

CITY OF WILLIAMS

Council Minutes

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

CLOSED SESSION OF THE CITY COUNCIL

MAY 18, 2011

5:30 P.M.

CLOSED SESSION

At 5:30 p.m., Council met in Closed Session for the purpose of holding a Public Employee Performance Evaluation pursuant to Section 54957, for the City Administrator. In attendance at this session were Mayor Plachek-Fulcher, Mayor Pro Tem Troughton, Jr., Council Members Ash, Barker, and Sellers, Jr.

REGULAR MEETING

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 Jim Saso, Police Chief Rex Greenbaum, Finance Officer Sally Barker, City Treasurer Wes Gorforth, Public Works Director Sue Vannucci, Deputy City Clerk Monica Stegall, City Planner Gary Price, Interim City Planner

Mayor Plachek-Fulcher called the regular meeting of the City Council of the City of Williams to order at 6:10 p.m., and led those in attendance the Pledge of Allegiance.



CLOSED SESSION

Mayor Plachek-Fulcher announced that Council had held a Closed Session for a Public Employee Performance Evaluation regarding the City Administrator and no action was taken.

PRESENTATION

CERTIFICATE OF RECOGNITION

Mayor Plachek-Fulcher presented a Certificate of Recognition to Sherrie Taylor Vann for achieving the Excellence in Teaching Literacy for Life Award from the California Foundation for Agriculture in the Classroom and the associated National recognition.

Also present was Guadalupe (Lupita) Landeros who was presented a Certificate of Recognition by Mayor Plachek-Fulcher for achievement of the California Foundation in Agriculture in the Classroom State award in writing for her story "Once Upon a Delicious Dream."

CONSENT

On a motion by Mayor Pro Tem Troughton, Jr., seconded by Council Member Barker and carried unanimously, Council adopted the following Consent Calendar items as presented:

MINUTES

Council adopted the minutes of the regular Council meeting of March 23, 2011.

RESOLUTION 11-10 (REVISED) – RESTRICTED PARKING ON SEVENTH STREET

Council indicated there is a business going in across from the Stage Stop Inn and asked if this restriction would affect them. City Manager Bergson said the parking permit could apply to both businesses. Mayor Plachek-Fulcher asked if a truck were to be parked there, would access be blocked. Police Chief Saso said there is only 8 feet of restriction at that spot and there is adequate space for movement

On a motion by Council Member Ash, seconded by Mayor Pro Tem Troughton, Jr., and carried unanimously, Council re-adopted revised Resolution 11-10, "A Resolution of the City Council of the City of Williams, California, Restricting Parking Except by Permit on Segments of Seventh Street", and setting the violation as an infraction.



PUBLIC HEARINGS

RESOLUTION 11-17 – GENERAL PLAN HOUSING ELEMENT – 2010-15

Planner Stegall advised Council that the Staff Report has been updated as State Housing and Community Development (HCD) had indicated there were some issues that should be included in our Housing Element. Those changes from HCD will provide for the City to be in compliance with State law. They are minor changes asking for clarification and that specific language be included in the document. The Housing Element needs to be approved so the City can apply for a Community Development Block Grant (CDBG). Interim Planner Price said the Housing Element is a comprehensive assessment of the current and future City needs. It is required by law and must be updated every five years. In 2009 a preliminary draft was prepared and sent to HCD in November 2010. HCD wanted some substantive changes to the document and we went through the entire Housing Element to comply with future General Plan update. Now it will allow changes to other portions of the General Plan document. New land uses were added as a result. Staff effort and our consultants have brought it all together for the General Plan update. The City is in a fast track mode and HCD will be making their final determination on Monday. It is hoped Council will find the Housing Element adequate. The other portion is the Environmental Impact Report review. There were no adverse impacts found. At their meeting of May 6th, the Planning Commission reviewed the Housing Element and found it adequate with the current and future General Plan.

Council Member Barker said on page 74 of the Housing Element the consultants said the area designation is amended. City Administrator Bergson said that area was moved from agricultural to residential. Interim Planner Price said that all recommended changes by the Commission and Council have been incorporated into the final document. The map could change over time after public review and with Council recommendations.

At 6:31 p.m., Mayor Plachek-Fulcher opened the Public Hearing. With no comments heard, Mayor Plachek-Fulcher closed the Public Hearing at 6:31 p.m.

On a motion by Council Member Barker seconded by Mayor Pro Tem Troughton, Jr. and carried unanimously, Council adopted Resolution 11-17, "A Resolution of the City Council of the City of Williams Amending the City's General Plan by Adopting the 2010-15 Housing Element Update".

Council Member Barker commended staff for an excellent job on the Housing Element.



RESOLUTION 11-18 – COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

Planner Stegall said with the passage of the Housing Element, the City has an opportunity to apply for funds this month that were acquired in 2006 to build our Geographic Information System (GIS). With the General Plan update, this system would be crucial for the City to track the zoning and other elements within the City. The grant deadline is next week and staff would like the Housing Element approval from the State on Monday so that we can submit the application. It does require a cash match of \$5,250 coming from impact fees. Finance Officer Greenbaum said the Resolution needs to be slightly modified.

At 6:35 p.m., Mayor Plachek-Fulcher opened the Public Hearing. With no comments heard, Mayor Plachek-Fulcher closed the Public Hearing at 6:35 p.m.

On a motion by Council Member Ash, seconded by Mayor Pro Tem Troughton, Jr., and carried unanimously, Council adopted Resolution 11-18, "A Resolution of the City Council of the City of Williams Approving Application for Funding for Update of the City's Geographic Information System and the Execution of Grant Agreements from the California Department of Housing and Community Development Pertaining to Planning/Technical Assistance Allocation of the State CDBG Program".

Mayor Pro Tem Troughton, Jr., asked if those Council/Board Members who had to be recused from Redevelopment Agency decisions and discussion would be able to participate at all in any Redevelopment discussions. City Attorney Siprelle this is the last action in the development of the Agency and those recused would only need to recuse themselves in the future should they live within 500 feet of the property under discussion. At 6:37 p.m., Mayor Pro Tem Troughton, Jr. and Council Member Ash recused themselves due to conflict of interest and left the Chambers.

OLD BUSINESS

ORDINANCE 186-11 – REDEVELOPMENT PLAN AND PLAN AREA

City Administrator introduced this item and there were no questions or comments.

On a motion by Council Member Sellers, Jr., seconded by Council Member Barker and carried by the Members present, Council adopted Ordinance 186-11, "An Ordinance of the City Council of the City of Williams Approving and Adopting the Redevelopment Plan for the Williams Redevelopment Project Area". Such Ordinance to become effective in 90 days. On roll call the vote was as follows:



AYES: Council Members Barker, Plachek-Fulcher, Sellers, Jr.
NOES None
ABSENT: Council Members Ash and Troughton, Jr.
ABSTAIN: None

At 6:42 p.m., Mayor Pro Tem Troughton, Jr. and Council Member Ash returned to the Chambers.

NEW BUSINESS

FINANCIAL STATEMENTS AND AUDITOR'S REPORT – 2009-10

Finance Officer Greenbaum introduced the item and indicated the City had a good audit. Constance Coughlin, CPA reviewed the staff report and has no changes or corrections. The Auditor's Report indicates an unqualified opinion on the financial statements. There are no material weaknesses indicated and no areas of non-compliance.

On a motion by Council Member Ash, seconded by Mayor Pro Tem Troughton, Jr., and carried unanimously, Council reviewed and accepted the Fiscal Year 2009-2010 Audited Financial Statements and the Auditor's Report to City Council performed in accordance with the Government Auditing Standards.

SUMMER MEETING SCHEDULE

City Administrator Bergson said last year Council determined they wished to hold fewer meetings during the Summer months and adjusted to one meeting per month. In consideration of that option last year, staff has proposed some options for Council consideration this Summer.

Following discussion, Council determined that Option 4 would be most desirable alternative. This option is to hold one meeting on July 20th, August 17th, and September 21st and directed staff to implement this Summer schedule.

CONTRACT AWARD – WATER BACKFLOW ASSEMBLY TESTING AND REPAIR SERVICES

Director Goforth said the Colusa Indian Community Council has presented the least costly option for the approximate 35 tests desired. The City is required to provide the data to the State. If there is a well on a property it is possible to cross contaminate the City water supply. It has been surveyed and equipment was installed to keep flow from backing up into our system. This issue needs to be addressed or we need to do the testing on those pieces of property. Council



Member Ash asked if Council or staff have any problems with the Tribe handling the project as they are a sovereign nation. Director Goforth said they are certified and City Attorney Siprelle said they are bound by Contract. Council Member Sellers, Jr. asked for clarification on what the test cost is and Director Goforth said it is \$35 to \$45.

On a motion by Council Member Ash, seconded by Council Member Barker and carried unanimously, Council authorized the City Administrator to award a Contract to Colusa Indian Community Council for the Backflow Assembly Testing for 2011.

STANDARD SPECIFICATIONS AND CONSTRUCTION CONTRACT DOCUMENTS

City Administrator Bergson said it is requested that Council approve the Construction Contract documents within the Standard Specifications, the Plumbing Code, Electrical Code and the Greenbook is used to guide construction on public property. This guide provides the direction to the contractors and legal aspects of construction. The reference makes our contracts more biddable. Mayor Plachek-Fulcher asked if the book is the most recent and City Administrator Bergson said our version is the 2006 edition. He plans to order the 2009 edition and when the 2012 edition is released he will obtain some of them as well.

On a motion by Council Member Ash, seconded by Mayor Pro Tem Troughton, Jr., and carried unanimously, Council approved the City of Williams Construction Contract documents included in the Standard Specifications (Greenbook).

REPORTS

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

COUNCIL REPORTS AND COMMITTEE UPDATES

Council Member Ash She met with the Fire board and they conducted the Fire Chief evaluation. She also met with staff on Music at the Museum program. Citizens for a Better Williams is getting ready for Pioneer Day with 6 exhibition rugby games to be held. At the last Council meeting there was discussion about the signs installed by CBW at the railroad tracks.



There had been a question as to why these signs had not been approved by Council. The drawings were given to Planner Stegall in November and went before the Planning Commission. The Commission discussed and determined that the signs did not need approval. They thought they were tasteful. Memorial Days flags will be put up at 6:00 a.m.

Council Member
Barker

He attended a Community Center meeting and reviewed some proposed plans for a park and the building remodel. There may be some funding sources and they made some recommendations. Another proposal will be coming that takes in the bulk of the plans. He met with the City Administrator on various things. There is a great deal of concern about the water survey and that everyone on the East side of the freeway they did not receive them. Mayor Plachek-Fulcher said that issue has been handled. The increase in the fees for the Landscaping and Lighting District has generated a lot of questions and he has been explaining the process to the citizens.

Council Member
Sellers, Jr.

He attended the Colusa County Medical Board meeting. Their 10 year anniversary event is coming up and an Open House will be scheduled. There was a feature in the Health Link newsletter and advertisement will be on the radio. They are feeling economic pressure and patient care continues to rise. They distributed a survey with two issues to be addressed but no patient care issues. They are planning an art show on August 24th to promote the Arbuckle Clinic.

Mayor Pro Tem
Troughton, Jr.

He attended a Fire Board meeting and met with Public Works. He also met with the Fish and Game Commission who have planted fish in Letts Lake. He met with the Deputy City Clerk.

Mayor Plachek-
Fulcher

She attended a Community Center meeting and they had applied for a Proposition 84 grant last year but it was denied because there was inadequate space. They are working on that issue. She has been working to get ready for Pioneer Day and painting. The signs have been ordered for the ribbon cutting at the parks' dedication, has been judging senior projects and working with Public Works regarding the corrected water survey issue.



STAFF GENERAL REPORTS AND DISCUSSION

City Administrator

The Parks and Town Square dedication will be held on June 1st. Pioneer Day is on Saturday, June 4th. The first soccer game is scheduled for June 16th. He attended the Treatment Plant Finance meeting and they are wrapping that process up. The City formally takes possession at the end of June and it is planned to have an official ribbon cutting in August. P. G. & E will be here to inspect the site, and if it is determined as a "green plant", money may be available. He attended a CDBG meeting and the Cinco de Mayo observation was held on May 7th, Parks and Recreation has a Facebook page that went live on May 9th. The Planning Commission approved the Housing Element. Staff "red tagged" the apartment building on D Street and the house on H Street and have asked for a correction plan. A letter is to go to Straw Hat because they have not completed the ADA improvements. He met with the Police Chief and Code Enforcement and attended workshop at the Veteran's Building. He is on the Agenda for CTC to approve our Highway 20 access. Council Member Ash asked about the red tagged properties and what we can do. City Administrator Bergson said they will need to provide a correction plan and they will be given a couple of chances. We can then rectify the situation and lien the property. City Administrator Bergson said a Notice to Abate has been given to abate by June 1st. City Attorney Siprelle said if they do not comply we need to notify them exactly what they are to do to rectify the problem provide a specific date to comply. The City can then issue the formal notice. Once the formal notice is provided as per law, property owner can object. If they don't give us consent to abate ourselves, we get a warrant to go onto the property to abate. Then a Public Hearing process is done and the cost for that process is added to the lien. Mayor Plachek-Fulcher asked about the Odd Fellows Building and City Attorney Siprelle said we issued a lawsuit. The lien is all done by staff. City Administrator Bergson said he has been through the abatement process before. Council Member Ash asked if there is a procedure for the property owners to show the money for the Odd Fellows project is available, such as putting the money into an escrow account. City Attorney Siprelle said if they are not in violation of any City Code, we cannot force them to rent the building. Their Engineer has



certified and signed off on the project, unless they are not satisfying other Codes, such as Downtown Design Standards, we could force them to do the repairs. We cannot force the property owner to rent the building out. Mayor Plachek-Fulcher said if we had Design Standard or some such thing, can our new rules apply. City Attorney Siprelle said we would have to give them adequate time to comply. The Planning Department would handle this. Mayor Pro Tem Troughton, Jr., asked about the AM/PM and what could be done at that site. City Attorney Siprelle said we could notify them and Mayor Plachek-Fulcher stated we have been writing for two or three years. City Attorney Siprelle said we could send them a notice and give them a date, then take action on our own. The notice must be specific with exactly what we want them to do before we proceed. We must point to something in our Code that states the violation.

Police Chief

He will work on the AM/PM issue. The Annual Bike Rodeo will be next Tuesday and Wednesday at 8:30. Volunteers are needed. A DUI checkpoint will be set up in the City on Friday May 27th. This weekend is the Fun Run and Walk. He has received some complaints regarding Code Enforcement. A search warrant was served on the D Street site. Graffiti has become prevalent with the end of school and will be again at the beginning of school.

Fire Chief

Nothing to report.

Public Works Director

The survey has not been published in Spanish. Surveys need to be back by June 8th. Meters have been read on time. There was a water inspection today and it was favorable. The Treatment Plant is at 94% completion and payments are on schedule. They are working on the pumps. Another estimate from P. G. & E was received setting June 15th as the date. The Husted Road contracts are back and when signed, the Deputy City Clerk will handle processing and then the change order can be done. The beavers are gone. Council Member Barker said last Fall some patching was done in Valley Ranch and it is all back out again. Director Goforth said the rain has hampered our efforts and he will try and get out there tomorrow. The individual handling the trees will be back to plant. The wind and rain



has slowed us down. Council Member Sellers, Jr. asked about the waiver on the survey and asked what that is. Director Goforth said manganese is a secondary contaminate and is not a health hazard. It is an acceptable level but we treat the level with chemicals and it is flushed out through the hydrants. The filters will eliminate it. Council Member Sellers, Jr. asked about flushing the system and he called but no one came out. Will they be following through with the filters in the well? Mayor Plachek-Fulcher said the survey will be coming out to him in the next few days.

Finance Officer

We have received notice that S. B. 90 has been accepted by the State and we will be reimbursed \$10,000. Staff is working on the budget and going through the revenues. We are stable but a little flatter than we thought. The Smith Motel is presently status quo and their Attorney will be discussing with the client. This should be drawn out a few more months. City Attorney Siprelle said the date of sale has been postponed to July 18th. Their Attorney met with them yesterday and they are still questioning the accounting. Father Jay will need a plan to make his business feasible.

Building Official

None

ADJOURNMENT

At 7:15 p.m., Mayor Plachek-Fulcher adjourned the joint regular meeting of the City Council and the Redevelopment Agency Board.

APPROVED:

Angela Plachek-Fulcher, Mayor

ATTEST:

Susan L. Vannucci, Deputy City Clerk

Adopted by Council: