

MINUTES OF THE WILLOWS CITY COUNCIL
REGULAR MEETING HELD September 22, 2015

1. Mayor Domenighini called the meeting to order at 6:30 p.m.
2. **PLEDGE OF ALLEGIANCE:** Council Member Mello led the Pledge of Allegiance.

3. **ROLL CALL:**

Present: Williams, Yoder, Mello, Hansen & Mayor Domenighini.
Absent: None

4. **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 6:33 p.m. for the following:

PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT pursuant to Section 54957(b)1
Title: City Manager

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

The City Council reconvened into open session at 6:58 p.m. and Mayor Domenighini made the following report-out:

The City Council has reached a unanimous consensus on the appointment of Scott Taylor as the City Manager and are officially appointing Scott Taylor to the position of City Manager commencing on October 5, 2015.

- (a) The City Council will consider adoption of a Resolution to ratify the employment agreement between the City and Scott Taylor to serve as the Willows City Manager:

M/S – Hansen/Yoder to adopt a Resolution of the City Council of the City of Willows appointing Scott Taylor City Manager and ratifying the Employment Agreement between the City of Willows and Scott Taylor, as amended by the City Council during the closed session. The motion unanimously passed 5/0.

6. **Agenda Review:**

- a) **M/S – Yoder/Hansen** to accept the September 22, 2015 City Council agenda as presented. The motion unanimously passed 5/0.

7. **Presentations & Proclamations:** None

8. **Public Comment/Written Communications:** None

9. Consent Agenda:

M/S –Yoder/Hansen to approve the Consent Agenda as presented. The motion unanimously passed and the following items were approved:

- a) Approval of General Checking, Payroll Checks & Payroll Direct Deposit Registers (30035-30062; Z06659-Z06698; 34345-34361).
- b) Approval of the City of Willows Treasurer’s Report of cash & investment as of June 30, 2015.
- c) Approval of the cancellation of the November 24 & December 22, 2015 City Council Meetings.

10. Public Hearings: None

11. Ordinances: None.

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

- a) Discussion of Council’s interest in having a joint Cities & County meeting in the near future & possible agenda items for said meeting.

City Manager Steve Holsinger stated that the City has recently been contacted by Di Aulabaugh, Clerk to the Glenn County Board of Supervisors, inquiring about the possibility of holding a joint Cities-County meeting. Ms. Aulabaugh informed the City Manager that during recent discussions at a Solid Waste Regional Agency Meeting and also at a Cities-County Economic Development Steering Committee meeting, it was suggested that it might be a good idea to schedule such a meeting to discuss mutual interest items such as City & County Economic Development efforts, the KVB Environmental Review progress report, City/County franchise hauler agreements expiration time frames, and any other items of mutual interest or concern among the Cities & the County. Mr. Holsinger believes the last joint meeting that was held was back in 2013 in Orland. He wanted to get the Council’s input on whether they had an interest in conducting a meeting.

Council discussion ensued and while the Council was in agreement that it serves no real purpose to conduct a meeting just for the sake of holding a meeting as has sometime been the case with these joint meetings in previous years, they were also in agreement that there are currently some mutual interests among the three agencies that should be addressed at a joint meeting in the near future. It was the unanimous consensus of the Council to contact Ms. Aulabaugh at the County and let her know that the City is interested in taking part in a joint meeting in the future to discuss 1) The KVB project, 2) Ambulance Services, 3) Possibility of consolidated dispatch services, 4) Franchise hauler agreements and 5) Sustainable Ground Water issues. The Council recommended that Fire Chief Wayne

Peabody be in attendance at the meeting to give a presentation/update about Ambulance Services in the South County.

13. New Business:

- a) Consider approval of a Resolution awarding a construction contract for the North Butte Street and North Sacramento Street Reconstruction Project to Knife River Corporation and establish an overall budget of \$1,365,442.25 for the project via additional appropriation from Funds 319, 310 & 318.

This project involves reconstruction of a portion of N. Butte Street (between Wood Street and W. Willows St.) and a portion of N. Sacramento Street (Wood Street to E. Sycamore St.). At both locations, the overall road section (pavement and base material) will be completely replaced utilizing a process known as "Full Depth Reclamation." This process involves pulverizing the existing asphalt and mixing it to a certain depth with the existing road base material. This is done in an effort to utilize to the greatest extent possible the existing asphalt and base material and to minimize having to haul off a lot of material and import new material. Once the pulverizing occurs, both cement powder and lime treatment will be mixed into the base material to add strength. The new road base will then be covered with a new layer of asphalt.

In addition to the reconstruction of the road, the project also involves replacement/upgrading many of the pedestrian curb ramps, replacement of damaged sidewalk, curb and gutter on both streets, as well as replacement of the sewer main and sewer laterals within the pavement on N. Sacramento Street. The vast majority of the work associated with reconstructing the road and repairing damaged curb, gutter and sidewalk will be paid for with federal monies. The sewer replacement work will be funded from the Sewer Maintenance Enterprise Fund.

Staff advertised the project for public bid in accordance with the Public Contract Code at the end of August, with a bid opening date of September 15, 2015. The engineer's estimate for the overall project was \$1,077,536.

Bids were opened on September 15, 2015. Three (3) bids were received ranging from a low bid of \$1,128,089.25 to a high of \$1,422,072. The low bid was received from Knife River Corporation (Knife River.) Based on the bids received, staff has completed a check of Knife River's bid and found that their contractor's license is active and valid, that they possess a Class A license as required by the bid documents, that Knife River and their five proposed subcontractors are registered with the Department of Industrial Relations (as required by the recently passed legislation), that the bid submitted is mathematically correct and that the bid contained the required information per the bid documents. The only missing information is information relates to the contractors use of Disadvantaged Business Enterprises (DBE) for some of the work, as required by the federal funding for this project. DBE information is required to be submitted within 5 days of the bid opening (due on

September 21, 2015.) The City did receive the DBE documents within the legal time-frame from Knife river and all of the therefore that requirement has also been met.

Based on information contained in Knife River's bid, staff has determined that it satisfies the bidding requirements for the Project. Accordingly, staff is recommending award of the project to Knife River.

The estimated overall budget for this project is summarized as follows:

Construction Contract	\$1,128,089.25
Estimated Construction Management/Inspection	\$ 89,544.00
Estimated Design Engineer Construction Support Services	\$ 15,000.00
Estimated Testing	\$ 20,000.00
Construction Contingency (10%)	<u>\$ 112,809.00</u>
Total Estimated Construction Cost	\$1,365,442.25

Please note that the Construction Management and inspection will be provided by Coastland Civil Engineering (the City Engineer) and testing will be completed by Holdrege and Kull (H&K) as sub consultants to Coastland, as staff does not have the necessary time to devote to providing these services. Coastland and H&K both have experience in overseeing roadway reconstruction projects of this size. In addition, some monies have been budgeted for Quincy Engineering (the design engineer for the project) in case issues arise during construction that may need their input.

The project is proposed to be funded as follows:

Federal Funding for N. Butte Street	\$276,000
Federal Funding for N. Sacramento Street	\$661,000
Fund 318-Sewer Maintenance Enterprise Fund	\$260,771
Fund 319-TDA-LTF	\$ 32,500
Fund 310-RSTP	<u>\$135,171</u>
Total Funding	\$1,365,442

The federal funds will be reimbursed through Caltrans as the project progresses (monthly invoicing.) As the low bid was slightly higher than the engineer's estimate additional monies have to be appropriated. Accordingly, staff is requesting that the above-shown appropriations from Funds 318, 319 and 310 be approved by separate motion.

Staff recommends that the City Council approve the resolution awarding a construction contract for the N. Butte Street and N. Sacramento Street Reconstruction Project to Knife River Corporation in the amount of \$1,128,089.25, and that an overall budget of \$1,365,442.25 be established for this project via additional appropriation, by motion, of \$260,771 from the Sewer Maintenance Enterprise Fund (Fund 318), \$32,500 from TDA-LTF (Fund 319) and \$135,171 from RSTP (Fund 310.).

Council discussion ensued. **M/S – Mello/Yoder** to adopt a Resolution of the City Council of the City of Willows authorizing the City Manager to sign a contract with Knife River Corporation for the N. Butte Street and N. Sacramento Street reconstruction project and approve an overall budget for the project. All Ayes and the motion unanimously passed 5/0.

M/S – Hansen/Yoder to approve appropriations of \$260,771 from the Sewer Maintenance Enterprise Fund (Fund 318), \$32,500 from the TDA-LTF (Fund 319) and \$135,171 from RSTP Funds (Fund 310) to be used for this project. All Ayes and the motion unanimously passed 5/0.

b) Consider adoption of a Resolution appointing Robert W. Hunt as the City Attorney:

City Attorney Gary Krup has advised city management that he is prepared to resign as the City Attorney, at the pleasure of the Council; following appointment of a new City Attorney. During the August 25, 2015 regular City Council meeting the Council directed staff to reach out to Robert Hunt to solicit a proposal for the possible replacement of Mr. Krup as the next City of Willows City Attorney.

Mr. Hunt expressed an interest in the potential appointment as City Attorney and provided the attached proposal for providing City Attorney services for the City of Willows. Staff is recommending appointment of Mr. Robert W. Hunt as the City Attorney, effective immediately upon appointment. Following a brief transition period with Attorney Krup, constituting the exchange of relevant legal matters currently residing with Mr. Krup's office, a formal resignation acceptance ceremony will be scheduled with the City Council; as is customary with this type of executive transitional period.

Council Member Williams stated that he must have misunderstood what happened at the August 25 meeting and he thought the City's intention was to take this item through a formal RFP process. Mayor Domenighini reminded Council Member Williams that at the August 25 meeting, staff proposed to the Council a few different options to choose from as it pertains to the recruitment and appointment of a new City Attorney. The Council consensus during that meeting was to have the City Manager contact Mr. Hunt, as he is a reputable attorney and has done very professional and successful legal work for the City in the past. Mr. Hunt also represents other entities in Glenn County so he is often in the area. If Mr. Hunt declined to take on the City of Willows as a client, only at that time would the City prepare an RFP.

Brief Council discussion ensued. **M/S – Yoder/Hansen** to adopt a Resolution describing duties of the City Attorney and appointing Robert W. Hunt to the position. The motion unanimously passed 5/0.

c) Consider adoption of a resolution authorizing a specific modification to the City Holiday Schedule and directing the closure of City Hall for one week between Christmas Eve and New Year's Day:

It has been customary in past years to modify the Holiday Schedule for Administrative Staff at City Hall during the long term furlough period to close City Hall during the Christmas Holiday period. Last year the Council denied the closure. However, it is staff's recommendation that this should become an annual consideration of the City Council; due to the imposition of the recently adopted "required leave utilization" policy approved by the City Council effective September 1, 2013, in conjunction with Resolution number 25-2013. Whereupon closure of City Hall during the late seasonal Holiday period will facilitate the usage of required leave hours as stipulated by Council action two years ago. This modification to City Hall Hours only impacts the Unrepresented Administrative Management Staff located in City Hall.

Staff proposes a modification to the Holiday Schedule as follows: Close City Hall in observance of Christmas Eve, Thursday, December 24 and extending the closure through Sunday, January 3, 2016 and reopening for regular business on Monday, January 4, 2016.

Historically, this has been a very uneventful week with very little to no business being conducted and the phones are virtually silent. Additionally, with such a small administrative staff, many members have already made vacation plans and will not be available to work during that week, so some City Services may not even be available if there is a need for them. Last year the City Manager was the one and only person in the office during that week and there was nearly no activity during that week which naturally made for very long days. Staff is requesting that the City adopt a Resolution authorizing a specific modification to the City Holiday Schedule and directing closure for one week between Christmas Eve and New Year's Day.

Council discussion ensued and the only Council Member that was agreeable to the closure was Vice Mayor Hansen, who stated that he has felt bad for voting against the closure last year because there are really only three business days that are effected by the closure and this is a time when most families are on vacation and there is not a lot of activity going on that he believes would require City Hall to be open.

That said, Council Members Yoder, Mello, Williams and Mayor Domenighini disagreed and believed it would not be acceptable to authorize a week long closure of the Administrative Offices and they believed it should remain open, even if only one employee was present to run operations.

Police Chief Jason Dahl stated that the Police Department would be open during that week and he offered to have the Police Administrative Secretary help to cover.

It was **moved** by Council Member Hansen to adopt a Resolution amending the City Holiday Schedule and authorize closure of City Hall for one business week between Christmas Eve and the New Year's Holiday. The motion died for a lack of a second.

The Council asked staff if they would like to amend the Resolution to remain open on only certain specific days that week rather than be closed for the entire week and bring the modified Resolution back before the Council for consideration at the next City Council meeting. Staff respectfully declined.

- d) Discuss & Advise – Additional General Fund Appropriation to add one patrol officer to the personnel roll for the Willows Police Department and replacement of one command vehicle for the Willows Fire Department:

At the request of the Council, these items were returned from the August 25 City Council meeting to tonight's meeting for deliberation. The City Manager, Steve Holsinger, gave a general description and recap of these items/requests and it was his recommendation that Council may want to consider tabling these items until the Mid-Year Budget Review. The Council members agreed, stating that it is not fiscally prudent to look at these expenditures at this particular time. The unanimous consensus of the Council was to table these items of discussion to the Mid-Year Budget Review meeting.

14. Council Member Reports:

- Vice Mayor Hansen reported that the last Transit & Transportation meetings had been cancelled. He also reported that he spoke at the Willows Rotary Meeting last Thursday and he spoke about the City's direction and future goals.
- Council Member Mello reported that he attended a LAFCO meeting last Thursday. He also reported that there is a LAFCO meeting scheduled for August 10.
- Council Member Williams stated that he attended the September 10 Library Board of Trustees Meeting.
- Mayor Domenighini reported that he plans to attend the Oct 8 Elk Creek Library Open House.

15. Adjournment: Mayor Domenighini adjourned the meeting at 8:23.

Dated: September 22, 2015

NATALIE BUTLER

City Clerk

The City of Willows is an Equal Opportunity Provider