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**WILLITS CITY COUNCIL
MINUTES
WEDNESDAY, JULY 14, 2010**

Mayor Burton called a regular meeting of the City Council to order at 6:00 p.m. in Council Chambers. The meeting was preceded by the pledge to the flag.

Roll Call: Councilmembers Larry Stranske, Greg Kanne, Holly Madrigal, Victor Hanson, and Mayor Bruce Burton were present.

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; Adrienne Moore, City Clerk/Human Resources Director; and J.C. England, Sewer Plant Supervisor.

2A. PRESENTATION OF PROCLAMATION IN SUPPORT OF THE WILLITS LIBRARY

Mayor Burton read the proclamation for the record, presenting same to Marc Komer, 3rd District Representative to the Library.

Public Comment: Marc Komer expressed appreciation for the Council's support, also commenting on the fiscal challenges facing the Willits Library. Roger Adamson, Friends of the Willits Library, appealed to the community for their continued support of the Willits Library.

2B. PRESENTATION BY ECONOMIC DEVELOPMENT AND FINANCE CORPORATION (EDFC) EXECUTIVE DIRECTOR, DON BALLEK, REGARDING ANNUAL REPORT OF EDFC ACTIVITIES AND ACCOMPLISHMENTS

Alan Falleri, Community Development Director, introduced the matter, noting the City's membership in the Economic Development and Finance Corporation (EDFC), introducing Don Ballek, EDFC Executive Director.

Mr. Ballek recognized EDFC Board Members Holly Madrigal, Patty Bruder, Lynn Kennelly, and Ron Orenstein, as well as past Board Member Larry Stranske. He commenced his presentation of the annual report, including an overview of EDFC's current state of affairs, and highlights of reorganization, localization, economic development, start-up businesses, existing businesses, recruitment, and loans.

Ron Orenstein, EDFC Board Member, provided a report on EDFC's Meat Study, and distributed a handout entitled, "Meat Industry Capacity and Feasibility Study of the North Coast Region of California". EDFC has identified the community's main objection – water use and located a water treatment facility in Canada that can treat animal effluent, with a cost estimate of \$330,000. He commented on job potential, salaries ranging from 79-104% of the average for this area, trucking; etc. EDFC is awaiting results of a grant application. Potential sites, which include a couple of sites just outside of Willits, will be researched and may be ready to build in one to two years.

3. PUBLIC COMMUNICATIONS

Mayor Burton read the public communication guidelines. Tom Woodhouse commented on the sidewalk in front of Main Street Music and Video and the need to address ADA issues, and sought an update from the Council regarding the Railroad Avenue Bridge project. He also reported that Safeway has let go their security guard, noting that Sheriff Allman has agreed to bring inmates to Willits to do some weed-eating, asking the Council to determine priority areas. Pete Swanton sought an update regarding the timeline for the Main Street project, citing a recent incident with a wheelchair getting stuck on the sidewalk. He referenced Joseph, Oregon as a good example of a main street improvement program. He also noted the need to provide municipal restrooms, which he sees as an investment for the City, referencing the towns of Mendocino and Ferndale as good examples.

4. CONSENT CALENDAR

- a. City Council Minutes:
- May 20, 2010 (Special Meeting) – **Approved**
 - June 23, 2010 – **Approved**
 - June 28, 2010 (Special Meeting) – **Approved**
 - July 7, 2010 (Special Meeting) – **Approved**
- b. Disbursements Journals, Including the Following:
- Warrant Nos. 15752-15834 (Dated June 30, 2010), Totaling \$159,257.37 – **Approved**
 - Warrant Nos. 15835-15837 (Dated June 30, 2010), Totaling \$346.23 – **Approved**
 - Warrant No. 15767 (Dated July 1, 2010), Totaling \$100.00 – **Approved**
- c. Building Inspection Activity Report – May 2010 – **Approved**
- d. Amended City of Willits Quality Assurance Program – **Approved**

Motion by Stranske/Second by Kanne and carried unanimously to approve Consent Calendar items (a-d).

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

8A. DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF RESOLUTION ESTABLISHING FUEL PRICES AT THE CITY OF WILLITS MUNICIPAL AIRPORT (ELLS FIELD) AND APPROVAL OF AGREEMENT WITH WESTERN PETROLEUM TO PROVIDE EXXON/MOBILE BRANDED FUEL AT THE AIRPORT

Paul Cayler, City Manager, introduced the matter, referencing the Airport Team, which was formed to identify strategic issues. He commented on the new card reader, referencing the consensus of Airport users for branded fuel, which led to an RFP and the Airport Commission's recommendation to select Western Petroleum. He noted an executive decision to fill the tank prior to approval of an agreement with a fuel provider as it was determined to be necessary. Mr. Cayler clarified his role as the Airport Manager and John Sherman's role as his proxy.

Mr. Sherman noted that the City and Airport have historically had issues with providing good fuel due to lax maintenance; however, the situation has improved considerably over the last few months. As a result, fuel sales have increased significantly. Next steps include placing a large branded fuel sign at the airport and attracting transit air pilots fuel purchasing.

Public Comment: Mike Smith, Airport Commission, expressed his support for the Council's approval of Exxon/Mobile branded fuel.

Councilmember Madrigal expressed concern with the City's responsibility in the event of an oil spill, with Mr. Cayler responding. She also asked about the 60,000 gallon requirement, with Mr. Sherman offering to talk to the vendor about reducing that requirement. Councilmember Hanson asked how much fuel has been sold thus far, with Mr. Sherman estimating 1,000 gallons in the last two months, also noting that an oil spill kit is located at the airport.

Motion by Hanson/Second by Stranske and carried unanimously to adopt Resolution (No. 2010-15) establishing fuel prices at the City of Willits Municipal Airport (Ells Field) and approval of agreement with Western Petroleum to provide Exxon/Mobile branded fuel at the Airport, authorizing the City Manager to sign agreement on behalf of the City.

11A. DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED CHANGE TO THE MANAGEMENT OF THE WILLITS MUNICIPAL AIRPORT

Councilmember Hanson introduced the matter, noting that it is intended to open a dialogue, suggesting using the proposal as a kick-off for a feasibility study.

Councilmember Stranske is concerned with the slide area, referencing an FAA grant to address the matter and who will pick up the tab when it is all said and done (i.e., City's General Fund). He opposes giving up revenue but being on the hook for improvements, seeking more information for decision-making purposes.

Mr. Sherman provided an estimate of \$700,000, also noting that candescent Manzanita, an endangered species, has been found. He assumes the City's matching commitment of \$50,000-75,000 would come from the Airport Enterprise Fund rather than the City's General Fund. He noted that Dave Dietz, Mead & Hunt representative, speculates that if the project is not started soon, the FAA may direct the City to move forward. Mr. Sherman noted that the grant cycle will be deferred for one year.

Councilmember Hanson would like the Council's approval to commence a feasibility study. Mayor Burton is interested in exploring how the City can reduce staff time and better utilize the facility, feels it is reasonable to ask the Airport Commission to help define responsibilities of a contract manager, noting that he is generally supportive of the concept.

Public Comment: Glen Green, former Airport Commissioner, supports branded fuel, as well as privatization of Airport Management. Pete Swanton concurred, also expressing confidence in David Bowen's ability to successfully manage the Airport. He also commented that an airport is a community resource. Mike Smith responded to Councilmember Stranske's concerns, describing mitigation measures to use during slide repairs. He stated that he would partner with David Bowen to ensure that someone is always around, also providing a brief overview of his aviation experience. Bob Nixon, who has used the airport since 1967, supports privatized airport management. Gary Miner, Airport Commissioner, concurred with Councilmember Strankse's concerns, with Mayor Burton asking Mr. Miner about the Commission's willingness to assist with a scope of work study, noting that this is exactly what the Commission is charged with.

Mr. Falleri noted that his department has inherited airport business, expressing appreciation for the Council's assistance and patience during this workload transition. Mayor Burton reminded the Council that the Airport was given to the City by a private donor.

Mike Smith sought clarification from the Council regarding their intended direction, also clarifying terminology (i.e., privatization vs. lease to a private vendor).

Mr. Cayler recommended the Council provide clear direction as well as policy direction regarding sole sourcing or competitive bidding; noting the need to balance benefits and risks; and commenting on potential economic development.

Motion by Madrigal/Second by Hanson and carried unanimously to move forward the Council discussion of a proposed change to the management of the Willits Municipal Airport and make it available for a more detailed proposal for future Council discussion.

8B. DISCUSSION AND POSSIBLE ACTION REGARDING PROPOSED CHANGE IN HOURS OF OPERATION FOR CITY HALL AND THE PUBLIC WORKS AND ENGINEERING OFFICE

Paul Cayler, City Manager, noted that staff presented this idea as a way of managing workloads with reduced staff to most efficiently meet the needs of customers. He also noted that one size does not fit all. Should the Council approve, he recommended implementing the new hours of operation next week.

Motion by Kanne/Second by Madrigal and carried unanimously to adopt the new hours of operation for City Hall and the Public Works and Engineering Offices, for this budget year, and revisit the matter next year.

8C. DISCUSSION AND POSSIBLE APPROVAL OF CONSOLIDATED RESPONSES FROM THE WILLITS CITY COUNCIL AND WILLITS POLICE CHIEF TO THE MENDOCINO COUNTY GRAND JURY REGARDING REPORT ENTITLED "WORKING IN THE RAIN, A PUBLIC FACILITY AT RISK – A REPORT ON THE WILLITS POLICE DEPARTMENT"

Paul Cayler, City Manager, reported that on June 14, 2010, the Mendocino County Grand Jury published a report titled: "Working in the Rain, a Public Facility at Risk – A Report on the Willits Police Department". He noted that a consolidated response has been prepared for the Council's consideration, which includes responses from the City Council and the Police Chief given that they are the same.

Motion by Madrigal/Second by Stranske and carried unanimously to approve the attached Grand Jury Report Response Forms and required explanations, and authorizes the City Manager and Police Chief to sign the forms.

8D. OTHER CITY MANAGER REPORTS

Paul Cayler, City Manager, reported on the following:

- Sewer Project is slated to be awarded at a special meeting on July 22nd;
- The County of Mendocino loaned the City a mower;
- Preparation for an Appeals Board to hear a personnel matter; he distributed copies of Section 13 of the City's Personnel Policies & Procedures for the Council's review, noting that the Appeals Board would be comprised of a local professional, a community member, and a member selected by the Appellant;
- Planes to vacate the July 28th Council meeting;
- Reminder of his upcoming vacation; and
- Public Works/Engineering office may experience temporary closures on Aug 5th and 6th due to reduced staff and accommodation of staff vacations.

RECESS: 7:40 – 7:50 P.M.

9. DEPARTMENT RECOMMENDATIONS

- a. Police Chief Gerry Gonzalez reported on a couple of recent stolen vehicles, cautioning the public to lock their vehicles. He reported that Frontier Days was successful from a law enforcement perspective, thanking Sgt. Jake Donahue for his oversight and the Willits CERT Team for their help with the parade, also noting that Frontier Days was the first to request and be issued a parking lot exemption.
- b. City Planner Alan Falleri
 - **Discussion and Possible Adoption of Resolution Indicating Continued Support for the Healthy Cities Concept, for Continuing Participating in the California Healthy Cities and Communities Program, and Authorizing the City Manager to Submit a Grant Application to the California Healthy Cities and Communities, Center for Civic Partnerships for Funding in the Amount of \$20,000 to Assist in Developing a Program to Provide Access to Healthier Food for Willits Children and Youth**

Mr. Falleri introduced the matter, providing an overview of the history of the grant, Phases I-II, which he hopes to bring forward at the next Council meeting. He described the current project working with the school district to train staff to provide healthy food programs with the involvement of local farmers. The project would entail contracting with North Coast Opportunities (NCO) to be the project manager, disclosing that his wife is an officer of NCO. Mr. Falleri also noted that he does not see this project as a drain on City resources.

Brief discussion ensued relative to the next steps, if any, at the end of the third year; the amount of acreage needed; and the fact that school meals are sometimes the only nutritious meal a child receives.

Public Comment: Cassandra Andich commended Mr. Falleri for his efforts, suggesting the schools look at incorporating the program goals into their curriculum.

Motion by Stranske/Second by Kanne and carried unanimously to adopt Resolution (2010-16) finding that the California Healthy Cities and Communities Program is consistent with previous actions and goals of the City Council to be proactive in promoting measures to improve community health.

▪ **Update on West Commercial Street Planter-Bollards Project**

Mr. Falleri provided an update on the project, which will be funded separately from the Caltrans bypass project. He pointed out an error of page 4 of his memo, noting that the project is being funded out of Fund 201 (not 202). In response to previous Council concern regarding maintenance costs, he noted that many volunteers have offered to help provide maintenance, for which staff will coordinate. He noted that landscape consultants have stated that the first two years of landscaping will be most critical in terms of maintenance.

- Mr. Falleri provided several miscellaneous updates, including information about a planned housing element public workshop; a Prop 84 sustainable communities grant application to address some ongoing projects lacking funding, such as zoning ordinance updates, for a potential \$100,000; and efforts to plan a Council/Staff retreat to address planning projects.

c. City Attorney Jim Lance briefly reported that he had a case management conference regarding the California Trenchless lawsuit, which will be agendaized at the next Council meeting under closed session.

d. City Engineer Tom Mannatt announced that West Commercial Street project is underway, noting the first contract day of construction is July 19th and the final contract date is October 5th. In response to Councilmember Madrigal, he noted that Main Street sidewalk improvements are behind, estimating another two weeks.

e. Finance Director Joanne Cavallari reported that an RFP was mailed out last week for the cost allocation analysis, with a closing date of August 17th; a scheduled meeting with Muni Services on July 29th to discuss first quarter tax projections; recently received revised Fiscal Year 2010/11; and her upcoming vacation next week.

f. City Clerk/Human Resources Director Adrienne Moore.

▪ **Discussion and Possible Approval of a City-Wide Catastrophic Leave Policy**

The City Clerk/Human Resources Director introduced the matter, describing the merits of adopting a catastrophic leave policy as it would create a new leave category that would not be subject to the limitations of family sick leave. She also noted that the policy

does not create a leave pool, rather, allows employees to choose whom they donate leave time to.

There was brief discussion on the fiscal implications of adopting such a policy, with the Finance Director surmising that the need for catastrophic leave is anticipated to be very infrequent.

Motion by Kanne/Second by Stranske and carried unanimously to approve the recommended City-Wide Catastrophic Leave Policy.

10. CITY COUNCIL AND COMMITTEE REPORTS

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

- Mendocino Transit Authority (MTA) – Councilmember Hanson reported that MTA approved their final budget.
- Sewer System Committee – Mayor Burton reported that the Committee met to review the SHN Resident Project Representative (RPR) proposal and, finding it to be complete, gave direction to move the matter forward to the full Council. Once the Sewer Project is ready to be awarded, the agreement would be brought forward as a first order of business at special meeting, slated for July 22nd.
- Caltrans Ad Hoc Committee – The City Manager reported that the Committee did not meet, however, reported that, per Dave Kelley, project staff is focused on the permitting process.
- Other Committee Reports – Councilmember Stranske reported that signs are needed at the Ball Fields regarding pet waste, also asking if the field can be fenced off to keep dogs out while Little League is practicing, to which Mr. Cayler will follow up.

12. ENACTMENT OF ORDINANCES

13. GOOD & WELFARE

Councilmember Stranske thanked the Frontier Days Committee, as well as the Class of 1967 for the All Alumni Reunion. He also noted that he rode the Fire Engine for the full parade route.

Mr. Falleri commented on the Local First Committee's Hometown Celebration, noting that feedback from local businesses was very positive.

Councilmember Hanson announced his vacation, beginning July 18th for one to two weeks.

Councilmember Madrigal reported that the Okerstrom family suffered a tragedy when a family member was seriously injured in a swimming pool accident.

Mayor Burton reflected on the recent passing of long-time City employee Bennie England, followed by sentiments from fellow Councilmembers and staff.

ADJOURN TO CLOSED SESSION AT 8:51 P.M.

14. CLOSED SESSION NOTICE

- a. Conference with Labor Negotiators Pursuant to Government Code Section 54957.6 – Agency Negotiators: Rick Haeg and Adrienne Moore; Employee Organization(s): All
- b. Conference with Legal Counsel Pursuant to Government Code Section 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
- c. Conference with Legal Counsel Pursuant to Government Code Section 54956.9 – Anticipated Litigation: Significant Exposure to Litigation – One Case
- d. Pursuant to Government Code Section 54957 – Public Employee Performance Evaluation – City Manager

Council reconvened to open session at 10:17 p.m., with no action to report from Closed Session.

Moved by Madrigal/seconded by Stranske and carried by unanimous roll call vote to adjourn the meeting at 10:17 p.m.

BRUCE BURTON, Mayor

ATTEST:

ADRIENNE MOORE, City Clerk