

**MINUTES  
REGULAR MEETING OF  
CITY COUNCIL & REDEVELOPMENT AGENCY  
CITY OF YUBA CITY  
COUNCIL CHAMBERS  
September 18, 2007  
Closed Session 6:00 P.M.  
Regular Meeting 7:00 P.M.**

**Closed Session**

Discussed Annual Performance Evaluation of the City Manager pursuant to Government Code Section 54957.

Conferred with labor negotiators Steven Jepsen and Steve Kroeger 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: Mayor Miller and Councilmembers Gill and McBride  
Absent: Councilmembers Ramirez and Maan

**Invocation**

Richard Doscher, Chief of Police, gave the invocation.

**Pledge of Allegiance to the Flag**

Councilmember McBride led the Pledge of Allegiance to the Flag.

**Presentations and Proclamations**

**1. Proclamation for Domestic Violence Awareness Month**

Mayor Miller continued this item to the October 2, 2007 Council meeting at the request of the recipients.

**2. Certification of Excellence - Cash Handling Program from the Association of Public Treasurer's of United States and Canada**

Becky Hudson, Customer Service Manager and Robin Bertagna, Chief Financial Officer presented the Certification of Excellence to the City and its councilmembers.

Mayor Miller commended Mrs. Hudson, Ms. Bertagna, and City staff on their achievements and asked that the award be placed in the Finance Department at City Hall for all staff to enjoy.

**Public Hearings**

**3. Yuba-Sutter Disposal Inc. (YSDI) Rate Adjustment Application for Rate Year 2008 and Related Franchise Amendment**

Steve Kroeger, Assistant City Manager, reviewed the history of the Rate Adjustment Guidelines approved in 2000. The guidelines were developed to provide long term rate predictability to members of Regional Waste Management Authority (RWMA). Annually, YSDI is required to submit information to jurisdiction members of RWMA so that the jurisdictions can adjust their service rates accordingly. Each odd-numbered year, YSDI is required to submit a detailed application that outlines the operation costs and revenues. In even numbered years, they are required to submit an indexed application that allows the rates to be adjusted based on a CPI adjustment.

RWMA retained R3 Consulting Group, Inc. to review and evaluate the application received. The final report from R3 Consulting Group shows a projected surplus in revenues of \$425,000 to be generated if YSDI rates remained unchanged. Should there be a reduction in rates by 1.68% the revenues would equal the expenditures.

RWMA has recommended that the rates remain the same, and to create a "Rate Stabilization Fund" for the surplus of revenues. This fund could be used for future rate increases, and/or future capitol improvements. The improvements could include anticipated storm water management projects and YSDI's transfer stations,

improvements to Levee Road, and improvements to the intersection of Levee Road and Highway 20.

The insurance and Performance Standards would also be increased during this agreement period.

Mayor Miller opened the public hearing. Hearing no comment, he closed the public hearing.

Councilmember McBride moved to adopt **Resolution No. 07-082** approving an amendment to the 1991 Franchise Agreement with Yuba-Sutter Disposal, Inc. Councilmember Gill seconded the motion that passed with the following vote:

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

**4. Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit H\_7**

George Musallam, Director of Public Works, reviewed the map of the impacted area.

Mayor Miller asked if the lots that were currently mapped out to be subdivided would reduce the assessments to each lot. Mr. Musallam confirmed that should the lots be subdivided in the future, the assessments would be reduced accordingly.

Mayor Miller opened the public hearing. Hearing no comment, he closed the public hearing.

Councilmember Gill moved to adopt **Resolution No. 07-083** confirming diagram and assessment and levying assessment for Fiscal Year 2007-2008 for Lighting and Landscape Maintenance District No. 5, Zone of Benefit H\_7. [Improvements associated with 1085 Sessler Drive, Sessler Commercial Building; property located on the west side of Sessler Drive at the intersection of Lincoln Road]. Councilmember McBride seconded the motion that passed with the following vote:

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

**5. Proposed 2006-2007 Consolidated Annual Performance and Evaluation Report (CAPER) for Community Development Block Grant (CDBG)**

Natalie Walter, Analyst, explained the compliance of the City to specific federal requirements related to citizen participation and compliance procedures of the report. A fifteen-day public comment period started on August 23, 2007 ending September 7, 2007, with no comments being made.

The Consolidated Annual Performance and Evaluation Report (CAPER) is required by all jurisdictions that receive Community Development Block Grant Funding (CDBD) from the United States Department of Housing and Urban Development (HUD). The reporting period is for July 1, 2006 through June 30, 2007 and lists Yuba City's success in using the CDBG funds previously issued and how the successes meet the City's Consolidated Plan.

Mayor Miller opened the public hearing. No one spoke.

Councilmember McBride commended Ms. Walter on the detailed staff report written. She said she is happy to see all of the accomplishments achieved by using these monies to assist our citizens.

Councilmember McBride moved to approve the CAPER. Councilmember Gill seconded the motion that passed with the following vote:

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

**6. General Plan Amendment GP 07-04 and Rezone RZ 07-04 at the southeast corner of Sutter Street and Lamon Way to change the land use designation from Manufacturing, Processing, and Warehousing to Business, Technology, and Light Industry and to change the zoning from M-2 X-8, Industrial, Special Standards Combining District to C-M, Heavy Commercial/Light Industrial District. Owner: Tomlinson Family Trust; Applicant: Michael Tomlinson.**

Mayor Miller continued this item to the October 2, 2007 City Council meeting due to a lack of a quorum, as he would have to recuse himself from this item as a possible conflict of interest.

7. **General Plan Amendment GP 07-03 and Rezone RZ 07-03 at the southwest corner of Harter Parkway and Highway 20 to change the land use designation from Community Commercial on the north portion of the property and Office & Office Park on the south portion of the property to Regional Commercial and to change the zoning from C-2 X-19, Community Commercial, Special Standards Combining District on the north portion of the property and C-O X-19, Office Commercial, Special Standards Combining District on the south portion of the property to C-3 X-24, General Commercial, Special Standards Combining District. Owner/Applicant: John L. Sullivan Family Limited Partnership.**

Mayor Miller continued this item to the October 2, 2007, City Council meeting due to a lack of a quorum, as he would have to recuse himself from this item as a possible conflict of interest.

8. **General Plan Amendment GP 07-02 and Rezone RZ 07-02 at the southeast corner of Harter Parkway and Highway 20 to change the land use designation from Community Commercial on the north portion of the property and Office & Office Park on the south portion of the property to Regional Commercial and to change the zoning from C-2 X-19, Community Commercial, Special Standards Combining District on the north portion of the property and C-O X-19, Office Commercial, Special Standards Combining District on the south portion of the property to C-3 X-24, General Commercial, Special Standards Combining District on the north portion of the property and C-3 X-25, General Commercial, Special Standards Combining District on the south portion of the property. Owner: David Lanza and Jaswant Bains; Applicant: Steve Downing et al LLC.**

Mayor Miller continued this item to the October 2, 2007, City Council meeting due to a lack of a quorum, as he would have to recuse himself from this item as a possible conflict of interest.

#### **Public Communication on Items Not On the Agenda**

9. **Written Requests**

None

10. **Appearance of Interested Citizens**

None

#### **Bid Openings**

11. **Printing and Mailing Services for Utility Bills, Late Notices, Business Licenses, and other Mailings (RFP08-01)**

Devin Barber, General Services/IT Director, recommended the rejection of the proposal gathered for printing and mailing services for the City. He reviewed the proposals received and shared the concern of the cost of using an outside vendor. The cost far exceeds the cost of using City staff, as we have done in the past.

Forty-two vendors were asked to participate in submitting proposals, only 9 proposals were actually received. Of the proposals received, few met the proposal guidelines set by staff. The vendors that did comply with the proposal guidelines were far too costly. It does not make sense at this time to use an outside vendor to perform the printing and mailing services.

Mr. Barber is confident that the services currently being performed by staff could not be done for a lesser cost by an outside vendor, without losing the customer service aspect and the confidence that the projects are completed on time and correctly.

Councilmember Gill questioned why only nine proposals were received and why the costs exceeded our anticipated figures. Mr. Barber responded that the vendors that were asked to participate typically deal with large agencies. Yuba City does not generate the volume of printing and mailing, therefore, it is not a cost effective project for the larger vendors providing the services. Of the proposals that were received, some of the vendors do not normally provide the services requested, which generated a higher cost on their proposal.

Mayor Miller asked if staff's time, including management, was included in the analysis of City Staff continuing to perform the task, and if equipment was also included. Mr. Barber confirmed that a detailed analysis was done by Robin Bertagna, Chief Financial Officer, with all staff typically involved in the printing and mailing projects. Services from other departments, such as Information Services, was also included. The analysis also included equipment, equipment maintenance, all supplies and the depreciation of the equipment.

Councilmember Gill moved to reject the proposals for Printing and Mailing Services for Utility Bills, Late Notices, Business Licenses, and other Mailings (RFP08-01) with the finding that it is the best interest of the City. Councilmember McBride seconded the motion that passed with the following vote:

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

### **Consent Calendar**

Mayor Miller requested item 14 be removed from the Consent Calendar.

Councilmember McBride moved to approve Consent Calendar items 12, 13, 15 and 16. Councilmember Gill seconded the motion that passed with the following vote:

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

**12. City Council Approval of Minutes of August 21 and September 4, 2007**

Approved the City Council meeting minutes of August 21 and September 4, 2007.

**13. Bay Drive Estates Unit No. 1 – Amended Subdivision Agreement**

Adopted **Resolution No. 07-084** approving the execution of an Amended Subdivision Agreement with 1928 Inc. providing for public improvements for Bay Drive Estates Unit No. 1 [subdivision located on Sanborn Road between Pebble Beach Drive and La Raby Way]

**15. Kumar Medical Park Final Map – 1180 Live Oak Boulevard**

Adopted **Resolution No. 07-085** approving the Kumar Medical Park Final Map, accepting dedication of rights-of-way and easements shown thereon and authorizing filing of the map. [APN 51-323-020 located on the southwest corner of Live Oak Boulevard and Miller Street.]

**16. Revision of Salary and Classification Plan to Modify the Compensation for Plans Examiner**

Adopted **Resolution No. 07-086** revising the salary and classification plan to adjust the compensation of the Plans Examiner Classification

**14. Reimbursement Agreement – Harter Parkway/State Route 20 Intersection Improvements**

Mayor Miller continued this item to the October 2, 2007 City Council meeting due to a lack of a quorum, as he would have to recuse himself from this item as a possible conflict of interest.

### **General Items**

**17. Agreement with Sunsweet Corporation providing for the transfer of remnant right-of-way property from the construction of Sunsweet Blvd. back to Sunsweet Corporation (City Council & RDA)**

Mayor Miller continued the Approval of the Agreement between Sunsweet Corporation and the Redevelopment Agency/City of Yuba City providing for the transfer of remnant right-of-way property to a public hearing on October 2, 2007 due to noticing requirements.

**18. Great Pacific Associates – Professional Services Agreement**

George Musallam, Public Works Director, requested that an Agreement with Great Pacific Associates be approved to continue the monitoring and reporting of the groundwater conditions and the Corporation Yard's Fleet Maintenance site. Monitoring is required quarterly at the site of a former underground fuel storage tank at the Corporation Yard. He explained that staff is currently preparing a Request for Proposals for developing and implementing an action plan to completely remove the former storage tank from the site and discontinue the need for rigid monitoring.

Mayor Miller commended Mr. Musallam and staff, for proceeding forward with the removal of the tank as the monitoring and reporting requirements are costly.

Councilmember Gill moved to authorize the Public Works Director to execute a Professional Services Agreement with Great Pacific Associates of El Dorado, California for quarterly sampling and reporting of groundwater conditions at the City's Corporation Yard (AP# 51-530-018) located at the 1185 Market Street, in an amount not to exceed \$24,000, with the finding that it is in the best interest of the City. Councilmember McBride seconded the motion that passed with the following vote:

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

**19. Adoption of the Sutter County Multi-Hazard Mitigation Plan**

Maria Solis, Assistant Director of Utilities, reviewed the purpose of the hazard mitigation plan. She complimented Fire Chief Marc Boomgaarden and Administrative Analyst Bill Lewis for their efforts in creating this plan.

The Utilities Department, along with the Fire Department, managed the development of the plan, and coordinated with the Police, Community Development and Public Works departments during this process. Meetings were conducted with all participating jurisdictions to incorporate all ideas in the plan. Public meetings were also held to incorporate the public comments as well. Early this year the plan was approved by the State of Office of Emergency Services without any comments and forwarded to Federal Emergency Management Agency (FEMA) for their final approval. In July, staff received final approval from FEMA without any comments.

The approved plan will increase the discount available to the citizens for flood insurance. The current rating level 8 will be reduced to a level 7 through the Community Rating System, which translates into a 15% discount in insurance rates.

Councilmember McBride moved to adopt **Resolution No.07-087** accepting the Sutter County Multi-Hazard Mitigation Plan. Councilmember Gill seconded the motion that passed with the following vote:

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

**Business from the City Council/Redevelopment Agency Board**

**20. City Council Reports**

Councilmember Gill inquired about an increased number of citations being given in front of Yuba City High School for those violating the laws of a crosswalk.

Richard Doscher, Chief of Police, reassured Councilmember Gill that no money is received as a result of a citation being issued to the students in violation of negligent use of a crosswalk. Each year at the beginning of the new school year an increased number of citations are issued. In spite of announcements being made over the Public Announcement System at the school that violators will be cited and the importance of obeying the crosswalk signals, and information about the violation on the High School's website, students are still disobeying the signals. Chief Doscher, explained that he has made himself visible near the crosswalk and witnessed students who were diligent when using the crosswalks. In the same trip to the area, he has made himself invisible at the crosswalk but still had site of the crosswalk and witnessed the students disobeying the signals and traffic at the crosswalk. Unfortunately there are students will continue to disobey the signals. There are those students who will be in a hurry and do not deliberately disobey the signals, but need to get some place quickly. The purpose behind the citations is to not generate money but to increase the awareness of the laws and also to help secure the safety of the student while using the crosswalks.

Councilmember Gill asked George Musallam, Public Works Director, for the status on the completion of the intersection at River Valley Parkway.

Mr. Musallam addressed Councilmember Gill's inquiry stating the Contractor responsible for the project has given the City a three week completion date. Over the last several days, Mr. Musallam has overseen activity including paving and striping of the roads.

Councilmember Gill attended the League of California Cities Conference last week and felt it was a great networking opportunity for elected local government officials. There were many vendors at the conference offering great products that he hopes the City will one day be able to use.

Councilmember McBride had nothing to report.

Mayor Miller complimented the City's online Customer Service Request system. He used the system to report a missing street sign in his neighborhood, and within twenty-four hours of his report the sign was replaced. He is pleased to see the response time so short and the ease of the use of the online tool.

**Adjournment**

Mayor Miller adjourned the regular City Council meeting of the City of Yuba City at 7:50 p.m.

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John S. Miller, Mayor

ATTEST:

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Terrel Locke, City Clerk

