

City of Williams

City Council Minutes

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

CITY COUNCIL
COUNCIL CHAMBERS
WEDNESDAY, JUNE 17, 2015

REGULAR SESSION
6:00 P.M.

CALL TO ORDER Mayor Troughton Jr. called the regular meeting and the special meeting to order at 6:00 pm.

ROLL CALL Council Member John Troughton, Kent Boes, Alfred Sellers, Santos Jauregui and Charles Bergson were all present.

PLEDGE OF ALLEGIANCE Mayor Troughton invited all to join in the Pledge of Allegiance.

PUBLIC COMMENT: Jill Wright owns two rentals in the City of Williams and also lives in Williams but just outside of the City limits. Mrs. Wright said to the City Council she had some concerns about the consistency about cars being parked on lawns. She stated that when a violation like this is noticed on their rental properties they received notices from the Police Department which they have no problems with. She said that as a landlord as soon as they get these notices they make sure that the tenants are notified and get the problem taken care of. Mrs. Wright said that the neighbor of one of her rentals has cars parked on the lawn on a daily basis. She stated she had expressed her concerns to the Police Department and the person who she spoke to told her there would be notices placed on the cars and it has been two weeks and the same problem was ongoing.

Mrs. Wright is asking for consistency with all landlords and this way it helps the City's neighborhoods looking better.

Pat Ash, President of Citizens for a Better Williams said on May 31st seven members of CBW and one Public Works employee met at seven in the morning to clean the streets from the railroad tracks on E Street to F Street. She said they had a meeting immediately following the cleanup and discussed that the three markets are the worst offenders on the sidewalks and gutters. She said she believes it should not be permitted to sweep your garbage out into the gutters.

Mrs. Ash said Citizens for a Better Williams are asking that there be an Ordinance or some type of requirement for shop keepers to keep their sidewalk and gutters clean in front of their establishments.

Pat Ash had a second item to comment on which was the expansion that is happening out at Morning Star Packing Company. She said she hopes the City stays up on the Ordinance of Bartle's and Wells. She stated Morning Star will be the largest tomato paste factory in the world because they will be increasing their production by sixty-five percent. She is concerned about the truck traffic and about the roads.

Mayor Troughton Jr. said he had spoken to Assistant City Planner Stegall and Building Director Rich and the City will be meeting with Morning Star to discuss.

PROCLAMATION

DISCUSSION: City Administrator Frank Kennedy explained there were two Proclamations but one of them would be tabled to the next month's meeting. The Proclamation that will be discussed this meeting is the Proclaiming the Month of July as Sexual Assault Awareness Month in the City of Williams. He also said that in the Council's packet was a letter from Casa de Esperanza which is the organization who requested for the proclamation.

ACTION: Council Member Boes made a motion, seconded by Council Member Sellers and carried unanimously to approve the Proclaim the Month of July as Sexual Assault Awareness Month in the City of Williams. Motion passed 5-0.

WRITTEN COMMUNICATIONS

DISCUSSION: Council Member Bergson asked Mayor Troughton Jr. to please pull item number 10 for discussion.

Mayor Troughton asked the Board Members present of the Sacramento Valley Museum to please come forward and talk a little bit about the letter they had written to the City Council.

Board Member of the Sacramento Valley Museum Theresa Bright read the letter that was given to City Council. She stated that in addition to the items on the list attached to their letter they now have a bird problem. She said that this problem had occurred just recently and knew that Mayor Troughton wanted to discuss.

Mayor Troughton said these birds out there were so bad that it was getting very unhealthy. The Board Director of the Museum said the sidewalks were now white. Mayor Troughton said this issue would be taken to the Fish and Game Committee to see what could be done about this.

Mayor Troughton said they will have to hold a meeting to discuss and set priorities on this item.

Council Member Bergson thanked the Board Members from the Sacramento Valley Museum for the letter that was written. He said he would like for staff to look into the City of Williams Maintaining the Museum because it is a City building and believes that the City should be responsible to maintain it. He would also like for staff to set up a CIP Committee meeting and discuss the possibilities of retaining someone for the grant writing.

Mayor Troughton Jr. asked City Administrator to please schedule a CIP Committee Meeting.

ACTION: No action needed.

PUBLIC HEARING

Adopt Resolution 15-06, a resolution of the City Council of the City of Williams opting to affirm an exemption from the Requirements of Mandatory Commercial Organics Recycling.

DISCUSSION: City Administrator Kennedy explained that the California Integrated Waste Management Act of 1989 requires that all Municipalities have a recycle recovery program. He mentioned that because the City of Williams qualifies as a rural jurisdiction the City Council could adopt a resolution opting to affirm an exemption from the requirements of commercial recycling.

Council Member Boes said he had a couple of questions on the Resolution. His first question was on the title of the resolution which said "A Resolution of the Board of Supervisors" he asked the City Administrator if that was supposed to say the City Council of the City of Williams and Mr. Kennedy said no. He said that the City of Williams is named in different parts of the resolution but in that particular part it should stay the same because our population is within the County. Council Member Boes said he just wanted to make sure that the City was not going to be acting the Board of Supervisors.

Council Member Boes had other questions about the resolution naming the County and City Administrator said he would look into that and make any corrections if needed.

Mayor Troughton asked the City Council if they would like to table this item to the next City Council meeting and it was decided they would not table because the County needed to have the resolution before the end of the month.

Council Member Sellers Jr. asked the City Administrator asked if this would benefit the City revenue wise and Mr. Kennedy said no, this would be a cost to the City.

Mayor Troughton closed the Public Hearing at 6:22 p.m.

ACTION: Council Member Boes made a motion, seconded by Council Member Seller Jr. and carried unanimously to, Adopt Resolution 15-06, A Resolution of the City Council of the City of Williams opting to affirm an exemption from the Requirements of Mandatory Commercial Organics Recycling after any changes were made if needed. Motion passed 5-0.

CONSENT

Adopt the Minutes of the Regular City Council Meeting of May 20, 2015.

DISCUSSION: Council Member Bergson had corrections to the Minutes of the Regular City Council Meeting of May 20, 2015.

Adopt Resolution 15-07, a Resolution of the City Council of the City of Williams, authorizing the City Council and City Administrator to sign checks drawn on the U.S. Bank and the City's Finance Officer and Accounting Specialist III to make inquiries on the account.

DISCUSSION: City Administrator Frank Kennedy explained to Council that this resolution was to remove Jim Saso and add himself as the City Administrator not the Assistant City Administrator to the U.S. Bank signature cards.

ACTION: Council Member Bergson made motion, seconded by Council Member Jauregui and carried unanimously to approve the consent agenda as corrected. Motion passed 5-0.

OLD BUSINESS

Authorize the City Administrator to Execute a Cooperative Agreement between the City of Williams and the Colusa Mosquito Abatement District.

DISCUSSION: City Administrator said Dave Whitesell was here to answer any questions that City Council had for him. Mr. Whitesell introduced Ashley Freeman from State Vector Control who is also here to answer any questions for City Council on the diseases that can be carries by mosquitos.

Mr. Whitesell started by explaining to City Council the process that needs to happen in order to abate the mosquito population.

Mrs. Freeman handed out a flyer that explained why it is a good idea to have a mosquito abatement program in our region. The handout also had the most recent incidents of the West Nile Virus. She said there last year we had a record number of cases in the State of California which was eight hundred and one cases of West Nile Virus. She stated this was the highest number of incidents in the United States since last year and since the disease was introduced in 2005 and also mentioned that thirty- one of those cases were fatal. They don't expect that rate get better this year because of the drought conditions.

Mayor Troughton made a comment saying that it would help no doubt in the City of Williams but if there is nothing done all around the County then once you leave the City you will be exposed to the diseases carried by the mosquitos. Mr. Whitesell said the County five to six years ago went to him and said something needed to be done and this was put out to vote and lost by two percent. He said back then the County had a chance to have gone County wide.

Council Member Sellers Jr. asked if there were 31 fatal cases and wanted to know what part of the State of California this had happened. Ashley said yes there was 31 fatal cases and it the cases where in all of the State.

Council Member Boes had some comments saying that there was no doubt in his mind that Mr. Whitesell's program would reduce the mosquito population. He also said he agreed with what the Mayor said about Williams being the only one to have a program and not the rest of the County we would still be exposed once leaving the City. Council Member Boes asked if Mr. Whitesell's District was funded by and assessment on the properties. Mr. Whitesell said they had property taxes and assessment which then Council Member Boes said the District was funded by the dwellings in the District.

Council Member Boes said that the only problem he had with this was spending General Fund Money. He said he believes it should be an assessment on the homes in town and let the citizens' vote on this issue. He said that if this is something that the citizens of the City of

Williams want they should fund it through an assessment on their dwellings and maybe then we will be able to have a full blown program but until then he doesn't believe this should be funded by general fund money.

Council Member Jauregui asked if any of the farmers are helping at all, Mr. Whitesell responded that in Colusa the farmers pay for it through assessment. Council Member Jauregui believes that the Farmers should help pay for this not only residential areas.

Mr. Bergson said he believed the City should proceed with this abatement and also proceed with an assessment on the properties.

Ron Simmons asked if this would cost the City forty thousand dollars and how many weeks. Mr. Whitesell said this treatment would cover a 12 week period.

Pat Ash also asked Mr. Whitesell what the cost of the assessment in the City of Colusa was costing the residents. Mr. Whitesell said it was twenty nine dollars for residential and fifty eight dollars for commercial and agricultural. Mrs. Ash said she is not opposed to this but she is opposed to the City pay for it and believes that this should be spread out amongst the residents.

Council Member Bergson asked Council Members Sellers Jr. and Jauregui what their opinion was on this issue. Council Member Seller Jr. said there was no question about needing this program but he would like it to be all year around. He also mentioned that the issue was being able to afford the program.

Council Member Jauregui said the City should move forward with this because it was a matter of life or death and he also mentioned that if the City needed this then we should do something about this issue.

Council Member Bergson suggested to table this to later in the meeting during budget discussion and this way any questions Mr. Sellers has can be answered.

Council Member Bergson made a motion to table the Mosquito Abatement as part of the Budget Discussion during the new business agenda, seconded by Council Member Jauregui. Motion passed 5-0.

Treasurer's Investment Report and Monthly Register for April 2015.

DISCUSSION: City Treasurer Carmona provided a summary of his report and the cash investments for April 2015.

Council Member Bergson asked what the check for nineteen thousand dollars written out to Colusa County was for. Finance Director Greenbaum said it was dispatch Services. He also asked about the check written to Robinson Enterprises and City Administrator said that was the trucking company that hauls out our sludge.

ACTION: No action needed.

NEW BUSINESS:

Approve Fiscal Year 2016-2017 Budget Adjustments.

DISCUSSION: Finance Director Rex Greenbaum said that at the last meeting they had brought the draft budget. He said that we had a structural deficit and met with the Finance Committee and had a discussion on potential solutions which they were included in the agenda packet. He said also said that the potential solutions that were listed were discussed very in depth with the Finance Committee and now would like Council to discuss any of the adjustments or other budgetary issues or ideas that Council may have at this time.

Council Member Boes said he sat on the Finance Committee meeting and wanted complimented Mayor Troughton Jr. for the solution he came up with.

Council Member Bergson addressed the Mayor, Finance Director and the Members of the Finance Committee about the report. He said the report stated that the City had received one time fund through the sale of real property which have provided additional general reserves and asked if the sale of real property was the property designated for the Margurite Project. The answer to this question was yes. Council Member Boes explained that the money received from the sale of the property is ours to do with whatever we wish.

Council Member Bergson said that the public was told last year as well as this year that the two million dollars received from the sale of that property was to pay for infrastructure for Margurite Street.

Mayor Troughton Jr. explained to everyone that what the City is doing is just re-paying itself by using impact fees to put into the sewer part of the project out there in Margurite. He said the City should pay itself back but eventually when the revenues start to come in the City can balance this money back into sewer impact funds.

Council Members brought back to discussion the Mosquito Abatement issue and Council Member Bergson said that if the City is willing to pay itself back with the sale of real property why can't the City pay for the mosquito abatement. Council Member Boes said that not just because the City has the money that the City should pay for the mosquito abatement. He said that the point wasn't should the City pay for it is should the City pay for it. He said that he doesn't believe the mosquito abatement should be on the back of the City it should be paid for by the residents of the City through an assessment.

Council Member Bergson said he wanted to make clear and be noted in the minutes that he does not agree with what the City wants to do in order to adjust the budget.

Mayor Troughton Jr. said he does not agree with Council Member Bergson but he also said he did see where Council Member Bergson's argument came from. Council Member Bergson said what if two years the City is in the same situation. He said the employees and public could come back and say well you dipped into your sewer fund, water fund, and street fund to get us through why it can't be done again. Council Member Boes said that is not what we are doing he said we were using part of our impact fees to fund a project.

Finance Director Greenbaum responded to Council Member Bergson's concerns by saying he believes that if in two years we run into the issue it will not be the same as it is now because there is an expected increase in revenues.

City Attorney Ann Siprelle mentioned it was totally permissible to loan from one fund to another. She also mentioned that the City could establish an Inter fund loan agreement which even has an interest rate built in. Mr. Greenbaum said this would not be an inter fund loan but it would be able to establish loan to pay the funds back.

Mayor Troughton Jr. asked if it was possible for us to move this item to the June 29th special meeting. City Administrator suggested instead of moving this item they should adopt the draft budget and then work out the details on the special meeting on the 29th.

Citizen of Williams, Ignacio Prado had a concern about a comment that was made earlier in the meeting about the new council members and he said these problems have been going on for a long time not just now that the new Council Members came on board. He also asked if the special meeting was a public meeting or not.

ACTION: Council Member Boes made a motion to accept the attached schedule of budgetary adjustments as part preliminary budget.

Council Member Boes amended his motion to accept the attached budgetary adjustments and establish a budgetary stabilization fund in the amount of twenty-five percent of revenues gained from the Margurite project once it is completed, seconded by Council Member Jauregui.

Council Member Bergson wanted to clarify that he still finds it contrary to take capital funds to close an operational gap.

Council Member Bergson asked to hear the motion one more time which was clarified by the City Administrator.

Motion carried unanimously to approve Council Member Boes amended motion. Passed 5-0.

Council Member Bergson also wanted to answer Council Member Sellers Jr. question about affording the mosquito abatement program. He said the City is taking three hundred seventy- two thousand dollars to close an operational gap and believes the mosquito abatement is affordable.

Council Member Boes suggested that Council gives direction to staff to pursue a possible ballot measure to present to the citizens.

Mayor Troughton Jr. asked to please take a roll call vote on the mosquito abatement which is as follows:

AYES: Council Member Bergson, Jauregui

NOES: Council Member Troughton Jr., Boes

Council Member Sellers Jr. said he was in favor of the mosquito abatement but he did mention the City needed to come up with a better plan on how to fund this. Council Member Sellers Jr. did not give a definitive vote therefor this item fails for lack of vote.

Adopt Resolution 15-08, A Resolution of the City Council of the City of Williams Initiating Assessment Proceedings, Declaring the Intent to Levy Assessments and Setting a Public Hearing Date for Landscaping and Lighting District No. 97-1

DISCUSSION: Finance Director Rex Greenbaum explained this was for the increase in the Landscaping and Lighting Assessment for CPI. He said that we will have to hold a public hearing at our next regular meeting. He also explained to Council that the City was told in the previous year that we do not need a new Engineers Report as long as we don't have add any new parcels to the assessment district.

ACTION: Council Member Bergson made a motion, seconded by Council Member Sellers Jr., and carried unanimously to adopt Resolution 15-08, A Resolution of the City Council of the City of Williams Initiating Assessment Proceedings, Declaring the Intent to Levy Assessments and Setting a Public Hearing date for Landscaping and Lighting District No. 97-1. Motion passed 5-0.

REPORTS

City Attorney nothing to report.

COUNCIL REPORTS AND COMMITTEE UPDATES

Council Member Jauregui reported he attended the Fire Board Meetings and School Board Meeting. He said he would be attending another School Board Meeting on June 18th.

Council Member Boes said he attended his regular meetings and had nothing to report.

Council Member Bergson would like to advertise to solicit for volunteers to work on the Committee for the celebration of the 100th year of the Williams Arch and would like for the first meeting to be in September. He would like to have a booth at the Colusa Farm Show to promote businesses to come to the City of Williams. He said the Colusa Farm Show is in February of the upcoming year. Council Member Bergson wanted to inquire about the ribbon cutting out at the Theater Road Tank Site. City Administrator said we are very close to that he explained that there would be more testing done out there next week and then we would have a date at that point. He also inquired about Denny's and of the City had heard anything from them regarding the re-opening of the restaurant. City Administrator said that Denny's is going to be re-built and that was the latest news they had from them.

Mayor Pro Tem Sellers Jr. attended all of his regular meetings.

Mayor Troughton Jr. attended an ambulance meeting at the Sheriff's Department with Enloe and the Fire Chiefs. He also attended a Finance Committee meeting and met with City Administrator, Finance Director, Police Chief, and City Planner. He attended the Fire Board Meeting as well.

STAFF GENERAL REPORTS AND DISCUSSION

Assistant City Administrator Kennedy explained the youth soccer is almost doubled from last year. He said that he was really excited to notify Council about the conservation of water which

is about twenty- nine percent City wide. Staff is also working on a door hanger notice for people that are abusing their use.

Police Chief Waugh reported the Police Department has received at least 4 applications for the Police Chief position from throughout the State. He also mentioned the Police Department is running smoothly.

Fire Chief – Absent.

Finance Officer Greenbaum had given his report earlier in the meeting.

City Engineer David Swartz attended CIP meeting here at City Hall and looked into completing the Water and Sewer Master Plans. He processed an industrial sewer discharge permit for Seminis Vegetable Seeds, Inc. As well as a grading permit for Morning Star Co. for the reconfiguration of their ponds. He said that Margurite is on day number eleven of their working days and have no major problems with the construction that is going on.

Council Member Jauregui asked to please have the School Board Meeting advertised on the digital board over by the arch in Spanish and English.

Council Member Bergson wanted to again make clear that he objects to the use of capital funds for the annual budget.

ADJOURNED to Closed Session at 8:10 pm.

CLOSED SESSION

Conference with Real Property Negotiator (Gov't. Code Sec. 54956.8)

Property: APN 005-070-018

Agency negotiators: Frank Kennedy and Monica Stegall

Negotiating parties: City of Williams and Valley West Care Center

Under negotiation: Price and terms of payment

Conference with Legal Counsel-Anticipated Litigation

Significant exposure to litigation pursuant to Gov't. Code Sec. 54956.9(d) (2): one case

Conference with Real Property Negotiators (Gov't. Code Sec. 54956.8)

Property: APN 005-104-008

Agency negotiator: Frank Kennedy

Negotiating parties: City of Williams and Arco

Under negotiation: Price and terms of payment

ACTION: No reportable action.

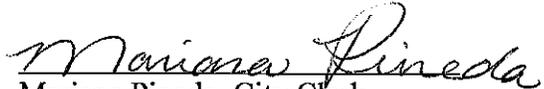
ADJOURNMENT

At 8:25 pm, Mayor Troughton adjourned the meeting.



JOHN J. TROUGHTON, JR., MAYOR

ATTEST:



Mariana Pineda, City Clerk