

Williams City Council Minutes

810 E Street / P.O. Box 310, Williams, CA 95987

Minutes
December 12, 2007

The City Council of the City of Williams meets this 12th day of December 2007 at the hour of 7:00pm.

1. PRESENT: Council Members Patricia Ash, Mark Azevedo, Eddie Johnson, Angela Fulcher, and Don Barker, Mayor.

ALSO PRESENT:

Gail Richardson, City Finance Officer
Jim Manning, City Administrator
Ann Siprelle, City Attorney
Jim Saso, Williams Chief of Police
Rene Miles, City Clerk

Others:

Sally Barker, Kelly Ornbaun, Rex Mayes, Ron Simmons,
Mary Lewis, Todd Mehr, Anil Patel, S. Singh, Ben Felt,
Manisha Patel, and other Williams citizens.

2. Mayor Barker opens the meeting at 7:00pm leading with the Pledge of Allegiance.
3. Mayor Barker declares time for a period of public comment.

After hearing no comment from the public, Mayor Barker closes the period of public comment.

4. Mayor Barker declares time for approval of the Consent Agenda. It is moved by Council Member Ash, seconded by Council Member Azevedo, to approve the Consent Agenda items a-c as follows:
 - a. Approval of Meeting Minutes for November 14, 2007
 - b. Approval of Treasury Report for October 2007
 - c. Approval of Warrants for November 2007

Consent motion carried by the following vote:

Ayes: Council Members Ash, Azevedo, Fulcher, Johnson,
and Mayor Barker

Noes: None
Abstain: None

5. Mr. Manning addresses the Mayor and City Council regarding Resolution 07-19 – Application for Funding and Execution of a Grant from the Planning/Technical Assistance Allocation of the State CDBG Program. Mayor Barker opens a Public Hearing. After hearing no comment from the public, Mayor Barker closes the Public Hearing. Council Member Fulcher motions to adopt Resolution 07-19, seconded by Council Member Johnson, authorizing the City Administrator to apply for \$35,000 from the State CDBG Program, Planning/Technical Assistance Allocation for Preparation of an Enterprise Zone Application and authorizing the use of up to \$5,500 from the City of Williams Program Income Funds. After hearing no further comment, motion is carried by the following vote:

Ayes: Council Members Ash, Azevedo, Fulcher, Johnson,
and Mayor Barker
Noes: None
Abstain: None

6. Mr. Manning speaks regarding Ordinance 164-07 – Amendment to Chapter 10.40, Truck Routes, of the Williams Municipal Code, which would result in a truck route designation change for 7th Street north of E Street. Council Member Azevedo motions to continue this item to the next regular meeting of the City Council. Motion seconded by Council Member Johnson. Motion is then carried by the following vote:

Ayes: Council Members Ash, Azevedo, Fulcher, Johnson,
and Mayor Barker
Noes: None
Abstain: None

7. Election of Officers, Mayor and Mayor Pro-Tem. Mayor Barker calls for nominations for Mayor. Council Member Fulcher moves to appoint Patricia Ash. Nomination seconded by Council Member Azevedo. After hearing no further comment, motion is carried by the following vote:

Ayes: Council Members Ash, Azevedo, Fulcher, Johnson,
and Mayor Barker
Noes: None
Abstain: None

After electing Patricia Ash as the new Mayor, the meeting is turned over to Mayor Ash. Mayor Ash then calls for nominations for Mayor Pro-Tem. Council Member Azevedo moves to appoint Don Barker for Mayor Pro-Tem. Council Member Johnson seconded the nomination for Don Barker as Mayor Pro-Tem. Mayor Ash also then moves to appoint Angela Fulcher. Following protocol by moving to appoint the first

nominee first, motion for appointing Don Barker to Mayor Pro-Tem was then carried by the following vote:

Ayes: Council Members Azevedo, Barker, and Johnson
Noes: Council Member Fulcher
Abstain: None

Council Member Don Barker has been appointed for the new Mayor Pro-Tem.

8. Appointments to Committees. Mayor Ash has previously discussed with Mr. Manning and department heads regarding the committees and has made a few changes. There will be no liaison the Police Department or to the Public Works department. There will not be an Airport Advisory Committee. Mayor Ash went on to appoint Committee members, as recorded on the attached document, entitled "2008 Commissions and Committees".

9. Mr. Manning speaks regarding Resolution 07-14, Adoption of Map Showing the Proposed Boundaries of Assessment District No. 2007-1. He explains the reasoning behind the Assessment District, as well as the goals of the Assessment District. He further added that this will cost approximately \$460 per year for each residential property within the district. In addition, once the rates are established, they cannot be raised. He also discussed the timeline and expressed the need for immediate action, to include ballot distribution as early as tomorrow, and setting January 30, 2008 as a Public Hearing date and also the date the City will be counting the ballots.

Mr. Simmons, from the community, asked why the public would vote "yes" to this Assessment District? Mr. Manning explained that an informative letter was mailed out previously and will be mailed out again with the ballots to explain to each property owner in both English and Spanish why this is in the public's best interest. Also, Mr. Simmons, community member, inquired about the "white sections" on the map, and this was explained to him.

Jerome Fournier from PMC also spoke to the Council and the public regarding this matter and explained pertinent concepts, including cost allocation. He handed out the Preliminary Engineer's Report to the Council for their reference. He explained how Prop 218 has mandated that every property with the Assessment District must be assessed; no properties may avoid being assessed. Total Cost per EDU is \$8,640.51. Mr. Fournier also mentioned that the darkened properties on the map were properties that were not a part of the Assessment District.

Next, Mr. Warren Diven from Best Best & Krieger addressed the Council to further explain the Resolutions that are being brought forth at this

meeting and what they mean for the City. He further stated that at the conclusion of the Public Hearing on January 30, 2008, where community members can speak on this issue, the ballots will be tabulated and the City Clerk will give a report regarding the assessment ballots that are received. If there is a majority protest, he states that the City is prohibited by law to move forward. If, however, no majority protest exists, then the Council has the discretion, as a legislative body, to form the Assessment District if they so choose. He states that it is also important to note that the ballots are weighted based on the amount of the assessment proposed against the particular property for which the ballot is committed. He also stated that the Resolutions being presented tonight are somewhat out of sequential order. He stated that the Resolutions should be numbered differently so as to follow the order they should be presented in. Therefore, Item No. 10 on today's Agenda should be Resolution 07-15, Declaring Intention to Order the Construction of Certain Improvements to be of Special Benefit; Describing the District to be Assessed to Pay the Costs and Expenses Thereof; and Providing for the Issuance of Bonds. Then, Item No. 11 should be Resolution 07-16, Giving Preliminary Approval to the Report of the Assessment Engineer, Setting the Time and Place for a Public Hearing and Ordering the Initiation of Assessment Ballot Procedures for Assessment District No. 2007-01.

Council Member Johnson asks what happens if the proposal for the Assessment District is turned down. Mr. Manning states that if there is a majority protest, that the cost will most likely be attached to monthly utility bills, and will probably cost the community a higher amount.

Council Member Azevedo asks what happens if the ballots are not returned, would they count against the Assessment District being formed? Mr. Diven states that if someone doesn't submit a ballot, it doesn't count against the Assessment District.

After hearing no further comments, Council Member Barker motions to adopt Resolution 07-14, adopting the map showing the proposed boundaries of Assessment District No. 2007-01. Motion seconded by Council Member Azevedo. Motion is then carried by the following vote:

Ayes: Council Members Azevedo, Barker, Fulcher, Johnson,
and Mayor Ash

Noes: None

Abstain: None

10. Mr. Warren Diven specifically discussed to need Resolution 07-15, renumbered and discussed first – Declaring Intention to Order the Construction of Certain Improvements in Proposed Assessment District 2007-01; Declaring the Improvements to be of Special Benefit;

Describing the District to be Assessed to Pay the Costs and Expenses Thereof; and Providing for the Issuance of Bonds. After hearing no further comments, Council Member Fulcher motions to adopt Resolution 07-15, allowing the City to set the amount of the assessment based upon the Engineer's Report, establish January 30, 2008 as the public hearing date, and establish the assessment ballot procedures. Motion seconded by Council Member Johnson. Motion is then carried by the following vote:

Ayes: Council Members Azevedo, Barker, Fulcher, Johnson, and Mayor Ash
Noes: None
Abstain: None

11. Mr. Warren Diven speaks regarding Resolution 07-16, renumbered and discussed after Item No. 10 - Giving Preliminary Approval to the Report of the Assessment Engineer, Setting the Time and Place for a Public Hearing and Ordering the Initiation of Assessment Ballot Procedures for Assessment District No. 2007-01. After hearing no further comments, Council Member Barker motions to adopt Resolution 07-16. Motion seconded by Council Member Azevedo. Motion is then carried by the following vote:

Ayes: Council Members Azevedo, Barker, Fulcher, Johnson, and Mayor Ash
Noes: None
Abstain: None

12. Mr. Warren Diven explains Resolution 07-17, Establishing Local Procedures to Implement Requirements of Article XIID of the Constitution of the State of California and the Proposition 218 Omnibus Implementation Act Applicable to Assessment Ballot Procedures. After hearing no further comments, Council Member Azevedo motions to adopt Resolution 07-17, Establishing Local Procedures to Implement Requirements of Article XIID of the Constitution of the State of California and the Proposition 218 Omnibus Implementation Act Applicable to Assessment Ballot Procedures. Motion seconded by Council Member Barker. Motion is then carried by the following vote:

Ayes: Council Members Azevedo, Barker, Fulcher, Johnson, and Mayor Ash
Noes: None
Abstain: None

13. Mr. Manning speaks regarding Resolution 07-18, Public Works Standard Plans. Mr. Manning states that the current plans have been in use since approximately 1988, and the new plans are more comprehensive. After hearing no further comments, Council Member Azevedo motions to adopt Resolution 07-18, implementing new Public

Works Standard Plans. Motion seconded by Council Member Barker. Motion is then carried by the following vote:

Ayes: Council Members Azevedo, Barker, Fulcher, Johnson, and Mayor Ash

Noes: None

Abstain: None

14. Mr. Manning speaks regarding Resolution 07-20, Application to State Department of Housing and Community Development for an Over the Counter Loan for Granzella's and Use of City Program Income Funds. Council Member Azevedo recuses himself due to potential conflict of interest regarding this matter. Mayor Ash inquired regarding the turnaround time on this. Mr. Manning stated that it would probably be sometime in January. Council Member Johnson inquired regarding the terms on the loan, and it was discussed that these matters would be negotiated and addressed before loan papers were signed. After hearing no further comments, Council Member Barker motions to adopt Resolution 07-20, authorizing the City Administrator to retain a consultant to prepare an Over the Counter application to the State Department of Housing and Community Development and Authorize the Use of up to \$500,000 of Program Income Funds as part of the loan. Motion seconded by Council Member Johnson. Motion is then carried by the following vote:

Ayes: Council Members Barker, Fulcher, Johnson, and Mayor Ash

Noes: None

Abstain: Council Member Azevedo

15. Mr. Manning speaks regarding CDBG Planning and Technical Assistance Grant #05-PTAA-1506 Closeout and Final Product Submittal. This is in regards to the Geographical Information System that was installed on our City's computers recently. Mayor Ash opened a Public Hearing. After hearing no comments, Mayor Ash closed the Public Hearing. Council Member Johnson then motioned to accept the final project. Motion seconded by Council Member Barker. Motion is then carried by the following vote:

Ayes: Council Members Azevedo, Barker, Fulcher, Johnson, and Mayor Ash

Noes: None

Abstain: None

16. Mayor Ash declares time for reports.

City Attorney: Nothing to report.

City Clerk: Attended City Clerks New Law & Election Seminar last week. Seminar included presentations on Applying Ethics Programs in our City, Guidelines for Public Noticing, and Changes in the Law governing Electronically Stored Information, Developing a Litigation Hold Process, Assessment of Document Retention Policies, and Inventory of Computer Systems.

City Treasurer: Not present (for the last year, noted by Mayor Ash)

17. Mayor Ash declares time for Council Reports and Committee Updates:

Council Member Azevedo: Gave updates on committees.

Council Member Fulcher: Gave updates on committees.

Council Member Johnson: Gave updates on committees.

Mayor Ash: Gave updates on committees.

Mayor Pro-Tem Barker: Gave updates on committees, as well as summary of the last year and looking forward into 2008.

18. Mayor Ash declares time for Staff General Reports and Discussion.

City Administrator: Gave Wastewater Treatment Plant summary; explained power outage and well.

City Finance Officer: Explained that the City's audit is ongoing.

Police Chief /Code Enforcement: K-9 Unit is ready; Having recruitment issues; Goats being sold at flea market; trespassing concerns and alley issues.

Fire Chief:

Not present. Fire department report given by Council Member Azevedo.

Public Works:

See attached Report.

Mayor Ash adjourns the meeting at 8:50pm to reconvene in Regular Session on January 9, 2008 at the hour of 7:00pm.

Approved: _____
Patricia Ash, Mayor

Attest: _____
Rene L. Miles, City Clerk

2008 Commissions and Committees

COUNTY COMMISSIONS:

LOCAL TRANSIT AGENCY & TRANSPORTATION

Jim Manning, Pat Ash (Alternate)

Fourth Tuesday 3:00 p.m. in Board of Supervisors Chambers

LOCAL AGENCY FORMATION COMMISSION

Don Barker, Angela Fulcher (Alternate)

First Thursday 3:00 p.m. meeting place to be announced

COLUSA COUNTY PARTNERSHIP/ONE STOP

Pat Ash, Eddie Johnson (Alternate)

Meetings held quarterly ~ Next Meeting Monday March 10, 2008

CITY COMMITTEES:

FINANCE COMMITTEE

Pat Ash, Don Barker, and Gail Richardson

Meet as needed

PERSONNEL COMMITTEE

Pat Ash and Eddie Johnson

Meet as needed

WILLIAMS FIRE DISTRICT JPA

Mark Azevedo and Don Barker

Third Monday 5:00 p.m. in Williams Council Chambers

GENERAL PLAN UPDATE COMMITTEE

Pat Ash and Don Barker

Meet as needed

ECONOMIC DEVELOPMENT CORPORATION

Eddie Johnson, Pat Ash (Alternate)

Meet as needed

SCHOOL EDUCATION LIASON

Angela Fulcher, Mark Azevedo (Alternate)

Third Thursday 7:00 p.m. in High school library

SEWER AD HOC COMMITTEE

Pat Ash and Don Barker

Meet as needed

REVOLVING LOAN ADVISORY BOARD

Don Barker and Eddie Johnson

Meet as needed

WILLIAMS COMMUNITY CENTER

Angela Fulcher, Eddie Johnson (Alternate)

Third Wednesday 6:30 p.m. at VFW Hall

SACRAMENTO VALLEY MUSEUM

Pat Ash

First Thursday 4:00 p.m. at Sacramento Valley Museum

COLUSA COUNTY REGIONAL MEDICAL CENTER

Angela Fulcher, Pat Ash (Alternate)

Third Wednesday 7:00 a.m. at Colusa County Regional Medical Center

COLUSA COUNTY FAIR BOARD

Angela Fulcher and Pat Ash

Fourth Thursday 7:00 p.m. at the Fairgrounds in Festival Hall

BOARD OF SUPERVISORS

Eddie Johnson, Angela Fulcher (Alternate)

Every other Tuesday 8:00 a.m. in Board Chambers