

**MINUTES  
REGULAR MEETING  
CITY COUNCIL & REDEVELOPMENT AGENCY  
CITY OF YUBA CITY  
SEPTEMBER 2, 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 7:05 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 McBride led the Pledge of Allegiance to the Flag.

**Presentations and Proclamations**

1. **United Way Proclamation** – presentation to Kary Aldridge of United Way.
2. **Constitution Week Proclamation** – presentation to Carolyn Manies of the Daughters of the American Revolution.
3. **Presentation of Gauche Aquatics Park Photograph to Mayor Ramirez from Hilbers**

**Public Hearings**

**4. Center Street & Teegarden Avenue, One-Way Street Designation**

Mayor Ramirez opened the public hearing. Staff recommended continuation to the September 16, 2008 meeting. Councilmember Maan moved to continue the Center Street & Teegarden Avenue, One-Way Street Designation to the September 16, 2008 meeting. Councilmember Gill seconded the motion, which passed with a unanimous vote.

**5. Yuba-Sutter Disposal Inc. (YSDI) Rate Adjustment Application for Rate Year 2009 and Related Franchise Amendment**

Assistant City Manager Steve Kroeger stated Dave Vaughn, General Manager of Yuba-Sutter Disposal, is here with us tonight. This item is an annual process in which Council reviews the franchise agreement with Yuba-Sutter Disposal. A consistent methodology was established in the year 2000. In accordance with rate adjustment guidelines, last year was a detailed review year. This year is an indexed year which consists of 80% of CPI (consumer price index) or 3.31% and fuel. Mr. Kroeger reviewed fuel prices since October 2004. Half of the proposed rate adjustment is due to fuel increases.

Councilmember Gill asked if Yuba-Sutter Disposal buys their diesel in bulk. General Manager Dave Vaughn responded yes, 18,000 gallons of fuel are on site. It is purchased every three days and 3-4 bids are received daily.

Mr. Kroeger said last year a rate stabilization fund was established to fund capital improvements, specifically for Levee Road, on-site storm water improvements, and the intersection of Levee Road and Highway 20. Last year, about \$400,000 was set aside, and \$100,000 of that was used for Levee Road improvements. Staff recommends approval of an additional \$400,000 to that account. Improvements still to be constructed at Highway 20 are estimated to be in excess of \$700,000. There is a newly mandated component to the fee increase—the National Pollution Discharge Elimination System (NPDES) Solid Waste Fee for pollution reduction. Based on projections, it will be about \$0.28 per month for residential customers. The total increase requested this year is 6.75% per month plus \$0.28 for NPDES for residential customers.

Mayor Ramirez opened the public hearing. Dr. Larry Ozeran remarked that in light of fuel increases, he would like to see an itemized bill. Council asked Mr. Vaughn and Mr. Kroeger to look into it and report back to Council.

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

Councilmember McBride moved to adopt Resolution No. 08-086 (a) Approving a 6.75% adjustment to YSDI service rates for the Rate Year 2009; and (b) establishing a National Pollution Discharge Elimination System (NPDES) Solid Waste Fee to fund activities related to preventing pollutants from entering local waterways and related NPDES compliance activities; and (c) Amending the 1991 Franchise Agreement with Yuba-Sutter Disposal, Inc; and amendments to the agreement. Councilmember Miller seconded the motion that passed with a unanimous vote.

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

6. **Written Requests** - none
7. **Appearance of Interested Citizens** - none

#### **Bid Openings**

##### **8. Street Rehabilitation Project - 2008**

Public Works Director George Musallam said the street rehabilitation project was approved by Council in the fiscal year budget. There were ten bids received and McGuire and Hestor was the low bidder at approximately \$1.3 million. Engineers estimated the project at \$1.4 million. Streets were selected as part of the pavement management system. An overlay will extend the life of George Washington by 10-12 years.

Councilmember Gill moved to (a) Award Contract No. 08-23, Street Rehabilitation Project 2008, to McGuire and Hester of Oakland, CA in the amount of their bid, \$1,333,534.90; and (b) Authorize the City Manager to execute the contract on behalf of the City, following approval by the City Attorney. Councilmember Maan seconded the motion that passed with a unanimous vote.

##### **9. Garden Highway Reconstruction Project – 2<sup>nd</sup> Street to Franklin Avenue (Council & RDA)**

Public Works Director George Musallam said the road condition of Garden Highway requires reconstruction. The end result will be two traffic lanes, bike lanes and parking lanes, and landscaping and sidewalks on the east side of the road. On the west side, sidewalks and a fence will be installed. Thirteen bids were received and, again, the low bidder was McGuire and Hestor at about \$798,000. Street lighting is not included but it will be prepared for undergrounding of street lights.

Councilmember Gill moved to (a) Award Contract No. 08-08, Garden Highway Improvements – 2<sup>nd</sup> Street to Franklin Avenue, to McGuire and Hester, of Oakland, CA in the amount of their bid of \$798,014.50; (b) Authorize the City Manager to execute the contract on behalf of the City, following approval by the City Attorney; (c) Adopt Resolution No. 08-087 of the City Council approving and authorizing execution of a public works agreement with the Redevelopment Agency for construction of the Garden Highway Reconstruction Project – 2<sup>nd</sup> Street to Franklin Avenue; and (d) Adopt Resolution No. 08-007 of the Redevelopment Agency approving and authorizing execution of a public works agreement with the City of Yuba City for construction of the Garden Highway Reconstruction Project – 2<sup>nd</sup> Street to Franklin Avenue. Councilmember Maan seconded the motion that passed with a unanimous vote.

#### **Ordinances**

##### **10. Economic Development Commission Appointments**

Assistant City Manager Steve Kroeger recapped that on August 5, 2008 Council approved the Economic Development Strategic Plan and requested that staff advertise for interested members for the Economic Development Commission. An ordinance needs to be established to create the commission, set forth terms of office and provide the powers and duties of the commission.

Mayor Ramirez said Economic Development Strategic Planning Sessions were held. Now we have a work product and a commission needs to be established to carry forward with the identified economic projects. We received outstanding applicants to serve on this commission. Councilmember McBride noted the terms were staggered so turnover doesn't occur at the same time. Three terms are for two years and two terms are for four years. Recommendations to serve for two years are Karm Bains, David Burrow and Scott Oakes. Recommendations to serve for four years are Greg Heckman and Paul Mendoza. She noted the caliber of applicants was outstanding.

Councilmember Gill asked if an Economic Development Director will be hired. Mayor Ramirez responded that budgeting for a director will be part of the initial meeting of the

commission, along without re-prioritizing the work product, and setting a meeting schedule.

Councilmember Miller asked if the commission will report back to Council on a regular basis. Mayor Ramirez responded it is anticipated an annual report will be given to Council, or more often if Council desires.

Councilmember Maan moved to (a) Introduce Ordinance No. 009-08 Creating and Establishing an Economic Development Commission and setting forth the terms of office and providing the powers and duties thereof, with changes recommended by the City Attorney; waiving the full reading; and (b) Approve recommended Commission Appointments by the Mayor and Vice Mayor. Councilmember Gill seconded the motion that passed with a unanimous vote.

### **Consent Calendar**

Councilmember Gill moved to adopt the consent calendar as presented. Councilmember Miller seconded the motion that passed with a unanimous vote.

#### **11. City Council Approval of Minutes of August 18, 2008**

Approved the Council meeting minutes of August 18, 2008.

#### **12. Shanghai Garden Park Recreational Water Feature**

Adopted Resolution No. 08-088 accepting the subject project and authorizing the Public Works Director to file a Notice of Completion.

#### **13. Hampton Court Subdivision**

Adopted Resolution No. 08-089 accepting certain street and related improvements pursuant to the Hampton Court Subdivision Agreement with Kazmar HC and authorizing the developer to file a Notice of Completion. [subdivision located on the south side of Lincoln Road between Railroad Avenue and Garden Highway]

#### **14. Striping Improvements Project – 2008**

Adopted Resolution No. 08-090 approving the plans and specifications for the Striping Improvements Project - 2008 and authorizing advertisement for bids on the project.

### **General**

#### **15. Neighborhood Permit Parking System on Frederick Street between Clark Avenue and Cooper Avenue**

Public Works Director George Musallam said this item is to extend parking permitting on Frederick Street indefinitely. It has relieved parking problems with Yuba City High School students by issuing permits to the property owners.

Councilmember Miller moved to adopt Resolution No. 08-091 authorizing the continuance of the neighborhood permit parking system. Councilmember Maan seconded the motion that passed with a unanimous vote.

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

#### **16. City Council Reports**

- Councilmember Gill said he is a member of the Ad Hoc Restaurant/Bar Committee and they had a productive meeting today.
- Councilmember Maan said he and Councilmember McBride met with Live Oak and Sutter County on the feasibility of a Regional Waste Management facility.
- Councilmember Miller also is a member of the Ad Hoc Restaurant/Bar Committee and met today.
- Mayor Pro Tem McBride also met with Live Oak and Sutter County on the Regional Waste Management facility. It was decided Gridley, Biggs and Yuba County should be included as well. Regionalization is looked upon favorably.
- Mayor Ramirez noted the efforts in trying to regionalize wastewater treatment and water treatment facilities are extremely important. Intensified regulations on treatment and discharge are going to continue to become more expensive.

**Adjournment**

Mayor Ramirez adjourned the regular City Council meeting of the City of Yuba City in memory of Councilmember Matt Garcia of Fairfield at 8:06 p.m.

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Rory Ramirez  
Mayor

ATTEST:

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Terrel Locke  
City Clerk