

AGENDA

REGULAR MEETING

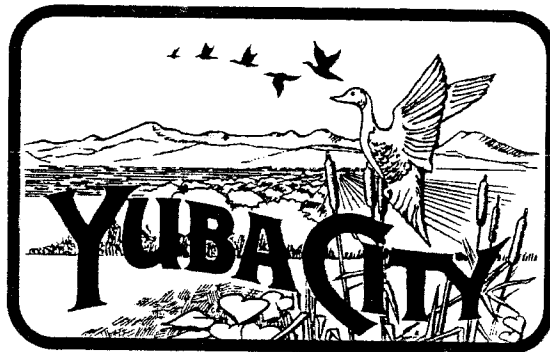
CITY COUNCIL CITY OF YUBA CITY

JUNE 20, 2006
7:00 P.M.
COUNCIL CHAMBERS

ERIC HELLBERG
Mayor

JOHN MILLER
Vice-Mayor

DAVE DOOLITTLE
Councilman



KAREN
CARTOSCELLI
Councilwoman

RORY RAMIREZ
Councilman

STEVEN JEPSEN
City Manager

TIMOTHY HAYES
City Attorney

**Council Chambers Wheelchair Accessible
1201 Civic Center Blvd., Yuba City, CA**

*If you need assistance in order to attend the City Council meeting, or if you require auxiliary aids or services, e.g., hearing aids or signing services to make a presentation to the City Council, the City is happy to assist you. Please contact City offices at 530/822-4601 at least 72 hours in advance so such aids or services can be arranged
City Hall TDD: 530-822-4732*

MINUTES
REGULAR MEETING
CITY COUNCIL – CITY OF YUBA CITY
JUNE 20, 2006 – 7:00 P.M.

- CALL TO ORDER

The City Council of the City of Yuba City was called to order by Mayor Hellberg at 7:00 p.m.

- ROLL CALL

Present: Councilmembers Doolittle, Miller, Ramirez, and Mayor Hellberg
Absent: Councilmember Cartoscelli

- INVOCATION

Police Chief Richard Doscher gave the invocation.

- PLEDGE OF ALLEGIANCE TO THE FLAG

Leslie McBride led the Pledge of Allegiance to the Flag.

1. PRESENTATIONS/PROCLAMATIONS

A. Award Presentations

Police Chief Richard Doscher presented Community Service Officer Lucy Lane with the Police Achievement ribbon and Gang Officer Aaron Moe with the Life Saving Medal. He noted Officer Lane recovered nine stolen vehicles in April during on and off duty hours. Officer Moe helped to disarm a suicidal citizen on May 30, 2006 at personal risk.

B. Youth Commission

Youth Commissioner Brittany Sheahan stated the Commission has assisted in design plans for the new Aquatics Center, is planning back to school dances for middle schools in September, participated in the Relay for Life, and will be working with Sutter County on programs to prevent teen smoking.

2. APPEARANCE OF INTERESTED CITIZENS

Keith Churchill, 1139 Hooper Rd., Yuba City requested that the City set up an assessment district for sewer and water for his neighborhood. Assistant City Manager Phil Carter said he would speak with Mr. Churchill and his neighbors to address his request.

Sally Serger, 9002 Graffis Rd., Yuba City spoke about the ProAct Sutter Co. Citizen's Alliance. She asked for Council's support for this balanced forum with local, state and federal input. ProAct feels flood control is the most important issue to this area.

David Stockmal, 1638 Tamarack, Yuba City asked Council to close an alley next to his home due to its use by drug and alcohol users. The alley leads to April Lane School but school officials have said it is not used extensively. Jay Stevenson, 1644 Tamarack, Yuba City asked Council to close the alley next to his home and allow him to purchase the property. Police Chief Richard Doscher stated he has worked on this problem for several years by providing extra lighting and increased police patrols. Fences have also been raised but it has not helped. Of the 17 alleys in the City, this is the only one that has caused problems. Council asked staff to pursue a solution through normal City procedures with proper documentation. Staff will return to Council with a recommendation.

- Councilman Ramirez asked that Item 5B of the agenda be moved up and discussed at this time. Councilmembers agreed.

5. REPORTS & MISCELLANEOUS

B. Harter Packing Company Request for Sewer Line Capacity Guarantee

Councilman Ramirez stated that Council received a 36-page document from Harter Packing Company this evening. He said he has not had time to read the document and asked that Council consider continuing this item to the next meeting. Councilmembers concurred that continuing 5B would give them the time needed to review the new material presented.

Tom Tucker of Harter Packing Company objected to the continuance.

Councilman Ramirez moved that 5B be continued to the July 5, 2006 meeting. The motion was seconded by Councilman Miller and passed with a unanimous vote, less Councilwoman Cartoscelli who was absent.

3. BID OPENINGS

A. Award contract for supply of liquid oxygen, Formal Bid 06-20

Assistant City Manager Steve Kroeger said this item was originally part of the annual chemical bid. Council rejected the sole bid for liquid oxygen at that time because it was not competitive. After re-bidding the contract, the City will save over \$20,000 on liquid oxygen.

Councilman Ramirez moved to award a formal bid contract for FB 06-20 liquid oxygen to the low bidder, Matheson Tri Gas of Irving, TX. Councilman Miller seconded the motion that passed with the following vote:

AYES: Councilmembers Doolittle, Miller, Ramirez, and Mayor Hellberg
NOES: None
RECUSED: None
ABSENT: Councilmember Cartoscelli

B. Cold Water Street/Royal River Drive Intersection Repair

Senior Engineer Diana Langley recapped that in April of 2006 the City Council declared an emergency project at the intersection of Cold Water and Royal due to the failure of a storm drain. Emergency repairs were completed but sections of the intersection need repaving and sections of curbs, gutters, sidewalks and landscaping need replacing. Only one bid was received for this contract. Councilman Ramirez asked for an explanation of a formal bid and informal bid. Ms. Langley responded. Councilman Miller asked why this storm drain failed. Ms. Langley explained that it was due to offset joints in the storm drain. Councilman Miller asked if it was past the warranty period. Ms. Langley responded that once the costs are totaled, staff would work with the City Attorney to see if any costs can be recovered from the developer. Councilman Doolittle asked if the remaining portions of the storm drain were inspected to ascertain their condition. Ms. Langley said a television camera crew televised the condition of the storms drains. Some minor problems were found and a void in a manhole was discovered and repaired this week.

Councilman Doolittle moved to award a contract to Newland Entities Inc. of Yuba City for the Cold Water Street/Royal River Drive Intersection Repair Project in the amount of their low bid of \$73,944. Councilman Miller seconded the motion that passed with the following vote:

AYES: Councilmembers Doolittle, Miller, Ramirez, and Mayor Hellberg
NOES: None
RECUSED: None
ABSENT: Councilmember Cartoscelli

C. On-Call Surveying Services

Senior Engineer Diana Langley said the City does not have staffing for surveying of the larger projects. A request for proposals went to 27 firms in the area. Seven bids were returned and three have been selected based on scoring criteria. Work orders will be issued for each project and each firm will give proposals for cost and schedule. A purchase order would then be issued to one firm. Ms. Langley asked for a three-year contract and noted that no firm will receive more than \$200,000 per year. Ms. Langley responded to Council's questions.

Councilman Ramirez moved to authorize the Assistant City Manager to sign Agreements for Professional Services with Carter Burgess of Sacramento, Wood Rodgers of Sacramento, and MHM, Inc. of Marysville for on-call surveying services. Councilman Miller seconded the motion that passed with the following vote:

AYES: Councilmembers Doolittle, Miller, Ramirez, and Mayor Hellberg
NOES: None
RECUSED: None
ABSENT: Councilmember Cartoscelli

4. CONSENT CALENDAR

Mayor Hellberg stated that staff has asked that Item A of the consent calendar be removed for further discussion and clarification. Councilman Doolittle asked that Item G be removed.

Councilman Doolittle moved to adopt the balance of the consent calendar as presented. Councilman Miller seconded the motion that passed with a unanimous vote, less Councilwoman Cartoscelli who was absent.

B. Adopted Resolution No. 06-051 Directing Filing of Annual Report, Yuba City Lighting and Landscape Maintenance District No. 1 and 2 (Stabler Lane/Garden Highway and Town Square Areas, respectively) pursuant to the Landscaping and Lighting Act of

1972). Adopted Resolution No. 06-052 of Intention of Order Improvements, Yuba City Lighting and Landscape Maintenance District No. 1 and 2 (pursuant to the Landscaping and Lighting Act of 1972).

- C. Adopted Resolution No. 06-053 Directing Filing of Annual Report, Yuba City Lighting and Landscape Maintenance District No. 3, 4, & 5 (62 subdivisions throughout the City) pursuant to the Landscaping and Lighting Act of 1972. Adopted Resolution No. 06-054 of Intention of Order Improvements, Yuba City Lighting and Landscape Maintenance District No. 3, 4, & 5 (pursuant to the Landscaping and Lighting Act of 1972).
- D. Adopted Resolution No. 06-055 Directing Filing of Annual Report, Yuba City Residential Street Light Maintenance Districts (Walton Area) and Yuba City Residential Street Light Maintenance District (Tierra Buena Area) pursuant to the Benefit Assessment Act of 1982. Adopted Resolution No. 06-056 of Intention of Order Improvements, Yuba City Residential Street Light Maintenance Districts (pursuant to the Benefit Assessment Act of 1982).
- E. Adopted Resolution No. 06-057 that calls and gives Notice of Holding a General Municipal Election on November 7, 2006 and authorizes the City to enter into an Agreement with Sutter County for this purpose.
- F. Adopted Resolution No. 06-058 approving the declaration of participants in the volunteer program of the City of Yuba City as unpaid employees for the purpose of Workers' Compensation law of the State of California.

Council discussed the June 6, 2006 minutes and the direction given to staff at that meeting on the development agreement negotiations of impact fees with three developers. Councilmembers clarified their directions to staff and indicated it was their intent that, with respect to negotiations of the impact fees with Braddock & Logan, Reynen & Bardis, and A.G. Montna, the developers will have 24 months from this evening or 18 months from the date they file and record their final map, whichever occurs first, to implement the \$60,000 impact fee maximum on their projects. Mayor Hellberg asked staff to notify the developers, Braddock & Logan, Reynen & Bardis, and A.G. Montna, of this clarification. City Attorney Timothy Hayes stated staff would notify them tomorrow.

Councilman Doolittle stated he asked that Item G be removed since he owns property and has a conflict of interest. He recused himself from Item G. Mayor Hellberg asked how the access to the river would be affected with the Bridge Street Reconstruction Project. Community Development Director Aaron Busch responded that was not the focus of the report but he would look into it and get back to Council.

Councilman Miller moved to adopt Items A and G of the Consent Calendar. Councilman Ramirez seconded the motion, which passed unanimously, less Councilman Doolittle who was recused and Councilwoman Cartoscelli who was absent.

- A. Approved the regular meeting minutes of June 6, 2006.
- G. Adopted Resolution No. 06-059 for the Bridge Street Reconstruction Project Mitigated Negative Declaration and the Mitigation Monitoring Reporting Program.

Councilman Doolittle returned to the meeting.

5. REPORTS & MISCELLANEOUS

A. Annual Computer Purchase

Information Services Manager Devin Barber reported the City replaces about one-third of all the City's computers each year. After three years they become inefficient and applications do not work well on them. The total for this year's purchase is \$232,900.

Councilman Ramirez commended Mr. Barber on his staff report. Councilman Miller moved to authorize staff to sole source computer purchases to Dell Computer Systems of Round Rock, Texas for fiscal year 2007 at prices not to exceed the California Multiple Award Schedule (CMAS) contract price for Dell Computer Systems by finding that it is in the best interest of the City to do so. Councilman Ramirez seconded the motion that passed with a unanimous vote, less Councilwoman Cartoscelli who was absent.

6. BUSINESS FROM THE COUNCIL

A. Reportable Activities

Councilman Ramirez had nothing to report.

Councilman Miller reported meeting with the local Builders & Developers technological group on June 13, 2006. He also attended the Department of Water Resources Flood Control Workshop last night. Of the 29 areas of concern, two areas are on the Bear River

but the majorities are on the Sacramento River. He urged all the citizens of the area to support levee improvements.

Councilman Doolittle reported on AB 2987, a telecommunications bill, allowing the cellular companies to put their boxes everywhere in the community. A letter to Senator Escutia against this bill was prepared for the mayor's signature. He reported on other SACOG and LOCC flood control meetings.

Mayor Hellberg asked City Manager Steven Jepsen if he had any comments. Mr. Jepsen thanked Council for selecting him as the new City Manager and said he is pleased to be here. Mayor Hellberg responded that of the five community leaders and five Councilmembers on the interview panel, all select Mr. Jepsen as their number one candidate.

7. ADJOURNMENT

At 8:12 p.m. adjourned the regular City Council meeting of the City of Yuba City.

ERIC N. HELLBERG
MAYOR

ATTEST:

STEVE JOHNSON
CITY CLERK