

**MINUTES
REGULAR MEETING
CITY COUNCIL & REDEVELOPMENT AGENCY
CITY OF YUBA CITY
FEBRUARY 5, 2008
7:00 P.M.**

Call To Order

The City Council of the City of Yuba City was called to order by Mayor Ramirez at 7:00 p.m.

Roll Call

Present: Councilmembers Gill, Maan, McBride, Miller, and Mayor Ramirez
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 Obie Wickersham, Outstanding Veteran of the Year** – Mayor Ramirez presented Mr. Wickersham with a proclamation honoring his bravery and outstanding military service.
2. **Proclamation for Edmund Smith for his Retirement** – not present.
3. **Senior Commission** – Commissioner June Bone gave the Senior Commission report.

Public Communication on Items Not on the Agenda

4. **Written Requests**
5. **Appearance of Interested Citizens** - The following citizens spoke:

Jim Whiteaker, 655 Estates Drive, Yuba City
Bob Van Oosterhout, 557 Cortez Court, Yuba City
Don Kessel, 1964 Pebble Beach Drive, Yuba City
Lynn Horn, 1999 Nepal Court, Yuba City
Larry Stange, 483 Littlejohn, Yuba City
Janet Baur, 1532 Rancho Way, Yuba City
Carolyn Harr, 1892 Harbor Town, Yuba City
Elaine Miles, 487 Anita Way, Yuba City
Stephanie Ruscigno, 1669 Sharon Drive, Yuba City

Ordinances

6. **Rezone RZ 07-05 at the southeast corner of Butte House Road and Tharp Road to change the zoning from Multiple-Family Residence (R-3) District to Community Commercial (C-2) District on the south portion of the property and Planned Development (PD 14) District (which shall allow all uses in the C-2, Community Commercial District, as well as up to 17 residential units on the upper floors of commercial buildings) on the north portion of the property. Owner: Tumber Family Trust; Applicant: Ravi Tumber.**

Councilmember Maan moved to adopt Ordinance No. 002-08 for approval of Rezoning RZ 07-05 for amendments to the Official Zoning Map to amend the zoning from the Multiple-Family Residence (R-3) District to the Community Commercial (C-2) District on the south portion of the property and Planning Development (PD 14) District (which shall allow all uses in the C-2, Community Commercial District, as well as up to 17 residential units on the upper floors of commercial buildings), on the north portion of the property, as shown on Exhibit A; and waive the second reading. Councilmember Gill seconded the motion that passed with a unanimous vote.

Consent Calendar

Councilmember Miller asked that Item 7 of the Consent Calendar be removed for further discussion. Councilmember Maan moved to adopt the balance of the consent calendar. Councilmember Gill seconded the motion that passed with a unanimous vote.

8. Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit H_8

Adopted the following resolutions to create the Lighting and Landscape Maintenance District: Resolution No. 08-005 to modify Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit H_8 (improvements associated with 996 Klamath Lane); and Resolution of Intention No. 08-006, Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit H_8 (pursuant to the Landscaping and Lighting Act of 1972).

9. Teal Hollow Unit No. 2 Acceptance

Adopted Resolution No. 08-007 accepting certain street and related improvements pursuant to the Teal Hollow Unit No. 2 Subdivision Agreement and authorizing the developer to file a Notice of Completion. [subdivision located between Western Parkway and Royo Ranchero Drive north of State Route 20]

10. Subdivision Agreement – 1247 Live Oak Boulevard

Adopted Resolution No. 08-008 approving the execution of a Subdivision Agreement with Plumas Family Associates providing for public improvements at 1247 Live Oak Boulevard. [APN 51-540-092 located between Live Oak Boulevard and Plumas Street, south of Lynn Way]

11. Reimbursement Agreement – Hooper Road Water Line

Adopted Resolution No. 08-009 approving the execution of a Reimbursement Agreement with Chris T. Hrones, Trustee, Hrones 2004 Revocable Trust for the installation of a water line on Hooper Road from south of Quail Pointe Drive to south of McKinley Road; and authorized the Chief Financial Officer to make a supplemental appropriation as fees are collected to support payment of pass through to Chris T. Hrones, Trustee, Hrones 2004 Revocable Trust.

Councilmember Miller stated he did not attend the January 15, 2008 City Council Meeting and would have to abstain from Item 7, approval of the minutes. Councilmember Gill moved to approve Item 7 of the Consent Calendar. Councilmember McBride seconded the motion that passed with a unanimous vote, less Councilmember Miller who abstained.

7. City Council Approval of Minutes of January 15, 2008

Approved the Council meeting minutes of January 15, 2008.

At 8:05 p.m. Mayor Ramirez announced a ten minute break. The meeting resumed at 8:15 p.m.

General

12. Approval of Professional Services Agreement with TLA Engineering and Planning, Inc (TLA) of Roseville, CA to provide assessment engineering services for the Hillcrest Water System South Walton Area improvements

Councilmember Miller recused himself due to a conflict of interest.

Utilities Director Bill Lewis reviewed several minor terminology changes to the staff report. He stated approval of this agreement is to direct TLA Engineering to determine the choices available and associated costs with each option to bring the water system into compliance in Walton Water Areas 2 and 3. TLA was used in the Tierra Buena water project. Once the study is completed by TLA, it will be returned to the Ad Hoc Committee for their review and recommendations to Council.

The Ad Hoc Committee, in which Mayor Ramirez and Councilmember Gill participated, has met nine times over several months to review all aspects of the water issues. Mr. Lewis noted staff has requested an extension on the loan requested from the State Revolving Fund for funding of this project. Terms of the loan are 20 years at 2.28%. The state would not guaranty a one year extension. If approved tonight, the report should be completed by May. Mayor Ramirez confirmed that cost to all parcels, including commercial, care centers and government owned parcels, would be included in this study. Mr. Lewis affirmed that was true. Mr. Lewis responded to Council's questions.

The following residents spoke:

Suzanne Connelly, 1660 Alicia Drive, Yuba City
Elaine Miles, 487 Anita Way, Yuba City
Bob Van Oosterhout, 557 Cortez Court, Yuba City
Lynn Horn, 1999 Nepal Court, Yuba City
Mr. Bains, 1779 Bay Court, Yuba City

Don Kessel, 1964 Pebble Beach Drive, Yuba City
Janet Baur, 1532 Rancho Way, Yuba City
Carolyn Harr, 1892 Harbor Town, Yuba City
Darin Gale, 1945 Phillips Road, Yuba City
Noel Miles, 487 Anita Way, Yuba City

Councilmember Gill noted information would be disseminated to residents in three languages so that affected residents understand what is occurring. Councilmember McBride asked if this item is to simply award an agreement to study the associated costs. Mayor Ramirez responded it is to look at the individual options to remedy the water issues and the costs associated with each. Once the study is complete, TLC and staff will meet with the Ad Hoc Committee to review the findings. The Ad Hoc Committee would then make a recommendation to Council. Mayor Ramirez added that the loan is not for the benefit of the City, it is for the benefit of the residents of Walton Water Districts 2 and 3. He also stated the City does not set the water standards, it simply enforces them.

Subject to reconvening the Ad Hoc Advisory Committee prior to commencing the study to allow the Committee to voice their concerns with TLA, Councilmember Gill moved to award a professional services agreement with TLA Engineering and Planning, Inc. in the amount not to exceed \$41,000 with the finding that it is in the best interest of the City. Directed staff to make appropriate fund transfers from enterprise fund 509-Z69990 (Water Connection Fee Fund) and establish a new CIP account. Councilmember McBride seconded the motion that passed with the following vote:

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

Bob Van Oosterhout, 557 Cortez Court, Yuba City, spoke.

Councilmember Miller rejoined the meeting.

13. Approval of an Agreement with the Ferguson Group, Washington, D.C., for Flood Protection and funding lobbying efforts on behalf of Yuba City and Sutter County

City Manager Steven Jepsen reviewed a recent trip that he and Mayor Ramirez made to Washington, D.C. to meet with legislators and their staffs on obtaining funds for a feasibility study for levee construction. Ferguson Group set up the meetings with our senators and their staffs. Last year the Ferguson Group helped the City in advancing the funding of the Wadsworth Canal repairs. Ferguson's fees are \$10,000 per month plus up to \$6,000 per month in expenses. The costs would be split equally with Sutter County. The maximum total per year would be \$63,000. The funds would come from the CIP fund; however, about half of the funds have been loaned to the Sutter Butte Flood Control Agency. Mr. Jepsen responded to Council's questions.

Lynn Horn, 1999 Nepal Court, Yuba City, commented that the levees should be the City's most important concern. Mayor Ramirez asked that Councilmember Miller give a levee update at the end of this meeting. Councilmember Miller commented that last year Ferguson group did an excellent job in connecting us with the proper people and this is an investment in our future.

Councilmember Gill moved to approve the agreement with the Ferguson Group of Washington, D.C. for lobbying services, and authorize the City Manager to execute the agreement on behalf of the City including compensation reimbursement not to exceed 50 percent of the cost or \$63,000. Councilmember Miller seconded the motion that passed with a unanimous vote.

14. Walton Avenue Striping – Wildflower Circle/Anneka Lane to Franklin Road

Public Works Director George Musallam recommended that the continuous left lane be removed on Walton Avenue between Franklin and Wildflower/Anneka Lane, and restriping should be done to form two southbound lanes and one northbound lane. There is considerable backup in this section of the road and this restriping should help to alleviate that. The project should only take a few days. Mr. Musallam responded to Council's questions.

Councilmember Maan moved to approve the proposed plan to modify the striping on Walton Avenue between Wildflower Circle/Anneka Lane and Franklin Road to provide two southbound lanes and one northbound lane. Councilmember Miller seconded the motion that passed with a unanimous vote.

15. Presentation of Treasurer's Report – Quarter Ended December 31, 2007

Assistant City Manager Steve Kroeger reviewed the City's investment portfolio for quarter ended December 31, 2007, totaling \$109 million, a decrease of about \$13.5 million from the previous quarter. The decrease is due to property tax arriving in late January and May. This is a normal drop for the time of year. The second reason for the decrease is the quantity of public works projects in progress. Mr. Kroeger noted the liquid funds available. Maturity distribution includes monies in long term accounts, which locked in better rates than presently available. It is estimated rates will fall below 2.25% within the next year. Council thanked Mr. Kroeger for his report. Council noted and filed the Quarterly Treasurer's Report.

16. Amendment to the Bylaws of the Redevelopment Agency and Establishment of Compensation for Board Members (RDA)

Assistant City Manager Steve Kroeger said the City Council will also be acting as the Board of the Redevelopment Agency on this item which consists of two parts. The first is a proposed resolution adopting amendments to the bylaws of the Redevelopment Agency. The amendments include changes in compensation prescribed, a change in the annual meeting date to the second Tuesday in January, the order of business, and making the bylaws gender neutral. The second resolution proposes setting compensation at \$30/meeting, not to exceed four meetings per month.

Councilmember Miller asked what generated these changes. Mr. Kroeger responded that he is reviewing all documents as part of assembling the Redevelopment Agency's Five Year Plan.

Elaine Miles spoke.

Councilmember Maan moved to adopt Resolution No. 08-001 of the Redevelopment Agency of the City of Yuba City adopting the amended and restated Bylaws of the Redevelopment Agency of the City of Yuba City; and continue a resolution of the City Council of the City of Yuba City prescribing compensation for members of the Redevelopment Agency of the City of Yuba City to a later date. Councilmember Miller seconded the motion that passed with a unanimous vote.

Business from the City Council/Redevelopment Agency Board

17. City Council Reports

- Councilmember Gill had nothing to report.
- Councilmember Maan had nothing to report.
- Councilmember McBride had nothing to report.
- Councilmember Miller briefly reported on the Sutter Butte Flood Control Agency. It is comprised of members from Yuba City, Sutter County, Butte County, Gridley, Biggs, and the local Levee Districts. Councilmember Miller was elected chairman for the next year. The Agency has hired an Executive Director to direct the Agency. Repairing our levees will be a long, arduous, and expensive undertaking but one that must be addressed.
- Mayor Ramirez reported meeting with a resident, Fotine HalikasKopriva, several times. He was unable to satisfy her concerns regarding a mobile food kitchen. Mayor Ramirez reported on the trip he made to Washington, D.C. He stated it was primarily to get funding for feasibility studies for our levees. The money runs out in 2010 and we are trying to shorten that process. In addition, he and the City Manager met with the EPA to discuss and learn about the arsenic issues in water. Next Thursday Mayor Ramirez will meet with the San Francisco EPA office to continue the dialog on water standards.

Adjournment

Mayor Ramirez adjourned the regular City Council meeting of the City of Yuba City at 10:15 p.m.

Rory Ramirez
Mayor

ATTEST:

Terrel Locke
City Clerk