

CITY OF WILLIAMS

Council Minutes

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

REGULAR MEETING

COUNCIL CHAMBERS
WEDNESDAY, MAY 30, 2012

6:00 P.M.

CALL TO ORDER

At 6:00 p.m., Mayor Troughton called the regular meeting of the Council to order.

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
Sally Barker, City Treasurer
James Saso, Chief of Police
Sue Vannucci, Deputy City Clerk

OTHERS PRESENT: Gary Price, Contract Planner

PLEDGE OF ALLEGIANCE

Mayor Troughton invited all in attendance to join in the Pledge of Allegiance.

PUBLIC COMMENT

Lorraine McHugh of Williams was present to discuss the Landscaping and Lighting District issue scheduled for a continued Public Hearing on June 20, 2012. She said the \$1 per parcel she had mentioned at the last meeting parcel and was raised by \$2 and asked why that was happening. For 2010-2011 they were charged an additional \$1. It was not in the Engineer's Report. The items add up to \$8,232 which should be



the difference. The City Administrator had made the comment at last meeting that empty lots should be more. There were 154 empty lots last year. The City lost \$3,000 over the engineer's proposal. Since that amount was not collected last year the City should be able to function on that much less again this year. She presented written materials to the City Administrator. The vacant lots should be charged the \$170. The City should not increase an additional \$2000. The assessments should be done in Nicholas Ranch as well. The empty lots should be paying their fair share and so should Nicholas Ranch. The City should not be forcing her to pay this amount if others are not. The new developments should be paying their fair share too.

Mayor Troughton said the Nicholas Development is not in this Assessment District. The Continued Public Hearing meeting on June 20th will address this issue.

CONSENT

Council concurred to move the following item from Consent to be considered with a related item to be considered first under New Business:

PROJECT 12-01 – HIGHWAY 20/MARGURITE DRIVE CONNECTION

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

TREASURER'S INVESTMENT REPORT

Council received the Treasurer's Investment Report for March 2012.

FINANCIAL REPORTS

Council received and accepted the Financial Report for March 2012.

NEW BUSINESS

PROJECT 12-01 – HIGHWAY 20/MARGURITE STREET ACCESS – AMENDMENT TO COOPERATIVE AGREEMENT AND CONSULTANT SERVICES CONTRACTS

City Administrator Bergson said the Transportation Commission has approved additional funding for the Project and there is an access Agreement to be amended to include documents to allow this to move forward. The approximate cost is about \$200,000. The Consultants, Mayor Troughton, Council Member Plachek-Fulcher and Vann Brothers have been meeting to work toward moving this project forward. The City can proceed with the Project Initiation Document (PID). Staff is suggesting that the County should be contacted regarding the additional \$90K needed to close as they have funding for the



regional projects. It is anticipated there will be \$30K-50K of impact fees and Vann Brothers is willing to work on this as well. Documents needed are the Stantec Agreement, the Mark Thomas Agreement and an amendment to the Price Consulting and Fehr and Peers Agreements to move ahead.

Council Member Plachek-Fulcher attended the Traffic Commission meeting and it appears they have funds but the City should have our documentation in place to qualify for these funds. City Administrator Bergson said there is up to \$106K available at this time and requested Council direction on how they would prefer to close the gap. It is in the Vann's best interest to spend money on this project. Council Member Plachek-Fulcher said the Developer has said the Vann Brothers are very interested in this project and want to assist if the City can provide a mapping of the funding sources, the steps and progress, and where the funds are going. Mayor Pro Tem Barker said the City is requesting the \$106K and the representatives are asking for the additional \$90K.

City Administrator Bergson indicated the plan is to return in August or September with information regarding the source of additional funding. Mayor Troughton said Vann Brothers are anxious to see the City commitment on the project and will work with us. Council Member Plachek-Fulcher said the new fiscal year allows us the opportunity to request additional funds. Mayor Pro Tem Barker said \$106K is what the City is committing at this time and the City Administrator agreed.

On a motion by Mayor Pro Tem Barker, seconded by Council Member Plachek-Fulcher and carried unanimously, Council approved Amendment No. 1 to the Cooperative Agreement (District Agreement 03-0512) between the State of California and the City of Williams to Reimburse Caltrans for Expenses to Provide Independent Quality Assurance for the City Prepared Project Initiation Document/Project Study Report for SR 20 New Public Road Connection, Project 12-01.

On a motion by Council Member Ash, seconded by Council Member Plachek-Fulcher and carried unanimously, Council approved Professional Services Agreements with Mark Thomas and Stantec and Amend Agreements with Price Consulting Services and Fehr and Peers Relating to Highway 20 Access.

RESOLUTION 12-10 – ELECTION OF OFFICERS

On a motion by Council Member Plachek-Fulcher, seconded by Council Member Ash and carried unanimously, Council adopted Resolution 12-10, "A Resolution of the City Council of the City of Williams, California, Calling and Giving Notice of the Holding of a General Municipal Election to be Held on November 6, 2012 for the Election of Council Members and Officers and Requesting the Board of Supervisors of the County of Colusa to Consolidate the



General Municipal Election with the Statewide General Election to be Held on that Date Pursuant to California Elections Code Section 10403”.

RESOLUTION 12-09/ORDINANCE 193-12 - MEASURE G

City Attorney Siprelle said Resolution is to call for the election and to introduce the Ordinance to reauthorize sales tax without sunset. The Ordinance would not be effective unless the Measure G is approved by the voters.

On a motion by Council Member Plachek-Fulcher, seconded by Mayor Pro Tem Barker and carried unanimously, Council adopted Resolution 12-09, “A Resolution of the City Council of the City of Williams, California, Submitting to the Voters at the General Municipal Election to be Consolidated with the Statewide General Election held on Tuesday, November 6, 2012, Questions Relating to Sales Tax; Requesting the Board of Supervisors of the County of Colusa to Consolidate the Election with the Statewide General Election to be held on that Date and to Conduct the Election”.

On a motion by Council Member Plachek-Fulcher, seconded by Council Member Ash and carried unanimously, Council introduced, waived the first reading and read by title only Ordinance 193-12, “An Ordinance of the City of Williams Amending Section 3.18.170 of Chapter 3.18 to the City of Williams Municipal Code Relating to Re-Authorizing and Extending the One-Half Cent Transactions and Use Tax for General Purposes Subject to the Approval of the Voters to Continue to be Administered by the State Board of Equalization”, which would amend the City Transactions and Use Tax re-authorizing and extending the one-half cent.

OLD GYMNASIUM AIR CONDITIONING

City Administrator Bergson said Council has previously discussed “stale” development funds in relation to Parks and Recreation use and the Old G. The Pinewood Apartments had paid development fees in 2005-06 to install a fence for a softball program. The premise was that if the fence was not constructed the funds would still be paid to the City. The fence was estimated to have a cost of \$115,000, thus the softball program did not proceed. At this time, the City would propose those collected funds be utilized to provide an HVAC system for the building which would facilitate currently operating programs to be effectively run. The Williams Unified School District facilities have been utilized on occasion for our programs. However, they cancel our scheduled use of their facilities when other uses have arisen.

The Capital Improvement Program Committee has reviewed the request. The facility needs other upgrades as well to bring it into a fully functional facility.



It would take about 30 days to install the unit. The proposed upgrade would not solve all of the problems at the facility but would take care of some of the immediate needs.

Mayor Pro Tem Barker asked if there is a shortage of funds to complete the project. City Administrator Bergson said all of the funds needed for the installation of the HVAC have been identified. We have only traced \$32,000 at this time based upon research. Finance Officer Greenbaum said he had researched back to 2003 and identified this \$32,000 primarily from the Pinewood development.

Council Member Ash said five to ten years ago the City accounting had not been accurate and she is concerned that these figures are not accurate based upon some inaccurate accounting at that time. Council Member Plachek-Fulcher said there had been some discussion on spending money on a BBQ and other items and Finance Officer Greenbaum said there have been some funds expended. Council Member Ash does not want to spend on an HVAC system at this time as we are attempting to extend our sales tax. If it is too hot for classes during the summer, they should be suspended for that time period. Council Member Plachek-Fulcher classes are moved all of the time because of the heat and it is very inconvenient. The classes should be held elsewhere where air conditioning is already in place.

Mayor Troughton said the impact fees at that time were to install a screen to protect the apartments from baseballs. Finance Officer Greenbaum said the amount was \$67,000 received at that time and there were other expenditures that offset that amount. Mayor Troughton asked if the City is limited on what can be spent based upon why the funds were collected. City Attorney Siprelle said the fees were collected for park impact purposes and can be transferred to other areas if the original need is no longer required.

City Administrator Bergson said the fees charged for these classes do not cover what the schools charge us to use their facilities. The Community Development Block Grant subsidy would cover some of the cost. Finance Officer Greenbaum said participants to our programs have been lost due to lack of continuity on class location. Some classes, such as Tai Quon Do, could possibly cover the installation of the air conditioning. Should programs not be scheduled, there would be no income to cover the costs. City Administrator Bergson said the estimate would include identification of the capacity needed for the unit. Finance Officer Greenbaum said the unit would be on a timer as well to control run time. Council Member Plachek-Fulcher said during the summer fewer people attend classes, possibly due to the heat which more attend during the cooler months. Mayor Pro Tem Barker suggested utilization of the Museum Auditorium for classes and it was stated by others that site is not a proper location for this type of programming. Mayor Troughton would like to see the entire site brought



up to good usable space, not just the installation of the HVAC system. Staff should look into the money from the classes to pay for the facility upgrade and work with the schools to facilitate use of school facilities.

Ron Simmons of the Community Center, said there are fans in his building but are present they are inoperable. When the facility has been upgraded it may be a viable source for classes, which should be by January 2013 it would be ready. He said Mike Smith had done an assessment on the Old Gym at one time.

City Administrator Bergson said staff can ask the school district if they can commit classes being held at their facilities during the summer. Mayor Troughton suggested the Masonic Hall as another possible facility to consider. Council Member Sellers said the Old Gym needs to be structurally sound and asked if Council is supportive of continuing to offer these classes.

City Administrator Bergson suggested an assessment be made of the entire Old Gym structure to determine the funds that would be required to bring this building into a workable structure. Mayor Pro Tem Barker said the available funds could be used for that assessment. Mayor Troughton asked that Staff look at other facilities to hold these classes. He feels the Old Gym building is basically sound but needs upgrading, insulation, addressing the bees that continue to be on site, plugging the holes, etc. Mayor Pro Tem Barker said the Community Center could be another facility that could be utilized when completed.

RESOLUTION 12-11 – APPROPRIATIONS LIMIT

Finance Officer Greenbaum said every year the City if required to adopt an appropriations limit. If we exceed the limit the City is required to return money to the state. Our projected cushion at this time is \$1,280,000.

Council Member Sellers asked where the 3.77% increase is from and Finance Officer Greenbaum said it is a combined calculation and he explained how the formulas work to allow us to compute based on several criteria.

On a motion by Council Member Ash, seconded by Council Member Plachek-Fulcher and carried unanimously, Council adopted Resolution 12-11, "A Resolution of the City Council of the City of Williams Establishing Appropriation Limitation for Fiscal Year 2012-2013".

PIONEER DAYS SPECIAL EVENT PERMIT MODIFICATION

On a motion by Mayor Pro Tem Barker, seconded by Council Member Ash and carried unanimously Council approved the use of Venice Park for Pioneer Day activities.



RESOLUTION 12-12 – CURBS, GUTTERS AND SIDEWALK CONSTRUCTION THRESHOLD

City Administrator Bergson said a threshold was originally set in 1985 as a point where construction would trigger the necessity for installation of curbs, gutters and sidewalk construction at the site. The proposed Resolution would provide that annual updates be made to keep the threshold current. Council Member Sellers asked if this threshold is for random repairs throughout the City. City Administrator Bergson said the initiation of the threshold is that for property upgrades valued at \$32,000 the installations requirement would be triggered. That value is significantly higher now. He cited the Smith Hotel as an example, where the cost to construct or improve has risen with the economy. Thus, the trigger amount should rise accordingly. It is triggered by a building permit application. Council Member Ash feels that this will cause more illegal building as individuals will not want to be required to install the curbs, gutters and sidewalks as an extra cost to their project. Council Member Plachek-Fulcher said if individuals are going to build illegally they will continue to do so, with or without the triggering mechanism. Mayor Troughton feels this is an adjustment to bring us to the present cost of construction. It will not change legal building versus illegal building as those who choose to build illegally will do so no matter what. It will provide the individual more leeway on the maximums as to when the requirement to add the curbs, gutters and sidewalks are triggered.

On a motion by Council Member Plachek-Fulcher, seconded by Council Member Ash and carried unanimously, Council adopted Resolution 12-12, "A Resolution of the City Council of the City of Williams, California Amending Resolution 90-85 Relating to Construction of Curbs, Gutters and Sidewalks."

REPORTS

City Attorney – None

Deputy City Clerk – None

City Treasurer – The Treasurer read into the record the Treasurer's Investment Report for March 2012.

COUNCIL REPORTS AND COMMITTEE UPDATES

Council Member Ash – She has attended several Citizens for Better Williams meetings, the Finance Committee meeting, and a Memorial Day tribute at the cemetery. On April 8, 2012 Alejandro Jauregui was injured while serving his country and is Walter Reed hospital. Williams Hardware is under new ownership, and the owner was recently injured. She urged citizens to show their support for him and the business.



Council Member Barker – He attended a joint Cities meeting, a Personnel Sub-Committee meeting, City Design Guidelines Committee meeting, a Capital Improvement Program Sub-Committee meeting and a General Plan Update Committee meeting. He also met with the City Administrator.

Council Member Sellers – He attended a grant writing class, the joint City/County meeting, the Chamber Annual Dinner, a Gang Task Force meeting in Colusa where they are considering the possibility of a Teen Center, a joint Council/Planning Commission meeting on the General Plan and Zoning updates, the Colusa Regional Medical Center meeting, and the Williams Unified School District Board meeting.

Council Member Plachek-Fulcher – She attended the usual meetings and sub-committee meeting, and a ribbon cutting at Steel Heads. She said her daughter has been in contact with Alejandro Jauregui and she is on her way home from Afghanistan.

Council Member Troughton – He attended the General Plan joint meeting, met with the Finance Officer, the City Administrator, meetings on the Museum, the proposed truck stop/Highway 20 access, and attended the Memorial Day service at the cemetery.

STAFF GENERAL REPORTS AND DISCUSSION

City Administrator Bergson – There was an administrative hearing on the property at 886 North Street whereby an illegal trailer is onsite. We expect to prevail. An Administrative Citation is in the works on the old Oddfellows building and 1020 D Street. The Planning Commission did not have quorum at their last meeting so it has been rescheduled for Monday at 7:00 p.m. The Golf Tournament is this weekend and Chief Saso has a team. The Primary Election is next Tuesday and the Council Chambers will be a polling place. City Hall will be closed on June 15th to take address electrical issues and sheetrock the foyer. Finance will be open. There is a Transportation Committee meeting on June 26th. Our ARRA records have been reviewed and we should have results soon. The Solar Power at the Treatment Plant is scheduled to be operational by August.

Police Chief Saso – He said our new Police Officer Lucich has completed his initial mentor training. The Bicycle Rodeo was held and 20 bikes and helmets were distributed. Sergeant Woldanski will be off for six more weeks. Positive comments have been received regarding our Youth Services Officer from Dr. Rossi, Williams Unified School District Superintendent. There have been no expulsions this year. Staff will be attending DARE training. Explorer training was started last night with 10 students. There will be a Youth Police



Academy held during in the summer. Officer Swift began the 501 3(c) Canine Program and raised over \$3,000. Mayor Pro Tem Barker asked if the California Highway Patrol and the Sheriff's Department had been contacted for additional funding for the Explorer Program. Chief Saso said the Sheriff's Department has chosen not to support the program and CHP is starting their own. Council Member Plachek-Fulcher asked if the Golf Tournament proceeds paid for the purchase of the dog for the Canine Program and Chief Saso said that was paid for through his budget. Other funds have been secured from different sources for various programs. Serac, our other dog, is narcotics certified.

Fire Chief – None

Public Works Director – No report.

Finance Officer Greenbaum – He said the Financial Reports presented to Council this evening are indicative of the City's status which is close to the estimates. We are trending a little low in the water fund, but are structurally sound.

Building Official (as needed)

RECESS

At 7:25 p.m. Mayor Troughton recessed the regular meeting of the Council to meet in Closed Session.

CLOSED SESSION

At 7:30 p.m., Council met in Closed Session to hold a conference with the Labor Negotiator pursuant to Section 54957.6. The Agency Designated Representative was Charles Bergson. The discussion was in regard to the unrepresented employees of the City, the Chief of Police, the Director of Public Works and the Finance Officer. Present at this meeting were Mayor Troughton, Mayor Pro Tem Barker, Council Members Ash, Plachek-Fulcher and Sellers, and City Administrator Bergson.

RECONVENE

At 9:12 p.m., Council reconvened in Regular Session.

CLOSED SESSION ANNOUNCEMENT

Mayor Troughton announced that Council had met in Closed Session regarding Labor Negotiations and had given direction to the Agency Designated Representative.



ADJOURNMENT

At 9:13 p.m., Mayor Troughton adjourned the regular meeting of the Council.

APPROVED:

SS: John J. Troughton, Jr.,
Mayor

ATTEST:

SS: Susan L. Vannucci, Deputy City Clerk

Adopted by Council: October 17, 2012