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**WILLITS CITY COUNCIL
MINUTES
WEDNESDAY, JUNE 22, 2011**

Mayor Burton called a regular meeting of the City Council to order at 6:03 p.m., in Council Chambers. The meeting was preceded by the pledge to the flag.

Roll Call: Councilmembers Ron Orenstein, Holly Madrigal, Victor Hanson, and Mayor Bruce Burton were present. Councilmember Larry Stranske was absent.

Also present were staff members: Paul Cayler, City Manager; Jim Lance, City Attorney; Alan Falleri, Community Development Director; Gerry Gonzalez, Police Chief; Tom Mannatt, City Engineer; Joanne Cavallari, Finance Director/City Treasurer; J.C. England, Water/Sewer Supervisor; and Adrienne Moore, City Clerk/Human Resources Director.

2A. PRESENTATION OF PROCLAMATION DESIGNATING WESTERN WEAR DAYS, JUNE 25TH THRU JULY 4TH, 2011

Mayor Burton read the proclamation for the record, presenting same to Dale Briggs, past President, Willits Frontier Days Association Board of Directors.

Public Comment: 2011 Sweetheart Contestants Josie Hunter, Riata King, Julya Morganti-Cassetta, and Danielle Seymour.

No action taken – presentation only.

2C. DISCUSSION AND POSSIBLE ACTION TO ADOPT A RESOLUTION RESCINDING RESOLUTION NO. 2011-09 CHANGING THE NAME OF EAST AND WEST COMMERCIAL STREETS TO “SEABISCUIT PARKWAY” AND REFER THE MATTER TO THE REVIT-ED COMMITTEE FOR A 90-DAY REVIEW

Motion by Hanson/Second by Madrigal and carried (4, with Stranske absent) to adopt Resolution (No. 2011-16) rescinding Resolution No. 2011-09 changing the name of East and West Commercial Streets to “Seabiscuit Parkway” and refer the matter to the Revit-ED Committee for a 90-day review.

2B. DISCUSSION AND POSSIBLE ACTION TO ADOPT PROPOSED CITY OF WILLITS BUDGET FOR FISCAL YEAR 2011/2012

Finance Director/City Treasurer Cavallari reviewed the proposed budget.

Councilmember Orenstein commented on the budget, although modest, is healthy compared to other jurisdictions. Mayor Burton asked about the backfill that was discussed and approved at the last Council meeting; how transfers are reflected in the summary; an explanation of how depreciation of assets and cash flow (“working capital”) are reflected; and the establishment of a new enterprise fund (septage receiving).

Motion by Madrigal/Second by Hanson and carried (4, with Stranske absent) to adopt the Fiscal Year 2011/2012 Budget as presented, contingent upon it being amended based on the outcome of collective bargaining.

3. PUBLIC COMMUNICATIONS

Keith Rutledge, Renewable Energy Development Institute (REDI), provided information about a couple of new programs for the moderate income population, as well as a kick-off meeting on July 20th at Mendocino College for Energy Upgrade California. Jim Merrill, Willits Community Services and Food Bank expressed appreciation for the Council's continued support for community based organizations. Donna Kerr, Willits Branch Librarian, also expressed appreciation for the Council's continued support of the library, also noting that the Library will be open on Saturdays.

4. CONSENT CALENDAR

- a. Approval of the City Council Minutes of June 8, 2011 – **Approved**
- b. Approval of Disbursements Journal(s):
 - Warrant Nos. 17893-17911, Totaling \$63,987.58 – **Approved**
 - Warrant Nos. 17912-18008, Totaling \$1,306,372.18 – **Approved**
- c. Approve Contract for Professional Services with R.J. Ricciardi, Inc., for Preparation of June 30, 2011 Audited Financial Statements, June 30, 2011 Redevelopment Agency (RDA) Audited Financial Statements, City of Willits and RDA State Controller's Reports, and 2011 Public Facilities Corporation Tax Return – **Approved**

Motion by Madrigal/Second by Hanson and carried (4, with Stranske absent) to approve Consent Calendar items (a-c).

Removed for separate consideration:

- d. Adopt Resolution (No. 2011-17) Authorizing the City Manager to Execute an Agreement with the Willits Chamber of Commerce Regarding Distribution of Transient Occupancy Tax (TOT)

Councilmember Orenstein noted a necessary correction to the dates regarding the payment schedule in the proposed agreement.

Foregoing moved by Orenstein/seconded by Madrigal and carried (4, with Stranske absent).

5. RIGHT TO APPEAL

None presented.

8A. OTHER CITY MANAGER REPORTS

City Manager Cayler reported on the following:

- Airport Commission meeting scheduled for June 27th has been cancelled;
- Flush program has been suspended, Morris Reservoir is no longer spilling; and
- Striping program was completed;
- Sherwood Road conditions (i.e., cracking) need to be surveyed, which will result in one-way traffic control, with Mayor Burton requesting that the County be included in the process;
- SmartMeter upgrades are scheduled to commence July 2011;
- DMV will not be enforcing vehicle license fees due in July and August until the State budget has been resolved;
- Public forum to discuss issues regarding West Commercial Street developments has been planned;
- Preparations are going well for the upcoming Frontier Days; and
- Dog Park advocates will address the City Council at the July 27th meeting.

9. DEPARTMENT RECOMMENDATIONS

- a. Police Chief Gonzalez reported on DMV fees; complaints regarding Shakespeare Company's recent hip-hop event; transients; and spike strips.

- b. City Planner Falleri reported on his attendance at the annual Business Alliance for Local Living Economies (BALLE) conference in Bellingham, WA, commenting on California's myriad of securities restrictions.
- c. City Attorney Lance reported that the LCC Attorney's group is launching a series of webinars. He also reported an upcoming change in the law relative to the bidding process for public works contracts.
- d. City Manager Cayler, Interim Public Works Director, did not present any further reports.
- e. City Engineer Mannatt presented the following:
 - (1) Discussion and Possible Action to Approve Plans and Specifications for the Redwood Avenue Storm Drain Project (Project No. 2011-03) and to Provide Authorization to Publicly Solicit Bids for Construction of the Project

Motion by Hanson/Second by Orenstein and carried (4, with Stranske absent) to approve the Redwood Avenue Storm Drain Project plans and specifications, and authorize the City Manager to direct staff to proceed with public solicitation of bids for the construction of the project.

Mr. Mannatt also provided a brief overview of design plans to address Central Street issues.

- f. Finance Director/City Treasurer Cavallari did not present any further report.
- g. City Clerk/Human Resources Director Moore reported that the hot weather is resulting in good patronage at the City pool, which opened this week; the 2nd annual open enrollment and health fair for employees went well; attendance at the Refuse to Be a Victim seminar recently sponsored by the WPD and the Chamber of Commerce; the status of collective bargaining, noting that a special Council meeting may be necessary before the July 27th Council meeting; and participation in a webinar regarding organizational efficiencies. Further, it was the consensus of the Council to cancel the July 13th regular Council meeting due to a lack of a quorum.

10. CITY COUNCIL AND COMMITTEE REPORTS

- a. Mendocino Council of Governments (MCOG) did not meet.
- b. Local Agency Formation Commission (LAFCO) did not meet; however, Councilmember Madrigal noted that she will be attending the CALAFCO conference, at which rural issues will be discussed.
- c. Mendocino Transit Authority (MTA) did not meet.
- d. Revit-ED Committee did not meet.
- e. Mendocino Solid Waste Management Authority-Joint Powers Authority (MSWMA-JPA) did not meet.
- f. Economic Development and Financing Corporation (EDFC) – Councilmember Orenstein reported that PG&E made a presentation to EDFC about their SmartMeter program. He also shared some statistics on how EDFC has helped businesses within the County.
- g. League of California Cities did not meet.
- h. Water Resources Committee did not meet.
- i. Sewer System Committee – the City Manager reported that the Committee met to discuss change orders associated with the project due to weather-related delays and the need for additional earthwork quantities, which could cost as much as \$300,000.
- j. Finance Committee did not meet.
- k. Caltrans Ad Hoc Committee did not meet; however, the City Manager reported that the Committee toured both Mill Creek and Broaddus bridges
- l. Other Committee Reports – no other reports were presented.

11. COUNCIL MEMBER REPORTS AND RECOMMENDATIONS

- a. Discussion and Possible Action to Adopt Resolution to Recognize and Support the Establishment of a Mendocino County Food Policy Council

Public Comment: Jim Merrill, Willits Community Services, and Patty Bruder, Executive Director, North Coast Opportunities (NCO), provided an overview of this new program, also describing how it will support the local economy.

Motion by Madrigal/Second by Hanson and carried (3/1, with Stranske absent and Burton dissenting) to adopt Resolution (No. 2011-18) to recognize and support the establishment of a Mendocino County Food Policy Council.

12. ENACTMENT OF ORDINANCES

None presented.

13. GOOD & WELFARE

Councilmember Madrigal is looking forward to going to the truck pull. Mayor Burton and fellow Councilmembers wished Councilmember Madrigal a happy birthday. Councilmember Orenstein noted he will be a judge for the Sweetheart contestants.

ADJOURNED TO CLOSED SESSION AT 8:06 P.M.

14. CLOSED SESSION NOTICE

- a. Conference with Legal Counsel Pursuant to Government Code §54956.9 – Existing Litigation: Brooktrails Township Community Services District, a Public Agency vs. City of Willits, a General Law City; and DOES 1 through 100, Inclusive; Case No. SCUK CVG-1056037
- b. Conference with Legal Counsel Pursuant to Government Code §54956.9 – Existing Litigation: People of the State of California and the City of Willits v. Remco Hydraulics, Inc., et al. (United States District Court – Northern District of California, Case No. C-96-6283 SI 12/22/2000)
- c. Conference with Labor Negotiators Pursuant to Government Code §54957.6 – Agency Negotiators: Paul Cayler and Adrienne Moore; Employee Organization(s): All

Council reconvened to open session at 9:43 p.m., reporting that the Council unanimously approved a tentative agreement with the Willits Police Officers Association (WPOA) for a one-year term. Upon the WPOA membership's approval of same, the matter will be scheduled for Council action to adopt a resolution approving the Memorandum of Understanding between the two entities.

Moved by Orenstein/seconded by Hanson and carried (4, with Stranske absent) to adjourn the meeting at 9:43 p.m.

BRUCE BURTON, Mayor

ATTEST:

ADRIENNE MOORE, City Clerk