

MINUTES OF THE WILLOWS CITY COUNCIL
REGULAR MEETING HELD October 13, 2015

1. Mayor Domenighini called the meeting to order at 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE:** City Manager Scott Taylor led the Pledge of Allegiance.
3. **ROLL CALL:**
Present: Williams, Yoder, Mello, Hansen & Mayor Domenighini.
Absent: None
4. **Agenda Review:** M/S – Yoder/Hansen to accept the October 13, 2015 Agenda as presented. The motion unanimously passed 5/0.
5. **Presentations & Proclamations:** None Scheduled.
6. **Public Comment/Written Communications:**
The following person(s) spoke during the Public Comment period:
 - Willows citizen Alan Schauer spoke about the Economic Development Assistance Grant for \$2.5 million that the City was recently awarded. He also spoke about the upcoming Butte & Sacramento Streets Reconstruction project.
 - Jamie Millen, President of the Willows Chamber of Commerce updated the Council on past and upcoming Chamber of Commerce & Community activities, events & fundraisers.
7. **Consent Agenda:**
M/S –Yoder/Mello to approve the Consent Agenda as presented. The motion unanimously passed 5/0 and the following items were approved/adopted:
 - a) Approval of General Checking, Payroll Checks & Payroll Direct Deposit Registers (30063-30169; Z06699-Z06734; 34362-34383).
8. **Public Hearings:** None
9. **Ordinances:** None.
10. **Items introduced by City Council or Administrative Staff for discussion purposes only:**

Fire Chief Wayne Peabody informed the Council of a Glenn County Tabletop Exercise known as “Operation Toxic Cloud” that will be taking place on Wednesday, November 4, 2015 from 9:00 a.m. – 2:00 p.m. The discussion-based exercise will explore the City and County’s response to a fixed facility hazardous

chemical release. This exercise is designed to be a precursor to a future full-scale exercise to take place in 2016.

11. New Business:

- a) Consider approval of a Resolution authorizing adoption and implementation of the Glenn County Emergency Operational Plan:

This plan was prepared for the Operational Area of Glenn County, California; including the County and the Cities of Orland and Willows. It was developed as a joint project by the Glenn County Sheriff's Office – Office of Emergency Services (OES) and Glenn County Public Health's Emergency Preparedness Program. The plan development was funded by a grant from the Department of Homeland Security. The plan was developed utilizing the "best Practices" from numerous Emergency Operations Plans from counties across California including Trinity, Sutter and Siskiyou and it follows the guidelines and practices of the National Incident Management System (NIMS) and California's Standardized Emergency Management System (SEMS).

The plan is based on the authority of the local government(s) for emergency response and contains specific emergency support functions to be provided during an emergency disaster and it applies to all jurisdictions and agencies that operate within Glenn County. The plan delegates Glenn County's Sheriff's Office – OES – the authority and responsibility for the coordination and administration of emergency operations for the Operational Area of Glenn County. Any agency and jurisdiction within the Operational Area have the responsibility to develop and maintain plans, policies, and procedures pertaining to emergency and disaster response operations of their agencies and/or jurisdiction.

The Operational Area Operations Plan (EOP) has been revised and updated to address changes in State and Federal requirements. The EOP integrates with existing response plans, including the Hazardous Materials Emergency Response plan and all Public Health and Medical Response plans. This plan provides the basis for an integrated response and recovery to all hazards that threaten our City and County. The revision encompasses lessons learned and improvements documented from exercises and responses to real incidents. The plan is organized to be user friendly by using bullet pointed checklists and pre-written initial action plans specific to a hazard. New material has been added to support a more informed decision making process; including river flood stage levels, flood zone maps, and utilities disruption information – including access to the Pg&E First Responder Portal for maps of critical infrastructure.

The plan is organized into five Sections:

1. Basic Plan: Provides an overview of Emergency Organization, preparedness phase activities, as well as State and National required Data element.
2. Response Plan: Covers response and recovery phase procedures such as activation and operations of the Emergency Operations Center (EOC), Public Information and Warning and Evacuation and Emergency Declarations.

3. Annexes: Function Specific annexes – provides procedures related to specific hazards such as flood, multi-casualty incidents, pandemics and other hazards.
4. Appendices: Provides supportive documents for the response such as Contact Directories, reports and forms.
5. EOC Guidebook: Provides operational procedures for the EOC and specific forms and job action sheets for the positions in the EOC.

This plan is currently adopted by the Glenn County Board of Supervisors and is scheduled for adoption by the Orland City Council. Staff is recommending the City Council adopt the Resolution before them this evening for approval and implementation of the 2015 Emergency Operations Plan.

M/S – Hansen/Yoder to adopt a Resolution approving the adoption and implementation of the Glenn County Emergency Operations Plan. By roll-call vote the motion unanimously passed 5/0.

- b) Consider approval of Police Chief Dahl’s request to indefinitely suspend the Willows Police K-9 program and dispose of Rocko the K-9, as is customary practice in Law Enforcement agencies:

This is a request by Police Chief Dahl that the City Council approve a temporary suspension to the Willows Police Department’s K-9 program, due to the program no longer being cost effective to continue this service. Additionally, Chief Dahl is recommending that Council approve the decommission/retirement of the current - nearly 6 year old K-9 - Rocko, and that Rocko be sold as a family pet to his handler, K-9 Officer Kelly Kuwata, with a waiver of liability and hold harmless agreement. Chief Dahl also pointed out that in the original agenda packet there was an error on the “Bill of Sale, Waiver of Liability and Harmless Agreement for retired Police Services Canine” marked as “Exhibit A”. The Exhibit contains a paragraph that reads “It is understood that this canine was removed from police service and is no longer qualified for further police services”. Chief Dahl provided the Council with an amended Exhibit A with the removal of that paragraph and he asked that if the Council approves this item, that they include mention of the amendment in their motion.

Brief Council discussion ensued and one question raised was that since the K-9 program has been funded by personal donations from the public, could the City return those funds that were collected? Finance Director Tim Sailsbery stated that upon an individual’s request and with proof of payment, funds would be refunded. Beyond that, the remaining funds in that account would be frozen. Mayor Domenighini then gave the members of the public an opportunity to speak on this item.

Jamie Millen of the audience inquired about what happens to the K-9’s badge once the dog is decommissioned. Chief Dahl stated that the badge would be retired, as is normal protocol with Police K-9’s.

RoseMarie Thrailkill of the audience asked how the money for the K-9 fund is handled. Finance Director Tim Sailsbery stated that the money is handled through the Volunteers In

Police Services (VIPS) budget and there is approximately only \$6000 remaining in that budget currently. Ms. Thraikill also asked how much money it would take to reinstate the K-9 program. It was explained that in order to reinstate the program, it is estimated to be roughly \$30K or more for the cost of a new K-9, trainings, veterinary costs, a new K-9-equipped Sport Utility Vehicle and other incidental costs.

Gail Green of the audience stated that she is in support of keeping the K-9 program and she thinks it is a waste to get rid of Rocko.

Officer Kelly Kuwata, the handler of the Police K-9, wanted it on the record that Rocko is currently 5 years old and not 6 as was indicated. Additionally, his color is Sable and not black as was indicated on the Bill of Sale, and he is a German Shepherd, not a "Dutch Shepherd" as was also indicated on the Bill of Sale. Since Officer Kuwata will be purchasing Rocko, she stated that she wanted to make sure everything on the Bill of Sale was correct and legal. Staff assured Officer Kuwata that those items would be corrected prior to execution of the agreement.

M/S – Hansen/Mello to approve the indefinite suspension of the Willows Police Department's K-9 Program and to decommission and retire Rocko the K-9 (Glenn County Dog License #51808) and allow him to be sold as a family pet with a Bill of Sale, Waiver of Liability and Hold Harmless Agreement, with the aforementioned revisions/changes to the Bill of Sale. The motion unanimously passed 5/0.

- c) Discussion and direction to staff regarding City Attorney attendance at Council Meetings and review of agenda prior to distribution/publication:

Council recently appointed Robert Hunt as the new City Attorney following the announcement of the retirement of Gary Krup. Mr. Hunt inquired as to the preference of the Council regarding his attendance at Council meetings and his review of agendas prior to their distribution and publication.

Past practice of the Council was to not have the City Attorney attend every Council meeting and there has never been any indication or desire by the Council to have agendas reviewed by the City Attorney prior to distribution. Staff offered the following options for Council's consideration:

- Council could choose to have the Attorney attend each Council meeting. This option would provide immediate legal advice if it should become necessary during any meeting. This choice would have a significant financial impact on the City associated with additional Attorney fees not currently within the adopted budget. The Council may choose to continue its current practice of not having the City Attorney attend each Council meeting, but in an event where formal legal advice may become necessary, the Council would have options available to address the timing of such a need; including carrying an item over to a future meeting to allow for sufficient legal review. This approach would be most cost effective in that additional financial impacts would be incurred on an as-needed basis.

- Council has previously requested to have agendas provided to them on the Thursday prior to the upcoming Tuesday evening meeting. This process has worked well for the City as it allows appropriate time for staff to consider items to be placed on the agenda and research and prepare the necessary staff reports. Council may choose to have the agenda reviewed by the City Attorney prior to publication, but this choice may require changes to the timeline for preparation of the agenda packet and subsequent staff reports. This choice could potentially create delays in delivery of the agenda to the Council in the event that the City Attorney would not have time for agenda review as a result of other matters within his firm. If such delays should occur, it could potentially create conflicts with meeting publication timeframes outlined in the Brown Act. Alternatively, Council may choose to continue its current practice of not having the Attorney review the agenda prior to publication. This process has worked well for the Council, including meeting the Thursday agenda packet delivery deadlines with no issues, conflicts or problems as a result.
- Council may choose to consider providing staff with direction and authority to exercise discretion on having the Attorney review the agenda on an as-needed basis. Essentially this choice would allow staff to consider the items on the agenda and make an informed decision on whether it requires the review of legal Counsel.

Mr. Hunt was in attendance at the meeting and he stated that if he was asked to review the agendas he assured the Council that his review would be timely – generally no more than a half an hour. Mr. Hunt also informed the Council that according to California Government Code Section 41801, et seq., the City Attorney is required to draft and/or review all Resolutions & Ordinances; something of which the Council was unaware. That said, and since many meetings have Resolutions proposed for adoption, the City Council was in unanimous agreement that Mr. Hunt shall review all Resolutions that will be placed on the agendas. After further staff and Council discussion it was the unanimous consensus of the Council that Mr. Hunt shall review all future Resolutions and Ordinances that will go before the Council for their consideration and action and that he shall also review the agenda for legal accuracy prior to its dissemination to the public and the press and he shall also attend at least one City Council per month for at least the first three months.

12. Council Member Reports:

- Vice Mayor Hansen reported that he attended a Museum Board meeting on October 8 and he also thanked the Public Works Department Director Steve Soeth and his staff for their work on tidying up the landscaping at the Museum.
- Council Member Mello thanked City Manager Steve Holsinger for putting together such a well-organized and professional recruitment and interview process to find a new City Manager. He also thanked former Council Member and Mayor Vince Holvik for serving as the Chair on the interview subcommittee that he sat on.

- Council Member Williams reported that he attended the recent Chamber of Commerce and Veteran’s Tri-Tip and Prawns fundraiser. He stated that it was a very nice night and the food was excellent.
- Mayor Domenighini reported that he attended a LAFCO meeting yesterday and there has not been a Library Meeting since the last Council Meeting so there was nothing for him to report about the Library.

13. **Executive Session:** Pursuant to Government Code Section 54954.3, the public had an opportunity to directly address the legislative body on the items below prior to the Council convening into Closed Session. No members of the Public spoke and the City Council convened into Executive Session at 8:06 p.m. for the following:

PERFORMANCE Evaluation - pursuant to Section 54957(b)1
Title: City Manager

14. **Reconvene to Open Session & Report out from Executive Session:**

The City Council reconvened into open session at 9:10 p.m. and Mayor Domenighini reported that no formal action was taken by the Council and direction had been provided to staff.

15. **Adjournment:** Mayor Domenighini adjourned the meeting at 9:11 p.m.

Dated: October 13, 2015

NATALIE BUTLER

City Clerk

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