

CITY OF WILLIAMS

Council Minutes

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

CLOSED SESSION

APRIL 20, 2011

5:30 P.M.

CLOSED SESSION

At 5:30 p.m., Council met in Closed Session to hold a conference with Real Property Negotiators, pursuant to Section 54956.8. The properties discussed were on Seventh Street and on Theater Road to support the water facility. The Agency Negotiator was Charles Bergson, City Administrator and the Negotiating Parties, the City of Williams and the Agents of the Property Owners. Under negotiation were price and terms of payment. In attendance at these sessions were Mayor Plachek-Fulcher, Council Members Ash, Barker and Sellers, Jr., City Administrator Bergson, City Attorney Siprelle and Finance Officer Greenbaum.

JOINT REGULAR CITY COUNCIL/ REDEVELOPMENT AGENCY BOARD

6:00 P.M.

ROLL CALL:

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



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.

CLOSED SESSION

Mayor Plachek-Fulcher announced that Council had met in Closed Session and that the Property Negotiator had been given direction.

PUBLIC COMMENT

Eddie Johnson asked that Council donate \$2,000 to assist in the Cinco de Mayo Celebration to be held on May 7, 2011. These funds would be to pay for the volunteers. Council Member Sellers, Jr. asked what the volunteers would be doing at the event. Mr. Johnson said traffic control, monitoring the people inside the park for alcohol, etc. Activities for entertainment have come together. Even though they are volunteers he would like to pay them to show appreciation for their service. This is the first annual celebration in the City and as such there was inadequate time raise money. Council concurred to Agendize this item for the May 4th meeting.

CONSENT

On a motion by Council Member Ash, seconded by Council Member Barker and carried by the Members present, Council approved the following Consent Calendar items as presented:

MINUTES

Council adopted the minutes of the regular meeting of the City Council of March 2, 2011 as amended.

TREASURER'S INVESTMENT REPORT

Council received and accepted the Treasurer's Investment Report for February, 2011.

FINANCIAL STATUS REPORT

Council received Financial Status Reports for February, 2011.



WILLIAMS SCHOOL ANNUAL DISTRICT DASH

Council approved the Special Event Permit from the Williams School District for their Annual District Dash to be held on May 22, 2011 and waived fees for this event.

WILLIAMS MEN'S FELLOWSHIP EASTER EGG HUNT

Mr. Marshall said the sponsors of the Egg Hunt are asking for waiver of fees for the event, which starts at 10:00 a.m.

Council approved the Special Event Permit from the Williams Men's Fellowship for their annual Easter Egg Hunt to be held on April 23, 2011 on the Sacramento Valley Museum Grounds and waived fees for this event.

Council Member Ash recused herself from the Redevelopment Agency issues due to a conflict of interest and left the Chambers. Mayor Plachek-Fulcher was selected as a "rehabilitated" Member and remained.

OLD BUSINESS – COUNCIL AND REDEVELOPMENT AGENCY

FINAL REDEVELOPMENT AGENCY REPORT TO COUNCIL - AMENDMENTS

City Administrator/Executive Director Bergson said there have been a few changes to the Final Report to Council and they need to be incorporated into the document. These changes were primarily from the School District. The other change would be that the Agency financing could be used to address differences in costs when the District is looking to purchase school sites.

On a motion by Council/Board Member Barker, seconded by Council/Board Member Sellers, Jr., and carried by the Members present, Council and the Agency Board approved the changes to the Final Report to Council from the Redevelopment Agency. The changes were incorporated into Pages 84, 133, and 134.

PUBLIC HEARING – JOINT COUNCIL/REDEVELOPMENT AGENCY BOARD

RESOLUTIONS - REDEVELOPMENT PLAN FOR THE WILLIAMS REDEVELOPMENT PROJECT AREA

Mayor/Chairperson Plachek-Fulcher said this is a joint meeting of the City Council and Williams Redevelopment Agency. She will act as the Chairperson for



the joint meeting. The purpose of this meeting is to conduct a joint Public Hearing to consider and act upon the proposed Redevelopment Plan for the Williams Redevelopment Project.

At 6:15 p.m. Mayor/Chairperson Plachek-Fulcher opened the Public Hearing.

She said the state law under which the Council and Agency are acting is the Community Redevelopment Law of the State of California. That law requires that we follow certain procedures, some of them formal, in the conduct of tonight's joint public hearing. All evidence and testimony tonight will be a part of the record of proceedings and will be considered by the Agency Board and the City Council when taking action on the proposed Redevelopment Plan for the Williams Redevelopment Project and other related actions. Persons making statements and giving testimony will be subject to questions through the Chair.

All persons wishing to speak will be given an opportunity to do so. If you wish to speak tonight regarding the Redevelopment Plan, please fill out a speaker card and hand it to the City Clerk. Speaker cards are available in the lobby.

Our order of procedure tonight will be as follows: First, the consultant with RSG, Jim Simon, will present the proposed Redevelopment Plan, the Final Environmental Impact Report, and other evidence and testimony in support of the Redevelopment Plan. We will then receive any written comments. Following receipt of the written comments, we will receive any evidence or oral testimony from those present concerning the Redevelopment Plan. Finally, following the introduction of all evidence and testimony, we will conclude the hearing. We will now proceed with the receipt of evidence and testimony.

Jim Simon said_at this time he would like to enter into the record of this joint public hearing the following documents:

- Exhibit 1 Affidavit of Publication of the Notice of Joint Public Hearing, published once a week for four successive weeks in the Colusa Sun-Herald
- Exhibit 2 Certificate of Mailing the Notice of Joint Public Hearing, together with a statement concerning acquisition of property by the Agency, to each assessee of land in the Project Area as shown on the last equalized assessment roll
- Exhibit 3 Certificate of Mailing the Notice of Joint Public Hearing to each business and resident in the Project Area



- Exhibit 4 Certificate of Mailing the Notice of Joint Public Hearing to the governing bodies of each taxing agency within the Project Area
- Exhibit 5 Certificate of Mailing the Notice of Joint Public Hearing to the State of California Departments of Finance and Housing and Community Development
- Exhibit 6 Certification of Certain Official Actions that have been taken by the City Council, the City Planning Commission, and the Agency in connection with the proposed Redevelopment Plan

Mayor/Chairperson Plachek-Fulcher said if there are no objections by Members of the City Council or the Agency, these documents will be made a part of the record. No objections were heard.

James Simon, RSG Consultant, said the Plan was prepared over the last 7 months. It provides for a 30 year Redevelopment Agency and outlines how the Redevelopment Plan would be covered by the Agency. The Plan is intended to be a guideline on how the activities will take place. It does not provide a specific land use, but utilizes the land uses in place today. All of the property uses will be governed by the current zonings, etc. and would not change. In addition to the land use, it provides for the ability to collect revenue through a means called tax increment financing. The financing does not allow for raises in tax rates. It does allow that money already collected may be utilized in a different manner, but there will be no tax rate increase. It does that by taking the increase in tax revenues naturally occurring over time to be reinvested back into the Redevelopment Area for improvements to buildings in the Redevelopment Area. The Plan contains a list of goals that are general at this stage and will be refined in other documents. They set general policies of redevelopment. Eminent domain can be used on non-residential property. No residential property would be allowed to be condemned by the Agency. It includes a list of the possible projects and programs that could be provided in the plan area.

Mayor/Chairperson Plachek-Fulcher said that persons wishing to question our consultant, Mr. Simon, on any of the evidence, through the Chair, will have an opportunity to do so when we ask for public comments. At this time, she asked if there were any questions by Members of the City Council or the Agency on the proposed Redevelopment Plan. No comments or questions were heard.

Mayor/Chairperson Plachek-Fulcher said as there were no comments or questions from the Council or Board, the proposed Redevelopment Plan will be made a part of the record as Exhibit 7.



Mr. Simon said the purpose of this hearing is to consider evidence and testimony for and against the adoption of the Redevelopment Plan. Evidence will be introduced for consideration by the City Council and the Agency in connection with the findings and determinations that must be made in the Ordinance adopting the Redevelopment Plan. The required findings and determinations are contained in Section 33367 of the Health and Safety Code. The major evidentiary findings are as follows:

- A finding that the Project Area is a blighted area meeting the legal qualifications prescribed by law, and redevelopment of the Project Area is necessary to effectuate the public purposes described in the Community Redevelopment Law;
- A finding that the adoption and carrying out of the Redevelopment Plan is economically sound and feasible;
- A finding that the Redevelopment Plan conforms to the General Plan of the City of Williams;
- A finding that the Agency has a feasible method or plan for the relocation of families and persons displaced from the Project Area if the Redevelopment Plan may result in the temporary or permanent displacement of any occupants of housing facilities in the Project Area.

There are other required statements and determinations set forth in the proposed Ordinance adopting the Redevelopment Plan, but those just mentioned are the major evidentiary findings. The evidence supporting these findings is contained principally in the Agency's Report to the City Council. Since the Report has been previously submitted to and reviewed by the Agency and the City Council and has been available for public inspection, only certain pertinent parts of the Report in detail will be covered. Testimony will also supplement the facts contained in the Report and will be considered as part of the Report.

He described the contents of the Report, summarized blight, proposed redevelopment activities, financial feasibility, and the Implementation Plan.

Mayor/Chairperson Plachek-Fulcher asked if there were any questions by Members of the Council or the Agency. She asked if there were any questions from the Council or Board. With no questions or objections heard, the Report of the Agency to the City Council was made a part of the record as Exhibit 8.

Mr. Simon said he would summarize the Final Environmental Impact Report on the Redevelopment Plan. He said it is also a part of the Report to the



City Council on the Redevelopment Plan. The Agency is the "lead agency" for the purpose of preparation of the EIR.

The report is 178 pages in length and was completed in March following the completion of the preliminary report back in January. Over that time period and following the requirements of the Health and Safety Code, the reasons for the program, the blighted conditions, the five year Implementation Plan, the method of financing, feasibility, neighborhood impact report, etc. all documents have been completed. There were conditions in the blighting and Health and Safety Code. They determined which properties needed development. Beginning in October of 2010 through January of 2011, they looked at property, consulted with staff and experts in the real estate field, worked on documentation and photos, and did a social and economic analysis. Findings are summarized on page 24 of the report. It was determined that 27% of the buildings in the area have serious building code violations. One-third in the field survey had significant deterioration or dilapidation due to long term neglect. They looked at factors preventing viable use, identified that 119 parcels are sub-standard based upon current development standards. Blight includes stagnant or depreciating property values. There are high vacancy rates in commercial buildings. Commercial facilities are lacking and crime rates are considered. They looked at whether these conditions are a burden on the community and whether they could be improved without redevelopment. There was an EIR prepared for this document and it is also referenced. The method of financing is included, which would collect tax increment over a 45 year period and does not include a tax increase. The projected tax increment and project feasibility are described on pages 121 and 122 of the report. All Redevelopment Project Areas must have a five year Implementation Plan. Any project must be consistent with the Implementation Plan and the Plan would need to be amended should a project come forward that was not consistent with the adopted Plan. During the first two to three years a Public Hearing must be held to be sure we are following the adopted plan and then held five years thereafter.

The Agency is the lead agency for the EIR. The draft was prepared by ICF International and was available for public review for 45 days. Council also reviewed. We received three comment letters that were responded to and contained in the Supplement to the EIR, which together became the final EIR. The plan is a 30 year program and there are no specific projects proposed at this time. This is a program EIR similar to a General Plan update. It is possible that any project that should come forward might trigger a supplemental EIR.

Mayor/Chairperson Plachek-Fulcher asked if there were questions by Members of the Council or the Agency on the Final Environmental Impact Report. Hearing none the Final Environmental Impact Report, as submitted, was made a part of the record as part of the Report to the City Council, separately identified as Exhibit 9.



Mr. Simon asked to have entered into the record the Rules Governing Participation by Property Owners and the Extension of Reasonable Preferences to Business Occupants in the Williams Redevelopment Project. These Rules were adopted by the Agency and have been made available for public inspection.

Mayor/Chairperson Plachek-Fulcher asked if there were any questions by Members of the Council or the Agency concerning these Rules. Hearing none, the Owner Participation Rules, as adopted by the Agency, were made a part of the record as Exhibit 10.

She said if any written comments have been received on the Redevelopment Plan, they will be placed into the record as Exhibit 11 at this time."

Mr. Simon said on Monday April 18, 2011, the City Clerk received one written comment in from A. D. Marsh. This is not an objection but a request for further information. Staff will respond and the action on the remaining items will take place at the May 4, 2011 meeting.

On a motion by Council Member Barker, seconded by Council Member Sellers, Jr., and carried by the Members present, the Council and Board deferred action on the Resolutions for the Redevelopment Plan adoption to the regular Council meeting of May 4, 2011.

At 6:43 p.m., Mayor/Chairperson Plachek-Fulcher closed the Public Hearing.

OLD BUSINESS

PROJECT 11-22 – HUSTED ROAD REHABILITATION – CONTRACT AWARD

City Administrator Bergson introduced the item and said the City authorized the bids for this project back in February. The bids came in well below the Engineer's estimate. Northwest Paving of Redding was the lowest responsible/responsive bidder and references and bonds have been verified.

On a motion by Council Member Ash, seconded by Council Member Barker, and carried by the Members present, Council directed the City Administrator to award a Construction Contract to Northwest Paving of Redding for the Husted Road Rehabilitation Project 11-22, in the amount not-to-exceed \$124,779; authorized contingency and construction support costs; directed the City Administrator to execute a Construction Contract Agreement.



THIRTY-FOURTH ANNUAL ANTIQUE SHOW AND SALE

City Administrator Bergson said the Antique Show was held on March 19 and 20, 2011 and the event was successful even with the inclement weather. The City received a profit.

On a motion by Council Member Ash, seconded by Council Member Barker and carried by the Members present, Council directed Staff to set aside revenues received from this year's show for future Antique Show expenditures.

NEW BUSINESS

CALIFORNIA INFRASTRUCTURE AND ECONOMIC DEVELOPMENT APPLICATION

City Administrator Bergson said staff has investigated various funding sources for economic development and has met with the IBank created in 1994 to promote economic revitalization. This is a State infrastructure bank that has access to various sources of funds. We have a dedicated source of funds for water and sewer and in speaking with the Bank, they encouraged us to apply for funding as we are a good candidate. They offer more favorable terms as opposed to private placement. He would like to apply for \$2 to \$2.5 million+.

Mayor Plachek-Fulcher said we have been working with an agency for several months for bonding. This Bank offers more money with the same annual cost to the City. Council Member Ash asked for clarification on IRIF. City Administrator Bergson said the fund is the Infrastructure Revolving Fund (IRIF). They have a large amount of money for specific projects. It is called a revolving fund and the payments received from the City go back into their fund. Council Member Ash said the interest is set on a monthly basis and Mayor Plachek-Fulcher said that is true until we get locked in to the program, which would be for a 10 year period. Mayor Plachek-Fulcher said the water system will make the payments through the monthly bill and it does not come out of the General Fund. Council Member Sellers, Jr. asked if it will cover water, well, etc. and City Administrator Bergson said it covers anything related to water.

On a motion by Council Member Barker, seconded by Council Member Sellers, Jr., and carried by the Members present, Council approved an application for State Revolving Fund California Infrastructure and Economic Development monies.

REPORTS

City Attorney

Nothing to report.



Deputy City Clerk She said there has been one applicant thus far for the Planning Commission.

City Treasurer She provided a summary of the Treasurer's Investment Report.

COUNCIL REPORTS AND COMMITTEE UPDATES

Council Member Sellers, Jr. He attended the Chamber of Commerce awards dinner and received recognition for judging at the County Fair. He also attended meeting at City Hall with law enforcement. He went to Colusa Medical Center meeting but there was no one there.

Council Member Ash She attended a Fire Board meeting to do the Fire Chief's evaluation. She also met with the City Administrator, the Parks and Recreation Supervisor and Manager regarding the Summer Concert program. CBW painted the Masonic Hall building and did have a signed contract with the Masons. CBW contributed 4 plants to the Park and vines that will hide the shed. She met with staff.

Council Member Barker He attended the Chamber of Commerce dinner at the Colusa Casino, the public meeting with law enforcement and the General Plan Advisory Committee meeting where the remaining elements were provided and discussed with some minor modifications made. It will now go to Planning Commission for review and comments. He met with the City Administrator on several issues.

Mayor Plachek-Fulcher She attended a Finance Committee meeting and a LAFCO meeting. She has been meeting with Public Works and the City Administrator.

STAFF GENERAL REPORTS AND DISCUSSION

City Administrator He announced the upcoming park dedication for Valley Ranch, Sierra Oaks and the Town Square for June 1st beginning at 10:00. An invitation will be forthcoming. Pioneer Days will be held on June



4th; Music at the Museum will run on June 18, July 7 and 21, August 4 and 18. Four of the needed five bands are lined up and donations have been received. The event will be at the Venice Park. Soccer registration begins on May 15th and will be held on May 22nd as well. Other dates are being added and an announcement is forthcoming. The Cinco de Mayo Celebration will be on May 7 at Venice Park. He will be out of Country from May 17th through May 26th and would like to move the second meeting of the Council to May 26th instead of May 18th. Mayor Plachek-Fulcher said she will be in Alaska on that date. He will look at the Agenda and perhaps it may not be necessary to hold a second meeting in May. He met with the representatives from the IBank, attended a League of California Cities Transportation meeting and a Public Works Policy meeting in Ontario. The recommendation is to return the Gas Tax funds to the Agencies. Council may wish to contract Congresspersons or Representatives to work on this. He held a conference call with General Plan Advisory Committee and the Interim Planner. On Monday the GPAC approved the elements with some changes and will forward to the Planning Commission. The environmental package needs a 90 day review with the public review beginning in June. The Town Square is under construction. The City is preparing for swim lessons and will open the Pool in June. The Colusa Transportation meeting Agenda was focused on the funding. The Museum house electrical is unsatisfactory and the residents have been temporarily moved to Granzella's Motel until this can be resolved. He is meeting with contractor tomorrow morning to make improvements and insure their safety before they will be moved back into the house.

Police Chief

Not present.

Fire Chief

Not present.

Public Works Director

He said the grass was to go in at Town Square today but with rain anticipated it should be in by tomorrow. The sewer line in the park needs to be

