

# CITY OF WILLIAMS

## *City Council Minutes*

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

CITY COUNCIL  
COUNCIL CHAMBERS  
WEDNESDAY, AUGUST 16, 2017

OPEN SESSION  
6:00 PM

### CALL TO ORDER:

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

### ROLL CALL:

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

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

PUBLIC COMMENT: Lew Manor gave City Council an update on the State of Jefferson.

Citizen, Art Sanchez explained the reason he was at the Council Meeting was because he is concerned about the water rates. He said he wondered if the City really reads the meters or how the bills are figured out monthly. City Administrator Frank Kennedy said the meters are read on a monthly basis. In the near future, the City will have new meters that will be read automatically. Mr. Kennedy said staff would be happy to look at Mr. Sanchez's water bill to see if it is artificially too high or to see if there is a leak or something on the property. Mr. Sanchez explained that he believes his meter has not been read for quite some time because he said he opened the box and the meter is full of dirt and you cannot see the numbers. City Administrator Frank Kennedy said that it is not necessary for the box to be opened to read the meter. He said there is a special tool that is used to read the meter.

Council Member Troughton Jr., suggested that Mr. Sanchez turn everything off at his house and look at the meter to see if it keeps spinning. Council Member Troughton said that would tell you if there is a leak on the property. Mr. Sanchez thanked Council Member Troughton for the suggestion and said he had been through that before.

Mr. Sanchez has compared his water bill to others with a household of 4 or 5 and he said that his bill is the same as the bigger households. Mr. Sanchez asked City Council to take a second look at the water rates.

Chris and Rosanne Blevins explained that they were here at the previous month's meeting to discuss the water bill issue. They had requested at the previous meeting to have this issue on the agenda. Mrs. Blevins said they had requested for the penalties and fees that have been added to the water bill be removed. Some of the fees have been removed but not all. The Billing Department is not willing to waive the fees that they have incurred due to a returned check and they would not remove the connection fees.

City Administrator Frank Kennedy explained that the Finance Committee had met, but they did not come up with a final resolution. The Finance Committee spoke about the property owners having major control over by having the water in their name and charging the tenants more for the rent.

After some discussion City Administrator Frank Kennedy suggested to City Council that this issue go back to the Finance Committee. He would like to discuss the points that Finance Officer Greenbaum has brought tonight and have the committee make a decision and have this item on the agenda for next month.

### WRITTEN COMMUNICATIONS

Receive Revised Monitoring and Reporting Program (MRP) R5-2013-0144 and Extension of Due Date for Report of Waste Discharge, Morning Star Packing Company, L.P. and Fred Gobel, Morning Star Tomato Packing Plant, Colusa County from the Central Valley Regional Water Quality Control Board date July 28, 2017.

Receive Conditional Approval of Wastewater Application to recently Acquired Agricultural Land Application Areas, the Morning Star Packing Company, Colusa County from the Central Valley Regional Water Quality Control Board dated August 2, 2017.

Receive Rescission of Monitoring and Reporting Program (MRP) 2013-0144, Revision No. 2 Morning Star Packing Company, L.P. and Fred Gobel, Morning Star Tomato Packing Plant, Colusa County from the Central Valley Regional Water Quality Control Board dated August 4, 2017.

Receive Agenda from the Central Valley Regional Water Quality Control Board for their meeting that was held on August 4, 2017.

DISCUSSION: Council Member Bergson asked City Administrator to please explain the notices regarding Morning Star. City Administrator Kennedy said that the Water Quality Control Board is lightening up the restrictions for Morning Star. Morning Star has complied and has proven to the Water Quality Control Board that they did in fact give them prior notice in regards to the ponds and the expansion they did.

ACTION: No action needed from Council.

### CONSENT

Approve the Minutes of the Special Meeting of July 5, 2017.

Approve the Minutes of the Regular Meeting of July 19, 2017.

DISCUSSION: Council Members Bergson and Sellers Jr. had corrections on the minutes.

**ACTION:** Council Member Troughton Jr., made a motion, seconded by Council Member Mendoza to approve the minutes of the special and regular meetings of July 5, 2017 and July 19, 2017. Motion passed by the following roll-call vote:

**AYES:** Council Member Mendoza, Jauregui, Troughton Jr., Bergson and Sellers Jr.

**NOES:** None.

**ABSTAIN:** None.

**ABSENT:** None.

## OLD BUSINESS

### Treasurer's Investment Report and Monthly Register for June 2017.

**DISCUSSION:** City Finance Officer Rex Greenbaum provided the summary of the monthly report and register for June 2017.

Councilmembers inquired on some items on the check register.

**ACTION:** No action needed from Council.

## NEW BUSINESS

### Receive Update on Recology Delinquent Accounts.

**DISCUSSION:** City Administrator Frank Kennedy explained that Recology has notified the City of serious delinquencies and that some of the residents in Williams don't have accounts with Recology but are receiving service. The City of Williams is a mandatory trash pick up City and there have been quite a few problems with people paying.

The current Williams Municipal Code allows the City to treat these delinquencies as non-payment of water. Water can be turned off for non-payment but that would severely impact operations of the City and we would be in effect collectors of their debt.

In other jurisdictions when residents don't pay their garbage bill it is assessed as a tax assessment through the County Auditor. To date the City has not been able to get that procedure through the County. Not only ourselves, but the City of Colusa as well.

City Administrator Kennedy introduced Recology's General Manager, Dan Shea to discuss some of the options the City might be able to go through. Dan Shea thanked City Council for giving them the opportunity to present this item.

Mr. Shea said that Williams represents forty percent of the bad debt. He said that thanks to some discussion with Mr. Kennedy Recology was able to write-off a lot of that debt through collections and Recology would like to give the City and the residents the chance to start fresh. Recology wants to put a process in place that will not allow the customers' accounts to get out of control.

Mr. Shea introduced Melissa Percifield, Office Manager who has been the person doing the research and who has been in contact with the City Administrator.

Ms. Percifield explained she is familiar with the lien process, which technically is a tax assessment. Recology has had this process in place in Oroville for over 20 years and it has worked very well. Ms. Percifield also explained that Recology is facing a dilemma with delinquent accounts. Back in 2014 Recology came to the Council to restructure the contract between the City and Recology. This was to allow Recology to place a lien on the properties that were delinquent. After looking at the refuse service ordinance, the garbage collection is supposed to follow the same procedures as the water service.

Recology had been sending out letters for a year to customers and continued to send out bills. This brings them before City Council tonight to try and find a resolution. Ms. Percifield said that at this time the balance for Williams customers is \$171,000 and the past due is \$132,000 which is a significant amount.

Recology performed a route audit in December of 2016 and found that about 50 residents that had containers, but had no accounts. The drivers know they must pick up in Williams because of the agreement between the City and Recology. At this point they are going to start them in the name of the property owner. There is a letter that Ms. Percifield wants to send the property owner so they are aware of what is going on. The delinquent accounts that will be sent to a collections agency will be sent out under the customer's name.

Council Member Troughton Jr., suggested that Recology meet with City Administrator Frank Kennedy and come back with a solid recommendation at the next City Council Meeting.

On a consensus of the City Council this issue was referred to staff.

Introduce and Waive the First Reading of Ordinance 220-17 adding Chapter 17.09 to Title 17, Zoning of the Williams Municipal Code Regarding Procedures and Requirements for Consideration of Development Agreements.

DISCUSSION: City Attorney Ann Siprelle is recommending that City Council introduce and waive the first reading of Ordinance 220-17 adding Chapter 17.09 to Title 17, Zoning of the Williams Municipal Code Regarding Procedures and Requirements for Consideration of Development Agreements. This Ordinance basically tracks the development agreement that the City of Williams has entered in the past and will enter in the future. This ordinance will spell out how the process will work and is good practice to have in the zoning code.

ACTION: Council Member Bergson made a motion, seconded by Council Member Jauregui to Introduce and Waive the First Reading of Ordinance 220-17 adding Chapter 17.09 to Title 17, Zoning of the Williams Municipal Code Regarding Procedures and Requirements for Consideration of Development Agreements. Motion passed by the following roll-call vote:

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

Approve the Memorandum of Understanding between the Williams Police Department and the Williams Unified School District for the School Resource Officer.

**DISCUSSION:** Police Chief Anderson explained that the Police Department is requesting that Council approve the MOU between the Police Department and the Williams Unified School District. The agreement highlights that the Police Department will provide a dedicated an Officer to serve as the School Resource Officer during the school year. The Officer will work 40 hours a week at the school and will take care of the school related crimes/activities. This Officer will also be teaching D.A.R.E., the Police Department will also provide G.R.E.A.T services. Which is the gang resistance education and training program. They will also be providing security at sporting events and that will all be done by the School Resource Officer. In exchange, the School District has agreed to pay half of all the cost for the School Resource Officer including his salary and benefits.

Police Chief Anderson has been working with the Finance Director and the school district will be billed quarterly.

Staff is requesting Council to approve the MOU between the City of Williams and the Williams Unified School District.

Council Member Mendoza asked the Police Chief if the School Resource Officer would be in charge of the Elementary, Middle School and High School. The Police Chief's response was yes.

**ACTION:** Council Member Troughton Jr., made a motion, seconded by Council Member Jauregui to approve the Memorandum of Understanding between the Williams Police Department and the Williams Unified School District for the School Resource Officer. Motion passed by the following roll-call vote:

**AYES:** Council Member Mendoza, Jauregui, Troughton Jr., Bergson, Sellers Jr.

**NOES:** None.

**ABSTAIN:** None.

**ABSENT:** None.

## REPORTS

City Attorney Ann Siprelle had nothing to report.

## COUNCIL REPORTS AND COMMITTEE UPDATES

Council Member Troughton Jr., attended regular meetings and met with Finance Officer, Planner, City Administrator and met with the School.

Council Member Jauregui had nothing to report.

Council Member Mendoza had nothing to report.

Council Member Bergson attended the first Colusa Groundwater Agency meeting. Council Member Bergson would like to see the Capital Improvement Program come to City Council for Review in the next few months. Council Member Bergson announced the Mexican Independence Festival that will be taking place on September 17<sup>th</sup> at Redinger Park.

Council Member Sellers, Jr., attended regular meetings.

## STAFF GENERAL REPORTS AND DISCUSSION

City Administrator Frank Kennedy gave an update on the Pavement Project, Venice Park, Wastewater Master Plan and the Specific Plan.

Council Member Jauregui made the City Administrator aware of kids being out at Venice Park on the grass.

Council Member Mendoza thanked City Administrator Frank Kennedy for getting the signs out at Husted Road.

Police Chief Anderson gave City Council an update on the Police Department. He explained that Esther Corona had resigned her position and they are currently accepting applications to fill that position. The Police Department will be holding interviews for Police Officer on Monday.

Fire Chief was absent.

City Planner Monica Stegall was absent.

City Engineer Campos was absent.

Finance Officer Greenbaum had nothing additional to report.

Mayor Sellers Jr., adjourned to closed session at 7:28 p.m.


CLOSED SESSION

1. Conference with Legal Counsel-Anticipated Litigation  
Significant Exposure to Litigation (GC Sec. 54956.9(d)(2): one case

ACTION: No Reportable Action.

ADJOURNMENT

Mayor Seller Adjourned closed session at 7:56 pm.

  
ALFRED SELLERS, JR., MAYOR

ATTEST:

  
Mariana Pineda, City Clerk