

**MINUTES
REGULAR MEETING OF
CITY COUNCIL & REDEVELOPMENT AGENCY
CITY OF YUBA CITY
COUNCIL CHAMBERS
December 18, 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); Roxy Yuba City Partners v. City of Yuba City, et al., Sutter County Superior Court, case # CVCS 07-1227.

Conferred with real property negotiators Steven Jepsen and George Musallam pursuant to Government Code Section 54956.8 regarding negotiations with Auto Zone regarding the possible purchase of the following property or portions thereof: 1211 Stabler Lane, APN 59-010-084.

Conferred with real property negotiators Steven Jepsen and George Musallam pursuant to Government Code Section 54956.8 regarding negotiations with the Church of Jesus Christ of Latter-Day Saints regarding the possible purchase of the following property or portions thereof: 1470 Butte House Road, APN 59-010-026.

Conferred with real property negotiators Steven Jepsen and George Musallam pursuant to Government Code Section 54956.8 regarding negotiations with Pal/Avtar K. Takhar regarding the possible purchase of the following property or portions thereof: corner of Walton/Camino de Flores, APN 57-311-017.

Regular Meeting

Call to Order

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

Roll Call

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

Invocation

Police Chief Richard Doscher gave the invocation.

Pledge of Allegiance to the Flag

Councilmember Miller led the Pledge of Allegiance to the Flag.

Presentations and Proclamations

1. Proclamation for the Retirement of Battalion Chief Jeff Julian

Mayor Ramirez presented Jeff Julian a proclamation in honor of his retirement.

Public Hearings

2. Proposed Levy of the 2008 Annual Assessment of the Downtown Yuba City Business Improvement District

Steve Kroeger, Assistant City Manager, introduced Don Covey, President of the Downtown Business Improvement District. Mr. Covey encouraged Council to adopt the assessments.

Mayor Ramirez opened the public hearing. Hearing no comment, Mayor Ramirez closed the public hearing.

Councilmember McBride moved to adopt **Resolution No. 07-125** confirming the Annual Report for the Yuba City Downtown Business Association and levying the assessment for the Downtown Business Improvement District for calendar year 2008. Councilmember Maan seconded the motion that passed with a unanimous vote.

Public Communication on Items Not on the Agenda

3. Written Requests

None

4. Appearance of Interested Citizens

Mark Martin of 670 Shasta Street, Yuba City expressed appreciation to Staff and Councilmembers for their efforts in promoting business on Plumas Street during construction. He has worked with staff and Council for the past 15 years and really appreciates all the efforts of everyone at the City.

David Metcalf of 3756 Frakes Way, Yuba City shared with Council that he had contacted the Building Department and that the response was unsatisfactory. Mayor Ramirez offered to meet with Mr. Metcalf at a later time to discuss his concerns.

Bid Openings

5. Vehicles (FB 08-06)

Devin Barber, General Services/IT Manager, reviewed the bidding process for the vehicles listed.

Councilmember Gill moved to award the purchase to the low bidders of six (6) vehicles as listed:

Category A, Two (2) Small SUVs	Hoblit Motors Woodland, CA	\$29,966.00
Category B, One (1) ¾ Pick up Truck	Larry Geweke Ford Yuba City, CA	\$18,425.69
Category C, One (1) 1 Ton Pick up Truck with camper shell	Larry Geweke Ford Yuba City, CA	\$32,430.17
Category D, Two (2) 1 Ton Dump Trucks	Larry Geweke Ford Yuba City, CA	\$64,642.62

Councilmember Maan seconded the motion that passed with a unanimous vote.

6. Approval of Carollo Engineers Professional Services Contract for the Engineering Design Services for the South Walton Area Storage and Pumping Plan.

Dan Sherry, Assistant Director of Utilities, reviewed the agreement with Carollo Engineers. Carollo Engineers will provide the engineering services for the Walton Water project.

Mayor Ramirez applauded Mr. Sherry for the detailed staff report he prepared.

Councilmember Miller moved to the authorize the City Manager to sign a Professional Services Agreement with Carollo Engineers to provide the engineering services and environmental documentation necessary to prepare construction contract documents for the South Walton Area Storage and Pumping Plant consisting of a 3.2 million-gallon storage tank and 8.5 million gallons per day (mgd) pumping station (10 mgd total-1 spare pump). Direct staff to make appropriate fund transfers from enterprise fund 50—Z69990 (Water Connection Fee Fund) and establish a new CIP account to capture all project costs for design of this storage and pumping plant. Funds will be reimbursed by existing customers through a State Revolving Fund (SRF) low interest loan and/or water connection impact fees. Councilmember Gill seconded the motion that passed with a unanimous vote.

Consent Calendar

Councilmember Miller asked that Item 8 of the consent calendar be removed for further discussion. Councilmember McBride moved to adopt the balance of the consent calendar. Councilmember Maan seconded the motion that passed with a unanimous vote.

7. City Council Approval of Minutes

Approved the City Council meeting minutes of October 16, November 20, November 27 and December 4, 2007.

9. Completion of the Wastewater Treatment Plant HVAC Modification

Adopted **Resolution No.07-126** to accept the completion of the “Wastewater Treatment Plant HVAC Modifications” project Contract No. 06-06 and authorize the Utilities Director to file a Notice of Completion.

Councilmember Miller asked if the recommended Boards and Commission appointments that are to be discussed later in the agenda would affect the Local Appointment List.

Steve Jepsen, City Manager, advised Council that if they so chose, Items 8 and 17 could be approved in one motion.

Mayor Ramirez moved Item 17 up to be discussed as part of Item 8.

8. Annual Boards and Commission Local Appointment List

Councilmember Maan moved to direct staff to post the Annual City of Yuba City Boards and Commissions Appointment List according to the Maddy Act Requirements. Councilmember Gill seconded the motion that passed with a unanimous vote.

17. Boards and Commission Appointment Recommendations

Councilmember McBride asked that the appointments to the Planning Commission be approved separately from the appointments to the Senior Commission due to a potential conflict of interest with an appointee to the Senior Commission.

Mayor Ramirez recommended re-appointment of Satwant Takhar to the City’s Planning Commission with a term expiring December 31, 2011. Councilmember Maan moved to approve the recommendation for the Planning Commission appointment. Councilmember Gill seconded the motion that passed with a unanimous vote.

Mayor Ramirez recommended the appointment of Nancy Kogler and Marian Hager to the Senior Commission with both terms expiring December 31, 2011. Councilmember Maan moved to approve the recommendations for the Senior Commission. Councilmember Gill seconded the motion that passed with the following vote:

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

Ordinances

10. City Council Compensation

Steve Kroeger, Assistant City Manager, explained that there are trigger points in State statutes that allow for an increase to the compensation of City Council members. The last increase in Council’s compensation increase was in September, 2004, due to an increase in population of over 50,000. A related provision allows for up to a five percent increase annually to the base pay amount. The increase if approved, would not be implemented per the Government Code until after the election in November, 2008.

Councilmember Gill moved to introduce **Ordinance No.001-08** amending Title 2 Chapter 1 of the City of Yuba City Municipal Code by the Amendment of Section 2-1.07 to increase the compensation of the members of the City Council and waive the first reading. Councilmember Miller seconded the motion that passed with a unanimous vote.

General Items

11. Auto Allowance for City Council Members

Steve Kroeger, Assistant City Manager, reviewed the history of the Car Allowance for Councilmembers.

Mayor Ramirez opened the discussion to the public. There was no comment from the public.

Councilmember Gill asked for clarification on the reasoning behind the Car Allowance being reinstated. Was it the rising cost of gas, more frequent use of personal vehicles for City business, which in turn creates more wear and tear on a personal vehicle?

Councilmember Miller feels that having to complete mileage reimbursement forms is a cumbersome task, and doesn’t know if the Councilmembers are submitting mileage reimbursements due to the inconvenience of the form. He believes that if Council was to complete the reimbursement form, that the allowance amount would be equal to or less than actual miles driven.

Councilmember Maan commented that the Councilmembers are not serving as a Councilmember for the income, it is a way of serving the community. He feels it is a nice gesture to be reimbursed for their out of pocket expenses while serving the community. He also believes that the reimbursement forms are not only cumbersome to complete but also creates work for City staff to manage the reimbursements to Council.

Councilmember McBride agrees with the comments of fellow Councilmembers.

Councilmember McBride moved to adopt **Resolution No.07-127** to reinstate an Auto Allowance for City Councilmembers. Councilmember Maan seconded the motion that passed with the following vote:

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

12. Ballot Measure to change the City Clerk and City Treasurer from Elected to Appointed Positions

Steve Jepsen, City Manager, reviewed the proposal to have a measure placed on the Ballot to change the City Clerk and City Treasurers position from elected positions to appointed positions. During staff's research it was found that for the past 31 years these positions have been filled by a City Staff member who has run un-opposed during the elections. Typically the Human Resources Director has assumed the duties of City Clerk and the Finance Director has assumed the duties of City Treasurer. Mr. Jepsen shared that approximately two-thirds of California cities appoint their City Clerk and Treasurer. This ballot measure is not considered a cost savings to the City as these positions currently receive a \$75 per month stipend.

Mayor Ramirez asked who would appoint these positions should the measure pass. The City Manager answered that Council will.

Mayor Ramirez opened the discussion to the public. Don Covey of 669 Plumas Street, Yuba City supports the change in how these positions are handled. He does feel that the measure needs to be well publicized. Mr. Covey feels that these positions are fit for a professional with experience.

Councilmember Gill agrees that these positions should be filled by a person who has the knowledge and experience necessary to handle the job.

Councilmember Gill moved to adopt **Resolution No.07-128** calling for a Ballot Measure changing the offices of City Clerk and City Treasurer from elected positions to appointed positions on the statewide primary election to be held on June 3, 2008 and approve a related supplemental appropriation of \$30,000. Councilmember Miller seconded the motion that passed with a unanimous vote.

13. Yuba City Police Department Expansion – Authorization to Bid

George Musallam, Director of Public Works, requested approval of the plans and specifications for the Yuba City Police Department expansion. Mr. Musallam referred to Police Chief Doscher to review the current and proposed building specifications.

Mayor Miller asked what the fiscal impact would be and where the funding for this expansion would come from. Chief Financial Officer Robin Bertagna explained that funding should come from City Impact Fee Funds. Currently the Impact Fee Fund would account for approximately \$700,000 and the remainder be loaned from the CIP funds.

Councilmember Gill moved to approve the plans and specifications for the Yuba City Police Department Expansion Project, and authorize Public Works to bid the project. Councilmember Miller seconded the motion that passed with the following vote:

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

14. Fire Station No. 4 – Ohleyer Road

George Musallam, Director of Public Works introduced Mary McGrath, Architect of Ratcliff and Associates the architecture firm retained for this project. Ms. McGrath reviewed the history of the project and a variety of site maps and details of the proposed project.

Councilmember Miller asked what the disposition of the current building would be once the new building is completed. Fire Chief Marc Boomgaarden responded that the Council would have the final decision on how to use or sell the building; options could be selling the property and building at current market value or retaining the building for other City uses.

Councilmember Gill moved to adopt the mitigated negative declaration for the project, and approve the plans and specifications for the Fire Station No. 4 project and authorize Public Works to bid the project. Councilmember Miller seconded the motion that passed with the following vote:

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

15. Franklin Road 16-inch Waterline Project

George Musallam, Director of Public Works applauded Claire Shauver, Project Manager in the Public Works Department for her continuous efforts and dedication to City projects. Mr. Musallam requested approval of the plans and specifications for the Waterline.

Councilmember Miller asked how property owners in the surrounding area could participate in the use of the waterline. Mr. Musallam responded that citizens would be responsible for the connection and water extension fees to participate.

Councilmember Miller moved to adopt **Resolution No.07-129** approving the plans and specifications for the Franklin Road 16-inch Waterline Project and authorizing the Public Works Department to advertise for bids on the project. Councilmember Maan seconded the motion that passed with a unanimous vote.

Business from the City Manager

16. Discuss the Possible Rescheduling of the Council Meeting Cancelled January 1, 2008

Steven Jepsen, City Manager asked if the Council felt it was necessary to re-schedule the previously canceled January 1, 2008 meeting.

Council agreed that there was no need to reschedule the January 1, 2008 meeting and they would meet as scheduled on January 15, 2008.

Business from the City Council/Redevelopment Agency Board

18. City Council Reports

Councilmember Gill reported that Walton Water Ad Hoc Committee is continuing to meet weekly and is making progress. He wished everyone a Merry Christmas and Happy New Year.

Councilmember Maan had nothing to report but wished everyone a Merry Christmas and Happy New Year.

Councilmember McBride had nothing to report but wished everyone Happy Holidays.

Councilmember Miller had nothing to report and wished everyone a Merry Christmas and Happy New Year.

Mayor Ramirez had nothing to report but wished everyone Happy Holidays.

Adjournment

Mayor Ramirez adjourned the regular City Council meeting of the City of Yuba City at 8:45 p.m.

Rory Ramirez, Mayor

ATTEST:

Terrel Locke, City Clerk