

**MINUTES
CITY COUNCIL & REDEVELOPMENT AGENCY
CITY OF YUBA CITY
April 17, 2007
Regular Meeting 7:00 P.M.**

Regular Meeting 7:00 P.M. – Council Chambers

Call To Order

Mayor Miller called the Regular Meeting of the City Council for the City of Yuba City to order at 7:00 p.m.

Roll Call

Present: Councilmembers Gill, Maan, McBride, Ramirez and Mayor Miller
Absent: none

Invocation

Councilmember Gill gave the invocation.

Pledge of Allegiance to the Flag

Councilmember McBride led the Pledge of Allegiance to the Flag.

Presentations and Proclamations (Item 1-2)

1. Proclamation Declaring April as Autism Awareness Month

Mayor Miller presented the proclamation to Phyllis Irrick who accepted the proclamation on behalf of Autism Awareness Month.

2. Proclamation for Jack Smith, General Services Manager

Mayor Miller presented the proclamation to Jack Smith, General Services Manager who has resigned from the City after a long time career at the City of Yuba City. Steve Kroeger, Assistant City Manager applauded Mr. Smith and thanked him for her service to the City on behalf of all of Administration Services and the City.

Public Hearings (Item 3)

3. Downtown Yuba City Business Improvement District Ordinance Update

Steve Kroeger, Assistant City Manager reviewed the updates for the Business Improvement District Ordinance Update.

Mayor Miller opened the public hearing. No one spoke, the public hearing was closed.

Councilmember McBride moved to waive the first reading and introduced **Ordinance No. 007-07** amending sections 3-9.040(c) and 3-9.050(b) (d) of Title 3, Chapter 9 of the Yuba City Municipal Code regarding the Downtown Yuba City Business Improvement District. Councilmember Ramirez seconded the motion that passed with the following vote:

AYES: Councilmembers McBride, Ramirez, Gill, Maan and Mayor Miller
NOES: None
ABSENT: None

Public Communication on Items Not on the Agenda (Item 4-5)

4. Written Requests

None

5. Appearance of Interested Citizens

None

Bid Openings (Items 6-9)

6. Garden Highway and Eureka Drive Signal Project

George Musallam, City Engineer reviewed the bid information and explained that this contract will allow for a safer pedestrian traffic area.

Councilmember McBride stated she was pleased to see four competitive bids for this project.

Mayor Miller mentioned he was happy to see that the contract came in under the engineers estimates.

Councilmember Gill moved to award Contract No. 07-05, Garden Highway and Eureka Drive Signal Project to Clayborn Contracting Group, Inc., of Auburn in the amount of their bid of \$214,044.00, authorize the City Manager to execute the contract on behalf of the City, following approval by the City Attorney, authorize the Public Works Director to administer the contract in accordance with the provisions of the Public Contract Code and Caltrans guidelines, authorize a transfer of \$243,808.80 from unallocated traffic impact fees to account number 92071-65504 (Traffic Signal: Eureka Road and Garden Highway) and perform all supplemental appropriations as required and authorized transfer of \$42,808.80 from account number 92071-65501 to the Plan Check and Inspection Engineering revenue account number 100-42240 to cover the Engineering Divisions design, project management, and inspection cost. Councilmember McBride seconded the motion that passed with the following vote:

AYES: Councilmembers Gill, McBride, Maan, Ramirez and Mayor Miller
NOES: None
ABSENT: None

7. Vehicle Exhaust Ventilation Systems for Fire Stations No. 1&3

George Musallam, City Engineer noted that only two bids were received for this item and that he felt the bids were very competitive in nature.

Councilmember McBride asked that if we only received two bids did George feel they were stringent enough to not have to go out to bid again. Mr. Musallam responded that they were competitive and met all the criteria set by the City.

Councilmember Maan moved to award a contract to Air Exchange, Inc. of San Bruno for the Vehicle Exhaust Ventilation Systems for Fire Stations 1 and 3 project in the amount of their bid of \$85,515.10, authorize the City Manager to execute the contract on behalf of

the City, following approval by the City Attorney and authorize the Public Works Director to administer the contract in accordance with the provisions of the Public Contract Code. Councilmember Gill seconded the motions that passed with the following vote:

AYES: Councilmembers Maan, Gill, McBride, Ramirez and Mayor Miller
NOES: None
ABSENT: None

8. Vehicles (FB 07-13)

Jack Smith, General Services Manager reviewed the dollar amounts received from the low bidder for bid number 07-13. This is a second run for this particular bid as the previous bid was not competitive enough. The results from this bid came in \$53,186 less than the last.

Councilmember Gill expressed his appreciation that 5 of 9 vehicles would be purchased locally.

Councilmember Ramirez praised Mr. Smith on the detail of his staff report and how easy it was to read.

Councilmember Gill moved to award the purchase to the low bidders for the purchase of nine (9) vehicles:

Category A, One (1) ¾ Ton Pick up Truck	Larry Geweke Ford Yuba City, CA	\$18,276.01
Category B, One(1) ¾ Ton Pick up Truck	Larry Geweke Ford Yuba City, CA.	\$19,191.33
Category C, One (1) 1 Ton Cab and Chassis w/Auxiliary Platform Flatbed and Hoist	Broadway Ford Oakland, CA	\$29,352.10
Category D, One (1) 1 Ton w/Utility Bed, Crane and Compressor	Larry Geweke Ford Yuba City, CA	\$82,820.22
Category E, Two (2) 1 Ton w/Utility Bed	Broadway Ford Oakland, CA	\$58,961.60
Category F, Two (2) ¾ Ton Pick up Truck 4x4	Larry Geweke Ford Yuba City, CA	\$41,389.74
Category G, One (1) SUV 4WD	Hoblit Motors Woodland, CA	\$22,577.37

Councilmember Ramirez seconded the motion that passed with unanimous vote.

9. Chemicals (FB 07-07)

Jack Smith, General Services Manager reviewed the contract information for Council. This bid was compared to previous bids to discover the amounts have decreased.

Councilmember Gill moved to award formal bid contract for the period of May 1, 2007 through April 30,2007, based on the low bid in Categories A through D and Categories F thru I as listed in the staff report and reject the bid for Category E and award a one extension to the contract for Liquid Oxygen to Matheson Tri Gas. Councilmember Maan seconded the motion that passed with the following vote:

AYES: Councilmembers Gill, Maan, McBride, Ramirez and Mayor Miller

NOES: None

ABSENT: None

Ordinances (Items 10-12)

10. Rezone at 1619 Franklin Road to change the zoning from R-3, Multiple Family Residence District to C-2, Community Commercial District; Owner/Applicant: Siri Pritam Khalsa

Katie Ertmer, Associate Planner reviewed the recommended zoning changes.

Councilmember Maan moved to adopt **Ordinance No. 005-07** for approval of Rezoning RZ 07-01 for amendments to the Official Zoning Map to amend the zoning from the R-3, Multiple-family Residence District, to C-2, Community Commercial District, and waive the second reading. Councilmember Gill seconded the motion that passed with a unanimous vote.

11. Rezone at 1185 and 1189 Live Oak Boulevard to change the zoning from R-3, Multiple-Family Residence District, to C-O, Office Commercial District; Applicant Dan Cucchi; Property Owner: Bhartpal Panu

Katie Ertmer, Associate Planner reviewed the recommended zoning changes.

Councilmember McBride moved to adopt **Ordinance No. 006-07** for approval of Rezoning RZ 06-07 for amendments to the Official Zoning Map to change the zoning from the R-3, Multiple Family Residence District, to C-O, Office Commercial District, and waive the second reading. Councilmember Maan seconded the motion that passed with a unanimous vote.

12. Purchasing Ordinance and related policy and procedures Manual Update

Jack Smith, General Services Manager explained the proposed changes. The update would allow bid limits for public projects to the State Public Contract Code . The current policy reads the that the Council approves all public projects over \$75,000 the updated policy would allow an increase to \$125,000 before requiring Council approval. The update also raises the small purchase limit from \$500 to \$1000. This would also allow the City Manager to award Formal Bid awards up to \$50,000.

Councilmember Gill moved to introduce **Ordinance No. 008-07** repealing and reenacting Chapter 6 of Title 2 of the Yuba City Municipal Code entitled Purchasing System, and waive the first reading and approve related policies and procedures manual to entitled City of Yuba City Purchasing Policies and Procedures. Councilmember Maan seconded the motion that passed with the following vote:

AYES: Councilmembers Gill, Maan, McBride, Ramirez and Mayor Miller

NOES: None

ABSENT: None

Consent Calendar (Items 13-19)

Councilmember Maan moved to adopt the consent calendar as presented. Councilmember Ramirez seconded the motion that passed with a unanimous vote.

13. City Council Approval of Minutes

Approved the City Council Meeting minutes of April 3, 2007.

14. Clark and Spiva Subdivision

Adopted **Resolution No. 07-031** accepting certain street and related improvements pursuant to the Clark and Spiva Subdivision Agreement and authorizing the developer to file a Notice of Completion. [subdivision located at the southwest corner of Clark Avenue and Spiva]

15. Summary Vacation of Public Utility Easement on Parcel 3 of Parcel Map 1093

Adopted **Resolution No. 07-032** summarily vacating a public utility easement on Parcel 3 of Parcel Map 1093.

16. Tres Picos Estates Lot 75 – 1574 Rich Drive [Assessor Parcel Number 59-600-075 located on Rich Drive approximately 150 feet was of Emily Lane

Adopted **Resolution No. 07-033** approving Tres Picos Lot 75 Final Map and authorizing filing of the map.

17. Amendment of Memorandum of Understanding with Sutter County Resource Conservation District

Authorized the City Manager to amend the existing Memorandum of Understanding with Sutter County Resources Conservation District modifying the scope of Task 1 to include grant applications for fish screening and re-ranking of water security funding. Compensation not to exceed \$20,000.

18. Amendment to HOME Investment Partnerships (HOME) First Time Homebuyer Guidelines

Approved the amendment which increases the maximum loan amount for second mortgages available to eligible first time homebuyers from \$75,000 to \$150,000.

19. Application for the Department of Housing Community Development CalHome Program

Adopted **Resolution No. 07-034** approving an application to the State of California Department of Housing and Community Development (HCS) for up to \$600,000 in funding under the CalHome Owner Occupied Rehabilitation Program.

General Items (Items 20-21)

20. Authorize a professional services Agreement with Larry Walker & Associate for services relating to renewal of the Wastewater Treatment Facility's discharge permit

Bill Lewis, Director of Utilities reviewed the history of the interaction of Larry Walker & Associates and the City of Yuba City. Mr. Lewis also reviewed the history of the

wastewater permit that originated in 1998. The renewal of the permits are scheduled to be awarded in August,2007.

Councilmember Maan asked if the amount of this agreement would cover expenses through August, 2007. Mr. Lewis responded that the amount could potentially be less depending on the time spent with Larry Walker & Associates but will not exceed the \$100,000.

Councilmember Maan moved to authorize the City Manager to sign an Agreement between Yuba City and Larry Walker & Associates of Davis, California, for environmental engineering services in the amount of \$100,000 with the finding that it is in the best interest of the City. Councilmember McBride seconded the motion that passed with a unanimous vote.

21. Allocation of Funds for Consulting Services related to the establishment of a Property Based Improvement District in Downtown Yuba City (Redevelopment)

Steve Kroeger, Assistant City Manager introduced Don Covey of the Downtown Business Association (DBA) and acknowledged the efforts of Judy Sanchez of the Downtown Business Association.

Don Covey spoke about the possible use of the funds. This money will be used to maintain the landscaping in the downtown area. The overall project will be a long term project in order to keep the downtown area landscape appearance maintained The DBA sent out three bids and two firms responded. The firm in review is from Sacramento, California. The firm will be used to establish a five year budget for the Property Improvement District, customize the budget to the affordability of the district and its assessments and review the projects that need funding.

Councilmember Gill asked for a clarification of local vs. non-local business owners that will be effected by this district. Mr. Covey responded that approximately 80% are local owners, 20% are out of the area owners and approximately 15% of the buildings are owner occupied. Councilmember Gill stressed that there needs to be a continuous effort from the DBA to have customer friendly hours such as staying open later on weekends. Mr. Covey responded that the DBA is working with business owners to stay open later and have more activities in the downtown area to attract more people.

Director McBride moved to approve the allocation of \$20,000 to the Downtown Business Association to be used to retain consulting services for the establishment of a Property Based Improvement District in Downtown Yuba City, and approve a related supplemental appropriation to account 6011-62701 (Redevelopment – professional services). Director Gill seconded the motion that passed with a unanimous vote.

Business from the City Manager (Item 22)

22. Levee District No. 1 request for funding Star Bend levee repairs and realignment

Steven Jepsen, City Manager reported that WARFLA took action to reconfigure the organization and expand its membership, in efforts to bring Butte County and additional representatives for Yuba City.

Levee District 1 has done a large amount of work on the repair of levees and specifically the set back levee at Star Bend. The District reviewed alternatives for the Star Bend Levee, the first was to repair what is currently in place and the second was to do the set back levee. The funding for the Set Back Levee is approximately 20 million dollars. The state will provide approximately 70% of the funding and the District would be responsible for the remaining 30%. The City's share of the funding would be \$600,000. It has been

requested that the City also provide a \$1,000,000 cash flow. It is estimated the 1 million dollar cash flow would be re-paid in a period of 18-24 months shortly after completion of the project.

Mayor Miller asked how the and where the cash flow monies would be repaid. Mr. Jepsen confirmed that the cash flow money would be repaid from the Prop 1E money and the \$600,000 portion would be a loan against the future taxing funds.

Jeff Twitchell of Wood Rodgers Consulting representing Sutter County spoke about the support needed from the County and City's to this program.

Mike Vincenthaler, Director of Levee District 1, reflected on the history of the Star Bend levee and the urgent need for repairs to this area.

Councilmember Ramirez moved to authorize the City Manager to send a "Letter of Commitment" to Levee District No. 1 and the West Feather River Levee Reconstruction Agency (or its successor agency) providing for a loan of matching funds for the Proposition 1-E capital submittal and for cash flow assistance necessary to repair and realign the Feather River levee at Star Bend, as provided in Attachment C; and authorize the City Manager to send a "Letter of Support," to Levee District No. 1, for the draft Environmental Impact Report (EIR) providing for the setback levee realignment on the Feather River at Star Bend (see Attachment D). Mayor Miller seconded the motion that passed with the following vote:

AYES: Councilmember Ramirez, Mayor Miller, Councilmembers Gill, Maan and McBride

NOES: None

ABSENT: None

Business from the City Council/Redevelopment Agency (Item 23-25)

23. Citizens Advisory Committee

Mayor Miller reviewed the selection of the members of the Citizens Advisory Committee. The citizens chosen are:

Sarb Basrai
Darin Gale
Kenneth Calhoun
Leila Rei
Don Covey

Councilmember Gill moved to accept the selected citizens for the Citizens Advisory Committee. Councilmember McBride seconded the motion that passed with a unanimous vote.

25. Appointments to an Ad-hoc Committee of the City Council for the "Revision of Development Impact Fees" for the City of Yuba City

Mayor Miller appointed Councilmembers Ramirez and McBride to Ad Hoc Committee of the City Council for the revision of the development impact fees for the City of Yuba City.

24. City Council Reports

Councilmember Gill reported that WARFLA is being replaced with Sutter Butte Flood Control Agency. He will attend the meetings and report back to council.

Councilmember Maan congratulated the community in the success in forming the Sutter Butte Flood Control Agency as this is an important issue in the community.

Councilmember McBride had nothing to report

Councilmember Ramirez had nothing to report.

Mayor Miller also congratulated the success of the Sutter Butte Flood Control Agency.

Adjournment

At 8:20 p.m., Mayor Miller adjourned the City Council meeting of the City of Yuba City in memory of the students and staff who lost their lives in the April 16, 2007 tragedy at Virginia Tech University.

John S. Miller
Mayor

Attest:

Steve Johnson
City Clerk