

# CITY OF WILLIAMS

## *City Council Minutes*

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

CITY COUNCIL  
COUNCIL CHAMBERS  
WEDNESDAY, JANUARY 20, 2016 at 6:00 pm

### CALL TO ORDER:

At 6:00 pm, Mayor Troughton Jr. called the meeting to order.

### ROLL CALL:

All Council Members were present: John Troughton, Jr., Alfred Sellers, Jr., Kent Boes, Charles Bergson and Santos Jauregui.

### PLEDGE OF ALLEGIANCE:

Mayor Troughton invited everyone to join in the Pledge of Allegiance.

### ELECTION OF MAYOR AND MAYOR PRO TEM

Council Member Bergson made a motion, seconded by Council Member Jauregui nominating John Troughton Jr., to serve for another term as Mayor and Alfred Sellers Jr., to serve another term as Mayor Pro-Tem. Motion passed 5-0 with the following roll-call vote.

AYES: Bergson, Jauregui, Boes, Sellers Jr. and Troughton Jr.

NOES: None

ABSTAIN: None

ABSENT: None

### ISSUANCE OF THE OATH OF OFFICE TO NEW POLICE OFFICER

Deputy City Clerk Kittle administered the Oath of Office to the newest Police Officer with the City of Williams, Erik Manual Farias.

PUBLIC COMMENT: None.

### WRITTEN COMMUNICATIONS

Agenda from the Colusa County Board of Supervisors meeting of November 17, 2015.

Agenda from the Colusa County Board of Supervisors meeting of December 15, 2015.

Notice of City Council Reorganization from City of Colusa.

Agenda from the Colusa County Board of Supervisors meeting of January 12, 2016.

Agenda from the Central Valley Regional Water Quality Control Board Meeting of December 10<sup>th</sup> and 11<sup>th</sup> 2015.

Letter from Keep Your Home California.

Letter from the State of California Department of Insurance.

Letter from Pacific Gas & Electric.

Receive letter from the Yocha Dehe Wintun Nation.

Receive letter from Renew Financial.

Receive letter from State Water Resources Control Board.

Receive letter from Rural Community Assistance Corporation.

Receive letter from Best Best & Krieger.

ACTION: Council Member Bergson requested Items 11, 12 and 13 be pulled for discussion.

Item 11: Council Member Bergson asked if the City was prepared for any possible El Nino. City Administrator Kennedy said the Public Works Department prepared the storm water system and after the last significant rains, the streets and drainage held up much better than in the past.

Item 12: Council Member Bergson requested an explanation of the Rural Community Assistance Corporation letter. Kennedy stated as a “Severely Disadvantage Community”, the City could receive additional grants and lower interest rates.

Item 13: Council Member Bergson wanted the public to know that the Electronic Billboards would rotate 4-5 messages/per minute and the City would display public service announcements, as needed.

Item 9: Council Member Boes asked if the letter from Yocha Dehe Wintun Nation was in response to anything in particular. City Administrator Kennedy said no, that the letter was probably sent to everybody.

## PUBLIC HEARING

Waive the First Reading and Introduce Ordinance XXX-16, An Ordinance of the City Council of the City of Williams Amending Section 17.01.030.8 and Section 17.06.320 to prohibit cannabis dispensaries, cannabis manufacturers, cultivation, and delivery of cannabis in the City.

DISCUSSION: Police Chief Osbourn stated the City adopted Ordinance 194-12, on July 25, 2012, banning cannabis cultivation within the City. The recent adopted legislation “Medical Marijuana Regulation and Safety Act”, recognizes local control to regulate or ban medical cannabis cultivation, transportation and distribution. Osbourn explained to have local control; the City had to update its current municipal code section.

City Administrator Kennedy reiterated on the City’s ban and on the update, stating if the City didn’t update the Ordinance, state regulations would supersede what the City had. City Attorney Siprelle explained the update would ban people from going into business of transporting or delivering medical marijuana from other cities dispensaries.

PUBLIC HEARING opened at 6:20 pm with the following comments:

Mollia Jewett expressed her opposition to the ban.

Tina Felkins expressed her opposition to the ban and would like to open a dispensary.

Eric Friccero expressed his opposition of the ban and referenced Assembly Bill 21.

Dixie LaGrande expressed her support of the ban.

James Franco expressed his opposition to the ban.

PUBLIC HEARING closed at 6:31pm

DISCUSSION: Council Member Bergson commented on the additional revenue for the City and the importance of providing a service for the community, if Council doesn't pass the ban. Council Member Boes suggested to those opposing the ban, to start a petition, gather signatures and have more support at the council meetings. Boes added, the feeling he received in town, was to proceed with the ban. Mayor Troughton Jr., discussed the recent crimes in surrounding areas relating to marijuana, stating if the City of Williams allowed cultivating marijuana, there would be increase in crime.

City Attorney Siprelle reminded Council, the only item before them was to decide if they wanted to extend the current ban to include delivery and mobile dispensaries. Otherwise, state law would allow it, with restrictions. Staff and Council discussed having local control.

ACTION: Council Member Bergson made a motion, seconded by Council Member Sellers Jr., to continue action at a Special Meeting on February 10th and have a second reading of the Ordinance at their regular meeting on February 17th. Motion failed 2-3 by the following roll-call vote.

AYES: Bergson and Sellers Jr.

NOES: Boes, Jauregui and Troughton

ABSTAIN: None

ABSENT: None

ACTION: Council Member Boes made a second motion, seconded by Council Member Jauregui to introduce and waive the first reading of this Ordinance, have a Special Meeting on February 3rd to introduce and waive the first reading of a new Ordinance with new regulations, adjourn the regular meeting of February 17th to February 24th. Motion passed 4-1 by the following roll-call vote.

YES: Boes, Jauregui, Sellers Jr., and Troughton.

NO: Bergson

ABSTAIN: None

ABSENT: None

Mayor Troughton Jr., called for a recess at 7:35 pm and resumed the meeting at 7:45 pm

Public Hearing and Adopt Resolution 16-xx. A resolution from the governing body authorizing the expenditure of CDBG funds.

DISCUSSION: City Administrator Kennedy explained CDBG requirements for expenditures to modify the water and sewer lines on the west side of town.

PUBLIC HEARING opened and closed at 7:45 pm with no public comments.

ACTION: Council Member Bergson made a motion, seconded by Council Member Boes to adopt Resolution 16-01 - A resolution from the governing body authorizing the expenditure of CDBG funds. Motion passed 5-0 by the following roll-call vote.

YES: Bergson, Boes, Jauregui, Sellers Jr., and Troughton.  
NO: None.  
ABSTAIN: None  
ABSENT: None

CONSENT

Minutes of the Regular City Council Meeting of November 18, 2015.

**ACTION:** Council Member Boes made a motion; seconded by Council Member Bergson approving the consent item with one change. The revised minutes will reflect 25 years of service for Mr. Woldanski. Motion passed 5-0 by the following roll-call vote:

AYES: Bergson, Jauregui, Boes, Sellers Jr. and Troughton Jr.  
NOES: None  
ABSTAIN: None  
ABSENT: None

OLD BUSINESS

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

**DISCUSSION:** City Treasurer Carbona provided the summary of the monthly report and register for November 2015. No action needed from Council.

Sign code update and related amendments.

Waive the Second Reading and Adopt Ordinance 212-15, An Ordinance of the City Council of the City of Williams Amending Chapter 17.11 of the Williams Municipal Code Related to Signs.

Waive the Second Reading and Adopt 213-15 Ordinance, An Ordinance of the City Council of the City of Williams Amending Chapter 17.06, Section 17.06.320 of the Williams Municipal Code Related to Definitions and Adding New Subsections 17.01.030.10 Enabling Overlay Zones and 17.01.030.11 Related to Creating a New Highway Overlay Zone.

**DISCUSSION:** Assistant City Planner Stegall explained the amendments; the removal of the election period as it was defined in the code and the update on the size of the signs. Council Member Boes asked questions for clarification and discussed a few minor revisions.

**ACTION:** With no public comments, Council Member Bergson made a motion, seconded by Council Member Sellers Jr., to adopt (with minor revisions) Ordinance 212-15. - An Ordinance of the City Council of the City of Williams Amending Chapter 17.11 of the Williams Municipal Code Related to Signs. Motion passed 5-0 by the following roll-call vote:

AYES: Bergson, Jauregui, Boes, Sellers Jr. and Troughton Jr.  
NOES: None  
ABSTAIN: None  
ABSENT: None

## NEW BUSINESS

Review and approve Special Event Application (#33) and recurring fee waiver upon providing certificate of insurance. Approval conditioned with the use of no city staff time.

DISCUSSION: Council Member Bergson announced \$1,200 was donated to the museum and they hope to donate more this year.

ACTION: Council Member Boes made a motion, seconded Council Member Jauregui to approve Special Event Application (#33) and recurring fee waiver upon providing certificate of insurance. Motion passed 5-0 by the following roll-call vote:

AYES: Bergson, Jauregui, Boes, Sellers Jr. and Troughton Jr.

NOES: None

ABSTAIN: None

ABSENT: None

Move forward with undertaking and completing the ADA Self Evaluation and Transition Plan.

DISCUSSION: City Administrator Kennedy explained the importance for the City to have an ADA Self Evaluation and Transition Plan. Otherwise, the City may not receive any more funding from the Federal Government and any other projects. Kennedy said City Engineer Swartz provided an estimate for a plan in the amount of \$30,000.

City Engineer Swartz commented that the plan would need to be adopted by June 1, 2016. He explained how the cost was determined similar to the one for the City of Colusa.

ACTION: There was Council consensus for the City Administrator to move forward with obtaining three RFQ's "Request for Qualifications" for the ADA Self Evaluation and Transition Plan.

Review and consider Morning Star request and consider all factors when rendering a decision.

DISCUSSION: Council Member Jauregui left the Chambers because of his employment with Morning Star. City Administrator Kennedy said impact fees were not levied against Morning Star at the time permits were issued. The City issued an invoice to Morning Star for impact fees on their entire project, including their outside warehouse. Kennedy invited Chris Rufer from Morning Star to speak to Council on why Morning Star would like a relief.

Mr. Rufer stated the fees were not due, since they have not hooked up the City's waste system. Mr. Rufer said they were prepared to pay the fees relative to the expansion project of 8,500 square feet. He stated, based on his calculations, Morning Star would owe \$128,000, not \$4,737,970.25.

ACTION: Mayor Troughton suggested Council and/or Staff form a committee to meet with representatives from Morning Star in order to arrive at an agreement on the fees that were owed. Mr. Rufer concurred. There was consensus from Council.

Council Member Jauregui returned to the Council Chambers.

PUBLIC COMMENTS: A citizen residing on Egert Drive (south east end of the Vann Subdivision) expressed his annoyance of the smell coming from Morning Star's onsite lake.

Authorize the City Administrator to move forward with the grant application process at a total cost not to exceed \$10,000.

DISCUSSION: City Administrator Kennedy explained, as a "Severely Disadvantage Community", the City could receive free planning grant money up to \$500,000 which would be enough to finish the wastewater master plan.

ACTION: With no public comments, Council Member Boes made a motion, seconded by Council Member Sellers Jr., to authorize the City Administrator to move forward with the grant application process at a total cost not to exceed \$10,000. Motion passed 5-0 by the following roll-call vote:

AYES: Bergson, Jauregui, Boes, Sellers Jr. and Troughton Jr.

NOES: None

ABSTAIN: None

ABSENT: None

Take the matter of Groundwater Management under advisement.

DISCUSSION: City Administrator Kennedy and Council Member Bergson discussed the importance for the City of Williams to become a member of the Groundwater Management Agency. Council Member Bergson stated he would continue attending the meetings and bring back a resolution for action at a later date.

ACTION: There was council consensus for Council Member Bergson to prepare a resolution and bring back to Council.

Highway 20 connection/Margurite Street update.

DISCUSSION: City Engineer Swartz provided an update and a summary of the funds, to date. He has been in constant contact with Cal Trans.

Bergson left the Chambers at 9:00 pm and returned at 9:02 pm.

Authorize the Chief of Police to purchase two 2015 Ford Police Interceptor vehicles and approve \$83,250 budget augmentation to the City's Traffic Safety Fund.

DISCUSSION: Police Chief Osbourn explained funds were available in the traffic safety fund for two new vehicles and three of their old vehicles needed to be disposed.

ACTION: Council Member Bergson made a motion, seconded by Council Member Sellers Jr., to authorize the Police Chief to purchase two 2016 Ford Police Interceptor vehicles and approve \$83,250 budget augmentation to the City's Traffic Safety Fund. Motion passed 5-0 by the following roll-call vote:

AYES: Bergson, Jauregui, Boes, Sellers Jr. and Troughton Jr.

NOES: None

ABSTAIN: None

ABSENT: None

Authorize the City Administrator to submit the North Side Park – Flood Control Project to the Northern Sacramento Valley Integrated Regional Water Management Board.

DISCUSSION: Claims Administrator Kennedy explained the project. The submittal would allow the City of Williams to be on the list when funding becomes available.

ACTION: Council Member Bergson made a motion, seconded by Council Member Jauregui to authorize the City Administrator to submit the North Side Park Flood Control Project to the Northern Sacramento Valley Integrated Regional Water Management Board. Motion passed 5-0 by the following roll-call vote:

AYES: Bergson, Jauregui, Boes, Sellers Jr. and Troughton Jr.

NOES: None

ABSTAIN: None

ABSENT: None

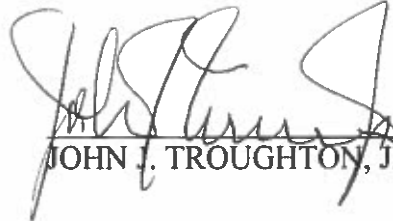
REPORTS- Mayor Troughton Jr., stated Council and Staff did not need to provide their verbal reports.

ADJOURNED: Mayor Troughton Jr. adjourned the meeting at 9:18 pm to Closed Session.

CLOSED SESSION started at 9:37 pm

1. Conference with Legal Counsel-Anticipated Litigation  
Significant exposure to litigation pursuant to Gov't. Code Sec. 54956.9(d) (2): two cases

ACTION: At 9:50 pm, City Attorney Siprelle reported that the City Council considered two claims. They received a report on the first claim and unanimously rejected the second claim.

  
\_\_\_\_\_  
JOHN J. TROUGHTON, JR., MAYOR

ATTEST:

  
\_\_\_\_\_  
Shelly Kittle, Deputy City Clerk

