

CITY OF WILLIAMS

Council Minutes

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

COUNCIL MEETING

COUNCIL CHAMBERS
WEDNESDAY, JANUARY 23, 2013
6:00 P.M.

CALL TO ORDER

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

ROLL CALL:

COUNCIL MEMBERS PRESENT: Patricia Ash, Kent Boes, Angela Plachek-Fulcher Alfred Sellers, John Troughton

COUNCIL MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Charles Bergson, City Administrator
Josh Nelson, Associate City Attorney
James Saso, Chief of Police
Rex Greenbaum, Finance Officer
Greg White, Interim Public Works Director
Sue Vannucci, Deputy City Clerk
Monica Stegall, Planner

OTHERS PRESENT: Contract Planner Gary Price

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT

Sarven Singh said he has been told by the City that he owes a balance of over \$600 in utility fees accrued before he purchased the subject property. He does not feel he should pay for this because he did not use the service. City Administrator Bergson said Mr. Singh had purchased the property that had a back bill and the bill should have been cleared at the time of sale. As it was not, the new owner is required to pay these fees or the taxpayers would have to absorb his bill. The Realtor should have checked with the City and the costs should have been paid during escrow. Mayor Ash said it was a short sale. The Bank of America should have informed him of the bill and cleared it. Mayor Ash directed this item be placed on the Agenda. There was no concurrence by



the remaining Council Members. Mayor Ash asked the Associate City Attorney to research this issue.

WRITTEN COMMUNICATIONS

Council received a notice from Pacific Gas and Electric regarding an electric rate increase of .99%.

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

PRESENTATION

Council recognized the Manchester United Youth Soccer Team for their accomplishments during the AYSO 1593 – 2012 season and presented Certificates of Recognition to Coach Enrique Gonzalez, Assistant Coach Israel Flores and Team Members Emilio Flores, Jerry Gomez, Antonio Gonzalez, Julian Guerrero, Litzie Leos, Liseth Madrigal, Jovanny Montero, and Raulito Quintero. Mayor Ash read the Certificate and presented the Coaches and Team Members their trophies. Coach Gonzalez and Mayor Ash recognized Cervantes Paint and Body for their sponsorship of the team. City Administrator Bergson said this is a National Soccer Association and had they won Regional they would have moved to the National competition

CONSENT

At the request of Mayor Ash and with concurrence by Council, the minutes were removed from the Consent Calendar for separate action.

MINUTES

On a motion by Council Member Plachek-Fulcher, seconded by Council Member Troughton, Jr., and carried, Council adopted the minutes of the November 14, 2012 meeting as presented. Mayor Pro Tem Boes abstained.

On a motion by Council Member Plachek-Fulcher, seconded by Council Member Troughton, Jr., and carried unanimously, Council approved the Consent Calendar items as follows:

TREASURER'S INVESTMENT REPORT AND MONTHLY REGISTER

Council received and accepted the Treasurer's Investment Report and Monthly Register for November, 2012.



RESOLUTION 13-02 – U. S. BANK SIGNATURE AUTHORIZATIONS

Council adopted Resolution 13-02, "A Resolution of the City Council of the City of Williams Authorizing the City Council Members and the City Administrator to Sign Checks Drawn on the U. S. Bank and the Finance Officer and Accounting Specialist III to Make Inquiries on the Account".

BUDGET SCHEDULE

Council adopted the two year Operating and Capital Budget schedule for fiscal years ending June 30, 2014 and June 30, 2015.

PLANNING COMMISSIONER

Council appointed Steven Jeet to the Planning Commission, effective immediately. City Administrator Bergson said the new Planning Commissioner is a local person. The two candidates' applications materials were circulated to the Members of the Council for review.

PUBLIC HEARING

COMMUNITY DEVELOPMENT BLOCK GRANT

Contract Planner Price said this is one of a series of Public Hearings on this subject this year. The purpose is to seek input from the public and direction regarding a list of projects that are eligible for funding in the State's Non-Entitlement Community Development Block Grant Program (CDBG). These projects have been targeted primarily toward low income programs either directly or through a community wide project. The City needs to have a very competitive application program.

Last year the City applied for, but did not receive CDBG funding for the following activities:

1. Housing Rehabilitation Program (\$500,000)
2. Home Buyers Assistance Program (\$100,000)
3. Williams Community Center Revitalization and Addition Project (\$1,300,000)
4. Parks and Recreation Program Operation (\$100,000)

This year there is \$14M± available and as we were not funded last year, we will receive some bonus points. An item high on the funding list would be emergency housing shelter, since the homeless shelter application would more directly benefit urgently needed housing for low income people. A first time home buyer assistance program and business that would help provide jobs for low income individuals would also be high on the list, as would the downtown revitalization program and the Odd Fellows building.



This Public Hearing gives the public an opportunity to present ideas, comments and suggestions on projects/activities they feel the City should consider developing over the coming year. Staff is also requesting direction from Council in developing CDBG applications for the General Allocation program. A second Public Hearing will be held in 30 days provide time to review the application for eventual submittal to HCD in April of this year.

Last year the City's application was ranked 57th; only three down from those that received awards.

The following summarizes the grant program for this year:

1. Maximum of \$2 million maximum per application
2. \$14 million available in FY 2013.
3. 3 activities maximum per application
4. Each activity evaluated separately, not application as a whole.
5. Each activity has a maximum allowable amount.

Public improvement programs, such as rehabilitation of the sewer line to the Migrant Farm Worker's housing shelter would score high as compared to a magnesium water filter system. Some examples of other projects that staff considers highly competitive include:

- North Williams Area Sewer Line Rehabilitation Program
- Housing Rehabilitation Program
- Business Assistance Programs
- Micro-Enterprise Program
- Planning Programs

The City will be required to provide a 5% cash match for the CDBG grant.

Council Member Plachek-Fulcher asked if the grant were received on the Odd Fellows Building, would it be to help them repair the structure to provide businesses to occupy the site. Planner Price said the business would need to show employment of low income individuals. Staff would be recommending a study of the building to identify feasible ideas. Funding of a low income housing development on the second floor would be one thought and then funding could also be considered for façade enhancement.

Council Member Plachek-Fulcher asked if the North area sewer project would qualify because individuals who reside in that area qualify as low income individuals. Planner Price said an income survey would provide better information on our competitiveness in relation to low income. At present the City is at 51% low income which is rather weak in the competition. The scope of work on an income survey would break the neighborhoods more fully and would indicate whether we would qualify for that consideration. A proposal has been received from HydroScience to conduct the survey. If the percentage of low income is



higher, funds could then be available for infrastructure at \$1.5M. City Administrator Bergson said the studies have been done and the estimates are between \$600 and \$700K for the project. Council Member Troughton said we were third below the cutoff line last year and said those Cities included last year could not apply this year. Planner Price Gary said the Super NOFA (Notice of Funding Availability) last year provided a higher funding availability than will be allocated this year. As it was for a two year period, what was awarded last year was subtracted out leaving the lessor amount available for this year.

At 6:23 p.m., Mayor Ash opened the Public Hearing. With no comments heard, Mayor Ash closed the Public Hearing at 6:23 p.m.

Council concurred that the North Williams Area Sewer Line Rehabilitation Program should go forth on the application for funding. Mayor Pro Tem Boes indicated we qualify for three projects. Council Member Plachek-Fulcher said it is difficult to qualify with some housing rehabilitation projects and the application process is very difficult. The housing rehabilitation developers find it frustrating to go through the process. Planner Price said once those developers become involved in the process and can the outcome they will generally move ahead. Others are then more encouraged to apply as well.

Finance Officer Greenbaum said is helpful to have the deferred payment portion, such as for the elderly which is then an incentive to provide better living conditions. The City could put a lien on the house which would then come back to the City when the house sold. The current interest rates are 2-3 %. Planner Stegall said there has been some interest shown and continue to contact individuals to ascertain further interest.

Council Member Sellers, Jr., said there are project funds to target blight areas. Planner Price said one of the ideas was the façade enhancement program to target some buildings in structural danger. When others see the improvements these funds can provide they become interested in inclusion in the program. Mayor Ash said the owners of some buildings with partially shingled awnings should be contacted to reduce danger and blight.

Planner Price said Staff can return with ideas to help the application process qualifications. Council Member Plachek-Fulcher said the new County Education Center will be holding classes and asked if there will be adult training for individuals who need training in the operation of a business. Some of our residents do not have proper job skills. If the Center would be willing to hold these classes, can some of the CDBG funds be utilized for that training. Planner Price said last year there were quite a few awards for microeconomic training which is a very competitive activity. He said should Council have further suggestions or questions, please contact City Administrator Bergson or Planner Stegall. Staff will study further the possible projects and return to Council with further information.



OLD BUSINESS

COUNCIL BOARD AND COMMISSION REPRESENTATIVES

Mayor Ash appointed members of the Council to the various Boards and Commissions as indicated below:

Colusa County Transit Agency and Transportation Commission	-Council Member Plachek-Fulcher
Local Agency Formation Comm. of Colusa County	-Council Member Plachek-Fulcher, Primary -Mayor Pro Tem Boes, Alternate
Colusa County One-Stop Partnership	-Mayor Ash, Primary -Council Member Sellers, Alternate
Williams Fire Protection Authority	-Mayor Ash, Primary -Council Member Plachek-Fulcher, Primary -Council Member Troughton, Alternate
Finance Committee	-Mayor Pro Tem Boes -Council Member Troughton
Personnel Committee	-Mayor Ash -Mayor Pro Tem Boes
General Plan Committee	-Mayor Ash -Council Member Plachek-Fulcher
Capital Improvement Committee	-Mayor Pro Tem Boes -Council Member Troughton
Economic Development Corporation	-Mayor Ash, Primary -Council Member Plachek-Fulcher, Alternate
Williams Unified School District	-Mayor Pro Tem Boes, Primary -Mayor Ash, Alternate
Williams Community Center	-Council Member Sellers
Sacramento Valley Museum	-Council Member Troughton
Colusa County Regional Medical Center	-Council Member Sellers, Primary -Council Member Plachek-Fulcher, Alternate
Colusa County Board of Supervisors	-Council Member Plachek-Fulcher, Primary -Mayor Pro Tem Boes, Alternate
Gang Task Force	-Council Member Sellers
Solid Waste Task Force	-Mayor Ash

CITY TREASURER

City Administrator Bergson said this item had been continued from the last meeting. Mayor Ash recommended Police Services Manager Beverly Maxey be appointed to the position of City Treasurer but has not spoken to her about such an appointment. Council was advised that any full time employee of the City could not be appointed to this position as they would then be considered as working more than 100% and it would become a Public Employee Retirement System issue. Council Member Troughton recommended that the City Administrator be appointed to this position. Mayor Ash and Council Member Plachek-Fulcher disagreed. Associate City Attorney Nelson advised that the position be advertised but if so, it must be made clear that the applicants must be a registered voter and reside within the jurisdiction, which means within the City limits.



On a motion by Council Member Plachek-Fulcher, seconded by Mayor Pro Tem Boes and carried unanimously, Council approved the creation of an advertisement for the position of City Treasurer for the City of Williams.

RESOLUTION 13-01 – WOODLAND FIRE PROTECTION BUDGET/TRANSIENT OCCUPANCY TAX

City Administrator Bergson said at the December 19, 2012 meeting of the Council discussion was held and concerns expressed regarding the City share of the Williams Fire Protection Authority (WFPA) budget. The amount presented at that time was \$259,627, which was different from the budgeted amount of \$245,752, a difference of \$13,875. Subsequently, the Finance Committee met with representatives of the WFPA to for a Sub-Committee discuss the proposed budget change. A review of the budget was indicative of the need for the higher amount as presented to cover the City share of the services provided and is inclusive of all funds paid for service, such as Transient Occupancy Tax (TOT), Proposition 172 funds, and other General Fund moneys in the City's discretion. Payments are to be made quarterly as indicated in the JPA. It was also agreed that in the future as per the language in the JPA, that the proposed annual budget for the WFPA will be submitted to the City Council for review and comment at least 20 days before the Authority Board approves the budget.

As part of this review it was found that the March 14, 2000~~1~~^{**}, Resolution 01-05 establishing a "Supplemental Fire Protection Fund" committing a fixed percentage of TOT to the WFPA does not comply with Proposition 218 as a general tax, such as the TOT, may not be committed to a specific purpose. A "Supplemental Fire Protection Fund" was not contemplated and is not consistent with the funding methodology agreed upon by the parties as set forth in the JPA. The City Attorney recommends this Resolution be repealed.

As well, Firefighting Strike Team reimbursements should be omitted from the budget as there are years when there are no Strike Team funds and should not be considered as consistent budgeted revenue.

Mayor Pro Tem Boes asked why Resolution 01-05 dated March 14, 2000 was adopted before the November 2000 election. *** (Upon checking the Minutes of the March 14, 2001 Council meeting it was found that this Resolution was incorrectly dated and should have read March 14, 200~~1~~ not March 14, 2000 – S. Vannucci).* He asked if the public approved this tax increase with the idea that it would go to the Fire Department, and if so, can a special tax for the Fire Department be put in place. Associate City Attorney Nelson said it could happen but the vote would have to be 2/3. Council Member Troughton said the Council could re-negotiate with the JPA each year. It is about 7% raise average per year over the past several years. Mayor Ash said they went 3 or 4 years without any increase. Council Member Plachek-Fulcher said the City established a Supplemental Fire Protection Fund with monies to be deposited for salary,



benefits, etc. Council Member Troughton said the JPA wanted to have a set amount and not have to have the uncertainty of revenue each year. Associate City Attorney Nelson said that they wanted to be consistent each year and this proposed Resolution would fix the problem without amending the JPA itself. There will be one single City contribution changing the source of those funds only. Mayor Ash said the Fire Board has approved the recommendation. City Administrator Bergson said the Resolution is not in compliance with the Agreement between the City and Fire JPA.

City Administrator Bergson said the differential of \$13,875 can be funded through anticipated salary savings for the current Fiscal Year. These savings have been realized in the Public Works Department and the Police Department. This increase will be addressed as a part of the budget discussions for Fiscal Years 2013-14 and 2014-15.

On a motion by Council Member Troughton, seconded by Council Member Plachek-Fulcher and carried Council received and approved the Williams Fire Protection Authority Budget in the amount of \$259,627 for the current Fiscal Year and adopted Resolution 13-01, "A Resolution of the City Council of the City of Williams Repealing Resolution 01-05 Establishing Supplemental Fire Protection Fund for Transient Occupancy Tax Increase".

NEW BUSINESS

WILLIAMS LITTLE LEAGUE

City Administrator Bergson said the Williams Little League had approached Council at their last meeting requesting City assistance, but have not provided written specifics.

Jamie Umble, Secretary of the League, said they are requesting City staff support, a location to hold their Board meetings, access to a mailbox at City Hall as they only have \$100 in their budget. They will be holding events to raise funds. They will also need to discuss usage of the parks. They would like to work with Parks and Recreation to coordinate dates for basketball. They would also like to have fees waived for a parade in March. Council Member Troughton asked how many adults are currently involved in the League and Ms. Umble said 12 thus far. Council Member Plachek-Fulcher said she had been involved with the League before and there had been some embezzling. Once the snack bar is in place funds would be forthcoming. Mayor Ash should Parks and Recreation wish to be involved they would need to volunteer their time as the City should not be paying City employees to help them. Council Member Plachek-Fulcher said because it benefits our community, the City should allow usage of our web page, the light up board, and waive fees. Mayor Ash said the Old Gym could host meetings. Ms. Umble said they would like to have practices at the parks. Chief Saso will program the sign.



On a motion by Council Member Plachek-Fulcher seconded by Council Member Sellers, and carried unanimously, Council approved the request of the Williams Little League Program to waive fees for their parade last weekend in March.

TRAVELERS' MOTEL

Tedd Mehr, Attorney for Mr. Patel of the Travelers' Inn said his client is requesting Council approval of his request for installation of drainage pipes and road overlay at 215 7th Street for truck access to parking at this site. As the request is outlined in the letter submitted, he is here to respond to questions Council may have. The more money the Inn generates, the more the City benefits.

City Administrator Bergson said he saw the letter and spoke with Mr. Patel and understands the concerns. He does not feel the Transient Occupancy Tax (TOT) and revenue presented by Mr. Mehr to be as large as indicated. The City financing sets a precedence regarding requests for improvement on private property. The City has not conducted overall Master Plan for the installation for this type of need and should something be installed at this time it could necessitate removal at some future time when a Master Plan could be adopted by Council. Should Mr. Patel wish to pay the cost on his own he does have that option provided it meets current City standards. The City does not possess the estimated \$20-\$30K at this time to do this project.

Council Member Troughton said it is 120 feet from the radiator shop to the hotel. He said he had spoken with Interim Public Works Director White regarding possibilities to mitigate the situation at that site. He also spoke with Police Chief Saso regarding any traffic issues that might arise with the truck entering and exiting the proposed parking lot. Director White had recommended slurry and gravel over the pipes for the entire 120 feet. The fence would need to be removed and the trucks would need back onto the site. Currently there is a debt in the Storm Drain Fund. As the trucks would need to enter the street and back into the slots a traffic flow issue could be seen. Mayor Ash asked if the City Engineer had studied this issue. Mayor Pro Tem Boes presented an unknown document to Mayor Ash and stated a cement drain at a cost of \$50K would be necessary.

Mr. Mehr said they had secured some costs estimated and CalTrans had an approved plan indicating the cost would be \$7,000. There has been no specific engineering conducted except through the City Administrator. The benefits to the City in the short- and long-term will far outweigh the cost. Mr. Patel said there would be catch basins and the water would be directed to the exact place it presently flows to. Council Member Troughton catch basins and grates would secure the water but there is still a cost. Mr. Mehr thinks the cost would be reasonable and the City should absorb that cost, not the Traveler's Inn.



When asked for clarification on the figures presented, Mr. Mehr said he took the figures for the annual income and included the increase of the four additional rooms that would be used by the truckers. Mayor Pro Tem Boes said the truckers would not necessarily go to another town so the TOT would not necessarily increase.

Chief Saso said the City made changes to the on street parking adding 160 feet for trucks to park and utilize the Traveler's Inn and they are not parking there. Mr. Patel had told Council he was happy with the additional parking area allotted to provide the trucks space and requested clarification on why they are now asking for additional space.

Mr. Mehr said trucks were generating 25% of constant revenue. The truckers do not want to walk or be far away from their vehicles. Council Member Plachek-Fulcher asked Chief Saso if he felt this would be a feasible fix. Chief Saso indicated he had not seen the plan. Mr. Patel said he is going to move the fence and there will be space to move within the property. Council Member Troughton said he has driven trucks in the past and the 53 footers will need to make wide turns and will enter the north bound lane of the street. He asked Director White if the drains would need to be reinforced in order to handle the load weight of the trucks. Mr. Mehr said the pipe they are recommending is the same utilized by CalTrans. City Administrator Bergson said they met with CalTrans regarding this issue and the cover would need to go out over the pipe, thus necessitating the addition of concrete. Mr. Mehr said the Hotel has invested a great deal of money into the City and the City would be seeing a return on the increased rent that would be received by these additional trucks staying local.

Council Member Troughton said the City needs specifics on the cost for this request and the construction standards required to enable trucks to drive over the structure without incurring a failure. He asked that Chief Saso look at the traffic issues and staff at the drainage issues. Mayor Pro Tem Boes asked Chief Saso about the parking that had been previously designated for Traveler's and Chief Saso said Traveler's was designated 160 feet and it is not being utilized by them. The adjacent radiator shop is using that space. There are more dangerous intersections in the City that do not have businesses generating revenue to the City. Council Member Troughton does not want a structure in place that will be crushed by the trucks. Mr. Patel indicated there are no signs in place to point to the current parking

Mr. Mehr suggested that interested parties, Public Works, Police, etc. meet to determine structure and traffic issues before this item returns to the Council on February 20th. He will contact the City Administrator to set a meeting with those involved.



TRAFFIC STUDY – E AND 8TH STREETS

City Administrator Bergson Council had requested a study of the traffic at the intersection of E and 8th as it was felt that there are safety concerns. This intersection includes the City Hall, Fire Station and the Post Office and is an extremely busy location. Traffic engineering firm, Fehr & Peers, investigated the intersection and submitted the report in August 2012, to assess going from a two-way stop to a four-way stop at the intersection. Fehr & Peers states that the volume of traffic does not indicate the need for controls at the intersection. Even using the highest peak volume for both roadways, the volumes are not adequate to justify the need for further controls.

There are over 20 parking spaces and over 20 drives and access points within a few hundred feet of this intersection. Counting the actual street lanes increases the number of potential cars and car movement by at least 8. With the potential of over 40 moving vehicles in the immediate vicinity of this intersection, the need for additional control over the traffic seems to be apparent. In discussions with the Traffic Engineer, it was uncovered that that the California Vehicle Code provides for the establishment of local stop sign regulations where “placement of a stop sign at any location on a highway under its jurisdiction where the stop sign would enhance traffic safety”. The California Vehicle Code Section 22450 reads as follows:

“(c) Notwithstanding any other provision of law, a local authority may adopt rules and regulations by ordinance or resolution providing for the placement of a stop sign at any location on a highway under its jurisdiction where the stop sign would enhance traffic safety.”

Several other cities in the State have adopted this Section. Although the intersection does not classically merit a four – way stop, the concentration of the numerous drive accesses and egresses in tandem with the number of parking spaces in one location is a condition that needs addressing. This provision in the State Vehicle Code may provide a method to so address this intersection. As provided in the State Vehicle Code, it is recommended that the Council direct Staff to establish for Council adoption a local standard for stop sign placement that addresses the intensity of potential traffic movements at an intersection.

Chief Saso is not in favor of this project as it does not warrant a stop. The Council authorized a study that has determined there is no need for a stop at this corner but it is recommended that the results be ignored. A stop will create more of a traffic hazard with a traffic back up. There will be more vehicles stopped on the roadway rather than travelling through and this will not solve the problem. People will not be familiar with the stop signs and there are more accidents at other intersections, including those with stop signs already. The Department will enforce whatever is put in place at the intersection. He



reiterated his concern that there is no indication of the need but the recommendation is to ignore the results of this costly study.

Council Member Troughton asked the City Administrator to express his thoughts about disregarding the study. City Administrator Bergson said our City has different criteria as other cities and we would be establishing a threshold.

Chief Saso asked if the survey is part of the record we choose to go against disregard the recommendations what would be our legal liability. Associate City Attorney Nelson said other safety considerations that have been approved by the Council would protect the City. Mayor Pro Tem Boes said he feels it would be more detrimental against the City more by failing to place a stop sign when it had been recommended. Council Member Plachek-Fulcher agrees that the study should be considered. Pedestrians will believe drivers are going to stop at this or other intersections which could be more of a danger to walkers. Caution bumps might be a better solution. Chief Saso feels that the pedestrian traffic should be more cautious. There is a problem but does not think it reaches a threshold for traffic control. Council Member Troughton does not think the City can change much by putting stop signs up and may even cause accidents at the beginning. Council Member Sellers feels the stop signs with the flashing red lights might be of help. Council Member Troughton said the recommendation is to develop a local standard for stop sign placement. Council Member Plachek-Fulcher said suggested Council have advance conversations in the future before considering a study. Mayor Ash directed staff to investigate other possibilities to improve the safety at this intersection and return to a future meeting with recommendations.

ORDINANCE 199-13 – CODE ENFORCEMENT

Mayor Ash directed that there be two regular code enforcement meetings per month with the Building Department Fire Department, Code Enforcement and the Police Chief with the Chief making a monthly report to Council on the discussions held in these meetings.

City Administrator Bergson said this proposed Ordinance had been revised since initially presented to Council at a previous meeting. Associate City Attorney Nelson said the Attorney's Office had met with staff involved in the process and made some refinements. The nuisance abatement hearing must now be requested by the property owner which should save in hearing costs. Cost recovery can be met with a judgment lien and cannot be paid until the property goes through foreclosure or a special assessment can be collected with the property tax rolls, but there may be need to use a judgment lien and when the property is sold the City would be paid.

Council Member Plachek-Fulcher cited the situation with Mr. Singh's property having utilities owed from the past owner whereby a lien could be



assessed. Associate City Attorney Nelson said the City has the option of placing alien on the property and there are specific issues that prevail.

Mayor Ash directed that the City Administrator and City Attorney present information on a possible nuisance Ordinance regarding feral cats. There are individuals feeding the cats and they are becoming a nuisance. Chief Saso said they have been catching the cats and sending them to Animal Control.

On a motion by Council Member Troughton, seconded by Council Member Sellers and carried unanimously, Council introduced, waived first reading and read by title only Ordinance 199-13, "An Ordinance of the City Council of the City of Williams, Amending Chapters 1.12 and 8.16 of the Williams Municipal Code Relating to Code Enforcement, Violations, Penalties, Administrative Citations and Hearing Procedures".

JOINT USE AGREEMENT – CITY OF WILLIAMS/WILLIAMS UNIFIED SCHOOL DISTRICT

City Administrator Bergson advised Council that the Agreement had been updated by the District and there were several changes that had not been discussed with the City staff. Some of these major differences include charging internal costs for staff and supplies both on the District and City side. They also identified additional facilities that can be used. Any events strictly used by students would be waived. Mayor Pro Tem Boes said the report indicates the new language was to be highlighted for their review and that information is not included in the packet. Mayor Ash continued the item to next meeting because there was no highlighting.

RESOLUTION 13-03 – COUNCIL MEETING TIME

City Administrator Bergson said he had been directed to change the meeting start time to 7:00 p.m. but as the next meeting is a noticed 6:00 p.m. Public Hearing the change should be made effective with the March meeting.

On a motion by Mayor Pro Tem Boes, seconded by Council Member Plachek-Fulcher and carried unanimously, Council adopted Resolution 13-03 as amended, "A Resolution of the City Council of the City of Williams, California, Changing the City Council Regular Meeting Time", changing the start time from 6:00 p.m. to 7:00 p.m., effective March meeting.

OLD GYM AIR CONDITIONING

City Administrator Bergson said this item is in regard to the need for air conditioning at the Old Gym to accommodate classes and events held there during the summer. There is heating in place at the site. This request was considered earlier and was pending passage of Measure G with to support Parks



and Recreation programs. There are about 100 people per month during the summer that are presently moved the school facilities due to the heat. These facilities are not always available or consistent. As an example, yesterday the school moved a City programs on very short notice out of their facility. With air conditioning there would be consistency in the same location and would allow additional programs and uses during the warm season. Although schools are out of session during the summer and the City should be able to use their facilities, there are many times when we are not allowed or are moved at the last minute. The proposal would be to upgrade the electrical capabilities as well.

Council Member Troughton said this building should be rewired to handle the unit and other types of electrical need at the site. The structure itself is fairly sturdy and could be utilized all of the time. If there is a wiring problem at the facility, no classes or events should be held on site prior to completely correcting the issue. It will get substantially increased usage when updated.

Council Member Plachek-Fulcher does not feel the building is sound. Mayor Ash said adding an air conditioning unit would be pumping cold air into a building that leaks is not sealed. There are other events and classes that could be held in the facility that do not require air conditioning. The entire building needs to be rehabilitated. Mayor Pro Tem Boes asked if Community Development Block Grant funds for this building. City Administrator Bergson advised the CDBG does not consider this type of project as a high priority application. Classes could be moved to other sites during the summer months. Council Member Plachek-Fulcher said the City is paying a great deal of money to the school district and they are not allowing us to use their facilities. Mayor Ash asked if it is not in the Agreement that the District must notify us in enough time when they are moving us out. Mayor Pro Tem Boes does not want any renovation at the Old Gym at this time. Council Member Sellers said if the City is to continue to utilize the Old Gym it needs to be comfortable. Council Member Plachek-Fulcher suggested the using the new Colusa County Education facilities, the Community Center or other available facilities. Mayor Ash suggested the old bowling alley.

REPORTS

City Attorney – Associate City Attorney Nelson said there are number of proposals before the Legislation regarding special taxes. One is reducing the 2/3 vote requirement to 55%.

City Treasurer – vacant



COUNCIL REPORTS AND COMMITTEE UPDATES

Mayor Pro Tem Boes – He attended the open house for Congressman Garamendi, the League of California Cities Conference for New Council Members, the Capital Improvement Committee and met with Senator Yamada.

Council Member Plachek-Fulcher – She attended all of her regular meetings, is working with Fire Board on negotiations, and met with Loves' representatives regarding the travel stop.

Council Member Sellers – He attended the Open House for the remodeled Community Center, the Colusa Regional Medical Center Committee meeting, met with the City Administrator, and attended a Gang Prevention Committee meeting.

Council Member Troughton – He attended the Community Center Open House, chief Saso, transportation meeting, Vann/loves meeting visited sewer and public works, CM, finance , fire budget meeting.

Mayor Ash – She met with the Superintendent of Schools to discuss working relationships with the City, has been part of the negotiations with the Fire Board; attended the Community Center Open House, met with the City Administrator, attended the Fire Board meeting and negotiations. The Fire Chief has praised Building Official for coming in on the weekend to handle a potentially deadly issue, found housing for the occupants of the site and red tagged the suspect house.

STAFF

City Administrator/City Clerk – He met with the owner of the Odd Fellows, the Plan Checker and Staff, to do a walk through and we are waiting for the report. The building is generally sound but there are some issues and mold that they are addressing. A copy of the report will be presented to Council, The structure at 110 G Street is unsound and several violations were found so the building has been red tagged. The Antique Show will be held on March 16 and 17. The Senior Housing project ground breaking will be held in late April. The County Office of Education ribbon cutting should be held during the second week of in May. The design on the water facility is 50% complete and should be final in February, with the groundbreaking to be held in late spring. A color needs to be determined as does any verbiage to go in the side of the tank.

Police Chief – The Department has received two new vehicles that should be on the road next week. Interviews have been held and there is one viable candidate. One Sergeant is out on leave. Officer Maldonado attended school safety training.



Fire Chief – Mayor Ash said the Department had 53% of their calls within the City.

Public Works Director – He said he still trying to get up to speed in the Department with his interim appointment and get caught up on projects that had been started before he was appointed.

Finance Officer – Beginning on January 1, 2013 the City went to a second tier Public Employees Retirement System process and the City will save money.

RECESS

At 8:20 p.m., Mayor Ash recessed the regular meeting of the Council.

CLOSED SESSION

At 8:26 p.m., Council met in closed session to hold a conference with Real Property Negotiators pursuant to Section 54956.6 for the property identified as Assessor's Parcel Number 016-320-033-000. The Agency Negotiator was Charles Bergson and the Negotiating Parties, the City of Williams and Michael B. and Barbara A. Esposito. Under negotiation were price and terms of payment. Present at this session were Mayor Ash, Mayor Pro Tem Boes, Council Members Plachek-Fulcher, Sellers and Troughton, City Administrator Bergson, and Associate City Attorney Nelson.

REPORT OF CLOSED SESSION

At 8:43 p.m., Council returned to regular session. Mayor Ash reported that Council had provided direction to staff in closed session regarding the conference with the Real Property Negotiator.

ADJOURNMENT

At 8:44 p.m., Mayor Ash adjourned the regular meeting of the Council.

APPROVED:

Ss: Patricia Ash, Mayor

ATTEST:

Ss: Susan L. Vannucci, Deputy City Clerk

Adopted by Council: March 20, 2013