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**WILLITS CITY COUNCIL  
MINUTES  
WEDNESDAY, FEBRUARY 24, 2010**

Mayor Burton called a regular meeting of the City Council to order at 6:01 p.m. in Council Chambers. The meeting was preceded by the pledge to the flag.

**Roll:** Council Members Victor Hanson, Greg Kanne, Holly Madrigal, Larry Stranske, and Mayor Bruce Burton were present.

Also present were staff members: Paul Cayler, City Manager; Jim Lance, City Attorney; Joanne Cavallari, Finance Director; Alan Falleri, Community Development Director; Gerry Gonzalez, Police Chief; and Tom Mannatt, City Engineer.

A moment of silence was observed in memory of Bruce Gullett, a City employee who was killed in an automobile accident last night.

**2A. PRESENTATION OF PROCLAMATION RECOGNIZING GIRL SCOUT WEEK, MARCH 7-13, 2010**

Mayor Burton read the proclamation, which recognizes March 7-13, 2010, as Girl Scout Week, presenting same to Local Girl Scout Troop No. 256, accompanied by Troop Leader Patricia Wear.

**2B. APPOINTMENT AND SWEARING IN OF CITY CLERK**

Mayor Burton introduced the matter, referencing last November's election, at which time the voters approved changing the City Clerk position from elected to appointed, noting it is now before the City Council to officially appoint and swear in the City Clerk.

**Motion by Madrigal/Second by Stranske and carried unanimously to appoint Adrienne Moore as the City Clerk.**

Following Council action, Adrienne Moore was sworn in by Mayor Burton.

**2C. PRESENTATION AND DISCUSSION OF DESIGN APPROACH AND FUNDING STATUS UPDATE BY WATER WORKS ENGINEERS ON THE WATER TREATMENT PLANT IMPROVEMENT PROJECT**

Paul Cayler, City Manager, introduced the matter, inviting Scott Buecker, P.E., Waterworks Engineers, to commence the presentation. Mr. Buecker reviewed the background of the Water Treatment Plant, also addressing raw water quality issues, available pretreatment technologies, next steps, cost impacts, funding status, and schedule update. He recommended adding a robust pretreatment process as part of the WTP upgrade and expansion project, also commenting on other items outside of WWE's scope of services.

Discussion ensued relative to other facility work needed at the plant, future needs, filter units, valves, electrical architecture, net savings of sellable water, and related matters. Mr. Cayler also commented on "filter to waste" issues, to which Mr. Buecker provided further detail.

Mr. Falleri sought clarification regarding federal funding, as well as CEQA and NEPA requirements.

**Public Comment:** Dave Loeker asked about the amount of aluminum that would end up in the water, to which Mr. Buecker noted

Mr. Cayler noted that an amendment to the agreement with Water Works Engineers will be brought back for Council action on a Consent Calendar in the near future.

**2D. DISCUSSION AND POSSIBLE APPROVAL OF AUTHORIZING RESOLUTION AND SUBMITTAL OF PROPOSITION 84 STATEWIDE PARKS PROGRAM GRANT APPLICATION FOR THE WILLITS COMMUNITY POOL PROJECT**

Council Member Madrigal introduced the matter, inviting Dave Madrigal, representing the Prop 84 Committee, to address the Council. Mr. Madrigal described various changes that were made to the proposal since the Council's last meeting in order to comply with the Council's action to not exceed the \$5,000,000 grant limit. Mike Colvig, co-representative of the Prop 84 Committee, commented on a letter to the Willits News expressing opposition of the project, clarifying the due diligence the Prop 84 Committee has carried out.

Council Member Stranske expressed concern with the language contained within the authorizing resolution relative to the City's responsibility to certify the availability of adequate project funding and staff time. Mr. Madrigal responded to the concerns, acknowledging that the City would incur financial oversight responsibility and staff time to see the project through if the grant is awarded, however, noting his belief that both would be minimal. Mr. Colvig also clarified that the Committee is simply seeking a chance to pursue the grant. Council Member Stranske emphasized the need for a recreation district, to which Mr. Madrigal referenced a consultation with Frank McMichael, LAFCO, regarding the formation of such a district. Mr. Colvig added that the project would be an incentive for voters to approve the formation of a special district. Council Member Kanne applauded the Committee for their work, noting the expense the current pool has been, the potential of a key element – the therapy pool – may be undermined by a therapy pool that the hospital will be putting in at their new facility. In response, Mr. Colvig commented on the much-reduced cost of a therapy pool at an aquatic facility compared to the same at a medical facility. Council Member Madrigal commented on the nature of the project in that it is a City project, stating that if the grant is not received, the City is not out any money; however, if the grant is awarded, the City could turn it down if the project is determined to be too onerous.

**Public Comment:** Numerous members of the public spoke in support of the project, including Susan Jones; Melinda Clark, a family therapist; Richard Hargreaves; Doreen Orm, physical therapist; Tony Orth, Brooktrails CSD; Dave Watts; Laura Rowland, a teacher at Blosser Lane Elementary School; Barbara Lee Lilker; Jeff Harris; Julie Harris, Howard Hospital employee; and Arthur Goheen; and Dan Lowden. Judy Donaldson expressed concern about the ongoing operational costs of the pool and who would incur financial responsibility, suggesting the pool be placed at the hospital via a partnership agreement.

Council Member Kanne stated that applying for the grant is a "no lose" opportunity and, if awarded would provide eight years for the community to push forward the formation of a parks and recreation district. Council Member Stranske would like to see the funding before committing his support. Mayor Burton referenced the budgeted revenue on the pool, as well as the expense, liability, insurance needs, and related matters. He stated that the City cannot afford additional expenses not increased liability, also stating his desire to see other public agencies sign-on as co-applicants.

Council Member Madrigal commented on the current annual deficit of \$35,000 with the operation of the existing pool. Council Member Hanson commented on the dire fiscal condition every local city is facing.

**Motion by Madrigal/Second by Kanne and carried (3/2, with Hanson and Burton dissenting) to adopt Resolution No. 2010-03, and finalize all necessary grant application materials for the Willits Community Pool Project, including the required grant forms and the letter of commitment, with the caveat that the City is not committing to spending any monies until grant funding is received in advance of such expenditures.**

*RECESS: 8:11 – 8:23 P.M.*

### **3. PUBLIC COMMUNICATIONS**

Mayor Burton read the public communication guidelines. Jim Harden commented on the tough fiscal challenges and decisions facing the Council in the coming months and years, expressing empathy and admiration for all of them.

### **4. CONSENT CALENDAR**

- a. Approval of City Council Minutes of February 10, 2010 – **Continued**
- b. Approval of Warrant Nos. 14865-14934, Totaling \$173,078.47 – **Approved**
- c. Building Inspection Activity Reports – November 2009, December 2009, and January 2010 – **Approved**
- d. Approval of Appointment to the Public Facilities Corporation (PFC) – **Approved**

**Motion by Hanson/Second by Stranske and carried unanimously to approve Consent Calendar items (b-d).**

**5. RIGHT TO APPEAL** – Mayor Burton read the guidelines for appealing Council decisions.

### **8A. REPORT AND POSSIBLE DIRECTION REGARDING 45 ACRES OF SURPLUS STATE OF CALIFORNIA PROPERTY NEAR HOWARD FOREST**

Paul Cayler, City Manager, provided a brief overview of the matter, confirming that all of the acreage is within the City's watershed, and recommending the submittal of a form communicating the City's interest in acquiring the acreage. He noted that CalFire would be pleased for the City to acquire the property to provide a buffer.

Council Member Madrigal sought clarification regarding the scope of the form, to which Mr. Cayler clarified.

**Motion by Hanson/Second by Stranske and carried unanimously to authorize the City Manager to complete and submit to the State Department of General Services the attached form in order that the City of Willits is in position to potentially acquire 45 acres of State surplus property.**

### **8B. OTHER CITY MANAGER REPORTS**

Paul Cayler, City Manager, reported the installation of splashboards at the Morris and Centennial Reservoirs, thanking the Street, Water, and Sewer crews for their expedient work to get the splashboards installed.

### **9. DEPARTMENT RECOMMENDATIONS**

- City Planner Alan Falleri announced that the Main Street Safety Improvement Project stakeholders will host engineers from the UC Berkeley Institute of Traffic Safety at a public workshop tomorrow night (4:00-6:00 p.m.) to get input regarding Main Street issues; and the City's co-sponsorship of a small business development workshop, tentatively scheduled for April 17<sup>th</sup>, from 9:00 a.m. to Noon at City Hall.
- Police Chief Gerry Gonzalez reported that Caltrans will be doing some work tomorrow on Main Street from State Street to Tower Mart, advising motorists to avoid that section if all possible.

- City Engineer Tom Mannatt reported that the bidding process is being set up for West Commercial Street; and the sewer camera truck is being used to conduct inspections in the sewer system.
- Finance Director Joanne Cavallari reported that the 2010/2011 budget process will begin soon, noting that she will meet twice a week with Department Heads; also reporting the receipt of premium returns from the City's insurance provider, REMIF, as a result of the City's performance in the area of general liability.
- City Clerk Adrienne Moore reported on her attendance at the recent Public Agency Risk Manager's Association (PARMA) conference.

#### **10. CITY COUNCIL AND COMMITTEE REPORTS**

No reports were presented for the Mendocino Council of Governments (MCOG), Local Agency Formation Commission (LAFCO), Mendocino Transit Authority (MTA), Mendocino Solid Waste Management Authority-Joint Powers Authority (MSWMA-JPA), Economic Development and Financing Corporation (EDFC), League of California Cities, Water Resources Committee, and Caltrans Ad Hoc Committee.

Mayor Burton reported that the Revit-ED Committee met briefly last week, with little business to address. He also reported that the Sewer System Committee received a presentation on the Sewer System Management Plan (SSMP).

#### **11. COUNCIL MEMBER REPORTS AND RECOMMENDATIONS**

Council Member Madrigal sought clarification regarding the order of the agenda. She also asked if the Council would be willing to consider selling City properties not being fully utilized. Council Member Stranske asked if his colleagues would consider vacating the March 24<sup>th</sup> and schedule a special meeting on March 25<sup>th</sup> in its place to accommodate a planned absence. Council Member Hanson reported on a meeting, scheduled for March 1<sup>st</sup> at 3:00 p.m., to discuss the potential of allocating funding for low and moderate income housing to create a program in which students would rehabilitate subject properties. Council Member Madrigal also reported on the potential closure of the County Museum and Library and her attendance at the Board of Supervisors meeting on February 23<sup>rd</sup>, which was also attended by Council Members Hanson and Stranske.

#### **12A. DISCUSSION AND POSSIBLE INTRODUCTION OF AN ORDINANCE DELETING TITLE 14 AND ENACTING A NEW TITLE 14 ENTITLED "WATER SERVICE" OF THE WILLITS MUNICIPAL CODE**

Paul Caylor, City Manager, reported that the matter is being continued to the next regular Council meeting on March 10, 2010.

#### **13. GOOD & WELFARE**

Council Member Kanne reported that the new commercial kitchen is open at the Grange and will be hosting an open house this Saturday from 2:00-4:00 p.m.

Adjourned to Closed Session at 8:52 P.M.

#### **14. CLOSED SESSION NOTICE**

- a. Conference with Legal Counsel Pursuant to Government Code Section 54956.9(b) – Existing Litigation: California Trenchless, Inc., a California Corporation, vs. City of Willits, a Public Entity, and DOES 1 through 50, Inclusive; Case No. SCUJ CVG-090054892
- b. Conference with Legal Counsel Pursuant to Government Code Section 54956.9(b) – Existing Litigation: City of Willits, et al. vs. Mildred Sanchez, et al.; Case No. SCUJ CVG-0798692
- c. Conference with Legal Counsel Pursuant to Government Code Section 54956.9(b) – Anticipated Litigation: Significant Exposure to Litigation (Two Cases)

d. Pursuant to Government Code Section 54957 – Public Employee Appointment: Public Works Director

There was nothing to report out of Closed Session.

**Moved by Kanne/seconded by Hanson and carried by unanimous roll call vote to adjourn the meeting at 10:13 p.m.**

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Bruce Burton, Mayor

ATTEST:

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Adrienne Moore, City Clerk