

# CITY OF WILLIAMS

## *City Council Agenda*

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

CITY COUNCIL  
COUNCIL CHAMBERS  
WEDNESDAY, FEBRUARY 20, 2019

OPEN SESSION  
6:00 PM

- A. CALL TO ORDER
- B. ROLL CALL
- C. PLEDGE OF ALLEGIANCE
- D. PUBLIC COMMENT

This is an opportunity for the public to speak to the Council on any item other than those listed for public hearing on this Agenda. Speakers are requested to use the podium in front of the Council and to begin by stating their name, whether they reside in Williams and the name of the organization they represent if any. The Mayor may impose a time limit on any speaker depending on the number of people wanting to speak and time available for the rest of the Agenda. In the event comments are related to an item scheduled on the Agenda, speakers should wait to make their comments until that item is considered.

- E. PUBLIC HEARING

- 1. Hold a public hearing, receive public comments, and close out Community Development Block Grant (CDBG) #13-CDBG-8945.

- F. CONSENT

- 2. Approve the Minutes of the regular meeting of December 12, 2018.

- G. OLD BUSINESS

- 3. Receive Treasurers Investment Report and Monthly Register for December 2018.

- H. NEW BUSINESS

- 4. Adopt Resolution 19- 02 Establishing Appropriations Limit for Fiscal Year 2017-18.

5. Waive the first reading and introduce Ordinance No. 232-19 Amending Section 15.04.020 of the Williams Municipal Code and Adding Sections 15.04.030 and 15.04.040 to the Williams Municipal Code Relating to Stop work orders and Building Notices.
6. Waive the first reading and introduce Ordinance No. 233-19 Increasing Council compensation to \$420 for Councilmembers and \$560 for the Mayor.

I. REPORTS

1. City Attorney

J. COUNCIL REPORTS AND COMMITTEE UPDATES

1. Council Member Troughton Jr.
2. Council Member Jauregui
3. Council Member Mendoza
4. Council Member Singh
5. Council Member Sellers, Jr.

K. STAFF GENERAL REPORTS AND DISCUSSION

1. City Administrator
2. Police Chief
3. Fire Chief
4. City Planner
5. City Engineer
6. Finance Office

L. CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION  
Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2):  
Three cases
2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION  
(Gov. Code Sec. 54956.9(d)(1):  
CITY OF WILLIAMS V. LACKSHMI SINGH, ET AL., Colusa County Superior Court  
Case No. CV24165

M. ADJOURNMENT

I, Mariana Pineda, City Clerk for the City of Williams, declare that the foregoing Agenda for the February 20, 2019, Regular Meeting of the Williams City Council was posted on Friday February 15, 2019, at the office of the City of Williams, 810 E St., Williams, California, 95987 and was available for public review at that location.

Dated: February 15, 2019

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Mariana Pineda, City Clerk

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In compliance with the Americans with Disabilities Act, persons needing a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, may contact City Clerk Mariana Pineda, at (530) 473-2955, by fax at (530) 473-2445 or by email to [mpineda@cityofwilliams.org](mailto:mpineda@cityofwilliams.org) at least 48 hours prior to the meeting.

**2019 CITY COUNCIL MEETING SCHEDULE**

January 16, 2019	April 17, 2019	July 17, 2019	October 16, 2019
February 20, 2019	May 15, 2019	August 21, 2019	November 20, 2019
March 20, 2019	June 19, 2019	September 18, 2019	December 18, 2019

**DEPARTMENT TELEPHONE NUMBERS**

Building	(530) 473-5389	Police	(530) 473-2661
Code Enforcement	(530) 473-2533	Public Works	(530) 473-2519
Finance	(530) 473-2982	Swimming Pool	(530) 473-2603
Planning	(530) 473-2955	Utility Billing	(530) 473-5380

**Compliance with Government Code Section 54957.5**

Public records, including writings related to an agenda item for an open session of a regular meeting of the City Council of the City of Williams that are distributed less than 72 hours before the meeting, are available for public inspection during normal business hours at Williams City Hall located at 810 E Street, Williams, California 95987.

*Williams*  
*City Council*  
*Agenda Report*

DATE: February 20, 2019

ITEM #: 1

CATEGORY: Public Hearing

**SUBJECT: Community Development Block Grant (CDBG) #13-CDBG-8945 Closeout and Contract Accomplishments.**

**BACKGROUND**

In 2013, the City of Williams was awarded a Community Development Block Grant (CDBG) in the amount of \$1,987,376. Funding activities for this award consisted of the following amounts:

Public Facilities	\$1,500,000
Homeowner Housing Rehabilitation	\$ 69,652
Economic Development – Direct Financial Assistance	\$ 139,535
Economic Development – Microenterprise Technical Assistance	\$ 139,535
General Program Administration	\$ 138,654
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Total Grant Awarded	\$1,987,376
	=====

From the CDBG grant awarded, the City successfully utilized the Public Facilities award of \$1,500,000 and the General Program Administration of \$138,654. This amount totaling \$1,638,654 was utilized for the West Williams Community Sewer and Water Rehabilitation Project Phase 1.

With the funding, the City retained a consultant to prepare design plans and specifications for the sewer and water public improvements. Once these plans were complete, the project was publicly advertised and a bid was awarded in the summer of 2016 with the project completed in October 2016.

This project was able to successfully replace 2,780 lineal feet of failed sewer piping and 3,100 lineal feet of water main within the West Williams community area. These water and sewer lines had been identified as critically deficient and given the highest priority for replacement due to both lower water pressure and leaking pipes in disrepair.

The City was not able to utilize the Housing Rehabilitation or the Economic Development components of the grant award. While the City did have ongoing housing and economic development activities, the City is required to first spend down the applicable housing and economic development revolving loan funds on hand before any of the grant award could be utilized. As the City could not spend down all of the revolving loan funds, the City was not allowed to draw down any of these grant funds.



CITY OF WILLIAMS  
*City Council*  
*Agenda Report*

DATE: February 20, 2019

ITEM: 2

CATEGORY: Consent

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**SUBJECT: REGULAR COUNCIL MINUTES**

**RECOMMENDED ACTION**

It is Recommended that Council Receive and Approve the:

- Minutes of the City Council Meeting of December 12, 2018.

Reviewed and Submitted by: Frank Kennedy, City Administrator

Attachments: (1) Minutes

# CITY OF WILLIAMS

## *City Council Minutes*

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

CITY COUNCIL  
COUNCIL CHAMBERS  
WEDNESDAY, DECEMBER 12, 2018

OPEN SESSION  
6:00 PM

CALL TO ORDER: Mayor Bergson called the meeting to order at 6:00 pm.

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

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

Adopt Resolution 18-18 “A Resolution of the City Council of the City of Williams Declaring the Results of the Municipal Election held on November 6, 2018 and setting forth a Statement of the Election Results.

**DISCUSSION**: City Administrator Frank Kennedy explained that Council would need to adopt Resolution 18-18, Certifying the Election Results. He stated that there would be a slight change on the City Council.

Council Members Alfred Sellers, Jr., and Santos would remain on the City Council and the Oath of Office will be administered to newly-elected Council Member Sajit Singh.

**ACTION**: Council Member Troughton, Jr., made a motion, seconded by Council Member Jauregui to adopt Resolution 18-18, A Resolution of the City Council of the City of Williams Declaring the Results of the Municipal Election Held on November 6, 2018 and setting forth a Statement of the Election Results. Motion passed 5-0 by the following roll-call vote:

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

**NOES**: None.

**ABSTAIN**: None.

**ABSENT**: None.

Council Member Troughton, Jr., presented Mayor Bergson with a plaque for his years of service with the City of Williams.

### Issuance of the Oath of Office to Newly and Re-Elected Officers

City Clerk Pineda Administered the Oath of Office to Newly Elected Council Member Sajit Singh and Re-Elected Council Members Alfred Sellers, Jr., and Santos Jauregui.

## Hold Election of Mayor and Mayor Pro Tem

DISCUSSION: Mayor Pro-Tem Jauregui explained at this time Council would hold elections for Mayor and Mayor Pro-Tem. Mayor Pro-Tem Jauregui thanked the City of Williams for allowing him to be Mayor Pro-Tem. He explained that at this time he had made a decision to not become Mayor if nominated. He explained that because of his full-time employment and other responsibilities outside City business he would not have the time to take this task on.

Having said that, Council Member Jauregui made a motion, nominating Council Member Sellers, Jr., for Mayor and Council Member Mendoza as Mayor Pro-Tem. Council Member Mendoza seconded this motion.

Council Member Jauregui asked Council if there were any other nominations.

Council Member Singh made a motion, nominating Council Member Troughton Jr. Council Member Singh explained, Council Member Troughton, Jr., has the most experience and has served on Council the longest. He added that as a new Council Member he would like to see the meetings conducted under somebody with that much experience. Council Member Singh then nominated Council Member Alfred, Sellers, Jr. for Mayor Pro Tem. Council Member Troughton, Jr., seconded Council Member Singh's motion.

With no other nominations Council Member Jauregui asked City Clerk Pineda to call roll for the vote. Council voted on Council Members Singh's motion as follows:

AYES: Council Member Troughton, Jr., Singh  
NOES: Council Member Mendoza, Sellers, Jr., and Jauregui  
ABSTAIN: None.  
ABSENT: None.

Council Member Jauregui asked for a roll call on the motion made by Council Member Mendoza. Council voted as follows:

AYES: Council Member Mendoza, Sellers, Jr., and Jauregui  
NOES: Council Member Troughton, Jr., Singh  
ABSTAIN: None.  
ABSENT: None.

Motioned passed 3-2 making Council Member Seller, Jr., Mayor and Council Member Mendoza Mayor Pro-Tem.

## PUBLIC COMMENT

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



PUBLIC HEARING:

Hold Public Hearing to allow the public a forum to comment on a potential Community Development Block Grant application that may be developed and submitted on February 5, 2019.

DISCUSSION: City Planner Stegall explained that the Department of Housing Community Development had released their 2018 Notice of Available Funding. The City is interested in applying again this year. The City can apply for up to two activities and a maximum of three million dollars. Eligible activities include home ownership assistance, housing rehab, public facilities, public improvement projects, technical assistance studies and economic development assistance.

One of the requirements is that the City hold a public hearing to solicit public input on the types of activities that they can potentially apply for.

At next month's meeting staff will return with the potential application and seek approval from City Council to apply for those activities.

It is staff's recommendation that Council hold a public hearing and receive comment.

Mayor Sellers, Jr. opened the public hearing at 6:21pm.

With no public comment Mayor Sellers, Jr. closed public hearing at 6:22pm.

City Planner Stegall explained that in the past the City has applied for housing monies and public improvement and these are potential activities that staff is looking at to apply for again.

Council Member Mendoza said he would like to see some of that money resurface City Hall. Planner Stegall said she could look into that and see if that would be eligible.

Finance Officer Rex Greenbaum explained that staff has looked at City Hall, the Old Gym and the Museum as potential projects, but a lot of the times there is issues with them qualifying.

City Administrator explained that if the City wants a competitive application, they need to follow guidelines. He also added that the City does not decide where it wants to spend the money, the City spends the money where it's approved to be spent.

After further discussion Planner Stegall stated she would be coming back to Council in January with the potential application for approval.

ACTION: No action needed at this time.

Hold a Public Hearing and Adopt Resolution 18-17, Repealing Resolution 17-08 Establishing Conditional Use Permit Fees for Cannabis Uses.

DISCUSSION: City Attorney Ann Siprelle explained that in October Council adopted Resolution 17-08 establishing fees as a condition of the conditional use permit for various cannabis uses.

City Attorney is recommending the adoption of this Resolution because the fees are not going to be made a condition of the conditional use permit, they will now be part of the development agreement. This way they will be much more legally defensible. As a condition of the Conditional Use Permit, they could be challenged because there is not a legal nexus between the use permit and the fees.

Mayor Sellers, Jr. opened the public hearing at 6:42pm.

With no public comment Mayor Sellers, Jr. closed public hearing at 6:43pm

**ACTION:** Council Member Mendoza made a motion, seconded by Council Member Singh to Adopt Resolution 18-17, Repealing Resolution 17-08 Establishing Conditional Use Permit Fees for Cannabis Uses. Motion passed 5-0 by the following roll-call vote:

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

**NOES:** None.

**ABSTAIN:** None.

**ABSENT:** None.

Hold Public Hearing, Waive the first reading and introduce Ordinance 230-19 Adding Chapter 5.18 to the Williams Municipal Code Establishing a Commercial Cannabis Regulatory Permit Process.

**DISCUSSION:** City Planner Monica Stegall explained to City Council that this is a new Ordinance that would add a chapter to the Williams Municipal Code establishing a commercial cannabis regulatory permit. This is what is going to establish the application process for all of the operators that will be operating within the cannabis overlay zone. This process is very similar to a business license, but for the cannabis operators.

This Ordinance establishes an application processing fee of five hundred dollars. The application would be good for two years. After the two years the renewal will come with a cost of one hundred dollars. The application must include site plan, floor plan, security, odor plans it requires finger printing for a background check of the operators and the employees. It establishes criteria for denial and suspension, so it basically establishes the process for issuing these operators a permit for operation within that cannabis overlay zone.

Staff is recommending that Council hold a public hearing, waive the first reading and introduce Ordinance 230-19.

City Attorney Ann Siprelle clarified that the background check would be done for the applicant and for the management personnel, not for every employee.

City Administrator did say that all personnel will have to register with the City but only management personnel will go through the background check process.

Mayor Sellers, Jr., opened the public hearing at 6:54pm.

Without any public comment Mayor Sellers, Jr., closed the public hearing at 6:54pm

After further discussion on various points of the ordinance Council took the following action.

**ACTION:** Council Member Jauregui made a motion, seconded by Council Member Troughton, Jr., to hold a public hearing, waive the first reading and introduce Ordinance 230-19 Adding Chapter 5.18 to the Williams Municipal Code Establishing a Commercial Cannabis Regulatory Permit Process. Motion passed 5-0 by the following roll call vote:

AYES: Council Member Mendoza, Sellers, Jr., Troughton, Jr., Jauregui and Singh.  
NOES: None.  
ABSTAIN: None.  
ABSENT: None.

Hold a Public Hearing. Waive the first reading and introduce Ordinance 231-19 Amending Section 17.01.030.10 o the Williams Municipal Code Regarding Development Approval of Commercial Cannabis Activity.

DISCUSSION: City Planner Monica Stegall explained this Ordinance amendment would amend the approval authority for conditional use permits with in the cannabis overlay zone. Initially the Ordinance provided that the applicant needed to get approval/ recommendation from the Planning Commission and then approval from the City Council.

This amendment would change that, it would authorize the City Administrator or his designee to review and approve a Master Conditional Use Permit. This Ordinance also changes it to Master CUP's. Initially the ordinance stated each individual operator would need to get individual CUP and come before the Planning Commission and the City Council for approval. Now this would be a Master CUP with a complete application and could involve more than one operator.

Mayor Sellers, Jr., opened the public hearing at 7:05pm.

With no public comment Mayor Sellers, Jr., closed the public hearing at 7:05pm.

ACTION: Council Member Singh made a motion, seconded by Council Member Troughton, Jr., to hold a public hearing, waive the first reading and introduce Ordinance 231-19. Motion passed 5-0 by the following roll-call vote:

AYES: Council Member Mendoza, Sellers Jr., Troughton, Jr., Jauregui and Singh.  
NOES: None.  
ABSTAIN: None.  
ABSENT: None.

CONSENT:

Approve the Minutes of the Joint City Council and Parks and Recreation Commission meeting of November 8, 2018.

DISCUSSION: With no comments or correction on the minutes Council took the following avtion.

ACTION: Council Member Troughton, Jr., made a motion, seconded by Council Member Jauregui to approve the consent agenda as amended. Motion passed 5-0 by the following roll-call vote:

AYES: Council Member Mendoza, Sellers, Jr., Troughton, Jr., Jauregui and Singh.  
NOES: None.  
ABSTAIN: None.  
ABSENT: None.

OLD BUSINESS

Receive Treasurer's Investment Report and Monthly Register for September and October 2018.

DISCUSSION: City Finance Officer Rex Greenbaum summarized the monthly report and register for September and October 2018.

Council Members inquired on the various items on the check register.

ACTION: No action needed at this time.

Authorize the City Administrator to pay up to \$10,000 to a structural engineer of the Williams Firefighters Association's choosing for the structural evaluation of the property located at 470 7<sup>th</sup> Street.

DISCUSSION: City Administrator Frank Kennedy invited Kent Boes to come to the podium to answer any questions Council may have for him. Mr. Boes welcomed Mayor Sellers, Jr., back and congratulated Mayor Pro-Tem Mendoza on his new seat and Council Member Singh for coming on board to the City Council.

Mr. Boes explained that City Administrator Kennedy had sent over some question City Council had and he went over those at this time.

Council had further discussion on this item and took the following action.

ACTION: Council Member Troughton, Jr., made a motion, seconded by Council Member Jauregui to Authorize the City Administrator to pay up to \$10,000 to a structural engineer of the Williams Firefighters Association's choosing for the structural evaluation of the property located at 470 7<sup>th</sup> Street. Motion passed 5-0 by the following roll-call vote:

AYES: Council Member Mendoza, Sellers Jr., Troughton, Jr., Jauregui and Singh.  
NOES: None.  
ABSTAIN: None.  
ABSENT: None.

At this time City Council had further question for Mr. Boes.

Waive the second reading and adopt Ordinance No. 228-18 Adding Chapter 3.36 to the Municipal Code to Establish an Infrastructure Fund.

DISCUSSION: City Attorney explained this Ordinance had been introduced at the last City Council meeting. Former Council Member Bergson had proposed to establish an Infrastructure Fund setting aside \$100,000 per year for infrastructure.

Council Member Troughton commented that he had made the motion at the previous meeting to waive the first reading and introduce Ordinance 228-18. He pointed out that his motion at the time removed the acquisition of real property. City Attorney said she did recall that.

ACTION: Council Member Jauregui made a motion, seconded by Council Member Troughton, Jr., to waive the second reading and adopt Ordinance No. 228-18 Adding Chapter 3.36 to the Municipal Code to Establish an Infrastructure Fund.

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

NOES: None.

ABSTAIN: None.

ABSENT: None.

Waive the second reading and adopt Ordinance No. 229-18 Amending Sections 12.09.010, 12.09.020, 12.09.030 and 12.09.060 adding Section 12.09.070 to the Williams Municipal Code Regarding Sidewalk Vendors.

DISCUSSION: City Administrator Frank Kennedy explained that this item would be pulled for revisions that need to be made.

ACTION: No action was needed at this time.

## NEW BUSINESS

### Discuss Oddfellows Building paint color.

DISCUSSION: City Administrator Frank Kennedy explained that at the previous City Council meeting there had been some public comment regarding the color of the Oddfellows Building. Staff had noticed that the color does not fit the Ordinance. The building is part of the Downtown District and the versions of green that it has been painted do not match to the color palette that is allowed for that district.

Staff spoke to the owner and addressed the procedure with him, encouraging him to come and meet with the City Planner. The owner was to pick up a copy of the application at City Hall and failed to pick that up. As of Monday morning, he was given an abatement notice. The abatement procedure will dictate that he either modifies the paint color or the City will do it for him, but he would reimburse the City.

The City has received the second most complaints ever on any singular issue.

Mayor Sellers, Jr., asked if the paint color on the building now was discussed with the owner. City Administrator explained that the owner was using that color.

Council Member Singh asked if the owner had come to the City with the paint color, he was using to make sure it was the correct one. City Administrator Kennedy said that was not the case.

City Council received public comment from Andi Armstrong.

Council had a lengthy discussion on this item.

Receive 2018 Year in Review from the City Administrator

DISCUSSION: City Administrator gave City Council a run down on what staff had accomplished in 2018.

In January staff will be bringing goals for 2019 to City Council.

Mayor Sellers, Jr., thanked staff for the hard work.

ACTION: No action needed at this time, informational item only.

Assign Council Members as Representative to Various Boards and Committees.

DISCUSSION: Mayor Seller, Jr., assigned Council Members as Representatives to the various Boards and Committees.

REPORTS

City Attorney Siprelle – nothing to report.

Mayor Pro-Tem Mendoza – attended regular meetings.

Council Member Troughton, Jr. – attended regular meetings. He said he had attended his last Transportation Commission meeting and explained that the City of Williams raises most of the gas and fuel tax in this county and gets least out of it.

Mayor Sellers, Jr.- nothing to report.

Council Member Singh – attended the meeting that the group of ladies who came to City Council wanting to volunteer. He stated they would like to start their programs in January.

Council Member Jauregui – had nothing to report. Council Member Jauregui requested to have striping done at Husted Road and Highway 99.

STAFF GENERAL REPORTS AND DISCUSSION:

City Administrator Kennedy- nothing additional to report.

Finance Officer Greenbaum- nothing additional to report.

City Planner Stegall- nothing additional to report.

Police Chief Anderson- gave an update on the Police Department.

City Engineer Campos- gave City Council an update on projects he was working on.

ADJOURNED: At 8:35 pm, Mayor Bergson adjourned the meeting into Closed Session.

CLOSED SESSION

1. CONFERENCE WITH LABOR NEGOTIATOR GOV. CODE SEC. 54957.6. CITY'S NEGOTIATOR - City Manager, Unrepresented Employee - Finance Director.
2. CONFERENCE WITH LABOR NEGOTIATOR GOV. CODE SEC. 54957.6. CITY'S NEGOTIATOR—Mayor, Unrepresented Employee—City Administrator.

REPORT ON CLOSED SESSION – At 9:15 pm, City Administrator Kennedy stated that there was no reportable action.

ADJOURNED At 9:15 pm, Mayor Sellers, Jr., adjourned the meeting.

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ALFRED SELLERS JR., MAYOR

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Mariana Pineda, City Clerk

CITY OF WILLIAMS  
*City Council*  
*Agenda Report*

DATE: February 20, 2019

ITEM #: 3

CATEGORY: Old Business

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**SUBJECT: Treasurer's Investment Report and Monthly Register – December 2018**

**BACKGROUND:** The attached report provides the most current information on the City's investments and the check register report for the month ending November 2018. The source of this information is provided monthly by various financial institutions. The deposits and investments as described in the attached report, comply with the City's Investment Policy.

**DISCUSSION**

The City invests its surplus funds in various financial institutions in accordance with the City's approved investment policy. The City's surplus funds are held in the Local Agency Investment Fund which is part of a Pooled Money Investment Account (PMIA) with over 2,500 participating governmental agencies.

Based on current budget projections, the City's cash liquidity is sufficient to cover the expenditures anticipated for the next six months.

The attached report provides the most current information on the City's investments. The deposits and investments as described in the attached report, comply with the City's Investment Policy.

**RECOMMENDED ACTION**

Staff recommends that City Council accept the monthly Treasurer's Investment and Register Reports.

Prepared and Submitted by: Rex Greenbaum, Finance Officer

Attachment(s): Treasurer's Monthly Cash Summary and Check Register Reports



# CITY OF WILLIAMS

## SUMMARY OF CASH AND INVESTMENTS As of December 31, 2018

### CASH ACCOUNTS

US Bank - Business Checking	\$	107,892
US Bank - General Checking (City Treasury)	\$	1,004,949
<b>Total Cash</b>	<b>\$</b>	<b><u>1,112,841</u></b>

### INVESTMENT PORTFOLIO

Description	Interest	
Local Agency Investment Fund (LAIF)	2.29%	\$ 6,345,625
<b>Total Investments</b>		<b>\$ <u>6,345,625</u></b>
<b>Cash &amp; Investments</b>		<b>\$ <u>7,458,467</u></b>

### General Fund Apportionment of Cash & Investments

Of the total Cash & Investments, the amount belonging to the General Fund was as follows:

General Fund Cash & Investment Balances	\$	2,498,535
Less Storm Drain Deficit (Fund 273)	\$	(203,161)
Less Street Deficit (Fund 290)	\$	(786,672)
Less Approved Street Project	\$	(230,410)
Total Deficits	\$	(1,220,243)
<b>Net General Fund Balances</b>	<b>\$</b>	<b><u>1,278,292</u></b>

"The Deposits and investments described above comply with the City of Williams Investment Policy adopted December 14, 2005, and reviewed annually.

### List of Reimbursable Expenditures from December Check Register

Detail of checks reimbursable through WWTP Master Plan grant:

Vendor	Check Number	Check Amount	Reimbursable Amount
PACE Engineering	42989	12,757.25	12,534.25
PACE Engineering	43022	73,371.38	73,371.38
<b>Total Reimbursable</b>			<b><u>85,905.63</u></b>

Prepared and Submitted by: Rex J. Greenbaum, Finance Director

Report Criteria:  
Journal Code: Journal Code = CDA

Journal	Payee or Description	Date	Check Number	Check Amount
CDA	AMERICAN FIDELITY FLEX ACCOUNT	12/12/2018	42974	901.28
CDA	ARAMARK UNIFORM SERVICES INC	12/12/2018	42975	117.66
CDA	BEST BEST & KRIEGER LLP	12/12/2018	42976	33,563.12
CDA	BUREAU VERITAS NORTH AMER. INC	12/12/2018	42977	532.50
CDA	COLE HUBER LLP	12/12/2018	42980	6,224.40
CDA	COLUSA COUNTY FARM SUPPLY, INC	12/12/2018	42981	171.08
CDA	ESCUDERO WEB SERVICES	12/12/2018	42982	600.00
CDA	HUST BROS.	12/12/2018	42983	90.94
CDA	INFO CUBIC, LLC	12/12/2018	42984	59.00
CDA	MID VALLEY AUTO PARTS	12/12/2018	42986	19.25-
CDA	OFFICE DEPOT	12/12/2018	42988	198.50
CDA	PACIFIC GAS & ELECTRIC CO	12/12/2018	42990	4,749.55
CDA	PAXTON, WYATT	12/12/2018	42991	3,087.50
CDA	PRECISION BUSINESS ASSOC., INC	12/12/2018	42992	962.00
CDA	RAMOS OIL COMPANY, INC.	12/12/2018	42993	152.87
CDA	REIMBURSEMENT	12/12/2018	42995	31.83
CDA	REIMBURSEMENT	12/12/2018	42996	1,100.56
CDA	SCP DISTRIBUTORS LLC	12/12/2018	42998	1,334.99
CDA	SHOP N SAVE MARKET	12/12/2018	42999	26.64
CDA	SORENSEN PEST CONTROL, INC.	12/12/2018	43000	210.00
CDA	US BANCORP PURCHASING CARD	12/12/2018	43004	3,033.57
CDA	VALLEY TRUCK & TRACTOR CO.	12/12/2018	43005	28.15
CDA	VERIZON WIRELESS	12/12/2018	43006	377.34
CDA	WILLIAMS HARDWARE, INC.	12/12/2018	43007	467.18
CDA	APPEAL-DEMOCRAT	12/19/2018	43008	71.09
CDA	AT&T	12/19/2018	43009	373.41
CDA	CALIFORNIA CHAMBER OF COMMERCE	12/19/2018	43011	109.01
CDA	CARVALHO'S HEATING &	12/19/2018	43013	6,221.00
CDA	COLE HUBER LLP	12/19/2018	43014	11,720.00
CDA	CONTRA COSTA COUNTY	12/19/2018	43015	349.00
CDA	HOBLIT MOTORS	12/19/2018	43017	318.07
CDA	MID VALLEY AUTO CARE	12/19/2018	43018	34.50
CDA	MID VALLEY AUTO PARTS	12/19/2018	43019	38.51
CDA	MT SHASTA SPRING WATER	12/19/2018	43020	81.01
CDA	OFFICE DEPOT	12/19/2018	43021	177.52
CDA	PERSONNEL CONCEPTS	12/19/2018	43023	640.54
CDA	PITNEY BOWES GLOBAL	12/19/2018	43024	51.69
CDA	PRECISION BUSINESS ASSOC., INC	12/19/2018	43025	2,010.66
CDA	PREMIER ACCESS INS. CO.	12/19/2018	43026	3,109.80
CDA	PURCHASE POWER	12/19/2018	43027	62.99
CDA	RAMOS OIL COMPANY, INC.	12/19/2018	43028	1,028.84
CDA	SELOVER'S INC.	12/19/2018	43029	231.07
CDA	SORENSEN PEST CONTROL, INC.	12/19/2018	43030	50.00
CDA	SUTTER BUTTES COMMUNICATIONS	12/19/2018	43031	551.80
CDA	UNUM LIFE INS. COMPANY OF AMER	12/19/2018	43032	142.48
CDA	WILLIAMS HARDWARE, INC.	12/19/2018	43033	19.37
CDA	WILLIAMS PIONEER REVIEW	12/19/2018	43034	150.00
CDA	ADVANCED DOCUMENT	12/28/2018	43035	108.03
CDA	AMERICAN FIDELITY ASSURANCE	12/28/2018	43037	1,934.81
CDA	ARAMARK UNIFORM SERVICES INC	12/28/2018	43038	58.83
CDA	BENNETT ENGINEERING SERVICES	12/28/2018	43040	23,072.71
CDA	CLOSE LUMBER	12/28/2018	43041	13.54
CDA	DIVISION OF THE STATE ARCHITECT	12/28/2018	43043	48.00
CDA	FASTENAL	12/28/2018	43044	104.52

Journal	Payee or Description	Date	Check Number	Check Amount
CDA	FRONTIER	12/28/2018	43045	217.14
CDA	INTERNATIONAL CODE COUNCIL	12/28/2018	43048	39.00
CDA	M&K HARVESTING EQUIPMENT	12/28/2018	43049	23.38
CDA	PACIFIC GAS & ELECTRIC CO	12/28/2018	43051	5,143.28
CDA	RAMOS OIL COMPANY, INC.	12/28/2018	43052	483.80
CDA	SACRAMENTO VALLEY MUSEUM ASSOC	12/28/2018	43054	1,858.37
CDA	SORENSEN PEST CONTROL, INC.	12/28/2018	43055	75.00
CDA	VISION SERVICE PLAN (CA)	12/28/2018	43058	437.77
CDA	HANSFORD ECONOMIC CONSULTING	12/28/2018	43046	4,208.75
CDA	WILLIAMS FIRE PROTECTION	12/28/2018	43059	47,140.53
CDA	ALPHA ANALYTICAL LABORATORIES	12/12/2018	42973	215.00
CDA	ARAMARK UNIFORM SERVICES INC	12/12/2018	42975	56.86
CDA	OFFICE DEPOT	12/12/2018	42988	43.09
CDA	PACE ENGINEERING, INC	12/12/2018	42989	729.50
CDA	PACIFIC GAS & ELECTRIC CO	12/12/2018	42990	6,124.62
CDA	RAMOS OIL COMPANY, INC.	12/12/2018	42993	253.23
CDA	REIMBURSEMENT	12/12/2018	42994	131.98
CDA	SCP DISTRIBUTORS LLC	12/12/2018	42998	982.11
CDA	SORENSEN PEST CONTROL, INC.	12/12/2018	43000	100.00
CDA	US BANCORP PURCHASING CARD	12/12/2018	43004	93.80
CDA	VERIZON WIRELESS	12/12/2018	43006	316.60
CDA	WILLIAMS HARDWARE, INC.	12/12/2018	43007	101.78
CDA	BATTERIES PLUS BULBS	12/19/2018	43010	142.21
CDA	CARUS CORPORATION	12/19/2018	43012	2,248.87
CDA	GOLDEN STATE FLOW	12/19/2018	43016	1,534.92
CDA	MT SHASTA SPRING WATER	12/19/2018	43020	14.84
CDA	PACE ENGINEERING, INC	12/19/2018	43022	402.00
CDA	PITNEY BOWES GLOBAL	12/19/2018	43024	51.69
CDA	ADVANCED DOCUMENT	12/28/2018	43035	27.02
CDA	ALPHA ANALYTICAL LABORATORIES	12/28/2018	43036	108.00
CDA	ARAMARK UNIFORM SERVICES INC	12/28/2018	43038	28.43
CDA	CLOSE LUMBER	12/28/2018	43041	4.42
CDA	PACE SUPPLY CORP.	12/28/2018	43050	289.50
CDA	PACIFIC GAS & ELECTRIC CO	12/28/2018	43051	5,417.67
CDA	RAMOS OIL COMPANY, INC.	12/28/2018	43052	246.29
CDA	REFUND	12/28/2018	43053	985.50
CDA	SWRCB FEES	12/28/2018	43057	2,874.00
CDA	3T EQUIPMENT CO. INC.	12/12/2018	42972	66,894.76
CDA	ALPHA ANALYTICAL LABORATORIES	12/12/2018	42973	2,054.00
CDA	ARAMARK UNIFORM SERVICES INC	12/12/2018	42975	47.74
CDA	CASELLE, INC.	12/12/2018	42978	783.00
CDA	MID VALLEY AUTO CARE	12/12/2018	42985	215.61
CDA	OFFICE DEPOT	12/12/2018	42988	43.09
CDA	PACE ENGINEERING, INC	12/12/2018	42989	12,027.75
CDA	PACIFIC GAS & ELECTRIC CO	12/12/2018	42990	233.77
CDA	RAMOS OIL COMPANY, INC.	12/12/2018	42993	60.41
CDA	ROBINSON ENTERPRISES, INC.	12/12/2018	42997	1,369.60
CDA	SHOP N SAVE MARKET	12/12/2018	42999	26.42
CDA	SORENSEN PEST CONTROL, INC.	12/12/2018	43000	45.00
CDA	SPG SOLAR FACILITY X, LLC	12/12/2018	43001	12,866.95
CDA	SWRCB FEES	12/12/2018	43003	6,560.00
CDA	US BANCORP PURCHASING CARD	12/12/2018	43004	871.09
CDA	VERIZON WIRELESS	12/12/2018	43006	383.47
CDA	WILLIAMS HARDWARE, INC.	12/12/2018	43007	25.84
CDA	PACE ENGINEERING, INC	12/19/2018	43022	73,371.38
CDA	PITNEY BOWES GLOBAL	12/19/2018	43024	51.69
CDA	ADVANCED DOCUMENT	12/28/2018	43035	27.02

Journal	Payee or Description	Date	Check Number	Check Amount
CDA	ALPHA ANALYTICAL LABORATORIES	12/28/2018	43036	537.00
CDA	ARAMARK UNIFORM SERVICES INC	12/28/2018	43038	23.87
CDA	CONTROLPOINT ENGINEERING, INC	12/28/2018	43042	20,086.43
CDA	FRONTIER	12/28/2018	43045	195.76
CDA	HUST BROS.	12/28/2018	43047	12.54
CDA	PACIFIC GAS & ELECTRIC CO	12/28/2018	43051	277.85
CDA	SWRCB	12/28/2018	43056	525.00
CDA	CITY OF WILLIAMS	12/12/2018	42979	273.86
CDA	PACIFIC GAS & ELECTRIC CO	12/12/2018	42990	1,086.52
CDA	BEN TOILET RENTALS, INC.	12/28/2018	43039	193.20
CDA	PACIFIC GAS & ELECTRIC CO	12/28/2018	43051	1,136.14
CDA	RAMOS OIL COMPANY, INC.	12/28/2018	43052	153.50
CDA	COLUSA COUNTY FARM SUPPLY, INC	12/12/2018	42981	10.17
CDA	HUST BROS.	12/12/2018	42983	2.72
CDA	MID VALLEY AUTO PARTS	12/12/2018	42986	33.95
CDA	MOLINA'S TIRE SERVICE	12/12/2018	42987	50.00
CDA	PACIFIC GAS & ELECTRIC CO	12/12/2018	42990	3,653.68
CDA	US BANCORP PURCHASING CARD	12/12/2018	43004	71.23
CDA	WILLIAMS HARDWARE, INC.	12/12/2018	43007	135.26
CDA	PACIFIC GAS & ELECTRIC CO	12/28/2018	43051	4,671.72
CDA	STATEWIDE TRAFFIC SAFETY &	12/12/2018	43002	3,623.86
CDA	M&K HARVESTING EQUIPMENT	12/28/2018	43049	790.27
<b>Grand Totals:</b>				<b>409,538.28</b>

Report Criteria:

Journal Code: Journal Code = CDA

CITY OF WILLIAMS  
*City Council*  
*Agenda Report*

DATE: February 20, 2019

ITEM #: 4

CATEGORY: New Business

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**SUBJECT: RESOLUTION 19- 02 ESTABLISHING THE CITY'S APPROPRIATIONS LIMIT FOR FISCAL YEAR 2017-2018.**

**BACKGROUND:**

Each year, the City must adopt an appropriation limit in conformance with Proposition 4, otherwise known as the Gann Limit. Proposition 4 and the subsequent Proposition 111, set forth the regulations for the calculations of the limit. This calculated amount limits the amount of tax revenue an entity may collect in any fiscal year. The propositions also discuss the mitigation required if an entity exceeds the limit in any fiscal year.

Should an agency exceed its annual Gann Appropriations Limit, the excess funds are to be returned to the State of California.

**DISCUSSION:**

Annually, the City may select either the population change in the City of Williams or the County of Colusa as one of the factors in the limit calculation. As it is beneficial to select the higher of the two numbers, the City has selected the County's population change.

**FY2017-2018 Calculation**

Using the prior year Gann limit of \$4,774,095, the 2018 Limit is calculated by applying the 0.36% population increase in Colusa County and the 3.69% increase in the change in California's Per Capita Personal Income. The per capita personal income change was used as it was higher than the % change in local assessment roll. Please see calculation worksheet attached to the Resolution.

The resulting appropriation limit of \$4,969,833 is greater than the projected 2017/2018 tax revenues detailed in the following chart:

<b>FY2018 GANN Appropriations Limit</b>	<b>4,969,833</b>
<u>Tax Revenues Subject to Gann Appropriations Limit</u>	
	<b>Budgeted FY2018</b>
Property Taxes	956,156
Sales & Use Taxes	700,533
Local Sales Tax	483,072
Motor Vehicle in Lieu	363,267
Transient Occupancy Taxes	480,000
<b>Total Budgeted for FY2018</b>	<b>2,983,028</b>
<b>Excess over Appropriations Limit</b>	<b>1,986,805</b>

**FISCAL IMPACT:**

There is no fiscal impact with the approval of these resolutions as the City's budgeted FY2018 tax revenues are well under the Gann Appropriations Limit.

**RECOMMENDATION:**

- Staff recommends adoption of Resolution 19- 02 Establishing Appropriations Limit for Fiscal Year 2017-18.

Prepared and Submitted by: Rex J. Greenbaum, Finance Officer

Attachments (2): Resolution 19- 02  
Calculation of Appropriation Limit 2017-2018

**RESOLUTION NO. 19-02**  
**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLIAMS**  
**ESTABLISHING APPROPRIATION LIMITATION FOR FISCAL YEAR 2017-2018**

**WHEREAS**, Article XIII B of the California Constitution provided for the establishment of annual appropriations limits on local government entities; and

**WHEREAS**, pursuant to Government Code Section 7910, the governing body of each local agency is required each year to establish its appropriations limitation and make other necessary determinations by resolution for the following fiscal year in accordance with the procedures set forth therein and in Article XIII B of the California Constitution; and

**WHEREAS**, in calculating annual appropriations subject to limitation, Article XIII B Section 1 directs the City to adjust its prior year appropriations limitation for the change in the cost of living and the change in population; and

**WHEREAS**, Article XIII B Section 8(e)2 defines "change in the cost of living" as either (A) the percentage change in California per capita personal income from the preceding year, or (B) the percentage change in the local assessment roll from the preceding year for the City due to the addition of local nonresidential new construction, and directs the City to select its change in the cost of living annually by a recorded vote of its governing body; and

**WHEREAS**, Government Code Section 7901(a) defines "change in population" and provides that the City may choose to use either (A) the change in population within its jurisdiction, or (B) within the county in which it is located, and directs the City to select its change in population annually by a recorded vote of its governing body.

**NOW, THEREFORE**, the City Council of the City of Williams DOES HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

SECTION 1. The City Council establishes the amount of \$4,969,833 as the City's appropriations limit for fiscal year 2017-2018.

SECTION 2. The City Council selects the percentage change in the per capita income as the "change in the cost of living" factor used in determining the District's annual appropriations limitation.

SECTION 3. The City Council selects the change in population within Colusa County as the "change in population" factor used in determining the City's annual appropriations limitation.

SECTION 4. As provided in Government Code Section 7910, any challenge to the appropriations limit herein established or any other determinations made herein must be brought within sixty (60) days of the effective date of this resolution.

**PASSED AND ADOPTED** by the City Council of the City of Williams on this 20<sup>th</sup> day of February 2019 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

**APPROVED:**

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Alfred Sellers, Jr, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

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Mariana Pineda, City Clerk

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Anne Siprelle, City Attorney





CITY OF WILLIAMS  
*Council*  
*Agenda Report*

DATE: February 20, 2019

ITEM #: 5

CATEGORY: New Business

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**SUBJECT:                   ORDINANCE NO. 232-19 AMENDING SECTION 15.04.020 OF  
THE WILLIAMS MUNICIPAL CODE AND ADDING SECTIONS  
15.04.030 AND 15.04.040 TO THE WILLIAMS MUNICIPAL CODE  
RELATING TO STOP WORK ORDERS AND BUILDING  
NOTICES**

**BACKGROUND**

At the direction of the City Administrator, the City Attorney has prepared an ordinance for the City Council's consideration, updating the Williams Municipal Code to establish more specific provisions to govern stop work orders and the removal or defacement of any notice issued by the City's Building Official. The attached ordinance incorporates these changes.

**DISCUSSION**

The proposed ordinance attached would amend Section 15.04.020 of the Municipal Code to provide that certain acts are unlawful: (1) altering any building regulated by the Code in violation of the Code, (2) allowing any property, structure or equipment to become a public nuisance, and (3) removing or defacing any notice issued by the Building Official.

The ordinance would add Sections 15.04.030 and 15.04.040 to the Municipal Code, which would establish remedies and penalties for violations of Chapter 15.04.

**FISCAL IMPACT**

The proposed action would have a minimal fiscal impact on the City. The proposed action would establish a \$60 fee for re-inspection of work where a stop work order has been served due to work completed without a permit or in conflict with the permit authorizing such work. Collection of that fee could generate some additional revenue for the City.

**RECOMMENDATION**

Waive the first reading and introduce Ordinance No. 232-19 Amending Section 15.04.020 of the Williams Municipal Code and Adding Sections 15.04.030 and 15.04.040 to the Williams Municipal Code Relating to Stop work orders and Building Notices

Prepared and Submitted by: Ann Siprelle, City Attorney

Attachment 1: Ordinance No. 232-19

**ORDINANCE NO. 232-19**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLIAMS  
AMENDING SECTION 15.04.020 OF THE WILLIAMS MUNICIPAL CODE AND  
ADDING SECTIONS 15.04.030 AND 15.04.040 TO THE WILLIAMS MUNICIPAL  
CODE RELATING TO STOP WORK ORDERS AND BUILDING NOTICES**

The City Council of the City of Williams does hereby ordain as follows:

1. **Purpose.** The purpose of this ordinance is to establish more specific provisions relating to stop work orders and the removal or defacement of any notice issued by the City's Building Official.
2. **Authority.** The City Council enacts this ordinance under the authority granted to cities by Article XI, Section 7 of the California Constitution.
3. **Amendments.** Section 15.04.020 of the Williams Municipal Code is hereby amended in its entirety as follows:

**“15.04.020 – Unlawful Acts.**

- A. It shall be unlawful and a violation of this Chapter to do anything in contrary to the provisions set forth in this Code.
- B. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this Code, or cause same to be done, in conflict with or in violation of any of the provisions of this Code.
- C. It shall be unlawful for any person, firm or corporation to cause, allow or maintain any property, building or structure, or any equipment thereon to become a public nuisance dangerous or unsafe.
- D. It shall be unlawful and a violation of this Chapter to remove or deface any notice issued by the Building Official where such notice has been posted on any property, building or structure.”

4. **Additions.** Sections 15.04.030 and 15.04.040 are hereby added to the Williams Municipal Code as follows:

**“15.04.030 - Remedies.**

Any violation of this Code may be abated by any enforcement process authorized by law or as outlined in this Code.

- A. **Unsafe to use or occupy.** Where a structure, property or equipment is deemed unsafe, an “Unsafe to Use or Occupy” placard shall be posted.

Where a structure has been posted unsafe the Building Official shall make a determination as to what use or occupancy may be appropriate based on the conditions present and identify restrictions, either by posting another placard or displaying the restrictions on the original posting placard. The placard shall be conspicuously posted at, or as close as practicable, to all entry and exit doors.

- B. **Stop work.** Whenever the Building Official finds any work regulated by this Code being performed in a manner either contrary to the provisions of this Code or dangerous or unsafe, the Building Official is authorized to issue a stop work order.
1. *Issuance.* The Stop Work order shall be posted on the property where the work is being completed. The order may also be served by mail or by personal service to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the action, and the conditions under which the cited work will be permitted to resume.
  2. Where a Stop Work Order has been served pursuant to work completed in conflict or to the contrary of the permit authorizing such work, a penalty of \$60 for "re-inspection" shall apply and be collected prior to any corrective work being completed or any new inspections being scheduled or made.
- C. **Notice of violation.** The Building Official is authorized to serve a notice of violation on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a code, or in violation of a permit or certificate issued under the provisions of this Code. Such notice shall be a request for the discontinuance of the illegal action or condition and the abatement of the violation.
- D. **Notice and order to abate.** The Building Official is authorized to serve a notice and order to abate public nuisance to the owner of a property or to the person creating the violation, or to both, pursuant to the guidelines set forth in Sections 1.12.050 and 8.16.050, and any other applicable provision of the Code. Such notice shall be mandatory and shall order the abatement of a violation of this Code within a time certain.
- E. **Notice of non-compliance.** The Building Official is authorized to cause a notice of non-compliance to be recorded against a parcel where a permit has expired, has been suspended or revoked, has become null and void, or where work has been completed without first obtaining a permit or where a building, structure, piece of equipment or property is deemed unsafe or where a building has been occupied prior to the issuance of a

Certificate of Occupancy. A copy of the notice of non-compliance shall be kept on file within the Building Department's records. The Building Official may provide advance notice of the recording of notice of non-compliance to the property owner and may cause a copy of said notice to be delivered to owner of record as it appears on the last equalized assessment role or to another address as the owner directs.

- F. **Notice of compliance.** Where work or conditions cited in any notice issued by the building department has been corrected or removed, the Building Official may cause a notice of compliance to be recorded. The notice of compliance shall reference the original notice of non-compliance.
- G. **Prosecution of violation.** If the notice of violation is not complied with promptly, the Building Official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this Code or of the order or direction made pursuant thereto.

**15.04.040 – Violation—Penalty.**

Any person, firm or corporation violating any provision of this chapter, or any of the provisions of the code adopted by reference in this chapter, is guilty of a misdemeanor and, upon conviction, shall be punished as provided in Chapter 1.12 of this Code.”

5. **Severability.** If any provision or clause of this ordinance or any application of it to any person, firm, organization, partnership or corporation is held invalid, such invalidity shall not affect other provisions of this ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are declared to be severable.

6. **Effective Date and Notice.** The City Clerk shall certify to the adoption of this ordinance and cause it, or a summary of it, to be posted in three public places within the City of Williams. This ordinance shall take effect thirty (30) days after its final passage.

PASSED AND ADOPTED by the City Council of the City of Williams this 20th day of March, 2019, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Alfred Sellers, Mayor

ATTEST:

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Mariana Pineda, City Clerk

APPROVED AS TO FORM:

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Ann M. Siprelle, City Attorney

CITY OF WILLIAMS  
*Council*  
*Agenda Report*

DATE: February 20, 2019

ITEM #: 6

CATEGORY: New Business

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**SUBJECT: AN ORDINANCE INCREASING THE COMPENSATION OF CITY COUNCIL MEMBERS**

**BACKGROUND**

Ordinance 184-10, which was adopted in 2010, sets the Council's current salary at \$300 per month for Council members and \$400 per month for the Mayor.

**DISCUSSION**

Government Code Section 36516(a)(4) authorizes the City to adopt an ordinance to increase Council member compensation in the amount of five percent (5%) per calendar year since the effective date of the last change. If approved, the new compensation may not take effect until the beginning of any council member's new term.

The attached ordinance would increase Council member and the Mayor's compensation by 40%, which is the authorized five percent for every eight years since the date Ordinance 184-10 went into effect. This increase would take effect at the beginning of the new Council term following the November, 2020 election.

**FISCAL IMPACT**

Increased costs associated with increased compensation, if approved.

**RECOMMENDATION**

Waive the first reading and introduce Ordinance No. 233-19 increasing Council compensation to \$420 for Council members and \$560 for the Mayor.

Prepared and Submitted by: Ann Siprelle, City Attorney

Attachment(s): Ordinance No. 233-19

**Ordinance No. 233-19**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLIAMS, CALIFORNIA, INCREASING THE COMPENSATION OF CITY COUNCILMEMBERS**

**WHEREAS**, Ordinance No. 184-10 adopted by the Williams City Council on November 9, 2010 sets forth the compensation received by City Councilmembers and the Mayor; and

**WHEREAS**, California Government Code section 36516 provides a method by which salaries for members of a city council of a city are established and increased; and

**WHEREAS**, California Government Code section 36516(a)(2)(A) provides that members of a city council of a city with 35,000 residents or less may receive a salary of Three Hundred Dollars (\$300.00) per month; and

**WHEREAS**, California Government Code Section 36516(a)(4) provides that a city council may adopt an ordinance increasing the amount set forth above in the amount of five percent (5%) for each calendar year from the operative date of the last adjustment of the salary; and

**WHEREAS**, the salary for the City Council, pursuant to Ordinance No. 184-10 is currently set at Three Hundred Dollars (\$300.00) per month; and

**WHEREAS**, the salary for the Mayor, pursuant to Ordinance No. 035-87 is currently set at Four Hundred Fifty Dollars (\$400.00) per month; and

**WHEREAS**, the salaries for the City Council and the Mayor have not been increased or adjusted in the past eight years; and

**WHEREAS**, in order to encourage qualified persons to become members of the City Council and to ensure that members of the City Council are compensated comparably to council members of other cities, it is in the best interests of the City to increase the salary of the City Council in the amounts authorized by Government Code Section 36516(a)(2)(A).

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WILLIAMS DOES ORDAIN AS FOLLOWS:**

**SECTION 1. Findings.** The City Council hereby adopts the foregoing recitals as its findings that the adoption of this Ordinance advances the health, safety and welfare of the City.

**SECTION 2. Repeal.** Ordinance No. 184-10 is hereby repealed effective January 1, 2021.

**SECTION 3. Councilmember Compensation.** The salary of each member of the City Council shall be Four Hundred Twenty Dollars (\$420.00) per month.



**SECTION 4. Mayor Compensation.** The salary of the Mayor of the City shall be Five Hundred Sixty Dollars (\$560.00) per month.

**SECTION 5. Effective Date.** This Ordinance shall take effect thirty (30) days after its adoption. However, pursuant to Government Code section 36516.5, the increase set forth in Section 3 shall not become effective until the commencement of a new term for any member of the City Council. Prior to the commencement of a new term for any member of the City Council, the salary for Councilmembers set forth in Ordinance No. 184-10 shall remain in effect.

**SECTION 6. Severability.** If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

**SECTION 7. Posting.** Within 15 days from the date of passage of this Ordinance, the City Clerk shall certify to the adoption of this ordinance and cause it, or a summary of it, to be posted in three public places within the City of Williams.

**PASSED AND ADOPTED** this 20th day of March, 2019 by the following vote:

- AYES:**
- NOES:**
- ABSENT:**
- ABSTAIN:**

\_\_\_\_\_  
Alfred Sellers, Mayor

**ATTEST:**

\_\_\_\_\_  
Mariana Pineda, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Ann Siprelle, City Attorney