

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, September 11, 2012
6:00 p.m.**

1. Call to Order Willows City Council Regular Meeting - 6:00 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 September 11, 2012, Agenda.
5. Presentations & Proclamations:
 - a) Presentation by California Water Service to discuss the rate-setting process, the factors driving the requested increase, and the public participation process.
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 the minutes of the August 14, 2012 City Council Regular Meeting.
 - d) Consider adoption of a Resolution authorizing the City Manager to enter into a contract with the lowest responsive responsible bidder, Valley Slurry Seal Company, for the 2012 Slurry Seal Project.
 - e) Consider approval of a City-Wide Hiring Freeze of all full-time positions within the City of Willows and direct Staff to return to Council for specific review and consideration to fill any vacant, full-time positions.
 - f) Review the City's current Conflict of Interest Code and confirm it as presented and without changes per Resolution # 45-2008.

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).* NONE
9. **Ordinances:** NONE
10. **Items introduced by City Council or Administrative Staff for discussion purposes only:**
11. **New Business:**
 - a) Consider approval of a final version of the directional signage to be placed within the Wal Mart Super Center, which is intended to direct consumers to alternative shopping opportunities in the Historic Downtown Commercial Core.
12. **Council Member Reports:**
13. **Executive Session:** Pursuant to California Government Code Sections 54950 et seq., the City Council will hold a Closed Session. More specific information regarding this closed session is indicated below:
 - a) CONFERENCE WITH LABOR NEGOTIATOR(S) pursuant to Section 54957.6
Agency Negotiators: City Manager Steve Holsinger
Finance Director Tim Sailsbery

Employee Organization(s): Willows Public Safety Association
14. Report out from Closed Session:
15. **Adjournment:**

CERTIFICATION: Pursuant to Government Code §54954.2 (a), the agenda for this meeting was properly posted on or before September 7, 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.

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MINUTES OF THE WILLOWS CITY COUNCIL REGULAR MEETING HELD
August 14, 2012

1. The meeting was called to order at 7:02 p.m. by Mayor Holvik.
2. **PLEDGE OF ALLEGIANCE:** Undersheriff Rich Warren led the Pledge of Allegiance.
3. **ROLL CALL:**

<u>Present:</u>	Council Members Yoder, Cobb, Taylor-Vodden, Hansen, & Mayor Holvik
<u>Absent:</u>	None
4. **Agenda Review:** It was **moved** by Council Member Yoder and **seconded** by Council Member Hansen to accept the August 14, 2012, City Council Meeting agenda as presented. The motion unanimously passed.
5. **Presentations & Proclamations:** Mayor Holvik read a Proclamation designating August 26 as "Women's Equality Day" in commemoration of that day in 1920 on which the women of America were first given the right to vote, and that same day in 1970 when a nationwide demonstration for women's rights took place.
6. **Public Comment:**

Jeff Williams addressed the Council on a few items. First, he asked if the Council approved allowing a City employee to commute to Chico in a City vehicle. He then stated that if the Council decides not to renew the Police Chief's contract, it would be a dis-service to the community. He expressed his disagreement with the Council authorizing an expense of \$18,500 to conduct a tax measure survey earlier this year, and also expressed his displeasure at the Council offering a "Golden Hand Shake" to city employees that were close to retirement as a means of a cost saving measure for the 2012/13 Fiscal Year's budget and thought it was a fiasco. Lastly, he expressed that he feels City Staff are rude to citizens if they have a difference of opinion, and he also stated that in a set of past City Council Meeting Minutes it stated that he was a "County Resident" and he believed that was a discredit to him. Although true that he lives in the County, he stated that he owns property in the City and has a vested interest in the City and has paid taxes in the City longer than most of the City Staff or the Council.

Buddy Brackensick expressed his displeasure in the Council in their passing a \$200,000 deficit budget. He also stated that he believes that Council decisions are being decided in advance of public City Council Meetings and Council has been reading prepared statements during the meetings. He also wondered why a Police Officer position that was funded during the passage of the 2012/13 budget was suddenly frozen without anybody knowing about it and there being no public discussion about it. He expressed that he is happy to see that the restrictive rules [of meeting decorum] that the Council adopted in the recent past are gone from the agenda because he believes they were unconstitutional. He also believes the Council consists of some good people but they are receiving some bad misdirection from the City Manager.

Gail Green asked why any time Chief Spears brings anything before the Council, the City Manager automatically votes it down. She believes the City Manager's salary could go to a Police Officer because he is one person there, there are five individuals on the Council, every Department has a Department Head. The Department Heads could come before the Council to settle things and just get rid of the City Manager and solve all the problems. If the City Manager believes the Police Chief's job is so unimportant, why not get rid of the Chief and have the City Manager go in, take over the Police Department, run it by himself and see what the job entails? She believes that evidently the City Manager doesn't believe the Department of the Police is important enough to have cops here in the City of Willows.

Keith Parrish spoke and he stated that it appears that outcomes of City Council Meetings are decided before the meetings start. He would like to see the agenda format changed to move the Public Comment portion at the very beginning. He would also like to have the audio of the meeting placed on the city's website, along with a copy of the check registers placed on the site in order that the public can see where the money is going in this town. He stated that this is what the City of Orland does, as do many other cities. He respectfully demands that the City get something that at least looks like transparency in this town. Mayor Holvik stated that he agreed with putting the audio and additional information on the website, however, the city doesn't currently have that capability and hasn't yet gotten to that point, but it is certainly something worth looking into.

Richard Thomas, President of the Glenn Medical Center Foundation, wanted to extend an invitation to everybody to attend the Splendor in the Valley fundraiser for Glenn Medical Center on September 8. He said the cost is \$250.00 per couple and the money goes towards a great cause to purchase necessary equipment and supplies for the hospital.

7. **Consent Agenda:**

Council Member Taylor Vodden asked that item 7 (d) be removed from the consent agenda and voted on separately, as she was absent for the July 24, 2012 City Council meeting. Mayor Holvik asked that item 7(c) be removed from the consent agenda and voted on separately, as he was absent from the June 26, 2012 City Council Meeting. It was **moved** by Council Member Hansen and **seconded** by Council Member Taylor-Vodden to accept the consent agenda, minus items 7 (c) and 7 (d). All ayes and the motion passed. It was **moved** by Council Member Yoder and **seconded** by Council Member Hansen to approve item 7 (c) on the consent agenda. Motion passed with 4 ayes and Mayor Holvik abstaining. It was **moved** by Council Member Hansen and **seconded** by Council Member Yoder to approve item 7 (d) on the consent agenda. The motion passed with 4 ayes and Council Member Taylor-Vodden abstaining. The following items were approved/adopted:

- a) Approval of General Check Register (24887-24958).
- b) Approval of Payroll & Direct Deposit Check Registers (32004-32058 & Z03640-Z03709).
- c) Approval of the June 26, 2012 Regular City Council Meeting Minutes.
- d) Approval of the July 24, 2012 Regular City Council Meeting Minutes.

- e) Accept the City of Willows Treasurer's Report Schedule of cash and investments as of June 30, 2012.
- f) Adopt a Resolution waiving the residency requirement in conjunction with appointment to the Planning Commission authorizing the continuation of service for Commissioner Huston T. Carlyle.

8. **Public Hearings:** None

9. **Ordinances:** None

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

11. **New Business:**

Council considered the following staffing issues concerning three different positions within the Willows Police Department and gave staff direction after reviewing each item independently. Listed below are the independent discussion items, background information and the direction given to staff by the Council. It should be noted that all three of the below topics were discussed at length by the Council and the Staff, and the Council heard input from several citizens that were present. For purpose of preparing action minutes on these topics, dialogue between and among the Council, the Staff and the audience will not be captured verbatim.

- 1. **Topic of Discussion Item #1:** Staff was seeking direction concerning the current status of the "frozen" vacant Police Officer Position funded during the 2012/2013 Fiscal Budget development process.

Background: This past June 19, the City Council adopted Resolution #16 - 2012 establishing the 2012/2013 FY Budget, confirming budgetary authorities and council fiscal priorities for the current fiscal period. On the morning of June 20th Chief Spears updated the City Manager on the status of the vacant police officer position and requested authority to move forward with the recruitment/hiring process. The city manager indicated he would seek direction from the budget sub-committee and provide direction to the Chief no later than Monday, June 25.

Following discussion with the sub-committee members, the City Manager informed Chief Spears on Monday morning that the position was "frozen" and he should suspend any further recruitment activity.

Immediately thereafter, Sergeant Walter, President of the Willows Public Safety Association (WPSA), contacted the city manager requesting additional information and the possibility of meeting to discuss this recent decision. Ultimately a meeting was scheduled in late July with the budget sub-committee and WPSA representatives to discuss this position. It was agreed during this meeting that the consensus of the entire city council would be sought regarding the current "frozen" position and the potential acceptance of the Cops II CHRP Grant during the regular meeting on August 14th. A note of special interest is the fact this Grant cannot be used to "supplant" the funding for this position.

The forecast budget deficit at adoption on June 19th was approximately (\$203,000). With the "frozen" status maintained, this deficit is reduced "temporarily" to approximately (\$112,000). A potential loss of the Supplemental Law Enforcement Services Funding (SLESF) is tied directly to Proposition 30 hanging in the balance until the November 6th election results are announced. Failure of PROP 30 will result in loss of state funding for Supplemental Law Enforcement monies and likely push the projected "temporarily reduced" deficit to over (\$212,000) on January 1, 2013.

Therefore staff is requesting direction from the City Council concerning the maintenance of the fiscal priorities established during the adoption of the current FY budget.

Conclusion/Council direction after discussion: The Consensus of the Council was to direct staff to keep this position frozen at least until after the November 6 Election and depending on the outcome of Proposition 30, Council may revisit this item for further discussion after that time.

- 2. Topic of Discussion Item #2:** Staff was seeking direction from the Council concerning authorization to accept the COPS II Grant to hire a new officer from among qualifying veteran candidates to replace a former laid-off police officer.

Background: Council previously authorized the Chief of Police to seek the COPS II Grant. The department submitted the grant to the U.S. Department of Justice. On June 25, 2012 the Willows Police Department was notified that they were successful for selection for awarding of the COPS II Grant. The Department was ranked 4th in California to receive this award.

The Grant is a three (3) year grant for a police officer. The award is \$195,450.00 for the three (3) year period. The match required of the city during this grant period is \$50,000.00. It should be noted that the Department further applied for and received a hardship consideration lowering the City's matching fund requirement. It was noted that valuable time has passed since the application was submitted. In as such, costs associated with the position have increased. This resulted with additional costs beyond the original \$50,000. These additional costs were determined by the Finance Director and are as follows:

Overall Estimated Personnel Costs (Total \$404,641., which includes Salary, PERS, Health Insurance, Payroll Tax, Life Insurance, Uniform cost & Workers Comp):

Year 1: \$91,193; Year 2: \$98,196; Year 3: \$103,073; Year 4: \$112,179

Grant Funding Pays: (Total \$195,450)

Year 1: \$61,890 Year 2: \$65,440; Year 3: \$68,120; Year 4: \$0.00

Estimated General Fund Cost: (Total \$209,191)

Year 1: \$29,303 Year 2: \$32,756; Year 3: \$34,953 Year 4: \$112, 179

These city cost factors could change to reflect any future wage and benefit modifications (possible reductions) and/or adjustments between the City of Willows and the Willows Public Safety Association. Additional factors would be other driven costs beyond the city's control.

Additional concerns were raised during the review of the grant and for the City of Willows to accept the grant. The Police Department emailed a letter to the Department Of Justice (DOJ). This letter requested DOJ's position on several issues and to ensure there were no technical legal issues whereas the City could be libel for punitive action in accepting the grant. The questions asked and DOJ's responses are presented below:

- (Willows PD – question) If the officer that we would “re-hire” under the new grant was funded for a portion of the 2009 grant, would there be a supplanting problem?
- (DOJ – answer) Supplanting will be a problem if your agency hires any officer that is currently being funded under the city budget. For more information on supplanting and other grant conditions please refer to the 2012 Grant Owner's Manual that has been supplied to your agency as part of your award package.

Additional comment: Officer DeVoss was funded by the CHRP's Grant until being laid off. Her position did not return to being funded from the General Fund.

- (Willows PD – question) If the City of Willows has a “frozen and funded” open Police Officer position, will we be able to accept a grant knowing that the general funded position will not be filled during the budget period?
- (DOJ – answer) Per the COPS Legal Division, any grantee may accept a 2012 CHRP grant, provided it can comply with the non-supplanting requirement. To comply with the non-supplanting requirement, any reductions in locally-funded sworn officer positions, including “frozen but funded” vacancies, must occur for reasons unrelated to CHRP funding—such as city-wide budget cuts or city-wide hiring freeze, for example—but grantee must maintain contemporaneous supporting documentation demonstrating the date(s) and reason(s) for the reduction-in-force to prove that they were unrelated to the receipt of CHRP grant funding in the event of an audit, monitoring site visit, or other form of grant compliance review.

Additional comment: Officer Brown's separation from Willows Service was initially post the CHRP II application. The intent of the CHRP II grant was to fill the vacancy created by Officer DeVoss' being laid off.

At no time was the intent to fill the General Fund vacancy by the grant. The department desired to begin the recruitment process immediately after the vacancy occurred, however was directed to hold until further notice. Authorization was given in March to begin the recruitment process for the General Fund position.

- (Willows PD- question) If the last officer that was laid off under the previous grant has medically retired, would the 2012 “Re-hire” grant work or do we need to amend the grant to a “New Hire”?
- (DOJ – answer) Per the 2012 CHRP Grant Owner’s manual, the allowable hiring categories under this grant are as follows:
 - a. *Hiring new officers, which includes filling existing officer vacancies that are no longer funded in your agency’s budget. All officers hired under this category must be military veterans. Under this program, a military veteran is defined as an individual who has served on active duty at any time in the armed forces for a period of more than 180 consecutive days, any part of which occurred on or after September 11, 2001, and who has been discharged or released from active duty in the armed forces under honorable conditions;*
 - b. *Rehiring officers laid off by any jurisdiction as a result of state, local, or Bureau of Indian Affairs (BIA) budget cuts; and/or*
 - c. *Rehiring officers who were, at the time of grant application, scheduled to be laid off (by your jurisdiction) on a specific future date as a result of state, local, or BIA budget cuts.*
- (DOJ – answer) You are currently approved to rehire an officer. Throughout the lifetime of the grant if you cannot find an officer to rehire, your agency can choose to modify the grant and hire a new veteran officer.

Analysis of the DOJ’s answers concluded that no technical or legal issues exist that would bar acceptance of the grant. Further that, the City would not face issues of violating the requirements of the grant.

Additional Comment: The fact that Officer DeVoss cannot be rehired, DOJ has indicated the Department can modify the replacement officer as a “new hire”. We need only modify our application. We currently have military veterans on our active list that could be hired under such modification.

As for the financial considerations, the City of Willows would gain \$195,450.00 funding for a police officer position. As previously stated the initial match for the three (3) year period is \$50,000.00. At the same time there may be other additional costs pertaining to other wage and benefits. The City Finance Director has determined that the actual city obligation for the life of the grant could be \$97,012 over the three year period. The City is obligated to fund the position for a fourth year if the grant is accepted and would have to incur the entire cost of \$112,179 during that year. It should be noted that in the 2013/2014 budget period, the city will be engaged in negotiations with the Willows Public Safety Association. Depending on the outcome of that negotiations there may be changes to the salary and benefits responsibility of the city.

Conclusion/Council direction after discussion: When the Council adopted the 2012/13 deficit budget they all agreed to accept the \$200,000 deficit at that time but also agreed to monitor ways

to reduce the deficit. The approval of this grant would add additional expense to the City over the course of four years. It was noted that there are currently employees that are still on furlough that the City can't afford to pay and it might not be in the City's best interest at this time to take on additional employee expenses with no cost recovery mechanism in place. Without some form of cost-recovery mechanism in place, the Council was hesitant to approve the grant at this time. It was the consensus of the Council that they would like more clarification from the DOJ on the issue of "supplanting". They also gave direction and approval to staff to seek alternative funding to pay the city's portion of the match funds in order to accept the grant. They directed staff to re-open negotiations with the Willows Public Safety Association (WPSA) to look for possible ways to offset the city's match funds for the grant. It was the consensus of the Council to table this item until after staff meets with the WPSA and reports back to the Council. It should be noted that Council Member Cobb stated that he can't agree to accept the grant without an alternative funding source to cover the city's costs.

- 3. Topic of Discussion Item #3:** Staff was seeking consensus of the Council concerning alternative short-term staffing accommodation for anticipated temporary vacancy within the Police Department this fall.

Background: During a recent sub-committee discussion with WPSA Representatives, the topic of short term vacancy coverage utilizing voluntary over-time opportunities potentially available among neighboring agency personnel was explored. The City of Orland has expressed an interest in assisting the Willows Police Department with shift coverage on a possible voluntary basis. The City of Orland has submitted a cost proposal for consideration. In reviewing the cost comparison for over-time purposes; the two agencies are very compatible; with some minor exceptions acknowledged. Staff views this alternative as a very reasonable accommodation and best management practice to address the short-term staffing needs.

Before fully engaging in any agreement discussions with our neighboring agencies and our local labor association, it was suggested the Law Enforcement Sub-committee review and comment on the proposal to utilize neighboring agency staff to back-fill shift vacancies within the Willows Police Department. Unfortunately a recently scheduled sub-committee was canceled before consideration could take place. Therefore by agreement with staff and WPSA Representatives this item is being put before the City Council. Staff is seeking direction/consensus from the council to continue exploration with neighboring agencies and discussion with the WPSA to achieve a reasonable accommodation to address the anticipated short term staffing vacancy and shift coverage needs.

FINANCIAL CONSIDERATIONS -

None are anticipated initially. Over-time expense is already budgeted within the 2012/13 fiscal work plan. If augmentation of this portion of the overall police budget becomes necessary, it would be addressed during the mid-term adjustment period.

Conclusion/Council direction after discussion: It was the consensus of the Council to direct staff to continue working with outside policing agencies to pursue obtaining staffing of part-time police services on an "as-needed" and temporary basis.

12. Council Member Reports:

Council Member Hansen reported that he plans to attend the Waste Management meeting tomorrow with Council Member Cobb. He also plans to attend the Transportation & Transit Committee Meeting on Thursday.

13. Executive Session: None

14. Adjournment: Mayor Holvik adjourned the meeting at 9:40 p.m.

Dated: August 14, 2012

NATALIE BUTLER

City Clerk

The City of Willows is an Equal Opportunity Provider

AGENDA ITEM

September 11, 2012

TO: Honorable Mayor Holvik and Members of City Council
FROM: John Wanger, City Engineer
SUBJECT: Award of the 2012 Slurry Seal Project

RECOMMENDATION

Staff recommends that the City Council approve the resolution awarding a construction contract for the 2012 Slurry Seal Project to Valley Slurry Seal Company in the amount of \$183,803, and that an overall budget of \$205,183 be established for this project.

SUMMARY

As part of the overall street maintenance for the City, slurry sealing certain streets within the City typically occurs every one or two years. Slurry sealing provides an extra wearing course on the streets and extends the life of the life of the street. In 2011, the City contracted with the County to provide chip sealing on a number of City Streets. This year, a slurry seal is proposed to be placed over many of the streets that were chip sealed to provide a final surface wearing course (sometimes referred to as a "cape seal".) The list of streets included in the base bid include:

Yolo Street (between Laurel and Wood)
Sacramento St. (between Laurel and Wood)
Sonoma Street (between Laurel and Willow)
Elm St. (from Shasta St. to Villa)
Fern St. (loop from Tehama St.)
Green Street (between Pacific and N. Lassen)
S. Colusa Street, (between E. Laurel and E. Sycamore.)

Additionally, the Bid Alternate have been included in the bid documents. Bid Alternate locations include:

Cedar Street (between S. Tehama and Culver)
E. Willow St. (between N. Colusa and Ventura)
E. Walnut Street (between N. Colusa and Ventura)
W. Walnut St. (between N. Lassen and N. Shasta.)

Bid documents were completed for the project and the project was advertised for public bid in August in accordance with the Public Contract Code. Bids were opened on Wednesday, September 5, 2012. Two bids were received ranging in price from \$133,193.00 to \$141,643.40. The low bid was received from Valley Slurry Seal Company of West Sacramento.

Staff has reviewed Valley Slurry Seal's bid and determined that it satisfies the bidding requirements for the Project.

In analyzing the bids and the dollars available for this project, staff is recommending that the portion of E. Willow Street, E. Walnut Street and W. Walnut be included into the overall project. The total amount of additional monies in addition to the base bid to complete these streets is \$50,610. Per the bid documents, the overall project must be awarded on the lowest responsible base bid received. Staff is recommending awarding this project to Valley Slurry Seal.

FINANCIAL CONSIDERATIONS -

The estimated construction costs are summarized below:

Construction Contract	\$183,803
Estimated staff time for Management/Inspection	\$ 3,000
Construction Contingency (10%)	<u>\$ 18,380</u>
Total Estimated Construction Cost	\$ 205,183

This project is being funded through a combination of Proposition 1B monies (\$121,405.07), Transportation Enhancement Act monies (\$3,413.31) and TDA-LTF (\$80,364.62.) The overall projected budget for this project is within the funds available. The project is scheduled to be completed within 10 working days.

NOTIFICATION

None required

ALTERNATE ACTIONS

None recommended

RECOMMENDATION

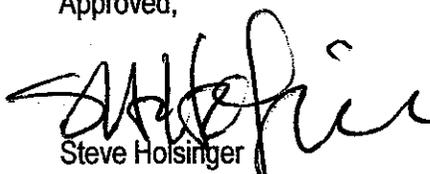
Staff recommends that the City Council approve the resolution awarding a construction contract for the 2012 Slurry Seal Project to Valley Slurry Seal Company in the amount of \$183,803 and that an overall budget of \$205,183 be established for this project.

Respectfully submitted,



John Wanger
City Engineer

Approved,



Steve Hoisinger
City Manager

Attachments: Resolution

RESOLUTION No. _____

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF WILLOWS, STATE OF CALIFORNIA,
AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT WITH VALLEY SLURRY
SEAL COMPANY FOR THE 2012 SLURRY SEAL PROJECT**

WHEREAS, in accordance with California Public Contract Code Section 20162 and other applicable law, the City of Willows solicited bids for the 2012 Slurry Seal Project ("Project"); and

WHEREAS, bids for the Project were opened on September 5, 2012 in accordance with California Public Contract Code Section 4105.5 and other applicable laws; and

WHEREAS, two bids were received ranging in price from \$133,193.00 to \$141,643.40, with the low bid received from Valley Slurry Seal Company; and

WHEREAS, staff has determined that Valley Slurry Seal's bid satisfies the bidding requirements for the Project; and

WHEREAS, staff has verified that Valley Slurry Seal possesses valid California Contractor's Licenses under the requested Class A and C-12, number 293727 (expires 3-31-13) as required to qualify to perform the Project; and

WHEREAS, the Project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to the following authorities: Section 15301(c) of Title 14 of the California Code of Regulations for repair and maintenance of existing streets.

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

1. The above recitals are true and correct and are hereby incorporated into this Resolution as findings of the City Council of the City of Willows.
2. The Project is exempt from CEQA in accordance with Sections 15301(c) of the CEQA Guidelines.
3. In accordance with California Public Contract Code Section 20160 and following and other applicable laws, the City Council of the City of Willows hereby finds the bid of Valley Slurry Seal Company for the 2012 Slurry Seal Project to be the lowest, responsive bid and waives any irregularities in such bid in accordance with applicable law.
4. The contract for the 2012 Slurry Seal Project is hereby awarded to Valley Slurry Seal Company, in the amount of \$183,803, conditioned on Valley Slurry Seal's timely executing the Project contract and submitting all required documents, including, but not limited to, executed bonds/surety, certificates of insurance, and endorsements, in accordance with the Project bid documents.

5. The City Manager is hereby authorized and directed to execute with Valley Slurry Seal for performance of the Project in accordance with the bid documents and applicable law upon submission by Valley Slurry Seal of all documents required pursuant to the Project bid documents.

6. That the overall budget for the Project be established at \$205,183.

7. The City Manager is hereby authorized to execute any contract change orders in accordance with the Project contract documents so long as the total Project cost does not exceed the total funding for this Project in the adopted budget.

8. City staff is hereby directed to issue a Notice of Award to Valley Slurry Seal.

9. This Resolution shall become effective immediately.

10. All portions of this resolution are severable. Should any individual component of this Resolution be adjudged to be invalid and unenforceable by a body of competent jurisdiction, then the remaining resolution portions shall be and continue in full force and effect, except as to those resolution portions that have been adjudged invalid. The City Council of the City of Willows hereby declares that it would have adopted this Resolution and each section, subsection, clause, sentence, phrase and other portion thereof, irrespective of the fact that one or more section subsection, clause sentence, phrase or other portion may be held invalid or unconstitutional.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council on this 11th day of September, 2012, by the following vote:

AYES in favor of:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTESTED:

Mayor Holvik

Natalie Butler, City Clerk

AGENDA ITEM

TO:  Steve Holsinger, City Manager
FROM: Tim Salsbery, Finance Director
SUBJECT: Hiring Freeze of Full-Time Positions

RECOMMENDATION

Approve, by Motion, a City-Wide Hiring Freeze of All Full-Time Positions within the City of Willows and direct Staff to return to Council for specific review and consideration to fill any vacant, full-time positions

SITUATION (or BACKGROUND):

As Council has maintained a priority of ending the 2012-13 year on a balanced basis, a hiring freeze of full time positions should be considered for implementation as a tool to be used to review City operations as vacancies occur. The possibility of weighing alternatives of effect on City operations vs. budgetary savings may provide an additional legislative tool in working toward the goal of achieving balanced operations.

As the vast majority of our temporary, part-time positions are transitory and seasonal positions, Staff recommends that such positions not be included in the freeze. Department Heads should be able to maintain the flexibility to staff events or seasonal activities on an as needed (and as budgeted) basis. Vacancies quite often occur with little or short notice, and the ability to quickly re-fill is vital to the ongoing success of the activity.

FINANCIAL CONSIDERATION

Unspecified budgetary savings that will be based on timing and nature of vacancy.

NOTIFICATION

N/A

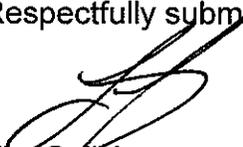
ALTERNATE ACTIONS

1. Approve by Motion
2. Request additional information from staff
3. Reject staff recommendation.

RECOMMENDATION

Approve, by Motion, a City-Wide Hiring Freeze of All Full-Time Positions within the City of Willows and direct Staff to return to Council for specific review and consideration to fill any vacant, full-time position

Respectfully submitted,



Tim Salsbery
Finance Director

September 11, 2012

AGENDA ITEM

TO: Honorable Mayor Holvik and City Council Members

FROM: Natalie Butler, City Clerk

SUBJECT: Biennial Review of City's Conflict of Interest Code

RECOMMENDATION:

Review the Attached Resolution showing the City's current Conflict of Interest Code and confirm it as presented and without changes.

SITUATION (or BACKGROUND)

The Political Reform Act, Government Code Section 81000 et. Seq. requires state and local government agencies to adopt a conflict of interest code and to review the code in even-numbered years to ensure that it is current.

The Conflict of Interest Code identifies officials, employees, committees/commissions and consultants who are required to file a Statement of Economic Interest Form 700 when assuming office, on an annual basis, and upon leaving office. Designated individuals must disqualify themselves when conflicts of interest occur.

The City's Conflict of Interest Code was last amended on October 28, 2008, by Resolution Number 45-2008. Government Code Section 87300, et seq., requires agencies to review the Conflict of Interest Code on a biennial basis. Staff has reviewed the City's Conflict of Interest Code, does not recommend any changes at this time. A copy of the Resolution has been attached for Council's review.

FINANCIAL CONSIDERATIONS

None

ALTERNATE ACTIONS

1. None recommended.

RECOMMENDATION:

Review the Attached Resolution showing the City's current Conflict of Interest Code and confirm it as presented and without changes.

Submitted by:

A handwritten signature in black ink that reads "Natalie Butler". The signature is written in a cursive, flowing style.

Natalie Butler,
City Clerk

Attachments:

* Copy of Resolution 45-2008 showing the City's current Conflict of Interest Code

RESOLUTION NO.45-2008

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS
ADOPTING REVISIONS TO ITS CONFLICT OF INTEREST CODE**

WHEREAS, The Political Reform Act, Government Code Section 81000 et. seq. requires state and local government agencies to adopt conflict of interest codes and to review those codes in even-numbered years to ensure that they are current; and

WHEREAS, the Conflict of Interest Code now in effect in the City of Willows has been reviewed and there are revisions needed to reflect current conditions in view of changes in employee titles and positions;

NOW, THEREFORE, BE IT RESOLVED that the list of designated employees required to file statements of economic interest is hereby amended to include all those officers and employees set forth in Appendix "A", which is attached hereto and incorporated herein by this reference; and

BE IT FURTHER RESOLVED that the Disclosure Categories are hereby set forth as Appendix "B", which is attached hereto and incorporated herein by this reference; and

BE IT FURTHER RESOLVED that only those officers and employees who are designated in the City's Conflict of Interest Code for the first time, if any, are required to file an initial statement as defined in the Code.

BE IT FURTHER RESOLVED that the City of Willows Conflict of Interest Code; attached hereto as Appendix 'A' and Appendix 'B' shall be effective immediately and supersede any previously adopted Code requirements and any and all conflicting resolutions are hereby rescinded.

PASSED AND ADOPTED by the City Council of the City of Willows this 28th day of October, 2008, by the following vote:

AYES: Baker, Holvik, Towne, Thraikill & Yoder
NOES: None
ABSENT: None
ABSTAIN: None

APPROVED:

JIM YODER, Mayor

ATTEST:

NATALIE BUTLER, City Clerk

CONFLICT OF INTEREST CODE OF THE CITY OF WILLOWS

The Political Reform Act (Government Code Section 80111 et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes.

The Fair Political Practices Commission ("FPPC") has adopted a regulation (Cal. Code of Regs. 18730) which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code, and which may be amended by the FPPC to conform to amendments in the Political Reform Act, following public notice and hearings.

Therefore, the terms of Cal. Code of Regs. 18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference. This regulation and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the Conflict of Interest code for the City of Willows.

Designated employees, shall file statements of economic interest with the City of Willows. The agency shall make all statements available for public inspection and reproduction, pursuant to Government Code Section 81008.

APPENDIX A

TO THE CONFLICT OF INTEREST CODE OF THE CITY OF WILLOWS

<u>Designated Position or Employee Categories</u>	<u>Disclosure</u>
City Clerk	2
Deputy City Clerk	2
Chief of Police	All
Police Sergeant	2,3
Fire Chief	All
Fire Captain	2,3
Building Official	All
Building Inspector	2,3
Public Works Director	All
Public Works Superintendent	2,3
Recreation Director	2
Library Director	2
Library Board of Directors	2
Consultants*	All

* Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following:

The City Manager may determine in writing that a particular consultant is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirements in this section.

Although listed below, the following positions do not fall into the category of "designated employee" because they are positions identified in California Government Code Section 87200, and the Government Code itself specifies the filing requirements for these positions:

City Council Members
Planning Commissioners
City Attorney
City Manager
City Finance Director/Treasurer

APPENDIX B

TO THE CONFLICT OF INTEREST CODE OF THE CITY OF WILLOWS

Category 1:

All investments, business positions in, and income from sources located in or doing business in the jurisdiction. Interest in real property located in the jurisdiction. Interest in real property located in the jurisdiction, including property located within a two mile radius of the jurisdiction or of any property owned or used by the City. This category applies to officials and employees whose duties are broad and indefinable.

Category 2:

All investments, business positions in, and income sources of the type which provide services, supplies, materials, machinery or equipment of the type utilized by the City. This category applies to officials and employees whose duties involve contracting or purchasing.

Category 3:

All investments, business positions in, and sources of income which are subject to the regulatory, permit or licensing authority of the City. This category applies to officials of agencies with regulatory powers.

AGENDA ITEM

September 11, 2012

TO: Honorable Mayor Holvik and Members of City Council

FROM: Steve Holsinger, City Manager

SUBJECT: Consider approval of Downtown Directional Signage in conjunction with the Wal Mart Project.

RECOMMENDATION

Staff recommends that the City Council approve by motion, a final version of the directional signage to be placed within the Wal Mart Super Center, which is intended to direct consumers to alternative shopping opportunities in the Historic Downtown Commercial Core (i.e., CC Zoning District)

SUMMARY

During the past couple years city management and downtown merchants; spearheaded primarily by the Chamber of Commerce, have worked with Wal Mart Representatives on development of an appropriate project to satisfy the Conditions-of-Approval (COA) associated with the Super Center Remodel. The specific COA involved measures to mitigate anticipated economic impacts to the merchants located in the downtown commercial core. One of the conditions specified placement of a "Bulletin Board" within the Wal Mart Store to identify other local merchants doing business in the CC Zoning District. Discussions with the Chamber and local merchants concerning the utilization, location, maintenance and control of print materials to be placed on the bulletin board ultimately stalled when an acceptable accommodation was not identified by the parties involved.

This past April, staff introduced an accommodation of sorts; specifying placement of permanent style signage intended to resolve the overall intent of the COA; by identifying the location of Downtown Merchants and services available at those alternate outlets. During this discussion, council postponed a final decision and appointed Councilmember, Terry Taylor-Vodden to work with downtown businesses on a final design concept for the proposed signage. The results of this effort have produced two options for potential approval. Both versions of the signage adequately identify the Downtown Core, alternatively one highlights the type of merchants and services available, while the other highlights the downtown historic heritage. Both detail an accurate directional map to the downtown area and displays all this in an attractive and time sensitive manner. Staff is seeking council approval to finalize the design and installation of this directional and informational signage in lieu of the COA stated bulletin board.

FINANCIAL CONSIDERATIONS -

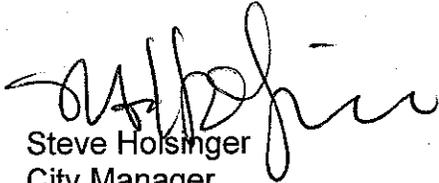
None, solely funded as part of the Wal Mart project.

NOTIFICATION

None

RECOMMENDATION

Staff recommends that the City Council approve by motion, a final version of the directional signage to be placed within the Wal Mart Super Center, which is intended to direct consumers to alternative shopping opportunities in the Historic Downtown Commercial Core (i.e., CC Zoning District)


Steve Holsinger
City Manager

You are here

1

Civic Memorial Hall
The Memorial was constructed in 1930 as a tribute to the veterans of World War I.

2

Glenn County Court House
Built in 1894, it continues to serve as the court house for the County Seat.

W. Wood Street / Hwy 162 →

Humboldt Street →

W. Sycamore Street →

N. Tehama Street

S. Tehama Street

Historic District

Discover Historic Downtown Willows

Welcoming Visitors Since 1886!

3

Century House
Currently a residence and antique shop, this Greek Revival style cottage was built in 1877.

5

The Willows Post Office
Built in 1917, it also originally housed the Story Reserve of the US Forest Service and the Glenn County Farm Advisor's Office.

6

The Masonic Building
Downtown's tallest building. It was erected in 1911 and housed the phone company.

4

Willows Museum
Built in 1911 as an Andrew Carnegie Library, the Museum is a beautiful example of Temple Style Classical Revival.

Downtown Willows also offers many dining and shopping opportunities!

7 To learn more, visit the Willows Chamber of Commerce and Tourism Bureau
118 W. Sycamore St. • www.WillowsChamber.com

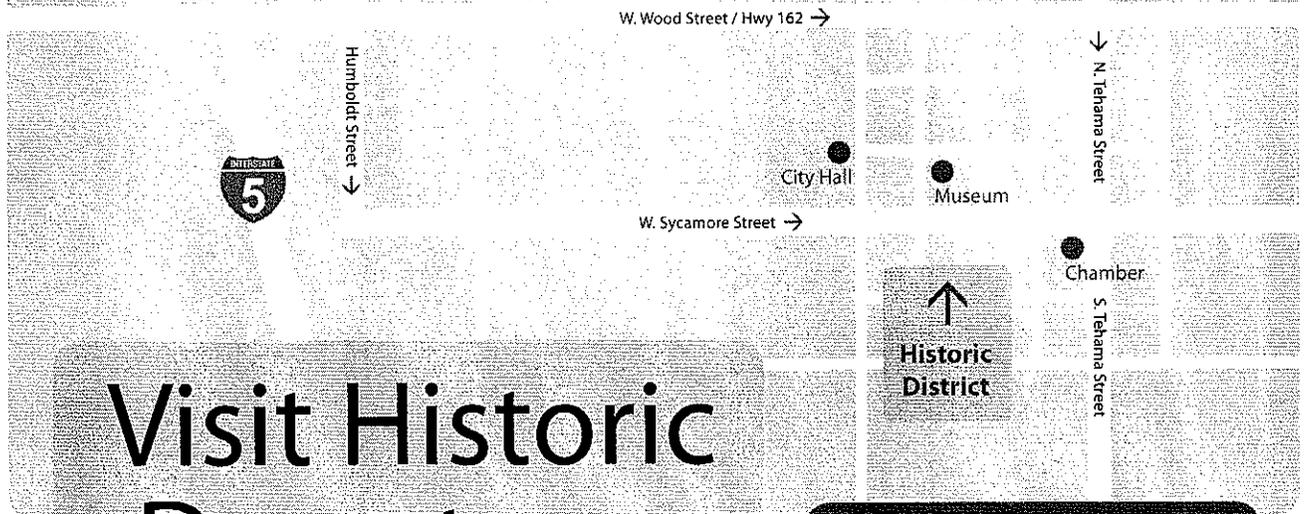
Walmart 
Save money. Live better.

You
are
here



Dine!

Come enjoy our
local restaurants
and cafés.



Visit Historic Downtown Willows

Shop, Dine & Explore!

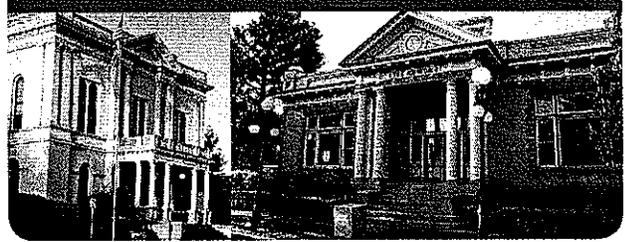
Shop!

Browse through fine
boutiques and stores.



History!

Appreciate our community's rich
history and character.



Willows Chamber of Commerce
and Tourism Bureau
118 W. Sycamore St.
www.WillowsChamber.com

Walmart 
Save money. Live better.