

**MINUTES
REGULAR MEETING
CITY COUNCIL & REDEVELOPMENT AGENCY
CITY OF YUBA CITY
NOVEMBER 4, 2008
Closed Session - 5:30 P.M.
Regular Meeting - 7:00 P.M.**

Closed Session

Conferred with real property negotiators Steven Jepsen and Steve Kroeger pursuant to Government Code Section 54956.8 regarding negotiations regarding the possible purchase of the following property or portions thereof: APN 52-401-014 and 52-413-006.

Conferred with real property negotiators Steven Jepsen and Steve Kroeger pursuant to Government Code Section 54956.8 regarding negotiations regarding the possible sale of the following property or portion thereof: 52-380-017.

Conferred with legal counsel regarding existing litigation pursuant to Government Code Section 54956.9 (a), City of Yuba City vs. Dunmore, Sutter County Superior Court Case No. CVCS 08-1170.

Conferred with legal counsel regarding initiation of litigation pursuant to Government Code Section 54956.9(c) – one potential case.

Regular Meeting

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

Utilities Director Bill Lewis 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 Law Enforcement Records and Support Personnel Day** – A proclamation was presented to Shawna Pavey and Records' staff by Mayor Ramirez.

Public Communication on Items Not on the Agenda

2. **Written Requests** - none
3. **Appearance of Interested Citizens** - none

Bid Openings

4. **Sun SPARC Enterprise M4000 Server (FB 09-02)**

General Services Director Devin Barber stated this bid notice for a new server was sent to 7 vendors and 5 responded. Of those responding, GovStor of Sacramento was the low bidder.

Councilmember Maan moved to award the purchase to the low bidder, GovStor of Sacramento, CA for a Sun SPARC Enterprise M4000 Server in the amount of \$59,396.28. Councilmember Gill seconded the motion that passed with a unanimous vote.

Ordinances

5. **Ordinance Prohibiting Daytime Loitering of Minors in Public Places during School Hours**

Deputy Chief of Police Robert Landon said this is the second reading of the loitering/truancy ordinance. Staff recommends approval.

Councilmember Gill moved to adopt Ordinance No. 011-08 adding chapter 8A of Title 5 to the Yuba City Municipal Code pertaining to Daytime Loitering and Truancy of Juveniles and waive the second reading. Councilmember Miller seconded the motion that passed with a unanimous vote.

Consent Calendar

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

6. City Council Approval of Minutes of October 7 and 21, 2008

Approved the Council meeting minutes of October 7 and 21, 2008.

7. Transportation Development Act (TDA) Claim for FY 2008-2009

Adopted Resolution No. 08-116 authorizing submission of the City's FY 2008-2009 TDA claim to the Sacramento Area Council of Governments (SACOG).

8. Biennial Review of the City of Yuba City Conflict of Interest Code

Adopted Resolution No. 08-117 Amending the City of Yuba City Conflict of Interest Code and list of Designated Positions.

9. The Feather River Parkway – Willow Island Project Grant Funding

(1) Adopted Resolution No. 08-118 authorizing the City Manager to execute an amendment of Memorandum of Understanding with the Sutter County Resource Conservation District (SCRCD) for the preparation of the Grant Application to the Resource Agency for Phase II of the Feather River Parkway – Willow Island Project, and (2) Adopted Resolution No. 08-119 approving the filing of an application for grant funds for the California River Parkways Grant program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84).

General

10. Presentation of Treasurer's Report – Quarter Ended September 30, 2008

Assistant City Manager Steve Kroeger said the City's portfolio is safe and stable despite the turmoil in the current market. He responded to Council's questions.

Council noted & directed filing of the Quarterly Treasurer's Report.

11. Final Financial Report for Fiscal Year Ending June 30, 2008

Chief Financial Officer Robin Bertagna said the auditors made only minor adjustments to the final financial report for year ending June 30, 2008. Revenues exceeded expenditures by \$370,000 for the year.

Council noted and directed filing of the Final Financial Report for the Fiscal Year Ending June 30, 2008.

12. Budget Status Report for Fiscal Year 2008-09 and Quarterly Financial Report

Chief Financial Officer Robin Bertagna reviewed the quarterly financial report for the quarter ending September 30, 2008.

City Manager Steve Jepsen remarked the City's 2008/09 revenue position reflects a significant downturn from a year ago. The gap is about \$2 million. He has asked the Department Directors to reduce their department's budgets 7.5% for non-safety and 2.5% for safety. The City can not balance the budget without reducing positions. Scheduled for elimination are four presently empty positions and 2-½ that are filled. This is Phase I to deal with the current gap. When we are facing bargaining unit raises and COLAs next fiscal year, we will have to address the workforce and possible concessions from the bargaining units. The Department Directors and Mr. Jepsen have stated they will forgo raises and COLAs next year.

Ms. Bertagna reviewed budgeted vs. actual expenses and revenues to date. Sales and property tax income are down significantly. She outlined proposed expenditure reductions of \$1.2 million.

Mr. Jepsen noted our position is manageable but if the state comes after the cities for money to balance their budget, our projected shortfall will be even greater. There is one

position in the budget that the Economic Development Commission feels is important to the City's economy and that is the new Economic Development Commission Director's (EDC) position. Mr. Jepsen asked Council to consider filling this position.

Council reviewed and discussed the Quarterly Financial Report. Councilmembers noted the City can not operate as it has in the past and all cities are going through this, some more than others. Council felt staff had done a good job in addressing these budget cuts, which they approved. Council thanked staff and asked them to continue to be aggressive and realistic. They agreed that filling the EDC Director's position is necessary to create more jobs in Yuba City.

Business from the City Council/Redevelopment Agency Board

13. Discussion and direction to staff on the potential for, and use of, Redevelopment Set Aside Funding (to \$5 million) for the acquisition of distressed properties in Yuba City

City Manager Steve Jepsen asked that Council consider the use of Redevelopment (RDA) Low to Moderate Income Housing Set Aside Funds for the acquisition of distressed housing units in Yuba City. If approved, a process for identifying and acquiring the units needs to be developed. Mr. Jepsen reviewed the goals of this proposed program and identified the Redevelopment areas of the City on maps. He added the City might spend \$2-2.5 million on this program, leaving sufficient funds for transportation improvements in the RDA area.

For public edification, Mayor Ramirez asked Mr. Jepsen to confirm there are limitations for the use of these funds. They can not be used to fight gangs, hire police officers, repair streets, balance the budget, or build a new water treatment plant. Mr. Jepsen confirmed that is correct. RDA law provides that the funds can only be use in a redevelopment area. Housing set aside funds can only be used in low to moderate income housing stock. The funds are restricted. Councilmember Miller asked Mr. Jepsen to confirm that the funds are not from the General Fund, and Mr. Jepsen made that confirmation.

Council was in favor of this program and asked that it be returned to Council on November 18 to discuss the formation of an Ad Hoc Committee to develop the process for identifying and acquiring the units.

14. City Council Reports

- Councilmember Gill reported that the Sikh Parade was a huge success and thanked all the Council for attending the fireworks on Friday evening.
- Councilmember Maan agreed that it was a pleasure to see the full Council at the Sikh Temple. He noted his appreciation and patience of the citizens with the street closures and traffic.
- Councilmember Miller said the Sikh community did a very nice job over the weekend. It was a busy weekend with the Hmong Festival also being held. Our Sister City from Toride, Japan is also here visiting. We are definitely a multi-cultural community.
- Mayor Pro Tem McBride thanked the Sikh community for allowing Council's participation this past weekend. The Consolidated Area Housing Authority has a new Executive Director. She is Linda Nichols.
- Mayor Ramirez attended the Sister City dinner on Sunday. He said he had a great time at the Sikh Temple.

Adjournment

Mayor Ramirez adjourned the regular City Council meeting of the City of Yuba City at 8:23 p.m.

Rory Ramirez
Mayor

ATTEST:

Terrel Locke
City Clerk