

CITY OF WILLIAMS

Council Minutes

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

REGULAR MEETING
CITY COUNCIL

November 16, 2011
6:00 P.M.

ROLL CALL:

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

COUNCIL MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Charles Bergson, City Administrator
Ann Siprelle, City Attorney
Rex Greenbaum, Finance Officer
James Saso, Police Chief
Wes Goforth, Public Works Director
Sally Barker, City Treasurer
Sue Vannucci, Deputy City Clerk
Ed Anderson, Police Sergeant
Steve Woldansky, Police Sergeant
Sean Mattson, Police Officer
Pete Garcia, Sewer Operator

OTHERS PRESENT;

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

PRESENTATIONS

POLICE OFFICER OF THE YEAR

Police Chief Saso said since 2006 the Police Department has formally recognized a Police Department employee for their excellence and service to the Department and the citizens of the community. This year Officer Sean Mattson



has been identified for this recognition. Chief Saso provided background on Officer Mattson's education, training and accomplishments since his service began with the City. He also introduced his family. Officer Mattson was honored by Colusa Rotary yesterday and by Senator La Malfa, Assembly Member Nielson and Congressman Herger. Chief Saso presented the award of 2011 Police Officer of the Year to Officer Sean Mattson.

CONSENT

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

FINANCIAL SRTATUS REPORT

Council received the Finance Status Report for September, 2011.

TREASURER'S INVESTMENT REPORT

Council received the Treasurer's Report for September 2011.

ORDINANCE 188-11 – PERMIT PARKING

Council adopted Ordinance 188-11, "An Ordinance of the City Council of the City of Williams Amending Chapter 10-32 of the Williams Municipal Code Regarding Permit Parking".

PUBLIC HEARING

RESOLUTION 11-29 – SOLAR POWER – PROJECT 11-07

At 6:06 Mayor Plachek-Fulcher opened the Public Hearing. Dylan Dupre, Director of Commercial Development with SPG Solar said this project will have structured financing in-house. He indicated the Company has built approximately 1500 projects in 38 States thus far. This is a straight forward project.

Finance Officer Greenbaum said this item had come before Council in August 2011 at which time additional information and clarification was requested. There were sizing concerns and SPG presented data indicating our



need and their analysis seems accurate. The City was required to purchase all kilowatts under the previous proposal but with this modification there will have a cap. Should a production of more than 10% of the projection be realized the City will not be liable to pay for that power. Mr. Dupre said the City will save money from the outset and is responsible for only purchasing the power produced. SPG is responsible for the running and maintenance of the system. The system is designed conservatively to prevent the City from having to pay for something it will not use. Mayor Pro Tem Troughton said a Capital Improvement meeting was held and a request for an update from BCM was not received. As they chose not to go forward, SPG was asked to proceed. Council Member Barker said at the Grand Opening of the WWTP a concern was brought up about flooding in that area. Pumps were brought in to handle the issue. His concern is whether the panels will be of adequate height in the Salt Creek area. Mr. Dupre said the design/engineering process plans will be submitted and will indicate the elevations on the panels. All the risk is really on them. They have vested interest in keeping the system productive so they can produce power. Council Member Sellers asked about the end of the contract term and Mr. Dupre said there are some options; a purchase at the estimated value, remove the facility, or renew at a negotiated rate. The panels are under warranty.

At 6:13 Mayor Plachek-Fulcher closed the Public Hearing.

On a motion by Mayor Pro Tem Troughton, seconded by Council Member Barker and carried unanimously, Council adopted Resolution 11-29, "A Resolution of the City Council of the City of Williams Making Findings Required for Energy Services Contracting and Authorizing the City Administrator to Negotiate Lease and Power Purchase Agreement for the Solar Photovoltaic Project" for solar power at the Waste Water Treatment Plant, Capital Improvement Project 11-07.

OLD BUSINESS

SACRAMENTO VALLEY MUSEUM LEASE

City Administrator Bergson said the latest draft of the proposed lease is part of the packet. It was submitted to the museum two weeks ago and the Board had indicated general agreement. However, it is recommended that this item be deferred until formal concurrence from the entire Museum Association Board is polled.

Council Member Barker asked if the exclusion of the residence as part of the lease is understood and City Attorney Siprelle said there is a map and a description that specifically removes the residence from the Agreement. Council Member Barker said the Agreement indicates there is no use by the City of parking facilities and the access road, which seems to indicate we cannot build any roads if we want to use the area by the tennis courts. He asked if this



Agreement will be too restrictive. City Attorney Siprelle said the lessee shall have access to the parking facilities as indicated in the proposed Agreement. Council Member Barker said if the City wants to build something, would this language prohibit us. City Administrator Bergson it is outside of the Lease Agreement and an exhibit will be provided.

Council concurred to continue this consideration of approval of the "Amended and Restated Lease Agreement between the City and the Sacramento Valley Museum Association for the Museum Building" to a future meeting.

MIGRANT HOUSING CENTER SEWER LINE

City Administrator Bergson indicated the replacement of the sewer line is an applicable subject for utilization of Community Development Block Grant (CDBG) funds. The County of Colusa has met with the Capital Projects Subcommittee and presented the issue. The entire project is estimated at \$500,000 with the City of Williams portion at about \$60,000.

David Dauwalder of HydroScience said he contacted the State regarding the Block Grant programs. The upcoming Block Grant process and Notice of Financial availability in will be finished in January. The Advisory Group for CDBG submitted the financing procedures on November 8th. It was recommended that the project application be joint between the City and the County. A joint application would score higher in the ranking as far as readiness to proceed and cooperation with the two entities involved is a plus. There is a complete description of the financing that will be left with the City Administrator with the schedule and when the Public Hearings will be held. The first Public Hearing does not need a Resolution and will be held in early February. The initial part of the application will be the first part of January. The final applications are due in April. Between January and April there are some workshops that help guide us on how to submit the application. He has been involved with those in the past. There is a ranking criterion for the Super Notice of Financial Assistance (NOFA) because they put all elements into that process with higher consideration placed on those that are ready to move forward with their project at the outset. There is a 1000 point score. The five criteria are: need, readiness, jurisdictional capacity to own and operate the facility once in place such as the JPA, the State's objectives as far as their goals of maintaining infrastructure, economic development and the like. A Public Hearing is necessary in the first part of February and maintenance of the JPA must continue. The County will provide some of the upfront work on the applications, such as preliminary engineering and cost estimates for the application. Council Member Barker asked if the pumping station that is in place has never been used and if so, has anyone evaluated that station to see if it can be made operational. Mr. Daulwalder said the County did evaluate it and that station must to be replaced. It cannot be upgraded to current standards. New pumps, size of horsepower and control



panels do not now meet the standards. Mayor Pro Tem Troughton said they met with the County staff and it was determined that it never was used. He asked staff to check an alternative hookup as there is a line behind the seed company that is only 186 feet away. If that hookup is a viable option it would save a great deal of money. Originally the estimated length of the repair was 2,400 feet and if we can utilize the other line at 186 feet, it should be substantially less in cost. Mr. Daulwalder said he is investigating the shorter distance line with a new lift station. The hydrology analysis seems to indicate it will not meet the capacity. It would also require double pumping because there is another lift station down the load. Mayor Pro Tem Troughton asked if the shorter distance line is not usable, could another line be run parallel and Mr. Daulwalder said that could be an option. If feasible, the other pump station down the line could be eliminated. They will be looking at the most cost effective solution. Council Member Sellers indicated there are workshops on water/sewer issues and Mr. Daulwalder said these workshops will be held in Sacramento and Redding in January and February. He and City Administrator Bergson will be attending these workshops which will help with the submission. Council Member Sellers said the fiscal impact is \$5,000 for the grant application. He feels we need a grant writer, but still strongly encouraged staff to attend the workshops. Mr. Daulwalder said the \$5,000 is an issue, but as he is working with the City and the County is doing the bulk of the engineering and cost estimating, he does not feel we need a separate grant writer for this application.

On a motion by Mayor Pro Tem Troughton, seconded by Council Member Barker and carried unanimously, Council authorized the City Administrator to assist the County of Colusa in the preparation of a Community Development Block Grant application for the repair, upgrade and reconnection of the Migrant Housing Center Sewer System and directed an Amendment to the Joint Powers Agreement.

BRICK FUND/MEMORIAL FUND

Council received a report from Finance Officer Greenbaum on the status of the Brick Fund Money. Council Member Barker indicated he found some materials in his files and provided them to the Finance Officer. Finance Officer Greenbaum said he found some information in the General Ledger and the Deputy City Clerk discovered a listing indicating the donations equaled \$1,200, none of which had been utilized. Mayor Plachek-Fulcher said she has been contacted by a Veteran from Colusa and there has been some discussion on constructing a Veterans' Wall. That group will be contacting the City to determine our interest in a County-wide effort. If someone had been lost during service, the VFW would pay for the brick. If not but was a Veteran, they could pay for their own brick. Council Member Ash said she would like Veteran's to weigh in on this to see if they would be comfortable being recognized in another City should the wall was placed in Colusa instead of Williams. Council Member



Barker said those who have lost their lives should have a brass plaque in their honor. Council Member Ash indicated said there is a plaque in the Courthouse recognizing all Veterans who have lost their lives as far back as the Spanish American war. Finance Officer Greenbaum said one person has asked for a refund of their donation due to lack of activity. Mayor Plachek-Fulcher said that if someone wants a refund, we should comply with that request. Council Member Ash suggested a letter be sent to the donors to tell them of the plans for the fund usage.

On a motion by Council Member Ash, seconded by Council Member Barker and carried unanimously, Council approved the use of the previously set aside \$1,200 from the Brick Fund donations to be used now to augment the Memorial Fund Account recently established by the Council. This will bring the total fund to \$1,400.

COLUSA COUNTY TRANSPORTATION COMMISSION

City Administrator Bergson said Council had concurred to place this item on the Agenda for consideration of submission of a Request for Proposal for transportation services due to continuing the concern about the effectiveness and efficiency of the service. No action has been taken by the Commission as yet. There does not seem to be any fixed routes. There are questionable uses of the system, such as package deliveries. A professional firm could analyze the routes, the service and cost and may indicate a cost savings that could provide funds for road repairs. The suggestion is based on the numbers the transit system provides, services and lack of fixed routes. The RFP would be a means of assessing the service and its usefulness. Those who would be providing an RFP are familiar with transit systems, route development and are adept in determining the effective means of usage on the equipment. They also have information from other entities that provide these services. The State mandates that such a service be provided. Staff is prepared to issue a Resolution requesting the Commission to consider an RFP and an assessment of the services. This assessment could determine whether the existing County service is the most effective means of operating or provide a recommendation to go forth with an RFP.

Mayor Pro Tem Troughton said the Auditor Controller has provided some figures on the transit costs. They buses do deliver packages and flowers in addition to the ridership. Adding that cost into the picture pushes the passenger cost up by 15% to 20%. It is more costly for the transit system to deliver packages than passengers but less costly to the business owners than having their own delivery system. There have been some estimates from private companies who have indicated the cost for transit only would be between \$11 to \$12 per person, which is significantly less than the \$20 we presently pay per rider. The more passengers riding will result in a lower cost per person. The



more packages delivered raises the cost per person to the taxpayers. He has been reviewing a pavement report done by a consultant. Any money saved with the transit system could be put toward streets. The streets are becoming so degraded these buses will be unable to utilize them. If there is an alternate method that is less expensive, there will be no overhead. He feels the City is over-serviced and that service IS very inefficient. The Pavement Report indicates nearly 50% of our streets are poor to very poor condition. The Report recommends spending \$1 million per year on road repairs for the next five years, money the City does not have. The City Councils of Colusa and Williams, the County Board of Supervisors and the Transit Commission have a responsibility to explore options so that we can repair and maintain our streets. The City is spending too much money for this program and changes need to be made. One of the goals of a transit system was to reduce pollution. There are five 19 passenger busses with between 2 and 5 riders at a time. The State instituted this transit program State-wide to put people on busses and trains with fewer cars on the roads. It is not effective for our area and not meeting the goals the State mandated. We need to approach the Commission as a body, present the problems, receive some bids and determine a way to cut costs. The money can then be put into the roads. The Pavement Study does not put many recommendations into pavement upgrades at this time because there are not funds to proceed. There are road problems in the Vann's subdivision already. Preventative maintenance is substantially less costly than waiting until the roads are beyond repair and need to be replaced. Even \$100,000 per year over the next few years would help tremendously.

Council Member Ash asked for clarification on the \$1 million. Mayor Pro Tem Troughton said the Pavement Study indicates we need a minimum of \$1 million per year for our road needs. Part of the problem is that the City of Williams was never part of the Commission meetings. Council Member Ash said the City lost money as a result. The City Administrator now attends these meetings. She said we should continue with the current method of operation to handle the transit as the local transit system pays taxes on auto repair, parts, etc. locally and should we opt for another method of transit, the taxes we receive would be lessened. Mayor Pro Tem Troughton does not feel that will happen and they will stay local to keep the buses active in the area. An analysis should be done on what the dollar loss could be if we do not contract locally.

Council Member Ash feels with the college now in full operation and the forthcoming senior housing, more riders should be utilizing the service. Mayor Pro Tem Troughton said a viable transportation system will help draw private concerns here as well. With outsourcing there would be no personnel costs to the City. There may be companies adjacent to the City or County who would want to bid on the project and would be interested in purchasing the current buses and employing current staff.



Council Member Ash asked who would pay for the study and City Administrator Bergson said the Commission would most likely be the fund source. Mayor Pro Tem Troughton said the Board of Supervisors does not have jurisdiction over the Commission. The Commission has full say on all decisions and determines how funds will be spent. They do contract with the County for a full-time mechanic that serves the vehicles and charges the expenditures back to the transit.

Dixie LeGrande of Williams said she is pleased we are considering assessing the system and feels the funds are not being effectively used. Jim White of Davis formerly ran the transportation system for the City of Davis and he should be able to accurately assess our system. Mayor Pro Tem Troughton said the City does not have any input as to who serves on the Commission but if a Committee is formed to study the system we could ask that he be considered for the Committee. Council Member Ash said he does make regular reports to the Commission as they were running other services beyond the transit. Ms. LeGrande said he does maintain a charter bus through Carefree Charters and might be an informative person to talk to. His vehicle is housed at the Colusa Chamber of Commerce building. She would like to see a service and a private business located in Williams which could loop through the Cities in the County as Williams is the pivotal place. The Valley West is in need of transportation for the residents to doctor appointments with a vehicle that has wheelchair capacity. This business would bring in tax dollars and would provide an effective service located in Williams and to assess the transportation needs of the County. Mayor Pro Tem Troughton said the City is involved in a Joint Powers Agreement with the County and City of Colusa and that Agreement would need to be terminated. He does not have a problem with the service if it were more efficient. There is also a Medi-Vac out of Yuba City that comes over to our area. Private companies are more efficient because they need to generate money and could lose their contract if the needs of the City are not adequately met.

City Administrator Bergson indicated a letter would be prepared for Council signature asking that the Commission provide options for issuance of an RFP, to include a breakdown of their statistics, region, packages, riders, etc.

On a motion by Council Member Ash, seconded by Mayor Pro Tem Troughton, and carried unanimously, Council directed the City Administrator to prepare a letter requesting the Colusa County Transportation Commission to issue a Request for Proposal for Public Transit Services, and provide a complete and comprehensive breakdown of statistics, region covered, packages and riders service.



NEW BUSINESS

MAYORAL ANNUAL ACCOMPLISHMENTS

Mayor Plachek-Fulcher thanked Council and staff for their support and services and identified some of the projects that had taken place under her leadership. These included the completion of the Waste Water Treatment Plant Expansion, the creation of the Town Square, improved fiscal health of the City, recognition of employees via the annual Employee Appreciation luncheon. She did want to state that the City Administrator’s evaluation. Council determined to change the mode of the evaluation so it has not yet been done.

AVOID THE 9 ENFORCEMENT PROGRAM

Police Chief Saso said the Department has participated in this program since 2006. The purpose of the program is to reimburse agencies who participate in driving under the influence enforcement activities. The grant provides for funding for overtime that the Cities pay initially and then receive reimbursement from the State. This year the allocation for the 9 participating agencies (Cities of Marysville, Wheatland, Yuba City, Colusa, and Williams, the County of Yuba, Sutter, Colusa and the Yuba Community College District Police) is \$37,000 for a year and it will limit some of the overtime on specific goals.

On a motion by Council Member Ash, seconded by Mayor Pro Tem Troughton and carried unanimously, Council authorized Police Chief Saso to sign a Memorandum of Understanding between the City of Marysville Police Department and the City of Williams Police Department for “Avoid the 9” Enforcement Program to reduce alcohol-related fatal and injury traffic collisions in Yuba, Sutter and Colusa Counties.

REPORTS:

City Attorney	None
Deputy City Clerk	None
City Treasurer	She presented the Treasurer’s Report orally.

COUNCIL REPORTS AND COMMITTEE UPDATES:

Council Member Ash – She attended the Transit Commission meeting, graduation, Citizens for a Better Williams meetings, the Sacramento Valley Museum Board



meeting, Capital Improvement Program meeting, assisted with the placing of flags on Veterans' Day, the DARE graduation, participated in the lighting the trees on November 26th, went to mountains to cut the tree on November 27, which all was donated, and it will be decorated on November 29th. There are new owners of Shop and Save and they are doing some positive things with the store. The Festival of Lights will be held on December 10th and includes a downtown stroll, street closure, vendors, stores will participate, there will be a tree lighting and kids will sing, a parade, and the Firefighter's Dance in the evening.

Council Member Barker – He attended the graduation and the DARE program, the Veterans' Day program, the Williams Community Center Plan review, met with constituents about weed abatement and would like weed abatement be handled by City staff. Council Member Ash indicated the Fire Department should handle the weed abatement. City administrator Bergson will explore this issue. Council Member Barker attended Waste Water Treatment Plant ribbon cutting and said it is a beautiful facility.

Council Member Sellers - He attended Community Center meeting, met with Parks and Recreation staff; attended a meeting on gang resistance; met with the City Administrator; attended a community workshop on HiCap and the Veterans' dedication at the museum, attended the presentation of certificate DARE, the Colusa County Regional Medical board meeting and WWTP ceremony.

Mayor Pro Tem Troughton – He attended the Capital Improvement Program meeting on migrant and solar issues, the Finance Committee, met with the Police Chief, attended graduation at the middle school, met with the Public Works Director, the City Administrator and the Auditor and attended Museum's observance of Veterans' Day.

Mayor Plachek-Fulcher – She attended her normal meetings, participated in the Waste Water Treatment Plant grand opening, received a check from Pacific Gas and Electric for \$80,000, attended the Finance Committee meeting and the Williams Elementary School program.

STAFF GENERAL REPORTS AND DISCUSSION:

City Administrator – He reminded the Mayor of other accomplishments during her term: she oversaw the adoption of a Redevelopment Agency, the establishment of Parks and Recreation Program, and other programs. He attended County Transit Committee meeting, met with the Capital Improvement Program Committee regarding sewer upgrades for the Migrant facility, attended the Waste Water Treatment Plant grand opening ceremony, attended the State Housing



and Community Development Loan and Grant meeting and reported that a \$3 million Grant for Senior Housing was approved. They will break ground in 2012. He attended a pre-construction meeting with R. J. Heuton for the sidewalk repairs and advised Council the project had started this week and should be completed in December.

Police Chief – He advised Council that today and tomorrow the Department is interviewing applicants for a Police Officer position. There were 41 applicants which had been narrowed to 20. The School Resource Officer began on October 31st and is enjoying the position. He will attend the DARE instructors school in March. Ivan Maldonado will take over the program. He stated that other noted accomplishments of Mayor Plachek-Fulcher included the receipt of AOR funds for first full time narcotics agent and COPS money as we were one of two in Northern California

Fire Chief – Nothing to report.

Public Works Director – He reported that the E Street safety projects are proceeding and should be done in a few weeks. The sidewalk repair/replacement project is progressing.

Finance Officer – He gave an overview of financial statements and said that all are in compliance. The General Fund revenue will be received later in the year. We have received no property tax revenues as yet. We are slightly above anticipated revenues in water and slightly lower in sewer. As well, he reminded Mayor Plachek-Fulcher that during her term the City received an unqualified audit for 2010 and should have one for 2011.

ADJOURNMENT

At 7:30 p.m., Mayor Plachek-Fulcher adjourned regular meeting of the Council.

APPROVED:

Ss: Angela Plachek-Fulcher, Mayor

ATTEST:

SS: Susan L. Vannucci, Deputy City Clerk

Adopted by Council: April 18, 2012