

CITY OF WILLIAMS

Council Minutes

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

CITY COUNCIL
COUNCIL CHAMBERS
WEDNESDAY, JUNE 19, 2013

CLOSED SESSION
6:30 P.M.

A. CLOSED SESSION

A.1 Public Employee Appointment (Sec. 54957)
Title: City Administrator

A.2 Public Employee Performance Evaluation (Sec. 54957)
Title: City Administrator

A.3 Conference with Labor Negotiators Pursuant to Government Code Section 54957.6
Agency Designated Representatives: City Administrator
Employees Organizations: Miscellaneous Employees' Association; Police Officers' Association

A.4 Potential Litigation (California Water Code)

REGULAR SESSION
7:00 P.M.

B. CALL TO ORDER by Mayor Ash at 7:00 pm

C. ROLL CALL – All Council Members were present

D. PLEDGE OF ALLEGIANCE - Mayor Ash invited all in attendance to join in the Pledge of Allegiance.

E. CLOSED SESSION REPORT – There was no reportable action.

E. PUBLIC COMMENT

Citizen Marcie Voorhees, 445 Padre Pio Drive, and owner of Williams Nursery expressed her frustrations with City Staff in regards to obtaining a business license. She requested a copy of the minutes from the June 11th TAC Meeting which she stated she was not allowed to attend. She explained she is trying to open a family-owned business but is not getting any direction nor answers from the City.

Citizen Kirk Voorhees, 445 Padre Pio Drive, and owner of Kirk's Ag Repair expressed the issues he had with obtaining his business license.

City Administrator Bergson explained the (TAC) Technical Advisory Committee reviews the codes and businesses and have to comply with the Zoning Code. Assistant City Planner, Monica Stegall would send a letter to Marcie Voorhees tomorrow. City Administrator Bergson explained to Mayor Ash that Cal Trans wants a specific study on that property. Mayor Ash said to citizen Voorhees that she will hear from someone from the City tomorrow.

F. WRITTEN COMMUNICATIONS

1. Receive the Minutes of the Williams Unified School District Board of Trustees Meeting of April 18, 2013
2. Receive Proposed 2013-14 Colusa Local Agency Formation Commission Budget

G. CONSENT

3. Receive and Accept the Treasurer's Report/Register
4. Adopt the Minutes of the Regular City Council Meeting of April 17, 2013

ACTION: Mayor Ash asked that in the future, Item #3 not be under Consent. Council Member Boes then made a motion, seconded by Council Member Fulcher to approve Items 3 and 4. Motion passed 5-0.

5. Approve a Change to the July Council Meeting Date from July 17 to July 31, 2013

ACTION: Council Member Troughton made a motion, seconded by Council Member Boes to approve Item 5; changing the regular City Council Meeting to July 31, 2013. Motion passed 5-0.

H. PUBLIC HEARINGS

6. Hold Public Hearing to Adopt Proposition 218 Water Rates

PUBLIC HEARING OPENED:

Citizen Gale Smith Vaughn, 786 10th Street expressed her concerns about the rate increase.

Citizen Gloria Gonzales, 1008 Nicolaus, expressed her concerns on making enough money to pay for the increased water bill.

Mayor Ash stated 675 protest letters would be needed. Office Assistant, Mariela Cruz translated to the Spanish speaking citizens. One of the citizens stated that everyone didn't have time to turn in the letters, nor attend the City Council Meetings.

City Administrator Bergson asked Mayor Ash if he could respond to some of the public comments. Bergson explained the average rate increase would be 7% and based on other cities, The City of Williams rates were significantly lower than the average. Bergson explained the bulk of the bill pertains to the sewer charge which was imposed by the State.

Citizen Jorge Araujo 780 Teal Way, asked why bring in letters if nothing would be done. Ms. Cruz responded; if there would have been enough letters, then raise would be put on hold.

Citizen Natalie McCoughlin, 443 Franklin asked if all the protest letters from the first time were combined for a total. Mr. Bergson responded; no, they were counted separately.

Citizen Rigoberto Ramirez, 953 D Street said where he resides; there are three meters on one parcel. He doesn't understand why the meters are spinning more than others when one house isn't rented. He called the City many times to complain. He said there was no way anyone could read the meters, because they are too full of dirt. Mayor Ash stated Public Works would check into his meter.

DISCUSSION: Finance Officer, Rex Greenbaum explained after much research, the City was able to successfully qualify for a grant. He explained the maximum amount the City would receive and the terms of the loan. He stated the City was trying to save the residents money.

Citizen Esperanza Ambriz, 119 Jennifer Court asked what the City can do to help low income citizens with their water bills. Mayor Ash said City Administrator Bergson will provide Council a sliding scale rate study on low income and senior rates in the next two months.

Citizen Robert Hernandez, 100 8th Street asked for reasons and the amount of the increase.

City Administrator Bergson said the increase will help finance the water improvements: the filters, booster pumps and tank. The average rate increase would be \$2.27/month.

Citizen Gail Vaughn, 786 10th Street commented on the five year increase - 2008-2013 sewer portion.

PUBLIC HEARING CLOSED

DISCUSSION: Finance Officer Greenbaum explained if the City doesn't spend the money, the City would not receive the grant.

Mayor Ask asked how many protest letters were received. City Staff stated there was a total of 165 letters; the City would have needed a total of 675 letters.

Staff pointed out Resolution 13-04 would need to be amended, as the February 20, 2013 date was incorrect. The correct date is June 19, 2013.

ACTION: Council Member Troughton made a motion, seconded by Council Member Boes to adopt Resolution 13-04, as amended – A Resolution of the City Council of the City of Williams adopting an increase to the City of Williams Water Service Fees. Motion passed 5-0.

7. Hold Public Hearing; Confirm Engineer's Report and Assessment, Provide for Fiscal Year 2013-14 Annual Levy of Assessments for Assessment District 97-1

DISCUSSION: City Administrator Bergson explained the only increase was Category A, Street Frontage Landscaping, Irrigation and Drainage Ditches of about 2.7% which equates roughly to a \$1,500 increase. The current rate of \$159.00 would increase to \$163.00

PUBLIC HEARING OPENED AND CLOSED with no public comments.

ACTION: Council Member Troughton made a motion, seconded by Council Member Fulcher to adopt Resolution 13-09 – Confirming the engineers report and assessments and providing for the

Fiscal Year 2013-2014 Landscape and Lighting Assessment District No 97-1 Annual Levy of Assessments. Motion passed 4-1 with Council Member Boes voting no.

8. Hold Public Hearing and Adopt Draft Budget for FY 2013-14

PUBLIC HEARING OPENED and CLOSED with no public comments.

DISCUSSION: Finance Officer Greenbaum and City Administrator Bergson reported on the Draft Budget for FY 2013-2014. There were many questions regarding temporary hours and a collapsed position. Both Greenbaum and Bergson expressed that the budget was solid and they have had four clean audits, four years in a row. Based on some of Council Member's questions, Bergson asked if he could report back to them to provide clarification, as there must have been a misunderstanding, not a miscalculation.

Council and Staff went through the budget and discussed the all the departments.

Public Comment: Citizen Veronica Aceves, 1021 Greenwing way explained why citizens were frustrated , stating the numbers don't add up.

City Administrator Bergson explained there were a few items that would still need to be addressed but recommended adoption of a preliminary budget, effective July 1, 2013.

ACTION: Council Member Fulcher made a motion, seconded by Mayor Ash to adopt the \$5,000 adjustment to the proposed draft budget to the Fire District. The motion failed as follows:

AYES: Fulcher, Ash
NOES: Troughton
ABSTAIN: Sellers
ABSENT: Boes

DISCUSSION: Council Member Sellers and Council Member Fulcher asked City Attorney if they could continue their discussion to obtain clarification and asked for a re-vote.

ACTION: Council Member Fulcher made a motion, seconded by Mayor Ash to adopt the Fire District portion of the budget with the budget amount of \$287,728.00 including the 2% increase for fiscal year 2014/2015. Motion passed 3-1-1.

AYES: Fulcher, Ash, Sellers
NOES: Troughton
ABSENT: Boes

ACTION: Council Member Boes made a motion to adopt the preliminary budget, seconded by Council Member Sellers. Motion passed 4-1.

AYES: Fulcher, Sellers, Boes, Ash.
NOES: Troughton

I. OLD BUSINESS

9. USDA loan Agreement Letter Conditions

DISCUSSION: Finance Officer Greenbaum pointed out the Letter of Conditions Requirement for the USDA Loans should have stated “the following conditions whose main points have been highlighted were submitted for approval”. The amount listed for the grant under 1. (b) was incorrect by \$50.00. It should read \$949,296.00 Greenbaum stated the amount listed in the resolution was correct. He explained the conditions and the USDA requirements.

ACTION: Council Member Fulcher made a motion, seconded by Council Member Troughton to approve loan resolution form 1780-27, Water Grant Agreement 1780-12 and approve the use of the Pre-Authorized Debit (PAD) payment process for USDA indebtedness. Motion passed 5-0.

10. Receive Draft Water/Sewer Master Plan

DISCUSSION: Dave Daulwalder, HydroScience Project Manager presented an overview of the Water and Wastewater System Mater Plans, Phase 1.

ACTION: Council Member Boes made a motion, seconded by Council Member Fulcher to approve Phase I of the Water and Wastewater Master Plans and authorize HydroScience Engineering Inc. to proceed with Phase II of these Master Plans. Motion passed 5-0.

11. Adopt Ordinance 202-13, “An Ordinance of the City of Williams Adding Section 12.35.055 to the Williams Municipal Code Providing for the Process to Protest the Removal of Trees and Shrubs within the City”

ACTION: Council Member Fulcher made a motion, seconded by Council Member Troughton to adopt Ordinance 202-13 - “An Ordinance of the City of Williams Adding Section 12.35.055 to the Williams Municipal Code Providing for the Process to Protest the Removal of Trees and Shrubs within the City” Motion passed 5-0.

12. Adopt Ordinance 201-13, “An Ordinance of the City of Williams Amending Section 15.32.020(f) of the City of Williams Municipal Code Relating to Property Resale Inspections”

ACTION: Council Member Fulcher made a motion, seconded by Council Member Troughton to adopt Ordinance 201-13, “An Ordinance of the City of Williams Amending Section 15.32.020(f) of the City of Williams Municipal Code Relating to Property Resale Inspections”. Motion passed 5-0.

J. NEW BUSINESS

13. Receive recommendation to employ a City Engineer

DISCUSSION: City Administrator Bergson provided background information on the four firms that were interviewed. Council and Staff discussed details.

ACTION: Council Member Troughton made a motion, seconded by Boes to retain Coastland City Engineers as the City of Williams, City Engineers.

14. Discussion of Personnel Manual

DISCUSSION: Mayor Ash stated she would like to see Council be involved with future employment/terminations. Council Member Fulcher agreed. City Administrator Bergson, Staff and Council discussed the Personnel Committee, Personnel Manual, and Government Code. Police Chief

Saso recommended consistency with procedures. Mayor Ash and Councilmember Fulcher expressed frustrations with the City Administrator hiring temporaries without their knowledge and consent.

K. REPORTS

1. City Attorney had nothing to report.
2. City Treasurer

L. COUNCIL REPORTS AND COMMITTEE UPDATES

1. Council Member Boes attended regular meetings.
2. Council Member Plachek-Fulcher had nothing to report.
3. Council Member Sellers, Jr. had nothing to report.
4. Council Member Troughton, Jr. attended regular meetings.
5. Mayor Ash had nothing to report.

M. STAFF GENERAL REPORTS AND DISCUSSION

City Administrator/City Clerk said the Deputy City Clerk left last week. Office Assistant Cruz is filling in on a temporary basis.

Police Chief said Officer Jose Ruiz submitted his resignation. He provided information on the positions at the Police Department that would be filled.

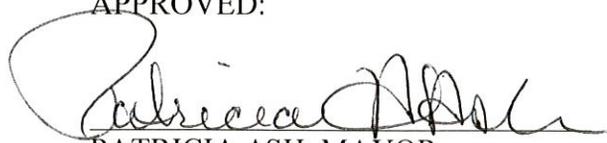
Fire Chief was absent.

Interim Public Works Director, Greg White provided update and a schedule on the trees and street repairs

Finance Officer had nothing to report.

- N. ADJOURNMENT: At 10:46 pm, Mayor Ash adjourned the regular meeting of the Council to CLOSED SESSION. The adjournment of Closed Session was at 11:27 pm. There was no reportable action.

APPROVED:


PATRICIA ASH, MAYOR

ATTEST:


Charles Bergson, City Administrator/City Clerk



Adopted by Council: July 31, 2013