1. The Willows City Council approves the Amendment #1 to the Joint Powers Agreement to Provide Transportation Services to allow the appointment of an alternate representative to the Regional Transit Committee as attached.
2. The Willows City Council authorizes the mayor to sign the agreement to amend the Joint Powers Agreement to Provide Transportation Services.

THE FOREGOING RESOLUTION WAS PASSED AND ADOPTED by the Willows City Council of the County of Glenn, State of California, at a regular meeting held on the 27th day of November 2012, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

**VINCE HOLVIK, MAYOR
CITY OF WILLOWS**

ATTEST:

**NATALIE BUTLER
CITY CLERK**