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**WILLITS CITY COUNCIL
MINUTES
WEDNESDAY, AUGUST 24, 2011**

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 Call: Councilmembers Larry Stranske, Ron Orenstein, Victor Hanson, and Mayor Bruce Burton were present. Councilmember Holly Madrigal participated via telephone conference from the Seattle Public Library – Beacon Hill Branch (Seattle, WA) for item 12a.

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; and Adrienne Moore, City Clerk/Human Resources Director.

2A. PRESENTATION OF PROCLAMATION RECOGNIZING NATIONAL DAY OF SERVICE AND REMEMBRANCE AND COMMEMORATING PATRIOT DAY – SEPTEMBER 11, 2011

Presenter(s): Mayor Burton read the proclamation for the record, presenting it to Roger Ham, Commander, American Legion, Post 174.

Public Comment: Commander Ham accepted the proclamation with appreciation, inviting everyone to the 9/11 ceremony at Snider Park, noting that this year, it will commence at 1:00 p.m.

Presentation only – no action taken.

2B. END OF SEASON REPORT ON SUMMER SWIM PROGRAM

Presenter(s): Shawna Jeavons, City Pool Manager, provided a brief report on this year's summer swim program, then introduced Avery Cash, Peace Southard, Damian Angell, Jacob Stubberfield, and Alex Byers. Kort Pettersen, Water Safety Instructor, presented WSI certificates to the lifeguards who completed the training. City Public Works employees Tom Bond and Bob Peabody were also recognized for their contributions.

Presentation only – no action taken.

3. PUBLIC COMMUNICATIONS

David Leavitt, small business owner, is seeking the Boy Scouts and the City's involvement in honoring fallen Navy SEAL Jesse Pittman and his family.

4. CONSENT CALENDAR

- a. City Council Minutes of August 10, 2011 – **Continued to Next Council Meeting**
- b. Disbursements Journals:
 - Warrant Nos. 18259, 18326-18340, and 18444-18445, Totaling \$38,993.95 – **Approved**
 - Warrant Nos. 18341-18443, Totaling \$1,126,401.95 – **Approved**
- c. Amendment to the Fiscal Year 2011/2012 Budget to Include C.O.P.S. Funding – **Approved**

- e. Approve Contract with Graham Backflow Services in an Amount Not to Exceed \$10,725 to Perform the Backflow Prevention Assembly Testing for 2011 – **Approved**
- f. Approval of Appointment to the Cultural Arts Commission – **Approved**

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

Removed for separate consideration:

- d. Award Contract to Mendocino Construction Services, Inc., for the Redwood Avenue Storm Drain Project, Project No. 2011-03, in an Amount Not to Exceed \$144,984, and Authorize City Manager to Approve Construction Change Orders Not to Exceed a Cumulative Total of 20% of the Total Contract Amount – **Approved**

Motion by Orenstein/Second by Hanson and carried (3, with Madrigal absent and Stranske abstaining) to approve Consent Calendar item (d).

COUNCILMEMBER MADRIGAL PARTICIPATING VIA TELECONFERENCE

12. ENACTMENT OF ORDINANCES

- a. Discussion and Possible Action to Adopt an Ordinance to Comply with the Voluntary Alternative Redevelopment Program in Order to Permit the Continued Existence and Operation of the City's Redevelopment Agency

Presenter(s): Alan Falleri, Community Development Director, provided an overview of the matter and introduced Suzi Kim, RSG Consulting. Ms. Kim addressed a number of questions that were presented at the last Council meeting.

Public Comment: John Pinches, 3rd District Supervisor; and Keith Rutledge, Renewable Energy Development Institute (REDI), provided statistics on the Home Energy Link Program (HELP).

Motion by Orenstein/Second by Stranske and carried (3/2, with Hanson and Burton dissenting) to adopt an Ordinance (No. 2011-02), which would become effective in 30 days, to comply with the voluntary Alternative Redevelopment Program, pursuant to Part 1.9 of Division 24 of California Health and Safety Code, in order to permit the continued existence and operation of the Redevelopment Agency of the City of Willits.

COUNCILMEMBER MADRIGAL EXCUSED FOR THE REMAINDER OF THE MEETING

RECESS AS THE WILLITS CITY COUNCIL AND CONVENE AS THE REDEVELOPMENT AGENCY OF THE CITY OF WILLITS

6A. SITTING AS THE REDEVELOPMENT AGENCY OF THE CITY OF WILLITS – DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION APPROVING AND ADOPTING AN ENFORCEABLE OBLIGATION PAYMENT SCHEDULE AS REQUIRED BY AB1X 26

Presenter(s): Mr. Falleri, Mr. Cayler, and Ms. Cavallari responded briefly to the Council.

Motion by Orenstein/Second by Stranske and carried (4, with Madrigal absent) to adopt Resolution (No. 2011-01) approving and adopting the Enforceable Obligation Payment Schedule; direct staff to transmit the schedule to county and state agencies, and post same on the City's website.

ADJOURN AS THE REDEVELOPMENT AGENCY OF THE CITY OF WILLITS AND RECONVENE AS THE WILLITS CITY COUNCIL

5. RIGHT TO APPEAL

None presented.

8A. DISCUSSION AND POSSIBLE ACTION TO ADOPT A RESOLUTION FINDING THAT AN EMERGENCY EXISTS AND DELEGATING THE CITY MANAGER THE AUTHORITY TO SELECT A CONTRACTOR AND EXECUTE A CONTRACT ON BEHALF OF THE CITY FOR REPAIR OF SHERWOOD ROAD INCLUDING SLIP LINING DRAINAGE SYSTEMS, DIG OUT AND PAVE ROAD BED AND PERFORM CRACK SEAL

Presenter(s): City Manager Cayler and City Engineer Mannatt, with it noted that a 4/5th vote needed to declare the existence of an emergency.

Public Comment: John Pinches, 3rd District Supervisor, responded to Mayor Burton's request for his leadership in getting the County to participate in cost-sharing of this project, who pledged to request a third of the funding from the County.

Motion by Orenstein/Second by Stranske and carried (4, with Madrigal absent) to adopt Resolution (No. 2011-25) finding that an emergency exists and delegating the City Manager the authority to select a contractor and execute a contract on behalf of the City of Willits for the repair of Sherwood Road including slip lining drainage systems, dig out and pave road bed and perform crack seal, excluding the portion of roadway within the Caltrans right of way.

RECESS: 8:11 – 8:24 P.M.

8B. DISCUSSION AND POSSIBLE ACTION TO AWARD CONTRACT FOR THE REPAIR OF CRACKS IN RUNWAY 34/16, APRON, AND TAXIWAY AT WILLITS MUNICIPAL AIRPORT (ELLS FIELD)

Presenter(s): John Sherman, Building Inspector/Code Enforcement Officer, reported that only one bid was received and was disqualified due to coming in over the Engineer's estimated budget, now going out for an informal bid.

Motion by Stranske/Second by Orenstein and carried (4, with Madrigal absent) to reject all bids and authorize staff to commence an informal bidding process.

8C. DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE LETTER TO CALTRANS REGARDING PROPOSED ROADWAY MARKING CHANGES ON SOUTH MAIN STREET NEAR THE US 101 AND STATE ROUTE 20 INTERSECTION

Presenter(s): City Manager Cayler reviewed the draft letter, with Police Chief Gonzalez and Fire Chief Carl Magann responding to Councilmember comments.

Councilmember Stranske requested that reference to the Ad Hoc Relinquishment Committee be removed, which was concurred by his colleagues.

Motion by Stranske/Second by Burton and carried (3/1, with Madrigal absent and Hanson dissenting) to authorize the City Manager to sign the letter, as amended, concurring with Caltrans' proposed roadway marking changes on South Main Street near US101 and State Route 20 intersection.

8D. DISCUSSION AND POSSIBLE ACTION TO AUTHORIZE LETTER TO CALTRANS REGARDING PROPOSED IMPROVEMENTS TO THE CROSSWALK AT SOUTH MAIN STREET AND GREGORY LANE

Presenter(s): City Manager Cayler reviewed the draft letter, with Police Chief Gonzalez responding to Councilmember comments.

Motion by Stranske/Second by Orenstein and carried (3/1, with Madrigal absent and Hanson dissenting) to authorize the City Manager to sign the letter, as amended, concurring with Caltrans' proposed design for the South Main Street and Gregory Lane crosswalk.

8E. OTHER CITY MANAGER REPORTS

City Manager Cayler reported on the following:

- Draft Remco Feasibility Study is now available, with comments due by September 26th;
- PG&E power outage scheduled for September 17th and 18th;
- Representatives from the Willits Dog Park Association met with City staff to review the wetlands map, discuss liability, and next steps with the project;
- Sewer System Committee meeting tomorrow;
- Fencing is to be installed off Oak Street alley to address transient issues;
- Receipt of email from Division of Safety of Damns approving splashboards installation all winter at Morris Dam;
- Street crew is currently working on the Dorn Project, corner of Lenore and Commercial;
- Traffic Safety Committee met today to review Commercial and Main right-turn issues;
- Scheduled time off for the City Manager during Thanksgiving week; and
- City Clerk's acceptance into the Leadership Mendocino program.

9. DEPARTMENT RECOMMENDATIONS

- a. Police Chief Gonzalez reported that the WPD has received just over \$8,000 in federal grant funding for downtown foot patrol.
- b. City Planner Falleri reported that he has met with owners and reps of the Carlson Apartments, who are interested in moving forward with a rehabilitation project, which they hope to do with funding from the City's Low and Moderate Income fund.
- c. City Attorney Lance reported on dog park liability issues in response to Council inquiries at the last meeting. He also recommended a refresher on the Brown Act for our elected and appointed officials.
- d. City Manager Cayler, Interim Public Works Director, did not present any further reports.
- e. City Engineer Mannatt reported on the progress of the Wood Street alley project, also noting that the Redwood Avenue Storm Drain Project will commence soon. JC England, Water/Sewer Supervisor reported on the start-up at the WWTP and the next steps.
- f. Finance Director/City Treasurer Cavallari reported that City sales tax is up 10.7%, in part due to one local business that was reporting all of their sales taxes in Lakeport, where they also have a location, rather than separating them accordingly between the two locations. She also noted that the projected sales tax is \$15,000 above budget.
- g. City Clerk/Human Resources Director Moore reported on recent forklift training in which the Public Works, Water Plant, and Sewer Plant crews participated; a recent networking visit to the City of Lakeport to review their records management program; and provided information issued by the Pittman family regarding upcoming services for their son, Jesse.

10. CITY COUNCIL AND COMMITTEE REPORTS

- a. Mendocino Council of Governments (MCOG) – Councilmember Stranske reported that MCOG met to discuss project priorities throughout the County, distributing MCOG's annual report, and noting that the City needs 3-4 shovel projects in order to receive federal stimulus funding.
- b. Local Agency Formation Commission (LAFCO) did not meet.
- c. Mendocino Transit Authority (MTA) did not meet.
- d. Revit-ED Committee – Mayor Burton reported on yesterday's meeting, at which the Seabiscuit Parkway proposal, incubator business development, outdoor dining ordinance, and the Railroad Avenue and Baechtel Road corridor.
- e. Mendocino Solid Waste Management Authority-Joint Powers Authority (MSWMA-JPA) did not meet.

- f. Economic Development and Financing Corporation (EDFC) met but was not attended by a Councilmember.
- g. League of California Cities – Councilmember Stranske reported on the bus tour of the City of Arcata’s marshlands and wildlife sanctuaries that are used as a clarifier for wastewater treatment; a tour of the Fire and Light Glass factory; and the regional meeting, noting that the keynote speaker was Chris McKenzie, LCC’s Executive Director. City Manager Cayler also commented on the meeting.
- h. Water Resources Committee did not meet.
- i. Sewer System Committee did not meet.
- j. Finance Committee did not meet.
- k. Caltrans Ad Hoc Committee did not meet.
- l. Other Committee Reports – no other reports were presented.

11. COUNCIL MEMBER REPORTS AND RECOMMENDATIONS

Vice Mayor Hanson reported his absence from the next Council meeting, September 14th.

13. GOOD & WELFARE

None presented.

ADJOURNED TO CLOSED SESSION AT 9:35 P.M.

14. CLOSED SESSION NOTICE

- a. 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)
- b. 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

Council reconvened to open session at 10:11 p.m., with no action to report from Closed Session.

Moved by Stranske/seconded by Hanson and carried (4, with Madrigal absent) to adjourn the meeting at 10:11 p.m.

BRUCE BURTON, Mayor

ATTEST:

ADRIENNE MOORE, City Clerk