

CITY OF WILLIAMS

City Council Minutes

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

CITY COUNCIL
COUNCIL CHAMBERS
WEDNESDAY, SEPTEMBER 21, 2016

OPEN SESSION
6:00 PM

CALL TO ORDER:

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

ROLL CALL:

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

PLEDGE OF ALLEGIANCE: Mayor Troughton Jr. invited everyone to join him in the Pledge of Allegiance.

PUBLIC COMMENT: Citizen Don Parsons, commented on the repair that was done to Husted Road last year. He said he had mentioned to City Council that the repairs done out there were done incorrectly. He said City Administrator Frank Kennedy had assured him that it was structurally sound, but now it is falling apart again. He said it is a hazard and needs to be fixed.

Mayor Troughton said he had talked to a member of the Public Works Department earlier in the day and they are trying to work out something with a contractor to eliminate that issue.

Citizen Humberto Cortez, said he would like to see more drains on 9th Street because over where he lives it floods all the time.

WRITTEN COMMUNICATIONS:

Receive Notification of Pacific Gas and Electric Company's Application Requesting to Increase Rates for the Retirement of Diablo Canyon.

ACTION: No action needed.

PUBLIC HEARING

Conduct a Public Hearing and Adopt Resolution 16-15, A Resolution of the City Council of the City of Williams Amending the City's General Plan by Adopting The 2014-19 Housing Element (General Plan Amendment GPA 2016-01)

DISCUSSION: City Planner explained to the council this was the Draft Housing Element. She said it was prepared by Price Consulting and she gave Gary Price the floor.

Planning Consultant Gary Price explained to City Council that the Housing Element was one of the seven mandated elements of the General Plan. This consists of an assessment of the City's housing conditions and needs and deals with all of the sectors of the community that need housing. This update is required under State Law Mr. Price said.

He said the update of the Housing Element provides access to important grants that the City uses continually like the Community Development Block Grant which was recently received. He said with this grant the City is able to do positive things for the community like the Sewer and Water Rehabilitation Project in West Williams.

The Planning Commission had a public workshop on July 25, 2016. There were some revisions made to the Housing Element in response to comments made particularly made by California Rural Legal Assistance. Mr. Price also mentioned that they had received a letter from the California Department of Housing and Community Development saying that the Housing Element does comply with the Housing Law.

On August 18, 2016, the Planning Commission reviewed it and adopted Resolution PC2016-1 and recommended that City Council adopt the Housing Element.

Staff is recommending that City Council conduct a public hearing, approve and adopt Resolution 16-15, A Resolution of the City Council of the City of Williams Amending the City's General Plan by Adopting the 2014-19 Housing Element. (General Plan Amendment GPA 2016-01)

Mayor Troughton opened the public hearing at 6:12pm. No public comment.

Mayor Troughton closed the public hearing at 6:13pm.

ACTION: Council Member Bergson made a motion, seconded by the Council Member Sellers Jr., to adopt Resolution 16-15, A Resolution of the City Council of the City of Williams Amending the City's General Plan by Adopting the 2014-19 Housing Element. (General Plan GPA 2016-01) Motion passed by the following roll-call vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

Conduct a Public Hearing and Adopt Resolution 16-16, A Resolution of the City Council of the City of Williams adopting an Increase to the City of Williams Water and Sewer Fess.

DISCUSSION: Finance Director Rex Greenbaum thanked the City Council for the opportunity to present this item to Council. He stated the City of Williams successfully qualified for the four million five hundred thirty-three thousand dollars' worth of funding for the Sludge Processing Improvement Project from the United States Department of Agriculture (USDA). The proposed funding included a grant apportionment of two million two hundred and eighty-three thousand and a loan for two million two hundred and fifty thousand which is approximately 49.6% of the project. The proposed loan at the project completion would be amortized over thirty-nine years at a 1.75% interest rate with annual payments of eighty-one thousand eight hundred and fifty-five dollars. The project includes removal

sludge from multiple sites and construction of a sludge wasting tank that will allow the City to process sludge on a daily basis. The new process is recommended to optimize efficiency of the waste water treatment plant which will better control nitrate levels.

The USDA took into consideration the capital needs of the City along with the City's repayment ability of related financing. Based upon the USDA's analysis of the City's financial position, it was determined that four annual increases of 3% would be needed to qualify for the grant funding and loan. Any adjustments to these rate increases will need to be reviewed by the USDA and will reduce both the grant and loan components provided by the USDA. Mr. Greenbaum said reduction in the USDA's funding would both materially affect the sewer system improvements and jeopardize the project.

At this time City Clerk Mariana Pineda took the time to translate to Spanish for the audience.

Mayor Troughton opened the public hearing at 6:42 p.m.

Many residents if the City commented on their oppositions to the water and sewer rate increases. They voiced their concerns on affordability, water quality, water pressure and meter issues.

City Clerk Pineda would translate as needed.

Mayor Troughton closed the public hearing at 7:21 p.m.

Council Member Boes said he had a couple of comments. He said that when they had first heard of this at a finance committee meeting the finance officer had given numbers like seven or twelve percent. He stated he had told Mr. Greenbaum that was absolutely not acceptable. He then said he insisted on two things, the first was to go back and rework the numbers and the second thing he insisted on was having a CPI increase of 2% annually. This is so that in the future when these types of issues come up the City already has a savings built up and can use those funds for these types of projects.

He wanted to insist on one more thing that had been previously explored and the program that offers subsidy to those on fixed income and low income situations. He would like that this program re-explored and would like for staff to give a presentation to Council in October or November. He said even if it is only five thousand dollars a year and can help ten people he would rather do that then not help anyone.

Council Member Bergson asked if these rates increase severable. He asked if the water rates and sewer rates were separate issues. Mr. Greenbaum said that was correct, but he did say that looking at the water revenues in the future years in order to balance the budget this was needed. Council Member Bergson then asked if there were other options. Council Member Bergson asked what would happen if the Council decided to no go through with this. Mr. Greenbaum said if the sewer portion was not approved, the grant and loan would be lost.

After a lengthy discussion Council took into consideration the possibility of approving the rate increases now and in a couple of weeks modify the resolution.

Council Member Bergson made a motion, to approve the proposed sewer rate increase only and not move the water rate.

With that motion Finance Director Rex Greenbaum did say he did not know how that would impact the water loan.

Mayor Troughton said to Council Member Bergson that everything that he wants to do can be done at a later time by revisiting at a different meeting and changing it at that time.

Council Member Boes made a substitute motion to approve the sewer part as is, pass the water part then amend the water part to get remove the mandated increase of the 3% and start it now with only the CPI increase.

After a brief discussion Council Member Boes rescinded his substitute motion.

Council Member Bergson then made a motion to pass the sewer rate increase only not the water, having no other Council Member Second Council Members Bergson's motion, Mayor Troughton asked if there was a motion on the Resolution as written.

Finance Director asked City Clerk Pineda to give the count of letters in opposition that were received. Total number of letters received were nineteen, ten in opposition for both water and sewer, six in opposition for the increase of the water and the remainder were in opposition to the increase in the sewer.

Council Member Jauregui said he has heard a lot of complaints about how the meters are read. He said he would like for the Public Works Department to go around the City and clean them off so the readings can be more accurate. He also explained why this item is being considered for approval in English and Spanish.

ACTION: Council Member Boes made a motion to approve Resolution 16-16, A Resolution of the City Council of the City of Williams adopting an Increase to the City of Williams Water and Sewer Fees and also to instruct the City's Finance Director to bring back the rebate plan for the Council's review, seconded by Council Member Seller Jr.

Council Member Bergson explained to the audience why he was voting against the motion and had the City Clerk translate.

Motion passed by the following roll- call vote:

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

Receive update on odor complaints coming from Morning Star Packing Company.

DISCUSSION: Council decided to move this item and receive the update at this time.

Members from Morning Star were present to give an update. They stated that as of the August 26, 2016 there had been no other complaints.

CONSENT:

Adopt the Minutes of the Regular City Council Meeting of August 17, 2016.

Adopt the Minutes of the Special City Council Meeting of August 30, 2016.

Approve Special Event Permit #40 for the Feast of Virgen de Guadalupe Procession on December 11, 2016; waive fees.

DISCUSSION: Council Member Bergson asked to have the Certificate of Liability corrected to reflect the City of Williams as the additional insured.

ACTION: Council Member Bergson made a motion, seconded by Council Member Boes to approve items four through six on the consent agenda with the condition to have the City of Williams as the additional insured. Motion passed by the following roll call vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

Consider Appointment of a new Planning Commissioner.

Mayor Troughton explained item seven was an appointment of a new Planning Commissioner and asked City Planner Monica Stegall to please speak on this item.

City Planner Monica Stegall explained the Planning Commission currently has a vacancy. The City had posted notices at various locations and in the new paper. The City received an application from Marcie Voorhees and Mrs. Stegall said she would be a great addition to the Planning Commission. Planner Stegall said it is staff's recommendation to appoint Marcie Voorhees and to make Don Parsons, who now serves as an alternate a regular member of the Commission.

ACTION: Mayor Troughton approved Don Parsons as a regular member of the Planning Commission and appointed Marcie Voorhees as a member of the Commission

OLD BUSINESS

Treasurer's Investment Report and Monthly Register for July 2016.

DISCUSSION: City Treasurer Villa provided the summary of the monthly report and register for July 2016.

ACTION: No action needed from Council.

Approve expenditure of \$16,666 to help support the development of 455 E Street.

DISCUSSION: City Planner Monica Stegall explained to the City Council that Sutter Retail has been in negotiations to purchase the Old Arco locate at 455 E Street for the development of the Starbucks coffee shop. There is currently a deed restriction on that property and Sutter Retail is asking for the City's assistance with the deed restriction by agreeing to pay \$16,666.00

City Planner Stegall said it was staff's recommendation to approve the expenditure in the amount of \$16,666 to help support the development of Starbucks.

Council Member Boes said this Council had previously approved to help with the removal of the tanks. He said this deed restriction was not new and that Sutter Retail Development knew about this since three years ago. His question now becomes, why didn't Sutter Retail come to the City Council and ask for the \$34,166 at the time when they had asked for the City's assistance with the removal of the tanks. He said the way he looks at it is, since the City agreed to help with the \$17, 500 for the removal of the tanks but that money will not be used let's go back and ask the City to help with the deed restriction.

Council Member Sellers asked what would happen if the Council decided not to approve the expenditure. City Planner Stegall said Sutter Retail told staff they needed this money to move forward.

Council Member Bergson said he thinks the City Council should move on this item because that property need to be cleaned up. He mentioned it would cost the City more money and believes this is more effective way.

Council Member Jauregui agrees with Council Member Bergson.

Citizen Peter Garcia said he believes that \$16,666 would patch a lot of holes on the streets. He said the City should start fixing the streets not someone's private property.

ACTION: Council Members Bergson made a motion, seconded by Council Member Sellers Jr., to approve the expenditure of \$16,666 to help the development of 455 E Street. Motion passed by the following roll call vote:

AYES: Bergson, Jauregui, Sellers Jr.

NOES: Boes, Troughton Jr.

ABSTAIN: None.

ABSENT: None.

NEW BUSINESS

Approve Modification of Agreement for Dispatch Services with the County of Colusa.

DISCUSSION: Police Chief Ulibarri said his was a very modest increase will help continue receiving the professional dispatch services from Colusa County.

ACTION: Council Member Bergson made a motion, seconded by Council Member Boes, to approve Modification of agreement for Dispatch Services with the County of Colusa. Motion passed by the following roll-call vote:

AYES: Council Member Bergson, Boes, Jauregui, Sellers Jr., Troughton Jr.

NOES: None.

ABSTAIN: None.

ABSENT: None.

Approve Community Development Block Grant (CDBG) Construction Financing for Oddfellows Hall Rehabilitation and Revitalization Project.

DISCUSSION: Finance Director explained this item was to consider the loan to Mr. Randle for \$300,000. Mr. Greenbaum said the Oddfellows Hall is a very important building in the heart of downtown. Mr. Randle is requesting to utilize \$300,000 of CDBG funds which is the maximum that can be used without having to go through the review process of HCD. The building was purchased in

2015 for \$125,000 and is applying for the \$300,000. He stated \$110,000 would be used to pay off the first private acquisition loan and the remainder would be used in construction funding for the rehabilitation of the first floor retail suites.

Mr. Greenbaum said when utilizing CDBG funds it does make the project more expensive. This is because it makes the project a prevailing wage project which can increase cost which is a concern. He said the loan collateral of course the City would be in the first position. As far as our revolving loan funds in economic development there is currently about \$60,000 that can be used for this. If it is decided to move forward, then the general fund would have to front \$240,000 that can be paid with future economic development. This would take about three and a half years to pay back to the general fund.

Council Member Boes asked if Council decided to move forward with this, would it prevent the City from lending anyone else money with CDBG type funded projects. Mr. Greenbaum said yes this would project would use all the funds available in the next three and a half years.

City Council along with staff and Mr. Randle had a discussion on this item and the following was decided.

ACTION: Council Member Bergson made a motion, seconded by Council Member Jauregui to approve Community Development Block Grant Construction Financing for Oddfellows Hall Rehabilitation and Revitalization Project.

Council Member Boes would like for Council to keep in mind before voting that they money would be pulled out of the General Fund and this would exhaust all of the economic development money for the next three and a half years.

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

Discuss the Nuisances caused by migrating Egret and Heron populations and recommend potential actions to be taken.

DISCUSSION: Finance Officer Rex Greenbaum explained that this is the third consecutive year that the City of Williams had had an influx of migratory birds. Last year the Department of Public Works trimmed the trees at the Sacramento Valley Museum thinking this would solve the problem. The only thing that did was move the birds to nest in different areas within the City.

Mayor Troughton said his concern is the kids walking through there to get to and from school.

After a brief discussion City Council directed staff to bring this item back to them in February.

REPORTS

City Attorney Ann Siprelle had nothing to report.

COUNCIL REPORTS AND COMMITTEE UPDATES

Council Member Jauregui had nothing to report.

Council Member Boes had nothing to report.

Council Member Bergson said the Colusa Transportation Commission turned down the request from the City for the \$130,000 to update its Pavement Management Study and to initiate Project Development.

Council Member Sellers, Jr., had nothing to report.

Council Member Troughton, Jr., had nothing to report.

STAFF GENERAL REPORTS AND DISCUSSION

City Administrator Frank Kennedy was absent.

Police Chief Ulibarri gave City Council an update on the status of the hiring process at the Police Department and said that is their main priority. Chief Ulibarri also mentioned that Officer Mata has been selected as the Officer of the year for the Colusa Rotary Club and will be honored on November 15, 2016 and will be honored at the Regional level.

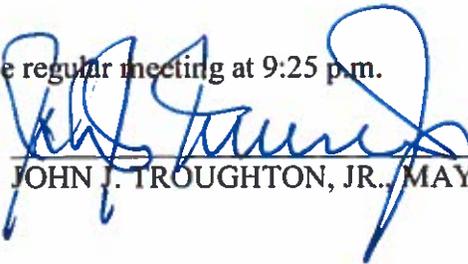
City Planner Monica Stegall had nothing to report

City Engineer Trin Campos updated the City Council on the projects he is working on.

Fire Chief Gilbert was absent.

Finance Officer had nothing additional to report.

ADJOURNED: Mayor Troughton Jr. adjourned the regular meeting at 9:25 p.m.


JOHN J. TROUGHTON, JR., MAYOR

ATTEST:


Mariana Pineda, City Clerk