

CITY OF WILLIAMS

Council Minutes

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

REGULAR MEETING OF THE CITY COUNCIL

WEDNESDAY, JANUARY 5, 2011, 6:00 P.M.

ROLL CALL:

COUNCIL MEMBERS PRESENT: Patricia Ash, Don Barker, Angela Plachek-Fulcher, John Troughton, Jr., Alfred Sellers

COUNCIL MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Charles Bergson, City Administrator
Ann Siprelle, City Attorney
Rex Greenbaum, Finance Officer
Sally Barker, City Treasurer
Sue Vannucci, Deputy City Clerk
James Saso, Police Chief
Wes Goforth, Public Works Director

Mayor Plachek-Fulcher called the regular meeting of the City Council of the City of Williams to order at 6:00 p.m., and led those in attendance the Pledge of Allegiance.

PUBLIC COMMENT

None.

CONSENT

On a motion by Council Member Ash, seconded by Council Member Troughton, Jr., and carried unanimously, Council approved the following Consent items as presented with amendments to the December 15, 2010 meeting minutes:

MINUTES

Council adopted the minutes of the regular meetings of October 20, 2010 and November 3, 2010, the joint special meeting of the Redevelopment Agency and the Council of November 5, 2010, the special meeting of the Council of November 9, 2010, the adjourned joint special meeting of the Public Financing Corporation and the Council of November 30, 2010, and the regular meeting of the Council of December 15, 2010 as amended. Those amendments included on page 4 indication that City Attorney Siprelle had attended the meeting with two Council members and the Sacramento Valley Museum Board; to remove the



word “strongly” in reference to Council Member Barker’s statement and to clarify that Council Member Barker stated he did not want supervision or control over the Museum Board meetings but Council should act as liaison. He feels the letter to the Museum Board should be to initiate discussions only and is opposed to Council serving as a member on the Board.

TREASURER’S INVESTMENT REPORT

Council accepted the November 2010 Treasurer’s Investment Report as presented.

OLD BUSINESS

COUNCIL BOARD AND COMMISSION ASSIGNMENTS

Council determined the Boards, Committees and Commissions on which they wish to serve during 2011.

On a motion by Council Member Barker, seconded by Council Member Ash, and carried unanimously, Council appointed the following to serve on the Planning Commission for four years: Edward Davis, Nancy Marshall, and Joel Sanders, with the Bob Freeman and David Miles to serve two years.

Council Member Barker said he had understood there may have been issues with attendance with some of the Planning Commission members. City Administrator Bergson said the attendance has been good of late. The Deputy City Clerk will determine if there are alternative ways of addressing attendance issues in the Code.

RESOLUTION 11-01 – CONFLICT OF INTEREST CODE

On a motion by Council Member Barker, seconded by Council Member Troughton, Jr., and carried unanimously, Council adopted Resolution 11-01, a “Resolution of the City Council of the City of Williams Approving and Adopting an Amended Appendix of the Conflict of Interest Code Pursuant to the Political Reform Act of 1974”.

BUSINESS LICENSE FEE

Council received information from City Administrator Bergson on rental properties and the fees they are charged for licensing. There are some possible changes recommended and he suggested that all of the changes considered, should be included in the Bartle Wells fee study currently underway. Council concurred.



RESOLUTION 11-02 – SPECIAL EVENT PERMIT FEES

Police Chief Saso said the Resolution would clean up some of the salary costs to be consistent with the current Memoranda of Understanding. By adopting the Resolution language, it would cover all of the issues and would include a statement referring to the current salary. The permit request should be submitted to the Public Works Department rather than the Police Department.

On a motion by Council Member Ash, seconded by Council Member Troughton, Jr. and carried unanimously, Council adopted Resolution 11-02, "A Resolution of the City Council of the City of Williams, California Establishing Application and Public Service Fees for Special Event Permit Fees".

CAPITAL IMPROVEMENT PROJECT 11-12 – PARKS REHABILITATION

City Administrator Bergson said bids for Project 11-12, Parks Rehabilitation, were requested beginning in October and were opened mid-December. It is recommended that the base bid and the fencing be approved with the apparent low bidder as Dutton. The funding will come from Proposition 40 funds and Park Impact funds. The Veteran's building is not to be included in the bid at this time. There will be some improvements at 7th and E Streets, but lighting would need to return to Council for approval. The fencing is the small one to surround the new park. Council Member Ash asked about the netting behind the park and City Administrator Bergson said the cost would be \$80,000 or more. We are not pursuing that at this time. Mayor Plachek-Fulcher if the diamond is even feasible without fencing. City Administrator Bergson said it is possible to reorient the field. Council Member Ash said the original diamond was at the southwest corner by the well and faced at an angle. City Administrator Bergson will look into that. The fencing for that configuration would not be as costly.

Mayor Plachek-Fulcher said she has spoken with the Board and the window period for the funds is closing in March. She was directed to speak with Dan Obermeier, and he does not feel they will be moving fast enough so we need to have a plan in place in order to act fast. Ron Simmons from the Community Center said they have some timelines as well. City Administrator Bergson said his understanding is the deadline is March 30th and he will verify the date. Finance Officer Greenbaum said Mr. Obermeier is a Consultant and we can probably do it in house. Mayor Plachek-Fulcher said he is the Community Center Consultant and we will use him.

Council Member Sellers asked if Column B, Base plus Alternative 2 would be on hold and City Administrator Bergson said we are set to go with the full



Alternative 2 and will award the contract. Council Member Ash asked if the City Engineer is being informed regarding this and kept in the loop. City Administrator Bergson responded to the affirmative.

On a motion by Council Member Barker, seconded by Council Member Ash and carried unanimously, Council awarded Construction Contract for Project 11-12, Parks Rehabilitation to Dutton Construction for the Base Bid amount and Alternate 2 in the amount of \$154,266.23.

Mayor Pro Tem Troughton, Jr. asked for a verbalization of the funding breakdown. The total possible cost for the project, with contingencies as needed, could be as much as \$204,266.23. The funding for the project, including possible contingencies is at \$184,000.00 from Proposition 40 Funds and \$20,266.23 from Park Impact Fees. Council Member Barker said we were approved for \$240,000 several years ago that would be lost if not used by 2011. The money was to be divided up for the museum, community center and parks and via grant.

K-9 CONTRACT

Police Chief Saso said we are currently using a company called D. O. G. S. for our canine services. The owner sold to his business at Vigilant Canine Services International (VCSI). The owner is a Police Officer with the City of Elk Grove and will continue his employment with VCSI. They will be continuing the contract; have provided insurance, performance statistics and time of performance. Mayor Pro Tem Troughton, Jr., asked if they could disqualify a dog and Chief Saso said they could do so. The contract will be continuing at the same cost as we have at present.

On a motion by Council Member Ash, seconded by Council Member Barker and carried unanimously, Council authorized the award of a three year Professional Services Agreement in the amount of \$7,200 with Vigilant Canine Services International for K-9 Unit training.

REPORTS:

City Attorney	Nothing to report.
City Clerk	Nothing to report.
City Treasurer	The City Treasurer reported on the cash and investments as identified in the written report under Consent items.



COUNCIL REPORTS AND COMMITTEE UPDATES:

Council Member Ash	Attended a JPA meeting with the Fire District and discussed the Memorandum of Understanding. Met with staff, Fire Chief, and the Museum Board who are involved in the preparations for the 100 th Anniversary Celebration.
Councilmember Barker	Attended the Regional Medical Center meeting and met with the City Administrator.
Council Member Plachek-Fulcher	Attended the usual meetings.
Council Member Sellers	Nothing to report.
Council Member Troughton, Jr.	Attended a JPA meeting with Fire District and participated in negotiations with the Firefighters. Met with Public Works, the Police Chief and the City Administrator.

STAFF GENERAL REPORTS AND DISCUSSION:

City Administrator	Met with Bartle Wells on fees and generated a letter to SCORE informing them of our plan to discontinue services with them effective June 30, 2011. Taking quotations on a possible replacement company. Expecting a disbursement of funds. Finance Officer Greenbaum said we have approximately \$100,000 with SCORE that will returned to the City at some point. Service should improve with another company. City Administrator Bergson said an Employee luncheon was held in December. Williams Fire Department Sportsmen Night will be held next month. We have received approval from the State to spend the funds for parks. He delivered a check for the permit to run basketball program. There is a Joint Use Agreement with the School District by which we do not charge them for use of our facilities and they are not to charge the City for use of
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their facilities. However, they have charged the City for use of their facilities for the basketball program at \$1900. Council Member Barker said the language in the Agreement was that we could use their facilities and equipment and they could use ours all without charge and perhaps we need to re-evaluate our position. City Administrator Bergson said the Joint Use Agreement is coming up soon and Council will be asked to meet with the District. There are 6 basketball teams and all have paid to play. We have collected over \$1000. Sent letter to El Rancho Hotel to pay their Transient Occupancy Taxes as they have not paid in over ten years. There was snow in the City during the holidays. He received a letter from Museum that they will not be holding the Antique Show this year. Their decision it is a concern as it brings business and attention to the City. He would like to approach them about some other agency to run the show. Mayor Plachek-Fulcher feels it is extremely short notice for the City to do anything. The vendors and participants have already been notified by the SVMB that the event has been cancelled. Kathy Manor, from the Museum, said some phone calls could be made and some participants may be able to participate. The City Administrator would like to address the situation within the next week and see if the City can get support to hold the event. Kathy said there is space for 19. She has a list but they may have already filled in with other events. Council directed the City Administrator to assess the support for the event. Mayor Plachek-Fulcher would like the museum lease negotiations to be placed on the next Council Agenda. She also requested that the Building Department provide a verbal report on a monthly basis. Council Member Barker would like the Finance Committee to present a report as well. Mayor Plachek-Fulcher said they are looking at some of the



numbers. The City Treasurer could provide information but Council Member Barker said the Treasurer is not a member of the Finance Committee. Mayor Plachek-Fulcher requested the Treasurer be listed as a Member. Council Member Barker said the citizens should be advised on a continuing basis of the financial situation of the City. Mayor Plachek-Fulcher said when there is something to report, the Committee does so. Mayor Pro Tem Troughton, Jr., said the Committee has not had a meeting and asked that the meeting date be changed to Wednesday afternoons rather than Tuesdays. He does not want it to be felt the Committee is not adequately reporting to the Council. The Bonding Company have come to talk to them. When questions are asked of the Finance Officer, he responds that we are spending within our means and holding the line. He could provide more detailed information from the meetings.

Police Chief

He said it has been pretty quiet. He provided a written copy of the statistics through last year and summarized the totals.

Fire Chief

Not present. Council Member Ash said there will be another meeting on January 18th.

Public Works Director

Director Goforth distributed a written report and indicated there were power outages on both Christmas and New Year's. Well 9 is back in service. With the rains over the last several weeks, we have received more water than needed. There was snow during the holiday as mentioned. The treatment is at 74% completion. In the last two days, 16 tons of road patch have been laid. City Administrator Bergson, Associate Engineer Jamie Speer, and he will meet with City Engineer Cecil Dillon this week on transportation funds to be prioritized. At present the Safe Routes to School and



ARRA project as funded. Mayor Plachek-Fulcher asked if the money will go toward the area in front of the Post Office. Director Goforth said the areas will be patched and P. G. & E. will come back when they move the pole to patch again. The contractor wants to do the paving all in one day and will be charged. It will put in permanent at some future time. We are on the list and he will get the actual text from them. CalTrans has been very helpful.

It was stated that Council needs to be careful about getting into too much discussion on items not on the Agenda and is concerned about the Brown Act. They should ask that a report or a response to questions on the issue at hand be returned at the next meeting of the Council.

Finance Officer

Finance Officer Greenbaum said the audit is nearly done. Next week the Smith Hotel foreclosure is going through with the County. He announced that he has an addition to the family.

City Attorney Siprelle cited the Brown Act and quoted, "No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative, or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to the rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body as a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda."

Mayor Plachek-Fulcher asked about the increase water rates and is it falling under the Bartle Wells fee study. Finance Officer Greenbaum said this is the previously approved increase fee rate is going forth as planned



RECESS

At 7:20 p.m., Mayor recessed the regular meeting of the City Council to meet in Closed Session.

CLOSED SESSION

At 7:25 p.m., Council met in Closed Session to hold a conference with Real Property Negotiators pursuant to Section 54956.8. The property was identified as Assessor Parcel Numbers 016-070-036 (28.02 acres) and 005-201-037 (13.64 acres). The Agency Negotiator was the City Administrator and the Negotiating Parties, the City of Williams and the Property Owner. Under Negotiation were price and terms of payment. Present at this session were Mayor Plachek-Fulcher, Mayor Pro Tem Troughton, Jr., Council Members Ash, Barker and Sellers, City Administrator Bergson, City Attorney Siprelle and Finance Officer Greenbaum.

ADJOURNMENT

At 7:40 p.m., Mayor Plachek-Fulcher adjourned the closed session of the Council.

APPROVED:

Angela Plachek-Fulcher, Mayor

ATTEST:

Susan L. Vannucci, Deputy City Clerk

Adopted by Council: January 19, 2011