

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:** Present – Council Members Victor Hanson, Greg Kanne, Holly Madrigal, Larry Stranske, and Mayor Bruce Burton

Also present were staff members: City Manager Paul Cayler; City Attorney Jim Lance; Finance Director Joanne Cavallari; Community Development Director Alan Falleri; Police Chief Gerry Gonzalez; City Engineer Tom Mannatt; Interim Water Supervisor Danny Allen; and Code Enforcement Officer John Sherman.

**2A. PRESENTATION BY LTD ENGINEERING ON THE STRUCTURAL INTEGRITY OF MORRIS DAM AND THE FEASIBILITY OF INCREASING STORAGE CAPACITY BY RAISING THE EXISTING STRUCTURE**

City Manager Paul Cayler provided a brief overview of the matter; inviting Mr. Charles Logie and Mr. Glenn Dearth to commence the presentation.

Mr. Logie and Mr. Dearth provided a comprehensive presentation of the *Morris Dam Seismic and Structural Analysis and Feasibility of Raising Morris Concrete Arch Dam*, referencing various diagrams, and hand-outs. Reviewed were three alternatives: 1) raising the arch dam 10' using reinforced concrete; 2) raising the arch dam 20' using reinforced concrete; and 3) raising the dam 20' using a roller compacted concrete buttress on the downstream side of the existing concrete arch. Mr. Logie and Mr. Dearth discussed the increase in water storage capacity, construction cost estimates, structural integrity of each option, a project implementation task list, and associated cost estimate for each task. They recommend working with a cost estimator with extensive small dam construction experience to review their construction cost figures, noting that changes to the report would likely fall under the construction cost estimate following this review. It was further noted that an environmental analysis would be required from several regulatory agencies, followed by environmental mitigation.

Mr. Logie and Mr. Dearth recommended that the downstream face of the dam be examined in detail to observe the general concrete condition and whether any cracking and crack patterns may exist. However, they concluded that the dam should perform as designed and operate for another 80 years.

Discussion ensued with Council Members asking about steel reinforcements reservoir releases and drainage during construction phase; fish ladders; how the radius is formulated; flashboards, which the Division of Safety of Dams (DSOD) doesn't allow in winter; concrete erosion control; and related matters.

**Public Comment:** Tony Orth asked about the sidewalls on the existing dam. Interim Water Supervisor Danny Allen commented on the flashboards, noting his request that the flashboards be in on February 1st, as well as at Centennial Dam, noting these efforts would result in 20% more water. Ron Orenstein recalled prior studies on Morris Dam, asking about potential problems the City would encounter, also asking if Centennial Dam would become part of Morris Dam, and commended the Council's efforts thus far. Tom Mannatt commented on the structural integrity of the dam, which is addressed in a separate report. John Sherman asked about DSOD's concerns regarding the possible impacts if the dam were overloaded. Linda Williams asked about water rights, another issue to be resolved. Danny Allen further clarified the purpose of the study, also noting that the flashboards would need to be sealed. Tony Orth described Brooktrails process relative to flashboards, commenting on the importance of the sedimentation study.

**2B. DISCUSSION AND POSSIBLE ACTION TO AWARD A PROFESSIONAL SERVICES CONTRACT TO LTD ENGINEERING TO CONDUCT AN ANALYSIS OF THE HYDRAULIC IMPACTS OF THE PERMANENT INSTALLATION OF FLASHBOARDS AT MORRIS DAM**

City Engineer Tom Mannatt and Interim Water Plant Supervisor Danny Allen each provided brief comments, piggybacking on the previous discussion.

**Motion by Kanne/Second by Stranske and carried unanimously to, by Minute Order, award a contract to LTD Engineering, Inc. to conduct a study on the hydraulic impacts of installing year round flashboards at Morris Dam and prepare a report to present to the DSOD for the not to exceed amount of \$15,500 and authorize the City Manager to execute same.**

**2C. DISCUSSION AND POSSIBLE ACTION TO DIRECT STAFF TO DEVELOP POTENTIAL PROJECTS FOR THE PROPOSITION 84 STATEWIDE PARK PROGRAM**

Council Member Madrigal introduced the matter, looking for concurrence amongst her colleagues to proceed with seeking a grant and engage in a competitive bid process, noting that it does not require a local match, but would require staff time that would be reimbursed should the grant be awarded.

Mayor Burton expressed his general support for moving forward, noting that projects can be prioritized at the Council level and then turned over to staff to come back with the top three to five projects for the Council's endorsement.

Community Development Director Alan Falleri sought clarification from the Council as to whether the projects would be City projects or that of a non-profit group. City Manager Paul Cayler echoed those concerns, noting the impacts of further potential staffing reductions, also seeking a clear vision of any direction the Council wishes to pursue.

Mayor Burton expressed his vision of a community-sponsored project that would come back for Council approval. Council member Madrigal suggested that Dave Madrigal organize community interest and project ideas.

**Public Comment:** Dave Madrigal described where the community stands on this project, referencing a group that has already met and is prepared to put forward an energy project. He commented on the availability of funding, which will be awarded strictly on competitive merit, and expressed his interest in spearheading the effort. Finance Director Joanne Cavallari expressed concern on the impacts to the general fund, based on state funding reimbursement cycles, noting that they are slow to come. Judy Donaldson expressed concern with regard to protecting the City's current recreational assets, suggesting that it's time to regroup and do something different, such as the formation of a special district, presenting a written proposal of same to the City Manager.

Mayor Burton responded favorably to the idea of forming a special recreational district.

**Council Direction to staff to work with community stakeholders to develop potential grant projects for the Council's consideration for submitting applications to the Proposition 84 Statewide Park Program.**

**2D. DISCUSSION AND POSSIBLE ACTION TO APPROVE THREE-YEAR TOTAL SERVICE AGREEMENT WITH ACS FOR ACCOUNTING SOFTWARE, HARDWARE, AND SUPPORT**

Finance Director Joanne Cavallari introduced the matter, describing the City's current agreement with ACS, the eight computers under said agreement, licensing considerations, etc. In consideration of a numerous factors, she recommended that the City renew a three-year contract with ACS, noting her intent to put out an RFP for a new vendor in approximately two

years. City Manager Cayler further commented on the review process with the IT Team that generated the recommendation, seeking Council's support of staff's recommendation.

**Motion by Madrigal/Second by Stranske and carried unanimously to approve a three-year agreement with ACS.**

RECESS: 7:39 – 7:47 P.M.

### **3. PUBLIC COMMUNICATIONS**

Mayor Burton read the public communication guidelines. Mr. Tom Woodhouse read a letter to the Council regarding reconstruction of sidewalks in Willits by Caltrans in consideration of pedestrian safety, referencing ADA funding to bring all sidewalks up to ADA standards. He suggested providing the Downtown Plan to Caltrans so they can dovetail their required work, asking the Council to agendaize the matter at the next meeting, and formally requested approval to attend Caltrans Ad Hoc meeting.

### **4. CONSENT CALENDAR**

The minutes of the December 9, 2009, meeting are hereby continued to the next meeting. Council Member Stranske requested item (d) be removed for separate consideration.

- a. ~~Approval of the City Council Minutes of the December 9, 2009, Meeting~~
- b. Denial of Claim Against the City Submitted by Mike and Lindianne Glasgow – **Denied**
- c. Approval of Warrant Nos. 14451-14681, Totaling \$507,524.42 – **Approved**
- e. Adoption of Resolution No. 2010-01 to Appoint Adrienne Moore as the City's Alternate Representative to the Redwood Empire Municipal Insurance Fund (REMIF) Board of Directors – **Approved**

**Motion by Madrigal/Second by Stranske and carried unanimously to approve Consent Calendar items (b, c, and e).**

#### **Removed for separate consideration:**

- d. Approval of Appointment to Willits Airport Commission (WAC) as Recommended by WAC

**Public Comment:** Paul Trexel, applicant to Airport Commission; and Dick Johnson, Airport Commissioner.

Council Member Stranske expressed concern with the Airport Commission's 3/2 vote of the recommended applicant, which was echoed by his colleagues.

**Council Direction to refer the matter back to the Willits Airport Commission for further consideration, with the expectation that a unanimous recommendation would be brought back to the Council; and further, to direct staff to provide copies of all Commissioner applications to the Council for their review.**

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

### **8A. DISCUSSION AND POSSIBLE AUTHORIZATION TO EXECUTE ANIMAL CONTROL AGREEMENTS BETWEEN THE CITY OF WILLITS AND THE COUNTY OF MENDOCINO**

City Manager Paul Cayler described the two agreements with the County, inviting Mendocino County Sheriff's Deputy Scott Poma and Health and Human Services Agency/Animal Care and Control Director Bliss Fisher to provide further information. Mr. Cayler also noted a modest increase in the cost of services.

Council Member Stranske commented on owners letting their dogs loose at approximately 5:00-8:00; expressing frustration with the County not enforcing City Code, to which Chief Gonzalez

responded, describing the County Code vs. City Code. Vice Mayor Hanson asked how dog licensing monies are used, to which Ms. Fisher stated it supports shelter operations; how many dogs are picked up; where the dogs are taken (holding kennels). Chief Gonzalez also commented on the practice of transporting dogs with prisoners; and the issue of officers not trained in animal control, which is now being provided by Animal Care and Control. Mayor Burton asked about "full disclosure" regarding fees paid for the capital financing of the County facility, which City Manager Paul Cayler clarified, also noting how the increase is calculated.

**Motion by Madrigal/Second by Kanne and carried unanimously to authorize the City Manager to execute two animal control agreements between the City of Willits and the Mendocino County Sheriff's Office and the Mendocino County Health and Human Services Agency.**

#### **8B. DISCUSSION AND POSSIBLE DIRECTION TO STAFF REGARDING ROAD IMPACT FEES WITHIN THE CITY OF WILLITS**

Community Development Director Alan Falleri provided an overview of the matter, reporting that Code Enforcement Officer John Sherman conducted a great deal of research; however, there were a lack of options to assess a damage fee on city streets. He noted that the only possibility is part of relinquishment process, with no option to pursue a remedy through the EIR to address the traffic issue, recommending a referral to the Caltrans Ad Hoc Committee. Code Enforcement Officer John Sherman provided further information, referencing a resolution that establishes East Commercial Street, North Main Street, and South Main Street as commercial truck routes. City Attorney Jim Lance referenced an ordinance in Sonoma County that imposes a fee on the aggregate, noting his interest in participating in further research into the matter to determine available options. Mr. Sherman emphasized the difference in the engineering reports needed to support the City's negotiations in the relinquishment process.

Council discussion ensued regarding sub-contractors, the social impact of the increased truck routes, the need to establish a nexus, and related matters.

**Public Comment:** Tony Orth clarified that City comments during the EIR process are part of the record, include in the operational plan, also noting the need for information on the actual cost of when the roadbed is turned over to the City.

**Council Direction that this matter be referred to the Caltrans Ad Hoc Committee for further discussion and possible recommendation regarding the potential for negotiating with Caltrans to establish conditions for mitigating or otherwise compensating the City for the costs of repairing any damage to local streets caused by Caltrans' subcontractors using City streets as a route for providing services or construction materials to be used on the bypass project.**

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

City Manager Cayler reported on the following:

- A Caltrans Ad Hoc Committee meeting will be scheduled in the near future to discuss the relinquishment agreement;
- Water Resource Committee meeting is scheduled for Tuesday, January 26<sup>th</sup> at 4:00 p.m., to discuss the water service ordinance;
- A Sewer System Committee meeting will be scheduled in the near future;
- Receipt of two letters from the District Attorney regarding upcoming parole hearings; and
- Receipt of notice from the State regarding 49 acres of land near Howard Forest being offered to local government (for sale) for the development of low and moderate income housing.

In response to Council Member Madrigal, Mr. Cayler provided an overview of the planned format for the mid-year budget review at the January 27<sup>th</sup> Council meeting, which will include a presentation of last year's audit report.

#### **9. DEPARTMENT RECOMMENDATIONS**

- Police Chief Gerry Gonzalez clarified the District Attorney's process regarding parole letters; reported on recent animal control training; H1N1 clinic at Baechtel Grove Middle School; and reported on a scam going around. Council Member Madrigal also reported that the city limits sign on East Valley Road has been sheared off.
- City Attorney Jim Lance reported on further work on the Kids Club leases; and his attendance at a meeting tomorrow regarding the Neisen property.
- City Manager Paul Cayler, who is serving as the Interim Public Works Director, reported that he has moved his office to the Public Works trailer; has conducted a series of interviews with staff; is holding routine staff meetings. He also commented that there is lots of water activity, noting a water main issue of Hwy 20 at Blosser Lane. Council Member Kanne reported dangers at the intersection of Coast and Pine, sharing photos of a recent car accident, and requesting a stop sign or striping to be agendaized for the Jan 27th Council meeting.
- City Engineer Tom Mannatt reported that all sewer and water projects are proceeding restructure of staffing for construction of wastewater projects; preparations for activity regarding the West Commercial Street project. Council Member Madrigal asked how future street projects will be prioritized.
- Finance Director Joanne Cavallari reported that she has been focusing on mid-year numbers in preparation for the review of the mid-year budget at the next Council member, also noting that the auditor, Michael O'Connor, will be a presenter at the Council meeting. She also expressed appreciation for staff who were recently reorganized, commenting how they have all stepped up to the plate.
- Deputy City Clerk Adrienne Moore commented on recent changes to the agenda process and the City website in which to provide greater public access to information.

#### **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), 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, Sewer System Committee, Caltrans Ad Hoc Committee, and Exploration of Potential Energy Sources Ad Hoc Committee.

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

##### **a. Mayor's Appointments to Committees**

Mayor Burton briefly reviewed his committee assignments and, with the concurrence of his colleagues, directed staff to eliminate the Sherwood Valley Indian Tribe Casino Ad Hoc Committee and the Exploration of Potential Energy Sources Ad Hoc Committee.

#### **12A. DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCES REPLACING CHAPTER 2.16 ENTITLED "TREASURER" WITH A NEW CHAPTER 2.16 ENTITLED "CITY TREASURER" AND ADDING A NEW CHAPTER 2.18 ENTITLED "CITY CLERK" TO TITLE 2 OF THE WILLITS MUNICIPAL CODE**

**Motion by Madrigal/Second by Hanson and carried unanimously to adopt Ordinance No. 2010-01, replacing Chapter 2.16 entitled "Treasurer" with a new Chapter 2.16 Entitled "City Treasurer" and Ordinance No. 2010-02 adding a new Chapter 2.18 entitled "City Clerk" to Title 2 of the Willits Municipal Code.**

**13. GOOD & WELFARE**

Mr. Tom Woodhouse announced activities planned to commemorate Martin Luther King, Jr. day, noting that volunteers can meet at his office at 10:00 a.m., for planned activities, which include planting trees. In the event of inclement weather, he is seeking suggestions indoor activities. Potential needs he identified included work on City facilities, sidewalk in front of Main Street Music is in disrepair, digging weeds out along Main Street. He also advocated for replacing current trees with "sidewalk friendly" trees.

Council Member Stranske commented on the decrease in Solid Waste rates. Council Member Madrigal commented on spawning salmon in the creek; attendance at a jobs forum hosted by Congressman Mike Thompson; the West Company as a resource for local contractors; and hope for implementation of a communication mechanism for use by the Council in which to alert the Mayor of their request to speak during Council meetings.

**Moved by Hanson/seconded by Stranske and carried by unanimous roll call vote to adjourn the meeting at 9:18 p.m.**

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Bruce Burton, Mayor

ATTEST:

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Adrienne Moore, Deputy City Clerk