

**MINUTES  
CITY COUNCIL & REDEVELOPMENT AGENCY  
CITY OF YUBA CITY  
June 5, 2007  
Regular Meeting 7:00 P.M.**

**Closed Session**

Conferred with real property negotiators Steven Jepsen and Steve Kroeger pursuant to Government Code Section 54956.8 regarding negotiations with Crowne Development Company, regarding possible sale of property (APN 52-380-017). Approximately 1.09 acres located at the corner of C Street and Wilbur Avenue, Yuba City, CA.

Conferred with legal counsel regarding existing litigation pursuant to Government Code section 54956.9 (a), Hofmann v. City of Yuba City, Sutter County Superior Case No. CVCS 06-0260.

Conferred with labor negotiators Steven Jepsen and Steve Johnson regarding negotiations with the following associations: Yuba City Police Officers, Police Sergeants, Yuba City Firefighters Local 3793, Yuba City Fire Management, Confidential Employees, Executive Services Employees, First Level Managers, Mid Managers, and Yuba City Employees, pursuant to Section 54957.6 of the Government Code.

**Regular Meeting**

**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, Ramirez and Mayor Miller  
Absent: Councilmember Ramirez

**Invocation**

Police Chief Richard Doscher 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. Senior Commission Presentation**

June Bone, Senior Commissioner gave the Senior Commission presentation and encouraged those eligible and interested to apply and serve on the Senior Commission.

**2. Proclamation for Coach Jim Stassi and representatives of Yuba City High School's Baseball Team – Sac-Joaquin Div.III Section Champions**

Mayor Miller presented the proclamation to Coach Jim Stassi and the Yuba City High School's Baseball Team members.

**Public Communication on Items Not on the Agenda (Item 3-4)**

**3. Written Requests**

None

**4. Appearance of Interested Citizens**

None

**Ordinances (Item 5)**

**5. Senate Bill 53 Compliance – Description of the Redevelopment Agency Program to Acquire Real Property by Eminent Domain**

Steve Kroeger, Assistant City Manager reviewed Eminent Domain for the Redevelopment Agency. The Senate has a desire to heighten the awareness of Eminent Domain in communities. The program is a re-statement of the Redevelopment Plan, and gives the ability to the agency to acquire private property for public use. The senate bill requires that each property within the Redevelopment Agency have notice recorded that is has outlined the program. Mr. Kroeger introduced Ethan Walsh, Esq. of McDonough Holland and Allen that provided legal counsel regarding this matter.

Councilmember Gill asked for clarification regarding the owners already in the Redevelopment Agreement and if it is already written that using Eminent Domain for infrastructure roads or taking

the house and turning it into a commercial building. Mr. Kroeger referred to Mr. Walsh for a response. Mr. Walsh responded to Councilmember Gill explaining the plan and the instructions on not to acquire property that was built for residential purposes and turn it into a building for economic development purposes.

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

Councilmember McBride moved to introduce **Ordinance No. 009-07** of the City of Yuba City containing a description of the Redevelopment Agency of the City of Yuba City's program to acquire real property by eminent domain in the Yuba City Redevelopment Area, waiving the first reading. Councilmember Gill seconded the motion that passed with the following vote:

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

### **Consent Calendar (Items 6-8)**

Councilmember Gill moved to adopt the consent calendar as presented. Councilmember McBride seconded the motion that passed with the following vote:

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

#### **6. City Council Approval of Special Meeting Minutes of May 22, 2007**

Approved the City Council Meeting minutes of May 22, 2007.

#### **7. Dow Lewis Motors, Inc. Reimbursement Agreement – 12" Water Line**

Adopted **Resolution No. 07-039** approving the execution of a Reimbursement Agreement with Dow Lewis Motors, Inc.

#### **8. Salary Adjustments for four classifications in the Confidential Unit**

Adopted **Resolution No. 07-040** authorizing the Assistant City manager to implement recommended salary increases from a salary survey for the members of the Confidential Employees Unit, and to make those salary adjustments retroactive to April 1, 2007.

### **General Items (Items 9-10)**

Mayor Miller asked if Mr. Musallam if items 9 and 10 be discussed as one since they are very similar and so not to have to repeat the process. Mr. Musallam agreed to discuss both items.

#### **9. Fire Station No. 2, Building Evaluation, Conceptual Design, and Budget Contract**

#### **10. Fire Station No. 7, Building Evaluation and Conceptual Design Contract**

George Musallam, Public Works Director explained that both the Public Works Department and the Fire Department have worked together on soliciting bids from consultants to develop preliminary designs for the remodel and renovation of Fire Stations 2 and 7.

Mr. Musallam reviewed the bid process and reviewed staff's recommendation of Ratcliff Architects, as the consultant although not the low bidder they are within the budget and chosen due to their previous work at Fire Station 4, scope of work, and proposal.

Councilmember Gill moved to award preliminary design contract to Ratcliff Architects to complete a building a building systems evaluation, provide programming services, develop schematic design and budget estimate, authorize the City Manager to execute the contract on behalf of the City following approval by the City Attorney for Fire Station 2, and authorize re-designation of the previously approved funds (\$40,000) from Fire Station No. 1 to the architectural review and master plan development for Fire Station No. 7, authorize transfer of \$20,000 from Fire Station No. 2 General Fund account number 901001-65501 to Fire Station No. 7 General Fund account number 901002-65501, award preliminary design contract to Ratcliff Architects to complete a building and building systems evaluation, provide programming services, and develop schematic design options and a comprehensive budget estimate and authorize the City Manager to execute the contract of behalf of the City following approval by the City Attorney for Fire Station No. 7. Councilmember Maan seconded the motion that passed with the following vote:

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

### **Business from the City Council/Redevelopment Agency (Item 11-12)**

#### **11. Creation of an Ad Hoc Committee**

Steven Jepsen, City Manager encouraged Council to discuss the issue if they choose to but at staff's request there is additional research needed and would like to return to Council at a later date. Mr. Jepsen reviewed California Law regarding appointments of citizens to various boards and commissions and also allowing the Mayor to make the nominations to non legislative boards and commissions. Mr. Jepsen recommended Council consider the law regarding non legislative boards and commission appointments for now and discuss the Ad Hoc committee for legislative boards and commissions at a later date.

Mayor Miller reviewed the history of the Screening Committee. Councilmember McBride was in support of the Mayor screening the candidates for the Non Legislative Boards and Commissions. Councilmember Gill shared his concerns about the time to interview all the candidates as an entire Council but also expressed his concerns regarding the Council knowing the citizens that are serving on the various Boards and Commissions. He is willing to wait for further recommendations by staff.

Mr. Jepsen clarified that the law for General Law cities allows the Mayor to make nominations for non legislative Advisory Boards and it would be those nominations that would come back to the full Council for consideration.

Councilmember McBride asked for confirmation that an Ad Hoc Committee is not necessary for the non legislative Boards and Commissions. Mayor Miller confirmed.

Mayor Miller asked if a motion is necessary. Mr. Jepsen responded that a motion is not needed that this is just for clarification. Mayor Miller reviewed the discussion: The non legislative appointments will be done by the Mayor and presented to the full Council for approval. All were in agreement.

## 12. City Council Reports

- Councilmember Gill congratulated the graduating students of 2007, including the Yuba City Charter High School where he was asked to be the keynote speaker. He also congratulated his daughter Harveen Gill who was the recipient of the Lions Club 70<sup>th</sup> Annual Speech Contest.
- Councilmember Maan congratulated the Yuba City High School 2007 graduates. He attended the 13<sup>th</sup> Annual Punjabi American Festival; he expressed his appreciation that the City Manager and Police Chief attended the festival, and that the City hosted a booth at the festival.

Councilmember Maan attended to the Bi-County Transportation meeting, items discussed were transportation issues in the local areas, this committee will meet on a quarterly basis.

- Councilmember McBride had nothing to report. She expressed her appreciation to the Police Chief for arranging to have a Detective who spoke at an event she hosted at the Senior Center regarding awareness of financial elder abuse, and asset preservation protection. The event was well received, and the Detective did a nice job on the presentation.
- Mayor Miller met with John Woodleaf of the Federal Emergency Management Agency (FEMA). Mr. Woodleaf visited the local area from Washington D.C. to view the current state of the levees and meet with City representatives met to discuss current issues regarding the levees.

Mayor Miller commended the Impact Ad Hoc Committee for its efforts. The progress is positive and the feedback is outstanding. He expressed his appreciation to Councilmember McBride and Ramirez for their time on the Committee.

## Adjournment

Mayor Miller adjourned the regular City Council meeting of the City of Yuba City at 7:43 p.m.

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John S. Miller  
Mayor

Attest:

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Steve Johnson  
City Clerk