

**MINUTES OF THE WILLOWS CITY COUNCIL REGULAR MEETING HELD**  
**November 8, 2011**

1. The meeting was called to order at 6:32 p.m. by Mayor Hansen.
2. **PLEDGE OF ALLEGIANCE:** Council Member Holvik led the Pledge of Allegiance.
3. **ROLL CALL:**  
Present: Council Members Yoder, Cobb, Holvik & Mayor Hansen  
Absent: None
4. **Agenda Review:**
  - a) The City Manager pointed out that there was an error on the "Agenda Review" in that it stated that Council would be accepting the Agenda for the October 25, 2011, Meeting rather than the November 8, 2011, Meeting. He also pointed out that under item 5 (a), there was a typo, and the correct spelling should have been Domenighini, rather than Domenighing. Council noted the corrections and it was then **moved** by Council Member Yoder and **seconded** by Council Member Cobb to accept the agenda for the November 8, 2011, meeting with the aforementioned changes to the agenda. The motion unanimously passed.
5. **City Council Vacancy/Appointment:** At the regular meeting held on October 11, 2011, Council directed staff to advertise and accept applications for consideration of appointment to fill the City Council seat left vacant due to the resignation of Council Member Sandie Hobbs on September 30, 2011. A Notice of Council Vacancy was published in the Willows Journal and the Sacramento Valley Mirror, as well as posted at City Hall, placed on the City website, and emailed to agenda subscribers. Applications were accepted until November 2, 2011. Two applications were received and applicant residency and voter registration within the City of Willows were verified by the City Clerk through the Glenn County Elections Department. Tonight the Council will be conducting interviews of the two applicants, Larry Domenighini & Terry Taylor Vodden. The applicants will be interviewed in alphabetical order and in open session; however, in deference to the other applicant being interviewed, it is asked that the applicant not being interviewed not be present in the Council Chambers. Although the interviews are open to the public, no public comments will be accepted during the actual interviewing of the Candidates. Following the interview process, the public will be allowed an opportunity to make comments.

The Council first interviewed Larry Domenighini, followed by Terry Taylor-Vodden and asked them a series of prepared questions. Upon conclusion of the two interviews, both Candidates remained in the Chamber and Mayor Hansen asked if any persons present had any comments or questions for the Candidates. No comments or questions were heard from the public. Council then engaged in discussions, with Council Member Yoder expressing that he would like to postpone making a decision at tonight's meeting in order that he can have more time to consider the candidates' qualifications. He suggested

perhaps holding a special meeting for the sole purpose of making the appointment. Council Member Cobb disagreed, stating he believed that the Council should make a determination and appoint a candidate at this meeting. Council Member Holvik concurred with Council Member Cobb that the Council should act on this tonight. Heather Baker, of the audience, addressed the Council and she urged them to make the decision at this meeting and that all of the people present at the meeting were expecting to hear a decision tonight. Council Member Holvik then raised a question about what would happen if there was a 2/2 split vote and the Council couldn't reach a majority vote for an appointment. The City Manager stated that he would need to speak to the City Attorney about any alternatives, but generally when the Council can't reach a decision to appoint one Candidate, the City would most likely have to call for a special Election to be held. Additional discussion continued among the Council, and upon conclusion of the discussions, Council Member Holvik **moved, seconded** by Council Member Cobb to adopt a Resolution appointing Terry Taylor-Vodden to the fill a vacancy on the Willows City Council. Mayor Hansen asked for a roll call vote with the following results: Ayes: Holvik, Cobb & Yoder; Noes: Mayor Hansen. Motion carried 3/1.

**6. Presentations & Proclamations:**

- a) Police Chief Spears presented Certificates of Appreciation to Round Table Pizza and to Casa Ramos Mexican Restaurant for the support and donations they have given to the Willows Police Department for their K-9 Program.

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

- a) Public Comment/Written Communications: None
- b) Mayor Hansen read a letter into the record from Jennifer Isola which essentially stated that she is a strong supporter of the Willows Recreation Department and the various sports programs that it offers and that she would like the Council to keep this in mind when they make future decisions regarding the Recreation Department.

**8. Consent Agenda:**

Prior to acting on the Consent Agenda, Council Member Holvik requested that items 8 (d) and 8 (e) be removed and voted on separately, as he was not in attendance at those meetings. It was then **moved** by Council Member Yoder and **seconded** by Council Member Cobb to approve the Consent Agenda, minus items 8 (d) and 8 (e). It was then **moved** by Council Member Yoder and **seconded** by Council Member Cobb to approve Consent Agenda items 8 (d) and 8 (e). The motion passed with 3 Ayes and Council Member Holvik abstaining and the following items were approved/adopted:

- a) Approval of General Check Register (23790-23904)
- b) Approval of Payroll & Direct Deposit Check Registers (Z02914-Z02989 & 31481-31524).
- c) Approval of the Minutes of the Willows City Council September 13, 2011, Meeting.

- d) Approval of the Minutes of the Willows City Council September 27, 2011, Meeting.
- e) Approval of the Minutes of the Willows City Council October 11, 2011, Meeting.
- f) Cancel the November 22 & December 27, 2011, City Council Meetings.
- g) Allow the City Manager to sign and execute all documents related to the completion of the Civic Center Roof Replacement Project.
- h) Adoption of four Resolutions affirming and updating 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.
- i) Accept the bid proposal and enter into a contract with Republic ITS for annual preventative maintenance services on the traffic signal light at Sycamore and Tehama Streets.

**9. Public Hearings:**

- a) Proposed rate increase for solid waste collection services effective December 1, 2011:

Waste Management (dba, Glenn County Disposal) has requested consideration of a rate adjustment for residential and commercial solid waste services provided within the City of Willows. Provisions approved in November 2006; as part of the Franchise Agreement renewal, included consideration for annual rate increases to be calculated based upon several factors as defined in Article I, Sections 1, 2 & 3. In accordance with the aforementioned provisions; Waste Management may seek recovery of increased costs associated with any future CPI, Tipping Fee or Fuel Cost Adjustment impacts requiring increases during the same annual adjustment period.

The Franchise agreement (Article I, Sections 1, 2 & 3) defines specific impacts involving justification for periodic rate adjustments. The applicable criteria in conjunction with this annual rate adjustment proposal are in conjunction with changes to the CPI (based upon the Department of Labor Consumer Price Index for All Urban Consumers within the Western States Index area) and the annual changes in conjunction with Fuel Cost adjustment impacts.

Waste Management has requested a rate adjustment of 5.02% for residential and commercial customers, to become effective December 1, 2011. The purpose of this rate increase is to provide an adjustment due to increases in the Consumer Price Index and recovery of costs in conjunction with Fuel Costs Adjustment fees. The CPI change from August 2010 thru August 2011 is equal to 6.699 index points or an equivalent 3.02% increase to Urban Consumers in the Western States Index area. This percentage is applied to base rate of the prior year solid waste rates in Willows. This result becomes the CPI portion of the rate adjustment for the subsequent year. The CPI adjustment for the 2011 - 2012 year is 3.02% for all Willows solid waste customers.

This adjustment request also allows Waste Management to calculate costs associated with Fuel Adjustment Expenses over the preceding year. Those calculations actually result in an overall increase in Fuel Expense Adjustments of 3.48%. However, the Agreement prohibits annual adjustment in excess of 2.00% in conjunction with the Fuel Cost Adjustment. Therefore an overall 2.00% increase in base rates pursuant to the terms of the Franchise Agreement have been included in the calculations of this Rate Adjustment Request

The requested rate adjustment of 5.02% for residential and commercial customers will result in a \$0.57/per month increase on average. This results in an annual cost increase of approximately \$6.84 per customer in Willows. A detailed analysis of the cost impacts have been distributed to the Council Members, as well as a rate schedule for each applicable category of service. Staff recommended the City Council conduct the Public Hearing and following the public hearing, consider adopting a Resolution approving the proposed rate increase for solid waste collection services to become effective December 1, 2011.

Tim Magill, Marketing Planning and Development Manager for Waste Management, briefly addressed the Council and stated that he is available to answer any questions. Mayor Hansen then opened the Public Hearing at 7:48 p.m. Heather Baker, of the audience, spoke during the public hearing and had a question about the recycle rates which Mr. Magill addressed. Kelly Trent, of the audience, spoke during the public hearing and inquired how many more years are left on the City's contract with Waste Management and if Waste Management offers any special rate programs for disabled or low income individuals. The City Manager and Mr. Magill addressed Ms. Trent's questions. Mayor Hansen closed the Public Hearing at 7:50 p.m. Brief discussion ensued among the Council and it was **moved** by Council Member Yoder and **seconded** by Council Member Cobb to adopt a Resolution approving rate increases for solid waste collection services effective December 1, 2011. The motion unanimously passed.

10. **Ordinances:** None

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

The City Manager informed the Council that he will be out of town on vacation beginning November 9 and returning November 14. During his absence, the Finance Director will be in charge of any matters that need immediate attention. He also stated that now that we have a full Council again, he would like to have a City Council Group photograph taken just prior to the start of the next meeting on December 13. Finally he stated that recruitment to solicit applicants for the three upcoming vacancies on the Planning Commission is still ongoing and applications will continue to be accepted until Thursday, November 17.

12. **New Business:**

a) Appointment of an individual to fill a vacant seat on the Library Board of Trustees:

At their September 13, 2011, City Council Meeting, the Council appointed Council Members Cobb and now former Council Member Hobbs to a subcommittee to review applications and conduct interviews of applicants to fill the vacant seat on the Willows Library Board of Trustees due to the resignation of Adele Foley on August 14, 2011. Staff solicited for applicants to fill the vacant seat and accepted applications until October 6, 2011. Three applications were received from Doug Ross, Julie Anne Huntington Price and R. Wayne McKenzie. Subsequently the applicants were contacted to schedule oral interviews, at which point R. Wayne McKenzie withdrew his application. The subcommittee conducted oral interviews with Mr. Ross and Mrs.

Price and will make their recommendation to the Council on who they would like to appoint. Council Member Cobb reported that he and former Council Member Hobbs conducted interviews with Mr. Ross and Mrs. Prince and although both applicants interviewed well and seem qualified to serve, it was the subcommittee's recommendation to appoint Mrs. Price to the Library Board. Former Council Member Hobbs was present at the meeting and concurred with Council Member Cobb that both candidates were qualified and it was a tough decision, but Mrs. Prince was ultimately their candidate of choice. The consensus of the entire Council was that Julie Prince be appointed to fill the vacant seat on the Willows Library Board of Trustees.

**13. Council Member Reports:**

Council Member Holvik reported that he attended the Recreation Department's Scarecrow Contest and he commended Recreation Director Carol Lemenager for putting on a great event.

Mayor Hansen announced that "Andy's" Theatre (formerly AMH Theatre) is now open and showing movies a few days/nights a week and serving snacks, food and beverages. He is glad to see it back up and running again.

**14. Executive Session: None**

**15. Adjournment: Mayor Hansen adjourned the meeting at 8:07 p.m.**

Dated: November 8, 2011

NATALIE BUTLER

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City Clerk

The City of Willows is an Equal Opportunity Provider