

**MINUTES
REGULAR MEETING OF
CITY COUNCIL & REDEVELOPMENT AGENCY
CITY OF YUBA CITY
COUNCIL CHAMBERS
November 20, 2007
Closed Session 6:00 P.M.
Regular Meeting 7:00 P.M.**

Closed Session

Conferred with legal counsel regarding existing litigation pursuant to Government Code Section 54956.9(a), Curtis Burrows v. City of Yuba City, Sutter County Superior Court, case #CVCS 05-1943.

Conferred with legal counsel regarding existing litigation pursuant to Government Code Section 54956.9(a); Roxy Yuba City Partners v. City of Yuba City, et al., Sutter County Superior Court, case # CVCS 07-1227.

Regular Meeting

Call to Order

Mayor Miller called the Regular meeting of the City Council for the City of Yuba City to order at 7:05 p.m.

Roll Call

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

Invocation

Councilmember Kash Gill gave the invocation.

Pledge of Allegiance to the Flag

Cameron Evans and Evan Payne of Boy Scout Troop #30 led the Pledge of Allegiance to the Flag.

Mayor Miller noted that item number eight will be continued to the December 4, 2007 Council meeting.

Public Communication on Items Not On the Agenda

1. Written Requests

None

2. Appearance of Interested Citizens

None

Bid Openings

3. Recreational Water Feature for Shanghai Garden Park

Diana Langley, Principal Engineer, reviewed the bids received in August, 2007. McNabb Construction of Lafayette, California was the low bidder.

Councilmember Gill asked if a timer system is included is this water feature. Ms. Langley, explained that the feature does have the capability of monitoring the times in which the water is on and off. Councilmember Gill recommended that the timer function is implemented for safety reasons.

Mayor Miller asked for clarification on the differences between the Regency Water Park and the proposed Shanghai Garden Park water feature. Ms. Langley explained that the Regency Water Park water drains to our sewer system, whereas the Shanghai Garden Park will have a five thousand gallon tank that will allow for recycling of the water for irrigation of the park.

Vice Mayor Ramirez moved to award contract number 06-09, Recreation Water Feature for Shanghai Garden Park to be the lowest, responsive, responsible bidder, McNabb Construction of Lafayette, California, in the amount of their bid of \$159,544.00, authorize the City Manager to execute the contract on behalf of the City, following approval of the City Attorney, and authorize a transfer of \$34,800.00 from account number 304-Z69990 (Transfer Out-Unallocated Park Impact Fees) to account number 100-Z69980 (Transfer In – General Fund). Councilmember Gill seconded the motion that passed with a unanimous vote.

Ordinances

4. Building Regulations Ordinance and the adoption of the 2007 edition of the California Building Standards Code.

Paul Klein, Chief Building Official, requested the second reading of the Building Regulation Ordinance be waived and adoption of the Ordinance.

Vice Mayor Ramirez moved to adopt **Ordinance No. 015-07** repealing and reenacting Title 7 and appropriate chapters of the Yuba City Municipal Code entitled Building Regulations which provides regulations to implement the 2007 edition of the California Building Standards Code; and waive the second reading. Councilmember Maan seconded the motion that passed with a unanimous vote.

5. Fire Code Adoption

Marc Boomgaarden, Fire Chief, requested the second reading of the Fire Code Ordinance be waived and the adoption of the Ordinance.

Vice Mayor Ramirez moved to adopt **Ordinance No. 016-07** revising Chapter 5, Title 4, of the Yuba City Municipal Code regarding Fire Prevention, and waive the second reading. Councilmember McBride seconded the motion that passed with a unanimous vote.

Consent Calendar

Councilmember Maan requested item number seven be removed for further discussion.

Councilmember Maan moved to approve the remainder of the consent calendar as presented. Councilmember Gill seconded the motion.

6. City Council Approval of Minutes of November 6, 2007

Approved the City Council meeting minutes of November 6, 2007.

8. Reimbursement Agreement – Cresleigh Homes

Continued to the December 4, 2007 Council meeting.

9. Yuba City Document Retention Policy

Adopted **Resolution No.07-118** amending the Yuba City Document Retention Policy to include additional Public Safety specific requirements.

10. Transportation Development Act (TDA) Claim for FY 2007-2008.

Adopted **Resolution No.07-119** authorizing the submission of the City's FY 2007-2008 TDA claim to the Sacramento Areas Council of Governments (SACOG).

7. Gauche Aquatic Park

Councilmember Maan congratulated staff for the completion of Gauche Park at two million dollars under budget.

Mayor Miller feels Gauche Park is a tremendous asset to the City. He also congratulated staff and Hilbers Incorporated for keeping the project two million dollars under budget.

Councilmember Maan moved to adopt **Resolution No.07-117** accepting the subject project and authorizing the Public Works Director/City Engineer to file a Notice of Completion. Councilmember Gill seconded the motion that passed with a unanimous vote.

General Items

11. 2007 Homeland Security Grant Program

Marc Boomgaarden, Fire Chief, announced that the Yuba City has received notification of award for the 2007 Homeland Security Grant Program. The use of these funds will allow purchases of radios, hazardous materials equipment and portable lighting. This grant is funded 100%. The City is not required to match the funds in anyway. A supplemental appropriation to the Fire Department budget would allow for the purchase of the equipment and then for submission for reimbursement through the Grant program. Because these funds are coordinated at the County level, the City must wait until the County has approved this funding as well.

Councilmember McBride moved to approve a supplemental appropriation to allow the Fire Chief to spend up to \$12,719.00 for the purchase of equipment and training related to hazardous materials response, fire rescue, and communications contingent upon the approval of Sutter County Board of Supervisors. Councilmember Gill seconded the motion that passed with a unanimous vote.

12. Jerry's Auto Stereo (Jerry and Cindy Paine) 701 [corrected to 731] Plumas Street Request for Driveway Access from Plumas Street into subject property.

George Musallam, Public Works Director, reviewed the request from Mr. and Mrs. Paine to obtain driveway access on Plumas Street. After meeting with the Downtown Business Association members and the Paine family, it was determined that the driveway could be completed after the modification of the design plan and specifications previously done for the Streetscape Project. Mr. Musallam responded to questions from Councilmembers.

Mr. Jerry Paine of 731 Plumas Street, Yuba City wanted to clarify that the address in this discussion is 731 Plumas Street not 701 Plumas Street. He also feels that the cost of the design modification plans is extremely high and doesn't feel they should have to absorb the cost. Mr. Paine feels that he and his wife are making significant improvements to Plumas Street with more parking and by retaining the historical Mosburg House.

Vice Mayor Ramirez expressed concern about the cost of the design modification plans and feels that Council should place a cap on the amount of money that the Paine Family is responsible for in the design plans.

Councilmember Gill does not feel that the City should absorb any of the cost of the re-design for the betterment of a citizen's property.

Vice Mayor Ramirez moved to authorize modification to the design of the approved plans and specifications to re-introduce the driveway at 731 Plumas Street into the Streetscape plan, require that the property owner(s) incur the cost for the design modifications not to exceed \$8,000.00, and authorize staff to utilize cost savings (approximately \$12,000.00) from another driveway that has been eliminated at 601 Plumas Street to construct the driveway at 731 Plumas Street. Councilmember Gill seconded the motion that passed with the following vote:

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

13. Environmental Science Associates – Professional Services Agreement

Kevin Bradford, Associate Civil Engineer, requested authorization for a Professional Services Agreement with Environmental Science Associates for consulting services associated with a transmission main extension project. Mr. Bradford responded to questions from Councilmember's.

Councilmember Gill moved to authorize the City Manager to execute a Professional Services Agreement with Environmental Science Associates of Sacramento, California for environmental consulting services associated with the City's 30-inch diameter transmission main extension project, in an amount not to exceed \$55,000, including contingency, with the finding that it is in the best interest of the City; create account number 971052-65501 and authorize a supplemental appropriation and authorize the transfer of funds from account number 509-Z69990 (Water Connection Fee Fund-Transfer Out) to account number 517-Z69980 (Water CIP Fund-Transfer In to fund the Walton Area pipeline – CIP Project Expenditures) in the amount of \$55,000.00. Vice Mayor seconded the motion that passed with a unanimous vote.

14. Development of an Economic Development Strategy

Steve Kroeger, Assistant City Manager, reviewed the request and need for developing an Economic Development Strategy.

Councilmember Gill expressed his appreciation for the development of this committee.

Councilmember Gill moved to initiate the development of an Economic Development Strategy by providing direction to staff regarding: creation of a Task Force as an Advisory Group to assist in the development of the Economic Development Strategic Plan, and identification of 2-3 short term actions that are visible and measurable and add immediate value to advancing the City's economic development efforts. Councilmember McBride seconded the motion that passed with the following vote:

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

15. Final Financial Report for Quarter Ending June 30,2007

Robin Bertagna, Chief Financial Officer, reviewed the final Financial Report for the quarter ending June 30, 2007.

The report was noted and filed.

16. Financial Report for Quarter Ending September 30, 2007

Robin Bertanga, Chief Financial Officer, reviewed the Financial Report for Quarter ending September 30, 2007.

The report was noted and filed.

Business from the City Manager

17. Classification salary change for Director of Parks and Recreation

Steven Jepsen, City Manager explained that after a review of the current salary schedule for the Director of Parks and Recreation position a reduction in the salary range is appropriate. The annual savings will be approximately \$35,000.00 by reducing the range for this position.

Councilmember McBride moved to adopt **Resolution No. 07-120** authorizing the Chief Financial Officer to amend the salary range for the Director of Parks and Recreation effective with the pay period beginning November 10, 2007 from \$9,819 to \$11,934 to \$8,025 to \$10,700. Councilmember Gill seconded the motion that passed with a unanimous vote.

Business from the City Council/Redevelopment Agency Board

18. Boards and Commission Appointment Recommendations

Mayor Miller recommended the following appointments to the City's Boards and Commissions:

Camzin Morrell-Stinson and Varun Aery to the Youth Commission;
Tom Glover to the Personnel Board

Councilmember Maan moved to accept Mayor Miller recommendation of appointments. Vice Mayor Ramirez seconded the motion that passed with a unanimous vote.

19. City Council Reports

Councilmember Gill shared that the West Walton Ad Hoc Committee has met and is moving forward. He appreciates the citizen participation on this Committee.

Councilmember Maan had nothing to report.

Councilmember McBride had nothing to report.

Vice Mayor Ramirez had nothing to report.

Mayor Miller had nothing to report.

Adjournment

Mayor Miller adjourned the regular City Council meeting of the City of Yuba City at 9:05 p.m.

John S. Miller, Mayor

ATTEST:

Terrel Locke, City Clerk