

City of Williams

Council Minutes

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

JOINT REGULAR MEETING OF THE CITY COUNCIL AND THE WILLIAMS REDEVELOPMENT AGENCY

WEDNESDAY, JANUARY 19, 2011, 6:00 P.M.

ROLL CALL:

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

COUNCIL MEMBERS ABSENT: Alfred Sellers

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

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

At the request of staff, Council moved the following items for discussion following the Consent Calendar:

WRESTLING PROGRAM

RESOLUTION 10-11 - REDEVELOPMENT PLAN; RESOLUTION 11-11 -
REDEVELOPMENT PRELIMINARY REPORT

PUBLIC COMMENT

Jean Terkeldson, resident of Williams, asked Council to provide a letter to the U. S. Army Corps of Engineers in opposition to the proposed permit for the Cortina Integrated Waste Management landfill project at the Cortina Indian Rancheria along Strode Creek. The City did not receive the notification at all although we are to be involved. Council directed City Administrator Bergson to prepare such a letter of opposition for the Mayor's signature.



CONSENT

On a motion by Council Member Ash, seconded by Council Member Barker, and carried by the members present, Council approved the following Consent items as presented with changes to the minutes:

MINUTES

Council adopted the minutes of the Regular Meeting of the City Council of January 5, 2011 with the Deputy City Clerk to check on who had reminded Council they could not discuss issues at length that were not on the posted Agenda.

FINANCIAL REPORT

Council received the Financial Report from the Finance Officer for the Month of November 2010.

NEW BUSINESS

WRESTLING PROGRAM

City Administrator Bergson said a late request had been received from the wrestling program to utilize the Old Gym. There is consideration of providing for this program through the City's Parks and Recreation program.

Nik Willis said he teaches at the high school and operates this program. It has been an institutional program through USAA. There are issues with the program through the District and he would prefer to run it through the City if possible. The charter program covers the liability for the building and the participants are also covered through their membership fees in with USAA. Should the City oversee the program, the fees would cover the liability. Their proposed schedule is to be based on the State wrestling season that runs November through March. He will provide a proposed schedule to the City. He will handle bathroom and facility cleanup directly. He will need to completely familiarize himself with the insurance issues and plans to begin his program earlier in an effort to generate more interest. Fund-raising is an option, along with fees to make the program self-sufficient.



City Administrator Bergson suggested the participants maintain their own insurance coverage for the activities as the City should not be insuring this program. City Attorney Siprelle said all participants should sign a liability waiver.

Mr. Willis would like the program to go forth this year if possible. As Council has concerns about the insurance, he could continue to run it through the national group at this time.

On a motion by Council Member Barker, seconded by Council Member Ash, and carried by the Members present, Council approved the request for waiver of fees requiring submission of a Facility Use Application Permit, Proof of Insurance and signatures on liability forms for use of the Old Gym by the Wrestling Program holding the City harmless.

REDEVELOPMENT AGENCY

RESOLUTION 10-11 - REDEVELOPMENT PLAN; RESOLUTION 11-11 - REDEVELOPMENT PRELIMINARY REPORT

James Simon of RSG, briefed the Board on the process to implement the Redevelopment Agency. The project area 624 acres which is half of the City. It includes the old downtown area and surrounding residential areas. The purpose is to provide the Agency the financial resources that are allocated to Redevelopment Agencies for infrastructure improvements and opportunities for economic development. This can include revitalization of the downtown area, encourage application for grants and loans, etc. There are approximately 400 areas pursuing redevelopment, one of which is the entire town of Colusa.

Ya-Yin Isle, Project Manager with RSG, said the two actions before the Board are (1) a Resolution to refer the Redevelopment Plan to the Planning Commission for a report and recommendation. The Commission will consider this item at their February 28, 2011 meeting. This Plan will guide the activity of the Agency and provides the framework by which the Agency will proceed. The Plan will need to be updated every five years; (2) the Preliminary Report is the meat of the document. It focuses on the physical and blight conditions. The Agency is being asked to approve a Resolution to refer the report to the taxing agencies. It will give them the documentation as why we are doing this process and provide them with concrete items on which to review and report. It also describes the reasons why the City is forming the RDA. The City must meet urbanization requirements and has some preliminary assessments. It involves some general projects, a programs section and how they will move toward eliminating blight in the project area.



She said they are about half way through the project. The next document will be the report to the Council with additional information provided. At the time the report is reviewed on April 20, 2011, a joint Public Hearing will be called to hear comments. Prior to this Public Hearing, there will be community meeting to answer questions from the property owners and citizens. The Agency will then adopt the Plan.

Mr. Simon said the Governor's proposed budget indicates elimination of Redevelopment altogether. He has presented an idea of perhaps allowing Cities to raise taxes to fund Redevelopment and has said he would lower the voter approval to 55 percent. Ms. Simon feels this proposal would shut down the remaining businesses and the amount of taxes local agencies could raise would still be insufficient to fund the need. It is an early time in the budget process and the Governor met today with the group of Mayors throughout the State seeking input on what Cities would trade to keep funding for Redevelopment. The League of California Cities is very clear about their opposition to the proposal. The Senate Republican leaders have opposed the idea.

City Attorney Siprelle said there is nothing concrete to respond to at this time and the Legislature is proposing urgency Legislation at the Governor's direction. When that is in place, we will have something to go on. Finance Officer Greenbaum said we have spent about half of the funds thus far and asked Mr. Simon if this is legally encumbering the funds. Mr. Simon said we have an agreement on the cost incurred thus far and we do not know how that would work. City Attorney Siprelle said if we are not permitted to collect the tax increment there will not be any fund to pay back and we do have a contract.

On a motion by Board Member Ash, seconded by Board Chairperson Pro Tem Troughton, Jr., and carried by the Members present, the Agency Board adopted Resolution 10-11, a "Resolution of the City of Williams Redevelopment Agency Referring the Proposed Redevelopment Plan to the Planning Commission for Report and Recommendation"; and Resolution 11-11, a "Resolution of the City of Williams Redevelopment Agency Referring the Preliminary Report for the Proposed Redevelopment Plan for the Williams Redevelopment Project to the Affected Taxing Agencies, Department of Finance and Department of Housing and Community Development."

OLD BUSINESS

SACRAMENTO VALLEY MUSEUM BOARD

City Administrator Bergson said he had approached the Museum as Council had directed regarding the cancellation of the Antique Show and advised



Council that City staff will be operating the event with the assistance of Kathy Manor from the Museum.

City Attorney Siprelle said the City had received a letter from the Sacramento Valley Museum Board responding to the City's proposal to amend the Lease. It appears there is general agreement with all requested amendments except: (1) Council membership/representation on the Museum Board; (2) the Museum assuming payment of the utility costs; and (3) withholding from the \$750 per month rent the Museum is charging to the house located on the property to cover the City's cost for any needed repairs. She suggested that the Board respond and provide input and then hear input from the Council on each item.

Mayor Plachek-Fulcher inquired of the Board whether the statement from the City Attorney was accurate regarding the standings of the items mentioned. Representing the Board, Kathy Manor indicated agreement that the three items were the only ones outstanding. Mayor Plachek-Fulcher inquired of Finance Officer Greenbaum for input on the maintenance costs for the Museum. Public Works Director Goforth said there had been no costs at this time. Ms. Manor indicated the Museum covered all costs for maintenance through the rent received from the house. The renter contacts her if there are any needs or repairs related to the house, she presents the request to the Board and they decide how they are going to cover the cost. If the City receives the money from the rent, the Museum would have no idea on how much is being spent on the maintenance and it is harder to track. Mayor Plachek-Fulcher said the City is the property owner and lessor and it should not be the responsibility of the Museum to deal with that aspect of operation. She suggested the City take out a set amount of the rent each month for expenses and the Museum would get the rest. Council Member Ash said she had met with the tenant who had indicated the only issues of concern were that a coat of paint is needed and the windows were nailed shut. Mayor Plachek-Fulcher indicated when something major happens or is needed on City property, such as the Museum, our Public Works Department responds and the Museum does not have to pay labor costs. This takes the financial responsibility away from the Museum. Council Member Barker requested that the City Administrator provide a set amount to come out of the monthly rental payment. City Administrator Bergson suggested 2½ to 5% for routine maintenance. Council Member Barker suggested 10% which is \$75 per month.

The Museum Board Members present indicated concurrence with the 10%. Dixie LeGrande provided background in that the high school principal had lived in that home on the site. In 1963, the Museum Curator was allowed to live



in the house for rent free. In the recent past those who wanted the Curator position were more interested in the free rent rather than management of the Museum. It was then determined the rent proceeds would pay for the cost of the Museum Manager.

The City Attorney will work on the final Lease document with the changes indicating the rent would go to the City with a 10% hold for expenses. The remaining portion of the rent would be transmitted to the Museum, beginning with the rent for February due on the 18th of each month. The effective date of the new Lease would be March 1, 2011.

Mayor Pro Tem Troughton, Jr. said he had originally brought up the consideration of Council Member representation on the Board due to some issues of concern that had arisen. After further consideration, he believes that a liaison format would be more suitable to further cooperation and assistance the City can provide. He would like to propose that periodic financial reports be provided to the Council from the Board to alleviate any concerns that may arise throughout the year. These reports from the Board would allow for advance notice on possible issues that could become costly should they not be addressed early on. He feels the City should continue to pay the utility bills as a means to support the Museum.

Board Member Barbara Mayberry said Council should be advised of the background on the utility. Ms. Manor said the Museum had held an event during the cold months which necessitated operating the heaters for a period of three days. The bill for that hearing was \$900 and following payment of the expenses, the Museum netted \$200. Due to these high costs for heating, the Board decided to close the facility in the winter. Should the Museum be required to pay the electricity, they would not run the heat or air conditioning, which would compromise the collection.

Mayor Pro Tem Troughton, Jr. is concerned about the health of the building without heat as it can cause structural problems. The City should be proud of this facility but needs to have oversight on the finances to prevent issues from becoming a surprise.

Mayor Plachek-Fulcher said from a business point of view, the City should not be paying the bills for a property in which we have no involvement or oversight. As an example, should a business approach the City and indicate their presence here would be an asset to the City, we would not be paying their bills. The Museum should share the cost of operation. We are paying for something in which we have no vested interest. Board Member Arno Martini said the Museum is a non-profit, not a business and is an asset to the community.



Council Member Ash suggested that perhaps it is an appropriate time for the Museum Board to consider raising their membership fee. Ms. Manor indicated that issue is scheduled for discussion at the next Board meeting.

Dixie LeGrande said the Board and Council can partner in their efforts to consider financial needs. The Board will provide a quarterly financial statement, consider increasing the membership fees, and make a larger effort to draw more visitors in by coinciding with other types of events scheduled in the area such as the upcoming Farm Show to draw people to the museum. This would mean opening during the winter on these significant dates and paying the heating costs. We could consider partial payment of the utilities once our relationship is redefined.

Ms. Manor indicated the City had been paying the utility bills for over ten years. Mayor Plachek-Fulcher said the building is under-utilized. Ms. Manor said as she is a part-time staff member only, it is difficult to increase the usage. With additional events at the site the fees could pay for more time for her or for additional help.

Council Member Barker asked if the utilities were separate for all of the structures and Director Goforth said they are all separated out, except for the water. Council Member Barker feels the City should handle all of the maintenance of the site, pay the utilities, and act as liaison to the Board only.

City Administrator Bergson said the Museum is an asset to the City and events such as the Antique Show are good for the community. The Museum attracts visitors to the City but it cannot stand alone. As the City is a benefactor to that draw, he recommends we pay the cost for the utilities.

Council Member Ash expressed concern that when Council is out in the public they represent the City, and recommendations made are representative of the City. She must point out when the rules of order are not being followed. Mayor Pro Tem Troughton, Jr. said it would be difficult to find someone who cares as much about the Museum as Council Member Ash. He would like these issues to be settled as quickly as possible. We must respect the opinions of all involved even if they are ill thought.

Finance Officer Greenbaum said we need to be cautious with the utility bill costs. If we leave the amount open-ended we could be paying up to \$40,000 in utility bills. He would recommend establishment of guidelines on how much we would be willing to pay.



Board Member Carolyn Vann said the power is separate, but questioned the separation of the water. Director Goforth said the water comes off the park meter. The Museum Park is on the same meter, but he will verify. The Museum staff watches usage on utilities closely. Board Member Martini said if there are issues, the City can bring those issues to the Board's attention.

City staff will do some additional research on the utilities bills to insure accuracy. P. G. and E. can also be contacted to perform an audit on the account.

Ms. LeGrande thanked Council Member Ash for her participation and involvement at the Museum. The City and the Board are on the same page and have the same goal. More information is needed on the accurate and consistent pattern as to the costs. She indicated that when Phil Martel was on the Museum Board he was instrumental in initiating the Antique Show. He served as an individual on the Board and not as a representative of the City of Williams. City Attorney Siprelle said any Member of the City Council could serve as an individual not representing the Council. Ms. LeGrande said they have been following Roberts Rules of Order but there are times we all need to be brought back into the focus. Council assistance as a liaison and input relating to maintenance to address accessibility are necessary. City Attorney Siprelle said this is an historic building and is grandfathered in relating to the accessibility issues. Council Member Ash said it is not that compliance with the law is not required, but it prevents access to those who would utilize the facility.

City Attorney Siprelle indicated this item should return when we have more information on the utility bills unless.

Mayor Plachek-Fulcher asked about the status of the grant given in 1987 with a contract for a fire alarm installation. Ms. Manor said the wiring was completed but not the fire alarm and security system. Board Member Martini said cost for the electrician ate up the funds. Council Member Ash said funds came in 1991 with a contract and nothing happened at that time either. City Attorney Siprelle said there were some issues with the Contract and the City Attorney did not approve it due to the language entirely favoring the Contractor. The Museum and City should have been protected and the money went to other things, such as museum improvements, but not what it was originally intended for.

Mayor Plachek-Fulcher said there are some Parks funds available and with the ADA, security, and fire issues, these things could be addressed through



grants. Ms. Manor said the grants should go to the City, not the Museum. Ms. LeGrande said in the past some things were decided upon and nothing was ever done. This Board is much more responsible and follows-through on things from the past or that come before them at this time. The City liaison could be involved in helping to follow through with issues to help the Museum. If we keep everyone informed and if concerns are heard, it would be brought forward and settled immediately.

Mayor Plachek-Fulcher said it appears there is concurrence that 10% of the rent cost will be held aside by the City for maintenance issues, we will look at the Pacific, Gas and Electric bills with possible cap for consideration, the City will pay water, the Board will provide quarterly reports, and a liaison will be appointed to the Board with the understanding that individual Council Members may apply to serve on the Board as citizens. The Museum Board and City Council concurred. City Attorney Siprelle said she will revise and return the Lease Agreement for the Museum with a blank space should Council determine a cap on the amount of utilities to be paid, and with a Residential Lease for the house.

NEW BUSINESS

WILLIAMS VOLUNTEER FIREFIGHTERS' ASSOCIATION SPORTSMEN'S NIGHT

City Administrator Bergson said the Williams Volunteer Firefighter's Association had submitted their request for the Sportsmen's Night event to be held on February 19th. Director Goforth said he has the signed application and there are no costs to the City.

On a motion by Council Member Ash, seconded by Council Member Barker, and carried by the Members present, Council approved the request of the Williams Volunteer Firefighter's Association for a special event permit for use of the Old Gym for their Sportsmen's Night event as indicated.

LOCAL TRANSPORTATION FUNDS PLAN

City Administrator Bergson said the County is requiring a Plan indicating the spending for the Local Transportation Funds. The proposed uses were \$44,000 for the E Street Pedestrian Improvements, \$50,000 for general street repairs; \$168,214 for repairs to Husted Road and \$50,000 for downtown sidewalk repairs. He would like to also include the stamping of horseshoes on the sidewalks as they are replaced.



Mayor Plachek-Fulcher said before we proceed with re-stamping the horseshoes or utilizing other brands or stamps as the repairs are made, she would like Council to ponder the request. It was suggested to work with the Museum on possibilities.

On a motion by Council Member Ash, seconded by Council Member Barker, and carried by the Members present, Council approved the Local Transportation Funds Plan of Expenditure for Allocations Fiscal Years 2008-09 and 2009-10 in the amount of \$312,214 and directed staff to forward the Plan to the Colusa County Transportation Commission.

REPORTS:

City Attorney	Nothing to report.
City Clerk	Nothing to report.
City Treasurer	Nothing to report.

COUNCIL REPORTS AND COMMITTEE UPDATES:

Council Member Ash	She met with staff. The Fire Department has received \$175,000 for their heavy equipment operations vehicle. There is a grant from the USDA that will help out. We lost our ARRA (American Recovery and Rehabilitation Act) money because the casino took so long to get their money from the State.
Councilmember Barker	He met with the City Administrator.
Council Member Plachek-Fulcher	She met with the City Administrator and the Fire Chief, attended a Finance Committee meeting, and a CalPERS meeting for the new 457 Deferred Compensation Plan.
Council Member Sellers	Absent (attending the newly Elected Council Member seminar).



Council Member Troughton, Jr.

He met with the Police chief, the Public Works Director and the City Administrator. He also attended the Fire Board meeting and the Finance Committee meeting. He reported that our budget is right on the estimated revenues. In order for the improvements to be made on the East side property, another well is needed and bonds will be the funding mechanism to cover. They also discussed the proposed truck stop, school needs, and the proposed AM/PM.

STAFF GENERAL REPORTS AND DISCUSSION:

City Administrator

He has met with the County regarding plans for the Veteran's building. The owner of the Smith Motel has filed for bankruptcy which delayed the foreclosure.

City Attorney Siprelle said they are reviewing this filing as the application does not appear to be complete. She feels we will be able to protest because it was a bad faith filing and should be able to get the sale back on track.

He met with Ms. Manor on the Antique Show and reservations are coming in. The list of 19 who have been included in past years have until January 31st to get their applications in. The Parks and Recreation program basketball league kicked off on the 9th with six teams. He attended an Airport Advisory meeting and they are considering a bio-energy project near the airport. He has been meeting with the Interim Planner on various projects. Lloyd Green has indicated the newspaper may go bi-weekly and we may want to consider it as local paper of circulation. The Water Treatment Plant is about 2/3 done. Straw Hat Pizza



has a temporary Certificate of Occupancy but they still owe the City some documents and fees. Radio 99.1 called Monday for a brief interview that will air on Sunday. Harassment Training was held on Tuesday. He and Finance Officer Greenbaum had phone conference with the Consultant about an Environmental Impact Report for the Redevelopment Agency. The Building Inspector will be present at the February 2nd meeting for the introduction of the Ordinance o the updated Building Code.

Police Chief

Absent.

Fire Chief

Mayor Pro Tem Troughton, Jr. said we almost have an approved Memorandum of Understanding with the Firefighters and their Finance Officer. The City is putting some money up to help with the salaries. The Strike Team Policy is still an issue.

Public Works Director

On February 2nd the acceptance of the Well 9 will come before Council. It is back on line. Asphalt patches have been done. We have heard no news from P. G. & E. Security doors have been ordered for the annex and will be here in two to three weeks. He met with the Fire Department and the fence came down today. He attended the Harassment training. The staff is back to five day week, eight hour days.

Finance Officer

He said the Smith Motel case should go on January 24th but will probably be pushed back and will go to auction on the County Courthouse steps. The audit update is mostly complete and there are only a couple of issues.



RECESS

At 8:05 p.m., Mayor Plachek-Fulcher recessed the joint regular meeting of the City Council and Redevelopment Agency Board to meet in Closed Session.

CLOSED SESSION

At 8:06 p.m., Council met in Closed Session to discuss Public Employee Performance Evaluation pursuant to Section 54957, for the City Administrator. Present at this session were Mayor Plachek-Fulcher, Mayor Pro Tem Troughton, Jr., Council Members Ash and Barker and City Administrator Bergson.

ADJOURNMENT

At 8:30 p.m., Mayor Plachek-Fulcher adjourned the closed session of the Council.

APPROVED:

ss: Angela Plachek-Fulcher, Mayor

ATTEST:

ss: Susan L. Vannucci, Deputy City Clerk

Adopted by Council: February 16, 2011