MINUTES OF THE WILLOWS CITY COUNCIL REGULAR MEETING HELD
September 23, 2014

1. Mayor Cobb called the meeting to order at 7:00 p.m.

2. **PLEDGE OF ALLEGIANCE:** Mayor led the Pledge of Allegiance.

3. **ROLL CALL:**

   Present: Domenighini, Taylor-Vodden, Mello, Hansen & Mayor Cobb.
   Absent: None

4. **Agenda Review:** It was **moved** by Council Member Hansen and **seconded** by Council Member Domenighini to accept the September 23, 2014 agenda as presented. The motion unanimously passed.

5. **Presentations & Proclamations:** None

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

Willows Chamber of Commerce President, Jamie Millen, updated the Council on upcoming Chamber of Commerce activities, events and fundraisers.

7. **Consent Agenda:**

It was **moved** by Council Member Hansen and **seconded** by Council Member Mello to approve the Consent Agenda as presented. The motion unanimously passed and the following items were approved/adopted:

a) Approval of General, Payroll & Direct Deposit Check Registers. (27862-27916; Z05536-Z05575; 33347-33370)

b) Approval of Minutes of the August 26, 2014, Regular City Council Meeting.

c) Approval of the City of Willows Statement of Investment Policy as submitted.

8. **Public Hearings:** None

a) TK Development, LLC Appeal of Planning Commission Action (Continued from August 26, 2014 City Council Meeting).

The City Manager stated that this is a continued public hearing that the Council is required to conduct in order to hear any comments from the public who wish to speak to this issue. He also stated that the City received a letter from TK Development requesting that the Council allow them to withdraw their appeal. There was also a letter received from a citizen who resides close to the site of this Senior Housing project that is requesting that the Council uphold the Planning Commission's original decision to require a concrete fence/barrier and not allow a wooden fence to be erected instead. The City Manager is requesting that the Mayor open the continued hearing at this time and at the end of any testimony or discussion, the Mayor should close the hearing

and the Council should then take an action, by motion, to either accept or deny TK Development's request to withdrawal their appeal. The City Manager assured the Council that by their accepting the request to withdraw the appeal, there are no changes to any part of the project and does not affect anything that the Planning Commission has done or stipulated. By the Council's acceptance of allowing the appeal to be withdrawn, that would preclude TK Development from filing any subsequent appeal, so this would put an end to this process.

Mayor Cobb opened the Public Hearing at 7:12 p.m. and hearing no comments from the public, he subsequently closed the Public Hearing at 7:12 p.m. It was then **moved** by Council Member Taylor-Vodden and **seconded** by Council Member Domenighini to accept the request from TK Development to withdraw their appeal. The motion unanimously passed.

b) 2014/2015 Supplemental Law Enforcement Service Fund (SLESF) Program Funding:

The City of Willows is slated to receive SLES Funding for 2014/2015 from the State of California and has been authorized to receive $100,000 for the fiscal year. Government Code 30062 requires that the Police Chief submit a spending plan to the City Council for approval after a public hearing that is required to be conducted each year. The legislative intent remains the same as previous years and the funding of personnel is a priority for local agencies. The plan approved by the Council for 2014/15 SLES funds called for using the money to fund a Police Officer potion ($97,439), along with funding for projects & supplies ($2561).

This year's proposal is to again be the primary funding source for a Police Officer position (with the General Fund being utilized for the remaining personnel cost for the position) and to provide project/supply funds. Council has already approved a spending plan for the SLES funds for 2014/15 via the adoption of the 2014/15 Budget.

Staff is requesting that the Mayor open the required public hearing and by motion, approve the proposed allocation of the 2014/2015 Supplemental Law Enforcement Service Funds.

Mayor Cobb opened the Public Hearing at 7:14 p.m. and hearing no comments from the public, subsequently closed the Public Hearing at 7:14 p.m. It was then **moved** by Council Member Domenighini and **seconded** by Council Member Hansen to approve the proposed allocation of the 2014/2015 Supplemental Law Enforcement Service Funds. The motion unanimously passed.

9. <u>Ordinances:</u> None.

10. <u>Items introduced by City Council or Administrative Staff for discussion purposes only:</u>

- City Manager Steve Holsinger stated that he has recently had a request from 3CORE to meet with all interested parties to discuss the Comprehensive Economic Development Strategy (CEDS) that the City would like to prioritize and pursue in the coming years. Typically in the past this has been done at the staff level and with the Economic Development Steering Committee. He believes this would be an opportune time to perhaps try to schedule a joint meeting with the City Council and the Planning Commission to review those items and to discuss their vision for the future over the next

four years and to hear what 3CORE has in the way of offering suggestions for funding opportunities. He stated that if the Council had an interest in scheduling such a meeting, setting something up in the next 45 days would be ideal.

Brief discussion ensued and it was the consensus of the Council to schedule a special joint City Council and Planning Commission Meeting for October 28 at 6:00 p.m. just prior to the regular City Council Meeting scheduled to be held at 7:00 p.m. that evening.

11. <u>New Business:</u>

a) Consider directing Staff to work with the Rural Community Assistance Corporation (RCAC) to conduct a Sewer User Fee Study and report to the Council any results and/or recommendations:

Sewer User Fees are used to fund operations, maintenance and improvements of the City's sewer collection and treatment system. The City last conducted a Sewer User Fee Study in 2004 which resulted in rate increases phased-in from 2005-2008. There have been no rate changes since 2008.

Rural Community Assistance Corporation (RCAC) is a nonprofit organization that provides technical assistance, training and financing to rural communities and will provide a rate study to the City of Willows at no cost to the City.

The Sewer User Fee Study will provide an explanation and justification of calculated sewer rates for the City. Rates will likely be calculated for the next five fiscal years and must be in accordance with the requirements of XIIID et. Seq. of the California Constitution, commonly known as Proposition 218, which mandates that the fee or charge imposed is commensurate with the benefit received by those paying the fee.

Staff is requesting that the City Council direct them to work with the Rural Community Assistance Corporation (RCAC) to conduct a Sewer User Fee Study and report to Council with any results and/or recommendations.

It was **moved** by Council Member Domenighini and **seconded** by Council Member Taylor-Vodden to authorize City Staff to work with the Rural Community Assistance Corporation to conduct a Sewer User Fee Study and report to Council the results and/or recommendations. The motion unanimously passed.

b) Discussion concerning the Council's preference of Regular City Council meeting dates, times and frequency in accordance with Ordinance #701-2014:

Recently the Council directed staff to draft revisions to Title II, Section 2.05 of the Willows Municipal Code, regarding specific language establishing a date, time and frequency of City Council meetings. An Ordinance was adopted by the Council during the September 9, 2014 regular City Council session. This new Ordinance will become effective in early October and requires Council to determine days, time and frequency of meetings to be established by a Resolution of the City Council. Council should establish a consensus for the preference of which week day they wish to conduct their regular Council Sessions in the future. Additionally, the Council should establish the time of each regular meeting and the monthly frequency of meetings to be incorporated in the Resolution. Alternative days and times are available contingent upon City Council preference. The previous code section specified Regular Monthly Meetings to be held the second Tuesday of each month at 7:30 p.m. Staff would recommend for consideration a continuation of the Second Tuesday or Wednesday of each month as the specified regular monthly meeting day. Second monthly meetings could be scheduled as deemed necessary by the Council. Time could be changed to any half-hour increment between 5:30 and 7:30; with staff preference for a 6:00 p.m. starting time. Special Meetings of the City Council shall be scheduled in accordance with State Law governing special meeting requirements. Staff is seeking direction from the City Council to develop a Resolution as required by the new Ordinance.

Lengthy discussion ensued among the Council and ultimately it was the majority consensus of the Council to conduct Regular City Council Meetings on the second and fourth Tuesdays of each month at 7:00 p.m. and that Special Meetings would be held in accordance with State Statutes. Staff was directed to prepare a Resolution to go before the Council for adoption at the next Regular City Council meeting. This change will take effect on January 1, 2015.

12. <u>Council Member Reports:</u>

a) The Utilities subcommittee, consisting of Council Members Domenighini and Taylor-Vodden, gave an update about their meeting with Public Works Director, Skyler Lipski, which occurred on September 11.

b) The GCI Communication subcommittee, consisting of Council Members Hansen and Mello, gave an update on the progress of an upcoming project that will showcase and feature the City of Willows in a series of four 1-minute videos.

c) Council Member Mello announced that he attended a 911 Candlelight Memorial Service at the Veterans' Memorial Hall. He also announced that there will be a Zombie Survival Run on October 26.

d) Council Member Hansen reported that he attended the last Transit & Transportation Meeting on September 18.

13. <u>Executive Session:</u> Pursuant to California Government Code Sections 54950 et seq., the City Council convened into a Closed Session at 8:13 p.m. More specific information regarding this closed session is indicated below:

a) PERFORMANCE EVALUATION – Pursuant to Government Code § 54957 (b) (1), which states:

"Subject to paragraph (2), nothing contained in this chapter shall be construed to prevent the legislative body of a local agency from holding closed sessions during a regular or special meeting to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee unless the employee requests a public session."

TITLE: City Manager

b) CONFERENCE WITH LABOR NEGOTIATOR(S) Pursuant to Section 54957.6

Agency Negotiators: City Manager Steve Holsinger
Finance Director Tim Sailsbery

Employee Organization(s): Willows Unrepresented Employees

14. Report-Out from Executive Session:

Council reconvened into Open Session at 9:42 p.m. with the following report-out:

No reportable action was taken by the Council and direction was provided to Staff.

15. Adjournment: Mayor Cobb adjourned the meeting at 9:43 p.m.

Dated: September 23, 2014

NATALIE BUTLER

City Clerk

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