

MINUTES OF THE WILLOWS CITY COUNCIL
REGULAR MEETING HELD October 27, 2015

1. Mayor Domenighini called the meeting to order at 7:00 p.m.
2. **PLEDGE OF ALLEGIANCE:** Council Member Yoder led the Pledge of Allegiance.
3. **ROLL CALL:**
Present: Williams, Yoder, Hansen & Mayor Domenighini.
Absent: Mello
4. **Agenda Review:** M/S – Yoder/Hansen to accept the October 27, 2015 Agenda as presented. The motion unanimously passed 4/0.
5. **Presentations & Proclamations:**
 - a) Mayor Domenighini presented a Veterans Day Proclamation to Barbara LaDoucer, President of the American Legion Auxiliary.
 - b) Mayor Domenighini presented a Certificate of Appreciation to Gary Krup for his service as the City Attorney from 1997 – 2015.
6. **Public Comment/Written Communications:**

The following person(s) spoke during the Public Comment period:

 - Willows resident, Doug Ross, suggested that the City should look into the creation of a “Displaced Persons” Policy or Ordinance and also a “Falling Tree Limbs” Policy or Ordinance.
7. **Consent Agenda:**

M/S –Hansen/Yoder 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 (30174-30199; Z06735-Z06773; 34384-34400).
 - b) Approval of City Council Minutes for the Regular Meeting held on September 8, 2015.
 - c) Approval of City Council Minutes for the Regular Meeting held on September 22, 2015.
8. **Public Hearings:**
 - a) Consider adoption of a Resolution approving rate and fuel adjustments for solid waste collection services to be effective December 1, 2015:

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 or decreases 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 or decreases during the same annual adjustment period.

The Franchise agreement defines specific impacts involving justification for periodic rate adjustments. The applicable criteria in conjunction with this annual rate adjustment proposal are annual rate increase consideration in conjunction with changes to the CPI and the annual changes in conjunction with Fuel Cost adjustments impacts.

Waste Management has requested a rate adjustment increase of 1.27% for residential and commercial customers, to become effective December 1, 2015. The purpose of this rate adjustment is to provide an adjustment due to increases in the Consumer Price Index and recovery of costs in conjunction with Fuel Cost Adjustment fees. The CPI change from August 2014 through August 2015 is equal to an equivalent 1.27% 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 2015-2016 year is 1.27% 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 decrease in Fuel Expense Adjustments of -2%. Our current agreement prohibits annual adjustment in excess of 2% in conjunction with the Fuel Cost Adjustment. Therefore the overall -2% (decrease) in base rates pursuant to the terms of the Franchise Agreement have been included in the calculations of this Fuel Rate Adjustment Request.

The requested net rate reduction adjustment (negative 2% minus 1.27%) of (.73%) for residential customers will result in a \$0.38/month decrease on average. This results in an annual cost reduction of approximately \$4.56 per customer in Willows. A detailed analysis of the cost impacts was presented to the Council in the staff report and staff is recommending that the Council conduct the Public Hearing and consider adoption of a Resolution approving the net rate decreases for solid waste collection services, effective December 1, 2015.

Mayor Domenighini opened the public hearing at 7:14 p.m. and with no members of the public choosing to speak, subsequently closed the Public hearing at 7:14. p.m. **M/S – Hansen/Yoder** to adopt a resolution adopting refuse collection rates, approving amendment to residential and commercial rate schedules and provided within the provisions of the franchise agreement approved November 28, 2006. The motion passed unanimously 4/0 by roll call vote, with Council Member Mello absent.

9. Ordinances: None.

10. **Items introduced by City Council or Administrative Staff for discussion purposes only:** None.

11. **New Business:**

- a) Consider approval of an appropriation of \$52,628 from General Fund to account 301.030 for City Manager Department Expenditures.:

Upon the passage of the 2015-2016 budget, it was noted in the body of the budget document that the appropriations for the City Manager Department was based solely upon the cost of the existing City Manager as of July 1, 2015. Any additional costs of employing a new City Manager would require change in appropriation. This item provides the estimated appropriation associated with the employ of the new City Manager and the cost of maintaining the 6-week transition period for the employ of two City Managers.

The largest component of the total appropriation of \$52,628 is the portion classified as “salary” in the amount of \$35,704. To assist in the breakdown of “salary” it should be noted that the salary difference between the incoming and outgoing City Managers is but a minor portion of the total (\$7197.00 of the \$35,704). The additional make-up of the \$35,704 is the cost of maintaining two City Managers’ base salary during the transition period (\$11,585), and the cost of accrual of up-front leave for incoming City Manager (\$16,922).

It should be noted that the City is required by Accounting Principles, to accrue and expense unused credited leave at the end of each fiscal year. The “Cost of Accrual of Up-Front Leave” takes into account the leave provided at the commencement of the new City Manager’s contract. **M/S – Yoder/Hansen** to approve an appropriation of \$52,628 from General Fund to Account 301.030 for City Manager Department Expenditures. The motion unanimously passed 4/0, with Council Member Mello being absent.

- b) Consider approval of part-time and temporary employees’ wage scales effective January 1, 2016:

In 2014, Council approved a wage scale for part-time positions to go into effect to correspond to June 1, 2014 in advance of the movement of the minimum wage from \$8.00 to \$9.00 per hour. At the time, Council approved a structure where most positions received a \$1.00 per hour wage increase similar to the move in the minimum wage.

The State of California will implement another \$1.00 increase in minimum wage (from \$9.00 to \$10.00 per hour) effective January 1, 2016. Again, staff recommends an across the board movement of \$1.00 per hour for each part-time and temporary position.

At the time of the 2015/16 budget implementation, this increase was known and was contemplated in calculating wage costs. As such, various part time wage totals include the implementation of this increase. However, based upon utilization to date, the Part-Time Police Administrative Secretary and Building and Planning Administrative Assistant

positions will likely exceed original budgetary expectations. This will be further reviewed and a budget augmentation may be requested at the time of the Mid-Year Budget Review in February, 2016. **M/S – Hansen/Yoder** to approve part-time and temporary employee wage scales by \$1.00 per hour effective January 1, 2016.

c) Consider appointment of Robert Griffith to serve on the Library Board of Trustees:

There is currently a vacant seat on the Willows Library Board of Trustees due to the resignation of former board member Adrienne Haylor which term is due to expire on June 30, 2016. At the September 8, 2015, City Council Meeting, staff was directed to advertise and solicit applications to fill this seat and Council Members Mello & Williams expressed an interest to serve on the subcommittee to review applications and make their recommendation for an individual to fill this position. Only one application was received from current Planning Commissioner Robert Griffith. The subcommittee interviewed Mr. Griffith on October 21 and it is their recommendation to appoint Mr. Griffith to serve the remainder of the term of the vacant seat on the Library Board of Trustees. **M/S – Hansen/Yoder** to appoint Mr. Robert Griffith to serve the remainder of the vacant term on the Library Board, set to expire on June 30, 2016. The motion unanimously passed 4/0 with Council Member Mello absent.

12. Council Member Reports:

- Vice Mayor Hansen reported that he attended the Transit & Transportation meetings on October 15.

13. Executive Session:

PUBLIC COMMENT: Pursuant to Government Code Section 54954.3, the public was given an opportunity to directly address the legislative body on the item(s) below prior to the Council convening into Closed Session. No members of the public spoke and the council convened into Executive Session pursuant to California Government Code Sections 54950 et seq. to discuss the following items:

a) CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9:

Number of potential cases: One (1)

b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION, pursuant to Gov. Code section 54957(b)(1).

Title: City Manager

14. Reconvene to Open Session & Report out, if any, on Closed Session:

The Council reconvened into open session at 9:01 p.m. Mayor Domenighini stated that there was no reportable action.

15. **Adjournment:** Mayor Domenighini adjourned the meeting at 9:02 p.m.

Dated: October 27, 2015

NATALIE BUTLER

City Clerk

The City of Willows is an Equal Opportunity Provider