

CITY OF WILLIAMS

Council Minutes

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

COUNCIL MEETING

COUNCIL CHAMBERS
WEDNESDAY, MARCH 20, 2013
7:00 P.M.

CALL TO ORDER

At 7:00 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
Ann Siprelle, City Attorney
Ed Anderson, Police Sergeant
Greg White, Interim Public Works Director
Sue Vannucci, Deputy City Clerk
Monica Stegall, Planner

OTHERS PRESENT: Mariela Cruz, Office Assistant
Beverly Maxey, Police Services Manager
Gary Price, Contract Planner
Pete Garcia, Sewer Operator

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT

Lorena Padilla of Williams, is part of a Soccer organization and represents players in a League. They host a game in Williams on one Saturday and the Sacramento League hosts another in Sacramento. The games hosted here were played in Valley Vista Park and the fields were not acceptable. She asked that the field be fixed. Summer soccer and the AYSO leagues coming up.



Rosa Santillan, Manager at Motel 6 in Williams said they are losing some customers because of the street issues near McDonalds. She would like the pot holes repaired even if it is only a temporary solution. City Administrator Bergson said some repairs can be done at this time while we are still in the rainy season but further long term repairs would have to wait. Mayor Ash asked about the consistent presence of water in the area and Council Member Troughton indicated it comes from the site occupied by Burger King. The renovations recently done by McDonalds have helped the issue somewhat but the water problem needs to be resolved first.

Uriel Velasquez said he wants the soccer fields fixed.

Guillermo Hernandez said (via translation by Mariela Cruz), said out of all of the northern State, his team achieved fourth place in the tournament. This accomplishment was in a field of 46,000 kids. Because of their accomplishments, he feels the fields fixed. Mayor Ash said this item must be placed on the Agenda and Public Works could then be authorized to do the repairs. Mr. Hernandez said because the fields are so bad they must play in the tennis courts which need the lights repaired. City Administrator Bergson said Staff will investigate the concerns and return with recommendations at the next meeting.

Antonio Gonzales who coaches the 9 and 10 year olds said they must pay to use the school fields and asked the City to pay these fees as the City fields are not usable.

WRITTEN COMMUNICATIONS

Council received the following written communications since the last meeting:

- Notice of Ownership Structure Change for ComCast
- Minutes of the Williams Unified School District Meeting of February 21, 2013
- Letters from Hispanic Committee, Soccer Parents, Soccer Coaches, and Soccer Players Regarding the Quality of the Soccer Field at Valley Vista Park and the Tennis Court Lighting

PRESENTATION

CERTIFICATE OF APPRECIATION – CITIZENS FOR A BETTER WILLIAMS

Council presented a Certificate of Appreciation to the Citizens for a Better Williams in recognition of the events and activities they provide to the City. Mayor Ash presented background on the group who had been formed when they felt the City could use some assistance in presenting a better image. Thus, such things as the Festival of Lights, Pioneer Day activities, setting of American flags on various occasions, events to honor our Veterans, general clean up, etc. Mayor



Ash introduced her daughter, Andi Armstrong, current President of CBW and other members of the group who were in attendance. She also read and presented the Certificate.

CONSENT

City Administrator Bergson indicated the item on the job description and salary placement for the Wastewater Treatment Plant Operator I/II/III which had been distributed with the Council packet was incorrect and the amended Job Description been distributed this evening.

On a motion by Council Member Plachek-Fulcher, seconded by Council Member Troughton and carried unanimously, Council approved the following Consent Calendar items as presented with above amended Job Description:

TREASURER'S INVESTMENT REPORT AND CHECK REGISTER – JANUARY 2013

Council accepted the monthly Treasurer's Investment and Register Reports.

MINUTES

Council adopted the minutes of the regular City Council meeting of January 23, 2013 as presented.

PROCLAMATION – CHILD ABUSE PREVENTION MONTH

Council proclaimed April as Child Abuse Prevention Month and authorized the Mayor to sign the Proclamation so declaring their support for these efforts in the City of Williams.

SKIP LOADER

Council authorized a Request for Proposal for the purchase of a replacement Skip Loader for the City Public Works Department.

SPECIAL EVENT PERMIT – EASTER EGG HUNT

Council approved the request for an annual Special Event Permit and fee waiver for the Williams Men's Fellowship Easter Egg Hunt at the Sacramento Valley Museum Grounds on March 30, 2013.

RESOLUTION 13-05 – LOCAL AGENCY INVESTMENT FUND

Council adopted Resolution 13-05, "A Resolution of the City Council of the City of Williams Authorizing Specific City Officials to interact with the Local Agency



Investment Fund and Authorizing Investment of Monies in the Local Agency Investment Fund (LAIF)".

WASTE WATER PLANT DISCHARGE PERMIT RENEWAL

Council authorized the City Administrator to Sole Source Contract with Stantec to prepare the California Regional Water Quality Control Board Report to Stantec for a not-to-exceed fee of \$44,000.

WATER TREATMENT PLANT SPECIALIST I/II/III – JOB DESCRIPTION

Council approved a revised job description for Water Treatment Plant Specialist Grades I/II/III and the appropriate salary schedule placement.

PUBLIC HEARINGS

RESOLUTION 13-06 – COMMUNITY DEVELOPMENT BLOCK GRANT REUSE PLAN

Contract Planner Price said the City is applying for funding through the Community Development Block Grant Program once again this year. With \$300,000 in program funds at present, the City needs to develop a plan to spend these funds or return them to the State. This money is received from payments on loans and other disbursements that goes into the revolving fund. Programs being recommended are the Housing Rehabilitation Program, Homeowner Assistance Program, Business Assistance program and Microenterprise Assistance Program.

At 7:26 p.m., Mayor Ash opened the Public Hearing. Hearing no comments from member of the public, Mayor Ash closed the Public Hearing at 7:26 p.m.

On a motion by Council Member Troughton, seconded by Council Member Plachek-Fulcher and carried unanimously, Council adopted Resolution 13-06, "A Resolution of the City Council of the City of Williams Approving a Revision to the Community Development Block Grant Program Income Reuse Plan".

RESOLUTION 13-07 – COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

City Planner Stegall said a Public Hearing was held on January 23, 2013 to assess the possible programs to be part of the application for the Community Development Block Grant. Staff has researched the recommended programs for consideration and there are now some potential applications for these CDBG funds.

Consultant Price said these recommendations have gone before the Finance Sub-Committee. The potential applications:



- \$1.1M sewer line improvements on the West side of Williams, with the North Branch Rehabilitation Project (CIP 13-02) as one;
- the \$600K Housing Combo Program (Competitive Grant) to include housing rehabilitation and homebuyer assistance to low income families;
- \$300K towards a Business Assistance Combo Program consisting of \$150K to City's Business Assistance Program for loans to businesses that generate low income employment, \$100K for City's Microenterprise Business Program for loans to small businesses and \$50K to develop a Microenterprise Business Training Program;
- Up to a maximum of \$150K for General Program Administration if all grants proposals are approved.

The application is due on April 12, 2013 and there is a business demand survey that needs to be put together to understand the needs for the community.

Council Member Plachek-Fulcher asked for thoughts on the likelihood of the City to receive funding for these projects. Consultant Price feels that this year the City should receive more consideration for the projects presented. Those who received funding last year cannot be awarded funds this year which creates less competition. Our requests are more directly tied to health and safety issues for the target income individual's needs. The City is procuring some consultants to help with the business assistance, microenterprise and home programs because some of the concerns from the State that we did not have any demonstrated capacity within the Staff of the City. These individuals will help us secure the grants. . Council Member Sellers asked if the Migrant Sewer System Project (CIP 12-12) would be one the City could utilize and Consultant Price said the County of Colusa had received funding for Project. The City will be applying to assist with that project so we would get more points for making the applications more competitive. Council Member Troughton asked: if there is a match and Consultant Price said the City has no match requirements.

At 7:34 p.m., Mayor Ash opened the Public Hearing. With no comments from citizens heard, Mayor Ash closed the Public Hearing at 7:34 p.m.

On a motion by Council Member Troughton, seconded by Mayor Pro Tem Boes, and carried unanimously, Council adopted Resolution 13-07, "A Resolution of the City Council of the City of Williams Approving an Application and the Execution of a Grant Agreement and any Amendments Thereto from the 2013 Allocation of the State CDBG Program".



OLD BUSINESS

ODD FELLOWS BUILDING

City Administrator Bergson said there has been a pending report from Bureau Veritas due at any time regarding a walk through inspection of the Oddfellows building. As this report is anticipated between now and the next meeting, the item will be placed on the Council will be on that Agenda. The Administrative Staff will be issuing a citation not later than the end of the month as the owners have not been responding to our requests to bring the building up to Code.

PROJECT 12-01 – STATE ROUTE 20 ACCESS

City Administrator Bergson said the process is more than $\frac{2}{3}$ through the steps with CalTrans to facilitate this intersection. CalTrans review will be done by the end of the summer. Staff has met with a developer interested in handling the project. The Financial Plan with the developer is for Council review and a package should go to the developer within the next few weeks. The County and City of Colusa have been contacted regarding possible cost sharing on the proposed intersection and official letters will be sent to them to formalize the request.

ORDINANCE 200-13 – FERAL CATS

Police Services Manager Maxey said Council had received the proposed Ordinance at their last meeting and had some questions. Mayor Ash asked for clarification on the compliance procedures individuals will need to follow if this Ordinance is approved. Manager Maxey a permit will be required in order to feed these stray animals. The colonies of the cats will need to be identified and where they would trapped so that notifications can be made to the property owners in those areas. The process is to trap these animals, spay or neuter them, inoculate, and put up for adoption. These efforts are to reduce size of the colony.

Mayor Ash said there is one individual feeding on private property. Manager Maxey said those individuals would need permission from the property owner to feed on private property and would not be allowed to feed on public property. This permission must be in writing from property owner and those property owners within 300 feet must be noticed in writing as well. These surrounding property owners would have the right to protest. Each animal would receive a notch in the ear so that it is easily seen and identifies that animal as one which had been vaccinated, etc. The individuals feeding the animals must keep records as well. These regulations will allow the individual to continue to feed the animals but they must follow the procedures.

Council Member Troughton said at one time citizens could trap these animals and contact Animal Control who would pick them up. Manager Maxey



said that is a possible option but it is likely Animal Control would charge the City with a per animal pick up fee. There is a deposit for the trap and they will pick them up. They do not normally return these animals and usually euthanize them. Mayor Pro Tem Boes said they could still trap these animals without being affected by the proposed Ordinance and Manager Maxey said that is still an option. There is a prohibition against releasing these animals back into the City or the County. Council concurred they would like to review the proposed Ordinance further. This Ordinance will be placed on the April 17th Agenda for introduction.

CITY TREASURER

City Administrator Bergson said with the resignation of the City Treasurer in December, the Council directed to post an advertisement for a replacement to be secured. With that posting, we received two viable applications. Staff recommended that the Finance Sub-Committee interview the applicants and make a recommendation to appoint at their next meeting for full Council approval. Council concurred.

NEW BUSINESS

SPECIAL EVENT PERMIT – SACRAMENTO VALLEY MUSEUM

City Administrator Bergson said the Staff has received a request for approval of a Special Event Permit for the 50th Anniversary of the Sacramento Valley Museum on April 20, 2103 beginning at 10:00 and continuing throughout the day. They are also asking for a waiver of all fees for this event.

On a motion by Council Member Plachek-Fulcher, seconded by Council Member Sellers and carried unanimously, Council approved a Special Event Permit for the Sacramento Valley Museum 50th Anniversary Party scheduled for April 20, 2013 and waived all fees.

MUSIC AT THE MUSEUM

City Administrator Bergson said in past years for this event there have been donors for the dinners. Some of these donors have not made adequate money to cover their costs. One of the recommendations has been to reduce the number of events from 5 to 3 days or to hold a Farmers Market simultaneously. This item has come before Council for their input and suggestions. Mayor Ash suggested serving such items as a hot dog and a soda would be less expensive, and easier. Council Member Plachek-Fulcher suggested contacting the Scouts to ascertain their interest or indicating that individuals bring their own food and drink. Many people have already eaten but would perhaps just want desserts. There could also be a combination of events with food and some without. City Administrator Bergson said Staff will reach out to other groups with these suggestions



UTILITY BILL – 557 NINTH STREET

City Administrator Bergson said there has been an issue regarding the property at 557 Ninth Street in that the new owner of the property had not been made aware of the outstanding utility bill on the property caused by the previous owner. To address this oversight the City Code is in need of clarification as to when a tenant or previous owner has not paid for City services which now must be paid by the new owner or the City must absorb the cost which is then essentially paid by the taxpayers as a whole. The recommendation in this case is to waive the fees and adjust the Code to prevent this from occurring in the future.

The current owner of the subject property, Sarvin Singh, said he should not have to pay for the services he did not use. The bank, title and the City were all involved.

Council Member Troughton said when houses are foreclosed, all of these costs should have been included in the disclosure and been part of the bid. There should be something to protect the buyer. Council Member Plachek-Fulcher said if a lien had been placed on the property these costs would have been disclosed. The \$700+ was a very high amount and should have been a red flag.

City Attorney Siprelle said this Section was put in place in the 1980's. There should be a mechanism in place to trigger a lien when the amount becomes of concern.

On a motion by Council Member Troughton, seconded by Council Member Sellers, and carried unanimously, Council waived the utility bill payment for the property located at 557 Ninth Street and directed staff to revise the Code language to provide for consistency.

HUMAN RESOURCES SUPPORT STAFF

City Administrator Bergson said some of the duties of a Human Resources office are presently handled by his office or the Finance Officer, when in actuality the Accounting Specialist has been responsible for many of the duties associated with HR. Some examples of those duties are liability insurance, payroll insurance, dental, retirement, workers' compensation, and such. These duties should officially made a part of the position's job description and the incumbent would be held accountable. The recommendation is to add these duties officially to the job description.

Mayor Ash asked if there were formal classes that would be needed to properly attend do these duties. City Administrator Bergson said there is no specific training for these particular sections of the position but the Code is specific on who is responsible to attend to them. Our current Accounting Specialist III has been and continues to handle these duties. Police Services Manager Maxey asked



if there would be a pay increase associated with this change in position description. City Administrator Bergson indicated he has considered looking surveying some other Cities with similar positions. Mayor Pro Tem Bose asked if the Finance Officer or the City Administrator had received increases for absorbing Human Resources duties. City Administrator Bergson said the duties had been in place already and they had not received further pay adjustments. The Accounting Specialist III should receive an increase to be associated with these additional responsibilities.

Manager Maxey indicated the duties were in place with this position before. There was a discrepancy in the Finance positions previously and they were updated with salary adjustments at that time. This position received a \$10,000. Administration continues to request positions be adjusted individually and they are now these three persons who are making more than the Police Services Technician. She would like a compensation study down for the entire City.

Sewer Operator Garcia said this position had been in the Miscellaneous Employees Bargaining Unit and had been overpaid in the position. These duties had been added over time and the position was given a 5% bump some time ago. Since that time the salary has continued to increase. Council Member Troughton said the position should have been given a classification based on the job description, thus dictating how the salary should be computed. Redefining the duties of the position will help make the decision on how much they should be paid. City Administrator Bergson said the incumbent is handling responsibilities that are not in the current job description. Council Member Plachek-Fulcher said the incumbent is receiving adequate payment for the duties assigned but the duties have not been put into the job description. A revised job description needs to be done first.

On a motion by Mayor Pro Tem Boes, seconded by Council Member Plachek-Fulcher and carried unanimously, Council directed staff to prepare a revised position description for the Accounting Specialist III that includes assigning the Human Resources duties and responsibilities as so delineated.

WALKER RIDGE WIND PROJECT

Jesus Arredondo from Advantage Consultants, said the Bureau of Land Management (BLM) has directed that sites be identified throughout the State where renewable energy can be installed and sustained. One of these projects is the Walker Ridge Wind Project which is to be located on BLM land along the crest of the mountains straddling Lake and Colusa Counties. This is not a large energy project in comparison to others but it is unique. In Northern California, other than some geysers, this is the only renewable energy project. The cost of the project is anticipated to be \$200 million and will be a 60 to 70 megawatt project working on wind power. There will be 29 turbines on this BLM land and will be located near Highway 20 thus utilizing existing roads except for widening of some currently in



place. Some roads may be improved and those will be left in place when the construction is completed. Additionally, some of the roads will require restoration. Cal Fire has said should widening of these roads take place it would be helpful to them as access for fire issues. One of the thoughts had been to construct a helipad and that will be done. They are very close to approval of the project and all indicators are good. California is one of the hardest places to develop an energy project. It is a very rigorous process but very thorough. The first review of this site started in 2008 and addressed any possible effects on the animals and plants in the project area. There are no endangered plant species but there is a sensitive area of serpentine rock. There is a plant that grows on this rock, which is naturally occurring asbestos. There will be no disturbance of that particular area. A website will be launched on this project soon. The project is on the priority list with BLM which gives it a bit more priority and will take 9-12 months to build. The City of Williams will be our staging area with the engagement 150 employees during the construction who will be staying here, buying gas and food. The company would like to use local individuals as much as possible. They have had communication with the labor unions who have helped to identify individuals who may be available to work. A storage yard within the City will be needed both during the project construction and following. The yard needs to be approximately 4 acres and there will a need for a permanent office on the site. They will need help in identifying this property. The structure life of the wind project is about 25 years. When fully constructed the number of individuals to be employed full time will drop to 6 and they will be local individuals. As it does straddle both counties it is proposed that tax proceeds be divided equally between both counties. The kinds of jobs needed during the construction phase will include grading, truck drivers, electricians, etc. Letters of support have been received from all legislators. Other potential stakeholders are also being contacted. The tribes have been very supportive and environmentalists have been contacted. There may be some Indian artifacts and there had been some mining in that area as well. There will be some anticipated drug activities in that area that may be displaced with this project. The developers become actively involved in aspects of the City. In Amador County they assisted the City in rebuilding their baseball fields. They will do something of that sort here as well.

Mayor Pro Tem Boes asked if the taxes indicated would be during the production or during the life of the project. Mr. Arredondo said there is a denominator calculation and the Federal government provides that for every megawatt there is a set figure of tax revenue to be calculated. Renewable power is a little more expensive so the tax revenue is a little bit higher normally. The initial impact will be during construction. The primary cost of the project is locating the equipment up on the ridge. They will work with the City and Highway Patrol on traffic management and equipment movement.

Mayor Ash Pat said Walker Ridge is known as "no man's land" but our Fire Department would be the responder to that area and it may present a drain on the Department. The Department has a qualified confined space team if needed. Mr.



Arredondo said they would be working with the Fire Department, lean upon their area of expertise and ask for input. In some other projects the Fire Department has requested specific types of equipment needed to respond to an emergency on their site. This equipment had been provided as needed for Fire response.

City Administrator Bergson asked if the turbines would be visible from the City and would make noise. Mr. Arredondo said they would not be seen or heard by the City. Council Member Troughton asked if there were any others in Northern California and Mr. Arredondo indicated at this point their company did not have any in the Northern California area. He also said when the wind is not optimum they will not always work. However, utilities must take the renewal power before using other sources.

Council Member Plachek-Fulcher asked for clarification as the project would be working with the two counties will we need to share tax income and Mr. Arredondo said they have met with both Counties and the revenue consideration should be a 50/50 split. The majority of the benefit otherwise, would be the primarily with the City of Williams, and the County of Colusa as the heavy hauls will come through our City here and because of the location of the rail access. The City will also have that tax benefit because of the staging and delivery point location.

Council directed the City Administrator to prepare a letter of support to be signed by the Mayor on behalf of the Council for the Walker Ridge Wind Project development and construction.

AUDITED FINANCIAL STATEMENTS; ANNUAL REPORTS FOR TRANSACTION AND USE TAXES AND TRANSIENT OCCUPANCY TAXES

Constance Coughlin from Coughlan Napa CPA Company, Inc., said that there was a clean unqualified audit for the Fiscal Year ended June 30, 2012, which is the fourth such audit result. There were no findings regarding internal control for the City funds. The City had nine pages of findings from the FY ended June 30, 2009. All of these findings had been cleared in the FY ending June 30, 2010. The City has thus had three consecutive years with no reportable findings and recommendations. Neither Council nor members of the public present had questions regarding this financial information. City Administrator Bergson said on the Transaction and Use Tax and over and under allotment there was only an increase of less than ½ percentage point so it remains very flat.

On a motion by Council Member Plachek-Fulcher, seconded by Council Member Troughton and carried unanimously, Council reviewed and accepted the FY 2011-2012 audited financial statements performed in accordance with Government Auditing Standards. Council also accepted the annual reports for transaction and Use Taxes and Transient Occupancy Taxes as required per Municipal Code section 3.18.120.



CalPERS SAFETY SIDE FUND

City Administrator Bergson said that he is not comfortable speaking on this item with the absence of the Finance Office. Council continued the item to the next meeting of the Council.

REPORTS

City Attorney –Nothing to report.

City Treasurer – Vacant

COUNCIL REPORTS AND COMMITTEE UPDATES

Council Member Boes – He attended the Williams Unified School District Board meeting; met with Police Chief Saso regarding a minor security issue with gates at the schools and discussed increasing patrols, which has been done; met with the City Administrator; attended a Finance Committee meeting, Miscellaneous Employee Association negotiations; LAFCO and the Personnel Board.

Council Member Plachek-Fulcher – She attended all of her normal meetings.

Council Member Sellers, Jr. – He attended a Gang Operations meeting, One Stop, the Job Fair and the Colusa Regional Medical Center meeting.

Council Member Troughton, Jr. – He attended a Peer Review meeting on the Water Projects, the Finance Committee meeting, a Fish and Game meeting, the Finance Committee meeting, Sacramento Valley Museum Board meeting and a meeting on the “T” intersection on Highway 20/Margurite; he also met with Police Chief Saso, Interim Public Works Director White, the City Administrator, and the Finance Officer.

Council Member Ash – She attended the Colusa County Board of Supervisors meeting, the City of Colusa City Council meeting, the Fire Board meeting, a Citizens for Better Williams meeting; she met with the City Administrator, a mural artist, and met with citizens who had concerns about community.

STAFF GENERAL REPORTS AND DISCUSSION

City Administrator/City Clerk Bergson – He has been working on the Fiscal Year 2013-14 budget, met with the Finance Committee and working on a draft Capital Improvement Program budget; the Water Plans are about 90% completed in the design portion and plan checking should be complete next week, the groundbreaking for the Williams Senior Housing Project is



tentatively set for May 1st with construction to begin in late Spring or early Summer.

Police Chief – Sergeant Anderson summarized the Monthly Incident Statistical reports.

Fire Chief – Mayor Ash said the Department had 40 calls, 56% of which were in the City and negotiations are still underway.

Public Works Director – Director White said they answered 47 service requests; are working on striping at the dangerous intersection at Husted and 6th; doing street patching’ will be addressing McDonald’s area street issues tomorrow; working on weed abatement; getting parks ready.

Finance Officer – Absent.

RECESS

At 8:58 p.m., Council recessed to meet in closed session.

CLOSED SESSION

At 9:00 p.m., Council met in Closed Session to hold a conference with Labor Negotiators pursuant to Government Code Section 54957.6. The Agency Designated Representative was Charles Bergson and the employee organizations under discussion were the Miscellaneous Employees Association and the Police Officers Association. Present at this session were Mayor Ash, Mayor Pro Tem Boes, Council Members Plachek-Fulcher, Sellers and Troughton, City Administrator Bergson and City Attorney Siprelle.

REPORT OF CLOSED SESSION

At 9:15 p.m., Mayor Ash reconvened the regular meeting of the Council and announced that Council had provided direction to the Agency Designated Representative. Council also appointed Mayor Pro Tem Boes and Council Member Plachek-Fulcher to the Police Officers Association Negotiations Team.

ADJOURNMENT

At 9:16 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: May 15, 2013