

City of Williams

Council Minutes

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

REGULAR COUNCIL MEETING

COUNCIL CHAMBERS
WEDNESDAY, OCTOBER 17, 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 Monica Stegall, Associate Planner Ed Anderson, Police Sergeant Sally Barker, Treasurer Rex Greenbaum, Finance Officer 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.

PRESENTATION

PROCLAMATION OF RECOGNITION TO ALEJANDRO JAUREGUI

On motion by Council Member Plachek-Fulcher, seconded by Council Member Ash and carried unanimously, Council approved Proclamation thanking and commending Staff Sergeant Alejandro Jauregui to his service to his Country.



WRITTEN COMMUNICATIONS

Council received the minutes of the Williams Unified School District Board of Trustees meeting of September 13, 2012.

Council received the agenda of the Williams Unified School District Board of Trustees meeting of October 18, 2012.

CONSENT

At the request of Council Member Ash and with concurrence by the Council, the Treasurer's Report was pulled for clarification.

TREASURER'S INVESTMENT REPORT AND REGISTER

Council Member Ash asked about the expenditures for Esplanade Furniture in the amount of \$2,708.68. City Administrator Bergson said he will pull the reports and provide details on all of the items in question. Council Member Ash indicated she will provide the Finance Officer with the specific items for which she would like clarification. One is to Fletcher's Plumbing for \$9,800, and City Administrator Bergson feels it is for the City backflow flushing. Another question was on Precision Business Systems #34559 with two checks and two separate amounts. Finance Officer Greenbaum said Precision has been working on several items at the Waste Water Treatment Plant. The question on Ismael and Sons is for the landscaping maintenance and additional plantings in Valley Ranch.

On a motion by Council Member Ash, seconded by Mayor Pro Tem Barker and carried unanimously, Council approved the Treasurer's Investment Report and Register with further information to come forth as requested.

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

MINUTES

Council approved the minutes of the special Council meetings of April 24, 2012 and May 23, 2012; the regular Council meeting of May 30, 2012; and the special and regular Council meeting of June 20, 2012.

LEGAL SERVICES AGREEMENT

Council approved the First Amended Agreement to provide Legal Services to the City of Williams with Best Best and Krieger.



CalTRANS COOPERATIVE AGREEMENT – SECOND AMENDMENT

Council approved Amendment No. 2 to the Cooperative Agreement (District Agreement 03-0512) with CalTrans eliminating their reimbursement for the Project Initiation Document after June 30, 2012.

RECOLOGY FRANCHISE AGREEMENT

Council approved the First Amendment to the Recology Solid Waste Franchise Agreement to provide recognition as the successor to Norcal Waste Systems and to allow the City the option to collect liens for failure to pay for services provided by Recology.

PUBLIC HEARING

WEED ABATEMENT

City Administrator Bergson said this item was introduced at the September meeting declaring specific lots within the jurisdiction as public nuisances. The list contains lots in Valley Ranch with one additional parcel on E Street, the old AM/PM structure. The lots are to be abated and this Resolution will provide the means and opportunity for the City to continue to have these properties abated.

At 6:12 p.m., Mayor Troughton opened the Public Hearing. With no comments heard, Mayor Troughton closed the Public Hearing at 6:12 p.m.

On a motion by Council Member Plachek-Fulcher, seconded by Council Member Ash and carried unanimously, Council adopted Resolution 12-22, "A Resolution of the City Council of the City of Williams Regarding Weed and Rubbish Abatement", providing for the abatement of weeds on various properties throughout the City. These properties were primarily owned by Legacy Homes which has recently abated their properties.

OLD BUSINESS

ORDINANCE 196-12 – PROPERTY RESALE INSPECTIONS

City Attorney Siprelle said this proposed Ordinance is to provide for properties being resold to be inspected for safety and health purposes to protect the new property owners. The primary points of the process are:

1. At least 15 days prior to close of escrow for a transfer of any property within the City limits, property owner must apply to City for an inspection report (or exemption, if an inspection was completed, a resale certificate issued and no new improvements or construction



on the property within the past five years). An application fee is required.

2. Within 5 days after the application is received, the City shall cause the property to be inspected for compliance with all health and safety standards.
3. Within 5 days after the inspection, City shall issue an inspection report itemizing the violations that are required to be corrected and informing the buyer of same. The report shall require the buyer to correct any violations not corrected by seller prior to sale, within 90 (or other as determined by City) days after sale occurs.
4. Within 5 days after sale or transfer occurs the buyer must file with City a signed acknowledgement of receipt of the inspection report.
5. When the property is in compliance with applicable health and safety standards as identified in the report, City shall re-inspect the property and issue a resale certificate, stating that all corrections have been made.
6. Seller is required to provide buyer with a copy of the resale inspection ordinance and/or brochure to inform him or her of the process and requirements of the resale inspection program.
7. Violation of the ordinance may be prosecuted as a misdemeanor or a public nuisance, and may subject the violator to fines and/or administrative citations.

The recommendation is to adopt and it will go into effect within 30 days. A recommendation on the fees for these inspections will be considered at a subsequent meeting of the Council, but will be minimal to cover our costs only.

On a motion by Council Member Ash, seconded by Council Member Plachek-Fulcher and carried unanimously by the following roll call vote, Council adopted Ordinance 196-12, "An Ordinance of the City of Williams Adding Chapter 15.32 to the City of Williams Municipal Code Relating to Property Resale Inspections".

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



CalTRANS HIGHWAY 20 ACCESS STUDY REPORT

City Administrator Bergson introduced the item and indicated that John Holder, CalTrans Engineer and the Project Manager is present with his staff. The process has moved along quite well this summer and is on the second phase, which is the environmental portion.

Mr. Holder said CalTrans has determined there does appear to be a need for a break on Highway 20 prior to reaching Husted Road as has been identified in the City's General Plan. The Initiation Phase of the process included a project study report and project development support document describing the problem and identifying solutions. That Phase been completed, has identified the transportation need and the District Director has signed off.

The Project Acceptance and Environmental Phase is where the preferred alternative is selected. It must meet the engineered solution and includes the process to "denominate" that access point, as well as, determine how the project affects the environment. They will ask the question if the project will meet the need and the consequences of that project. It is expressed on the sheet under the environmental section. There will be a mitigated negative declaration which is a positive as there does not seem to be any issues. The document goes out for public review and then the Council will need to accept and it prior to inclusion in the project document.

The next portion of the process is to move into the design. At this time that section of Highway 20 is delineated as a freeway, which was done years ago. It needs to be denominated as a freeway so that the access can be installed. It would now become a controlled highway and the Transportation Commission should approve that designation. The steps beginning with the Environmental Phase forward are now procedural. As the Design Phase begins, the Right-of-Way Phase runs parallel. There will be permits to enter, temporary construction easements, dedications and acquisitions that will be necessary. This part of the process will become part of the City but some of which will be opened to CalTrans so they can have access. We can then advertise for bids. The environmental is good, the project design is good and the permits, such as Army Corps of Engineers, Department of Fish and Game approval and encroachment permit for the construction are part of this phase as is the Notice of Determination on the environmental. All constraints would then be cleared and the City would be ready to advertise for bids. The State has made the determination that there will never be a need for a freeway on this road.

Contract Planner Price said the City is ready to go forward with the environmental document. He indicated that Mark Thomas and Company are present and have been working on the design. Planner Price said he is leading the environmental review with Stantec. In May the project team was approved and the City was able to get secure \$68,000 from the Transportation budget to



start that portion. The Project Approval and the Environmental Document are part of the last phase. Staff will start the environmental review and consult with the agencies necessary, such as the Army Corps of Engineers and the Department of Fish and Game, etc. The timeline, at a worst case scenario, for completion of the final report is December of 2013 and it is felt only minor consultant time will be needed with these agencies which should result in a shortened timeline.

Staff is also seeking additional funding to complete the process. There has been \$30,000 secured from the property owners and \$38,000 from Traffic Impact funds. Mayor Pro Tem Barker asked if the City is still looking at Margurite as the access and Planner Price said the access is identified on the map. CalTrans has been asked for deviation from CalTrans standards to go with Margurite because of the ¼ mile doctrine they have in place, but Mr. Holder said the Traffic Impact Study will impact that decision especially if there is to be a truck stop and possible traffic back up to the I-5. Mayor Troughton said in Dunnigan said the truck stop well is within the quarter mile on I-5. In Williams between the E Street and Highway 20 exits there is a considerable amount of lane to allow adequate exit to that proposed truck stop area. Mr. Holder said it does make a difference and the traffic impact analysis will help with those determinations. Mayor Troughton said Dunnigan also has a lane that enters I-5 from I-505 but remains as a dedicated lane to exit to the truck stop there. Mr. Holder said the traffic modeling will tell us many things.

Mayor Troughton said the timeline goes back to the second quarter of this year but the City has been going through process this for several years. There is a long time between start and finish. That timeline may jeopardize our ability to attract someone to that location and he asked if the process can move more quickly. Planner Price said our consultation with the Federal agencies will affect the length of time, and even 30, 60 or 90 days could help us. Some of the elements should go more quickly than estimated. The preliminary environmental has addressed some of some of these things and it may move us along more quickly as well. In November we will be declassified and it would preclude us from connecting there with this current classification. They will begin to have some of these meetings and discussions. Stantec has good rapport with these agencies.

Council Member Sellers stated he had heard discussion that Highway 20 was classified as a freeway. Mr. Holder said it had been determined by CalTrans that designation is no longer needed. Mayor Troughton said the right-of-way would be much larger and additional lanes could be added. He asked if there is something that could happen through this process on these studies that could stop this process. Council Member Plachek-Fulcher said there is always that possibility. There has been issues arise all the way along that could have stopped the process but the City has been able to address those issues and move in different directions. Planner Price Gary said there could be problems but partnering with CalTrans and doing the mitigated negative declaration helps move



it along. This partnership with CalTrans to help us move it forward and it should be easier from this point forward. Mr. Holder said once the environmental is done it becomes easier and the risks are then much lower.

City Administrator Bergson said with the funding in place do date and the contributions from the developers, the project is only \$70,000 short. Council Member Plachek-Fulcher and he will be approaching the Transportation Commission to ask if they will provide some funds to help with the environmental phase.

RULE 20A FUNDING STATUS

City Administrator Bergson said this report is to provide an update on the proposed undergrounding project from I-5 to Highway 20 on E Street. The City has available to it allocations of approximately \$402,000 from P. G. & E. funding its own balance, and Colusa County's allocation of approximately \$3,000,000 they are willing to contribute a significant portion to qualifying project of Williams' choosing. The County has little to no urban areas where undergrounding utilities is needed. These funds will support an undergrounding project to be chosen by the City and that will be planned, designed, and constructed by P. G. & E.

These funds come from all ratepayers, not just those within the community who directly benefit from the project. The undergrounding is designed to improve safety and community aesthetics in areas of high public use by eliminating a heavy concentration of overhead electric facilities on arterial or major collector streets, in areas of heavy vehicular or pedestrian traffic, or in recreational or scenic areas. The costs for undergrounding under Rule 20A are recovered through electric rates after the project is completed.

To qualify for as an undergrounding project, a Rule 20A project candidate must meet certain qualifications. These qualifying begin through public hearings and consultation with P. G. & E., with findings that undergrounding is in the public interest by improving the safety or aesthetics of roads, sidewalks, or civic areas in extensive public use. All existing overhead communication and electric distribution facilities are to be removed from the project area upon the completion of work. All affected property owners will have installed the electric service panels, lateral lines, and other facilities needed to receive P. G. & E.'s underground service prior to discontinuation of overhead service, and at their own expense with possible P. G. & E. assistance. The area designated for undergrounding extends for at least one block or 600 feet.

The City Capital Improvement Sub-Committee has recommended E Street as the City's Undergrounding Project. Upon completion of the public hearing, P. G. & E. will proceed to prepare the project's necessary public and environmental work. The process from initiation to completion can take up to five years. A Resolution that has to be passed by the City is attached for the Council



information.

NEW BUSINESS

NOVEMBER 2012 COUNCIL MEETING SCHEDULE

On a motion by Council Member Ash, seconded by Mayor Pro Tem Barker and carried unanimously, Council concurred to schedule the November 2012 Council meeting to November 14 in lieu of November 21st to accommodate the Thanksgiving holiday.

REPORTS

City Attorney – City Attorney provided a memo on suggested changes to the Nuisance Abatement section of the Code. Council concurred to add this item to the November 14, 2012 meeting Agenda.

Deputy City Clerk - Nothing to report

City Treasurer – City Treasurer Barker read the August 2012 Treasurer's Investment Report in to the record.

COUNCIL REPORTS AND COMMITTEE UPDATES

Council Member Ash – She made a presentation to the Sacramento Valley Museum Board first of the month. She is working on the Citizens for Better Williams homecoming for Alejandro Jauregui, the Festival of Lights, the mural project and she met with the City Administrator.

Mayor Pro Tem Barker – He attended the candidates forum, the first and second Measure G forums, the P.G. & E. gas storage facility ribbon cutting, the Downtown Alejandro Jauregui homecoming, a Personnel Board meeting, the Fire Department meeting, the Solar Plant Ribbon Cutting, and the community meetings on the Downtown District.

Council Member Sellers – He attended the ribbon cutting at the Tri County Bank in Colusa, Council and candidate meetings, the Measure G public information meeting, the ribbon cutting in Princeton for new Central Valley Natural Gas storage. He met with the City Administrator, attended the Colusa Regional Medical Center meeting in Colusa and mentioned that the Chief Administrative Officer Dale Kirby is leaving, they drafted the plan for the expanded clinic in Williams which should be completed in April and attended the Solar Plant ribbon cutting.



Council Member Plachek-Fulcher – She attended all her regular meetings. She commended the Public Works Department for their work on the new flagpole at the Historic Downtown Square.

Mayor Troughton – He attended the Museum Board meeting, met with the City Administrator, and Police Chief. He attended a meeting on the Town Square, the candidates' forum, the Fish and Game meeting, the Solar Plant Ribbon Cutting, the Measure G meetings and said the Downtown Revitalization meetings will be held next week.

STAFF GENERAL REPORTS AND DISCUSSION

City Administrator – City Administrator Bergson said the Downtown Revitalization meetings will be held next week. He attended the Transportation Commission meeting and the presentation on Measure G. Upcoming events at the Mystery at the Museum dinner on October 27, 2012, the Election on November 6th, City Hall will be closed on November 12th and the next meeting of the Council is on November 14th

Police Chief – Sergeant Anderson said the DARE graduation on November 14, at 10:30 high school gym.

Fire Chief – Council Member Ash reported that the Board met on Monday night and reported that during the past three weeks there have been , 4 fatalities, 3 accidents, 2 youth incidents.

Public Works Director – absent

Finance Officer – He said the Measure G informational fliers went out to the entire City last Friday. The consultant is finalizing the City audit.

ADJOURNMENT

At 6:58 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: December 19, 2012