

City of Williams

Council Minutes

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

JOINT REGULAR/REDEVELOPMENT AGENCY BOARD

MEETING OF THE CITY COUNCIL

MARCH 2, 2011

6:00 P.M.

ROLL CALL:

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

COUNCIL MEMBERS ABSENT: None

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

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 the Pledge of Allegiance.

PUBLIC COMMENT

Anil Patel from Williams said there was a concern about the parking spaces on Seventh Street. This has been an issue on the commercial vehicles and the big dip, damage to the road and trucks getting stuck. He has asked the City to repair the Street and has been told it cannot be repaired. The dip goes into the driveway and his vehicles get stuck. He wants the same consideration as the other hotel owners who have been granted assistance.

CONSENT

On a motion by Mayor Pro Tem Troughton, Jr., seconded by Council Member Ash, and carried unanimously, Council approved the following Consent items.



MINUTES

Council adopted the minutes of the regular meeting of the Council held on February 2, 2011.

ORDINANCE 185-11 – 2010 STATE CODES

Council waived the second reading and adopted Ordinance 185-11, "An Ordinance of the City Council of the City Of Williams Amending Chapters 15.04, 15.08, 15.12, 15.24, and 15.26 of and adding Chapter 15.06 and 15.10 to the Williams Municipal Code, adopting by Reference the 2010 Edition of the California Building Standards Code (California Code of Regulations, Title 24); Incorporating the 2010 California Building Code; the 2010 California Electrical Code; the 2010 California Mechanical Code; the 2010 California Plumbing Code; the 2010 California Fire Code; the 2010 California Residential Code and the 2010 California Green Building Standards Code".

OLD BUSINESS

SACRAMENTO VALLEY MUSEUM

City Attorney Siprelle indicated a copy of the most recent lease has been provided to Council and the Museum Board and she has received a question on paragraph 12 from Kathy Manor, Executive Director of the Museum. She is requesting that outside groups to be able to use the Museum for events and the current language would not provide for a sub-lease. City Attorney Siprelle will amend the language to insure such use. She did get a new legal description which will be attached as a separate exhibit. The other issue was a requirement that the Museum have set open hours and days of the year. Now the language says the Museum would provide a list of previous activities and those known to be planned for the upcoming year. Mayor Plachek-Fulcher feels they should be required to be open a certain amount of time as we are paying all of their bills. Mayor Pro Tem Troughton, Jr. asked if that subject was brought up at their meeting and Mayor Plachek-Fulcher said they had just received the revisions and had not had time to adequately review them prior to the meeting. Mayor Pro Tem Troughton, Jr., is concerned because of their volunteer group and having only one paid staff member. As they depend upon volunteers to help staff the facility, it may not always be convenient or possible for them to open. Council Member Ash said there are many days they just do not open and the posted times are not adhered to. Mayor Pro Tem Troughton, Jr., said if it is to be set that in the Agreement, how are we going to determine the hours open. Mayor Plachek-Fulcher said if the City is paying their bills, they have no reason to open.



City Administrator Bergson said that Ms. Manor indicated they are agreeable to being open a set number of days per year. Council Member Barker agrees there should be set hours and days as visitors from out of town go to the site and find they are not open as indicated on the schedule. Council Member Ash said currently the Museum is closed November through March and open on every Thursday, Friday, and Saturday otherwise. Mayor Plachek-Fulcher said that a paid person should be on site every Sunday and Mayor Pro Tem Troughton, Jr., agreed. Council Member Ash said driving by there is no visible indication that the Museum always looks closed.

Mr. Patel, hotel owner, said he has the Museum posted on their guest directory as a place to visit and has had complaints that they are not open when they are scheduled to be open. Mayor Plachek-Fulcher said they should be open Friday, Saturday and Sunday, not Thursday, Friday and Saturday. Mayor Pro Tem Troughton, Jr., would like to see four open days per week during late spring through October. Council Member Ash said they are always closed on Fourth of July. City Attorney Siprelle said the Council could give direction to the Mayor as she is the liaison, have the Board determine what days they would like to be open, and then memorialize it in the Lease. Council Member Barker said we need signs to be posted where easily visible so that citizens and visitors know when the Museum is open.

NEW BUSINESS

ANTIQUA SHOW

City Administrator Bergson said the City is coordinating the Antiqua Show and all 19 spaces are leased out. There will be many visitors present for the event and we need to set aside the funds necessary so that all we collect can be utilized to pay the expenditures. A fund is to be established and an appropriation of approximately \$3,000 of City funds is the suggestion to be allocated. Council Member Ash asked if the profits could be used for the Historic Downtown Square. Mayor Plachek-Fulcher said it should go into the Antiqua Show fund for use next year. Mayor Pro Tem Troughton, Jr., said it would just be the profits, following all expenditures covered that should be set aside for next year. City Administrator said Council did commit to \$2,000 in October prior to knowledge that the Museum would not be holding the event. Council Member Ash asked if the money was coming out of the Council special events fund. Finance Officer Greenbaum indicated to the affirmative. City Administrator Bergson said the event pays for itself. We have also collected \$2,400. Council Member Barker said the City should not be running activities like this and it should be handled by the Parks Division or some other organization.



On a motion by Mayor Pro Tem Troughton, Jr., seconded by Council Member Barker, and carried unanimously, Council approved the appropriation of all revenue received from the Sacramento Valley Museum 34th Annual Antique Show and Sale to the General Fund; established a Council Special Event Antique Show Budget; authorized an amount of \$3,000.

GENERAL PLAN AND ZONING ORDINANCE UPDATE CONTRACT

City Administrator Bergson said the City is at about 70% on the Plan update. Initially we took into consideration that the Traffic portion had been updated previously. However, there are some costs tied to a review of the updated Traffic portion in that a determination is needed to be certain it does work in conjunction with the General Plan. Some of the costs for this contract amendment are to review any comments received related to the Traffic element, that cost being approximately \$2,000, with the total amendment at \$17,000 to \$25,000.

Paula Daneluk, of Development Impact, Inc., said the General Plan Update has been reviewed and they are working with the air and noise consultants to complete the draft Environmental Impact Report. There were two elements left out, housing and circulation. Staff has been negotiating with us on these additional elements. Council Member Ash asked how there could be such a broad differences between the \$17,000 and \$25,000. Ms. Daneluk anticipates standard comments will come from citizens, but they are not sure if additional analysis will be needed. If so, the range of dollars in place will cover those additional costs. Council Member Ash asked about the traffic circulation and how that works. Ms. Daneluk said she does not have expertise as a Traffic Engineer but explained briefly the concept. It models where the traffic patterns will be based upon the path the citizens would normally follow from their homes to other locations in or out of the City. Sometimes the Traffic Engineer will do this. Because this is more related to land use, there was a lot negotiations between the experts in the field. Mayor Pro Tem Troughton, Jr., said in 2008, A.B. 1358 was passed and asked how this impacts the initial contract. Ms. Daneluk said that was not part of their original scope of work, but they have now been asked to do this. The Traffic Engineer has done one piece, and Planner Price said they are all working on components of this. Mayor Pro Tem Troughton, Jr., said we started at \$236,000 for this update and will be increasing to \$362,000. The Council is now being asked to add additional money that he feels should have been included in the original contract. Ms. Daneluk said when they negotiated with the City they were told the Traffic Engineer would be doing this portion.



Council Member Barker asked about the traffic area zone and said it came to the City after the fact. Ms. Daneluk said they were negotiating with the City under a very aggressive timeline. They were also discussing the Redevelopment Agency Plan under a time crunch. In good faith they tried to work this out in advance and did not come back to them to seek the amendment. Council Member Sellers, Jr. said this was not included in the document, housing and circulation. Ms. Daneluk said they were hired to do the entire plan except the housing and traffic. They were told we had an on-call Traffic Engineer that would be handling this. This is why an additional amendment is before the Council now to due to the extra work required. The contract is bare bones and they are trying to get the City to where they need to be. This is a not-to-exceed cost to do the additional work.

Planner Price said he has been working with City Administrator Bergson and Ms. Daneluk on the circulation update and will be moving forward. This is a gap that should be filled. Taking the 1988 Plan and developing an update tht is realistic is the goal. If you have those land uses in place and the other areas are updated, they need to meld together. With the unanticipated EIR put together with the other unanticipated elements the entire plan can them move forward effectively. Mayor Plachek-Fulcher said when Council signed the Agreement, it was understood all of the pieces were included. We then found there were missing elements and now need additional funds to fill in those pieces. Planner Price said at the very beginning when discussions were being held with staff, the City had indicated the Traffic Element would be handled by our Traffic Engineer. Council Member Sellers, Jr., asked how long this plan would be valid before becoming antiquated. Planner Price said it is a 20 year plan. The Housing Element requires a 5 to 7 year update, has its own schedule and it must be consistent with the General plan, but does change more often. The circulation element has many changes and it is very aggressive due to the land use for commercial and industrial. The cumulative effects of the City at build out need to be identified and analyzed. In 20 years it is not anticipated we will be at build out. Council Member Barker asked if there will be any additional charges before this is wrapped up. Ms. Daneluk said this was specifically left out of the contract because they had been told the City would handle it in-house. They would be happy to let staff do it and, if so, they would not expect any cost overruns to our original contract. Planner Price said increased cost they are proposing is a very good price for what they are doing.

Council Member Sellers, Jr., asked when the update will to be completed. Ms. Daneluk said there was a very aggressive schedule in the beginning. The General Plan Advisory Committee wanted additional time which slowed the process down somewhat. It is anticipated the Plan to be completed in the Fall. The draft EIR will be the end of April or the first part of May.



On a motion by Mayor Pro Tem, Troughton, Jr., seconded by Council Member Ash and carried unanimously, Council authorized the City Administrator to sign Amendment No. 1 to the Professional Services Agreement between the City and Development Impact, Inc., for a comprehensive update to the City of Williams General Plan and Zoning Ordinance, in an additional amount of \$25,975 to total \$362,637 to complete the preparation of the General Plan and Zoning Ordinance update.

REDEVELOPMENT AGENCY BOARD

COUNCIL RESOLUTION 11-08 AND AGENCY RESOLUTION 12-11 – OWNER PARTICIPATION RULES, REPORT TO COUNCIL, REDEVELOPMENT PLAN

Ya-Yin Isle of RSG, Inc., said the Council and Board have Resolutions before them to adopt the Owner Participation Rules and call for a Public Hearing. There is an error noting that educational facility location is to be included and it has been deleted at the request of the schools. The second correction is on page 63 as the building is on 5th Street, not 11th Street. The Report to Council has some additional research information and analysis has been done with some new sections on crime rates. It includes various sections that are required by Community Development law. In Section C in the Report to Council, the 5 year Implementation Plan appendix is included requires an update every five years with a more focused Plan to help and guide the Agency. The next document is to adopt the Owner Participation Rules. These are the Rules for property owners, business owners and businesses in the Redevelopment are to insure that owners have a reasonable opportunity to participate in redevelopment of their property. It allows for negotiation with persons other than the owners. The last item is to have the Board and Council set a Public Hearing on April 20th. The purpose is for the Council and Agency to hear testimony and consider that testimony prior to adoption. It will be mailed to all property owners, businesses and residents. There will also be a community meeting to address some concerns and questions from those of interest to allow them to provide input. The Hearing is scheduled for March 30th, 6:00 p.m.

On a motion by Council/Board Member Ash, seconded by Council/Board Member Barker and carried unanimously, the Board adopted Resolution 12-11, "A Resolution of the Redevelopment Agency of the City Of Williams, California Approving the Report to the City Council of the City of Williams and the Owner Participation Rules, Submitting the Report and the Proposed Redevelopment Plan to the City Council, and Consenting to and Calling for a Joint Public Hearing with the City Council in Connection with the Proposed Adoption of the Redevelopment



City Treasurer

Nothing to report.

COUNCIL REPORTS AND COMMITTEE UPDATES:

Council Member Ash

Citizens for a Better Williams met and Pioneering Through the Ages is theme for Pioneer Days. She met with the Williams Unified School District Board of Trustees and the Fire Board. They are negotiating on piece of land for a potential sub-station on East side. She attended the Read Across the Ages and read to the children. She also had the normal meetings with staff.

Council Member Barker

He attended the Community Center Association meeting with the Chairperson of the Board of Supervisors and the existing proposed Lease Agreement generated no interest. He is developing a new document to allow use while the Lease is finalized. He met with the City Administrator.

Councilmember Sellers

He attended two meetings with the Williams Unified School District. The dropout rate is 11.8% and State is 17%. He attended a Williams Community Center meeting. They would take over the operation of the building. He attended sexual harassment training. Awareness and addressing issues immediately were stressed.

Mayor Pro Tem Troughton, Jr.

He met with the City Administrator, the Fire Board where a Strike Team Policy was presented. He is working on a tracking mechanism between Code Enforcement and the Building Division. He attended a Finance Committee meeting

Mayor Plachek-Fulcher

She also attended the Read Across the Ages at the school, met with Supervisor



Marshall and with Jim Simons of RSG where they discussed bonds for wells and a reservoir. She met with the Department Heads and attended Museum Board meeting.

STAFF GENERAL REPORTS AND DISCUSSION:

City Administrator

He attended Colusa Transit District meeting and met with the County Auditors regarding RDA. Staff will likely move to the new City Hall annex building next Thursday, March 10th. Staff has reviewed the preliminary plans for the Fiscal Year 11-12 budgets. The Finance Committee meeting was held to discuss bonds for water needs. A traffic impact study for district 3 was held and an organizational meeting for a new soccer program was extremely well received with a large attendance. Another meeting will be scheduled. He attended a meeting on Music at the Museum to be held June through August on Thursday evenings. He met with the School District, the RDA consultant and Supervisor Marshall, attended the Planning Commission. A Notice of Loan Forgiveness in the amount of \$6 million has been received. The City originally owed \$17 M and the amount has been dropped to \$11 M on the water meter program. The study is going on now based on \$600,000 that was set in 2008. Since we owe less the proposed rate changes will come before Council and may not have to be raised as aggressively. Further discussion on this item will likely return at the first meeting in April. The article in the newspaper about our Waste Water Treatment Plant being obsolete is incorrect. Susan Meeker from the Colusa-Sun Herald agreed and said she had not written the article.



Police Chief

Sergeant Anderson distributed the Department report and indicated there were 927 events in February, 201 traffic stops, 127 citations written, 51 police reports, 34 arrests, 27 of which were misdemeanors. Mayor Plachek-Fulcher asked about the increase in the rate of arrests and Sergeant Anderson said it had to do with traffic citations and the rate is about average.

Public Works

He reported that the City Hall Annex is nearly complete. He, Chief Saso and Code Enforcement met with Mr. Patel at Travelers and identified two spots for trucks to park. When Chief Saso returns, they will finalize the process. Mayor Plachek-Fulcher asked about issuance of permits as this is a new concept before Council. City Attorney Siprelle said the process will be called "permit parking". There is no money charged for the permit but it will allow reserved spots for those businesses. The item will come back to Council as a Resolution designating spaces. Husted Road is falling apart and the bid opening for repairs will be held on March 8. A recommendation will be available that Friday. The WWTP is 82% complete and should be done at the end of April or the first of June. Training will be done. The Water Department has new hydrant maintenance software. A dechlorination system was purchased.

Finance Officer

He said the \$6 M refund should be held as we need to do a review of the WWTP rate study and a five year trend study. Council Member Ash said we were working with a \$26 M Plan that is now down to \$11 M and we should change the rates to a lower amount. Finance Officer Greenbaum said



there was some discrepancy and we now need to review the figures. This will not need to go back to the voters. The projections were not completely adequate. Audit report has some reportable comments and but we have sufficient measures in place to satisfy all of the concerns. We are monitoring the concerns and the Auditor agrees we are safe. The report should be coming early next week. The Smith Hotel appraisals seem to indicate the value would be close to we had thought. The foreclosure should continue and the cost for the appraisal could be costly. City Attorney Siprelle said there are other ways to get the bankruptcy lifted.

Fire Chief

Nothing to report.

ADJOURNMENT

At 7:26 p.m., Mayor Plachek-Fulcher adjourned the joint regular session of the Council and the Agency Board.

APPROVED:

Angela Plachek-Fulcher, Mayor

ATTEST:

Susan L. Vannucci, Deputy City Clerk

Adopted by Council: