

AGENDA

REGULAR MEETING

CITY COUNCIL & REDEVELOPMENT AGENCY CITY OF YUBA CITY

DECEMBER 16, 2008

CLOSED SESSION – 6:00 P.M. – BUTTE ROOM
REGULAR MEETING – 7:00 P.M. – COUNCIL CHAMBERS

LESLIE McBRIDE
Mayor

KASH GILL
Mayor Pro Tem

JOHN DUKES
Councilmember

TEJ MAAN
Councilmember



JOHN MILLER
Councilmember

STEVEN JEPSEN
City Manager

TIMOTHY HAYES
City Attorney

**Council Chambers Wheelchair Accessible
1201 Civic Center Blvd., Yuba City, CA**

If you need assistance in order to attend the City Council meeting, or if you require auxiliary aids or services, e.g., hearing aids or signing services to make a presentation to the City Council, the City is happy to assist you. Please contact City offices at 530/822-4601 at least 72 hours in advance so such aids or services can be arranged.

City Hall TDD: 530-822-4732

**AGENDA
REGULAR MEETING OF
CITY COUNCIL & REDEVELOPMENT AGENCY
CITY OF YUBA CITY
COUNCIL CHAMBERS
December 16, 2008
Closed Session 6:00 P.M.
Regular Meeting 7:00 P.M.**

Materials related to an item on this Agenda submitted to the Council/Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's office at 1201 Civic Center Blvd., Yuba City, during normal business hours. Such documents are also available on the City of Yuba City's website at www.yubacity.net subject to staff's availability to post the documents before the meeting.

Closed Session 6:00 p.m.—Butte Room

Confer with legal counsel regarding existing litigation pursuant to Government Code Section 54956.9 (a) Fair Political Practices Commission (FPPC) File No. 08/510; Rory Ramirez.

Regular Meeting 7:00 p.m.—Council Chambers

Call to Order

Roll Call: _____ Mayor McBride
 _____ Mayor Pro Tem Gill
 _____ Councilmember Dukes
 _____ Councilmember Maan
 _____ Councilmember Miller

Invocation

Pledge of Allegiance to the Flag

Presentations and Proclamations

1. **Proclamation for the retirement of Police Chief Richard Doscher**
2. **Proclamation for the retirement of Brian Trudgeon**

Public Hearing

3. **Proposed Levy of the 2009 Annual Assessment of the Downtown Yuba City Business Improvement District**

- Recommendation: 1) Conduct public hearing, and
- 2) Adopt a resolution confirming the Annual Report for the Yuba City Downtown Business Association and levying the assessment for the Downtown Business Improvement District for calendar year 2009.

Public Communication

You are welcome and encouraged to participate in this meeting. Public comment is taken on items listed on the agenda when they are called. Public comment on items not listed on the agenda will be heard at this time. Comments on controversial items may be limited and large groups are encouraged to select representatives to express the opinions of the group.

4. Written Requests

Members of the public submitting written requests, at least 24 hours prior to the meeting, will be normally allotted 5 minutes to speak.

5. Appearance of Interested Citizens

Members of the public may address the City Council on items of interest that are within the City's jurisdiction. Individuals addressing general comments are encouraged to limit their statements to 3 minutes.

Ordinances

6. Modification to Section 6-5.301(c) of the Yuba City Municipal Code regarding separate side sewer connections

Recommendation: Introduce an ordinance amendment for Section 6-5-301(c) of the Yuba City Municipal Code, which will allow the Public Works Director to grant a waiver to certain sewer connection requirements subject to specific conditions, waiving the first reading.

Consent Calendar

All matters listed under Consent Calendar are considered to be routine and can be enacted in one motion. There will be no separate discussion of these items prior to the time that Council votes on the motion unless members of the City Council, staff or public request specific items to be discussed or removed from the Consent Calendar for individual action.

7. City Council Approval of Minutes of November 18, 24 and 25, 2008

Recommendation: Approve the Council meeting minutes of November 18, 24 and 25, 2008

8. Submission of re-certification application for Tree City USA Designation

Recommendation: Adopt a Resolution authorizing the City to submit an application for re-certification to the National Arbor Day Foundation for consideration of the City continuing its designation as a Tree City USA community.

9. Summary Vacation of Public Utility Easement on south side of C Street at 455 Plumas Boulevard (AP# 52-380-021)

Recommendation: Adopt a resolution summarily vacating a public utility easement on the south side of C Street at 455 Plumas Boulevard.

10. Completion of the Security Gate Upgrades Project at the Water and Wastewater Treatment Facilities (Formal Bid 07-21).

Recommendation: Adopt a Resolution to accept the completion of the "Security Gate Upgrades" project (Contract No. 07-21) and authorize the Utilities Director to file a Notice of Completion.

11. Annual Boards and Commissions Local Appointment List

Recommendation: Direct staff to post the Annual City of Yuba City Boards and Commission Appointment list according to the Maddy Act Requirements.

General Items

12. Approval of a Property Acquisition Schedule established for the purpose of supplying guidelines associated with the purchase of approximately 30 single family dwellings for qualified participants in the Housing Program (RDA)

Recommendation: Authorize the Executive Director to proceed with the proposed Property Acquisition Schedule illustrated for the purpose of supplying a timeline and process for acquiring property for Low/Mod Housing Funds to provide affordable housing for qualified participants in the Housing Program.

13. Professional Services Agreement with Larry Walker & Associates for environmental engineering services relating to the wastewater treatment facility's discharge permit

Recommendation: Authorize the Utilities Director to sign a Professional Services Agreement with Larry Walker & Associates of Davis for environmental engineering services in the amount of \$150,000 with the finding that it is in the best interest of the City.

14. Cost allocation for Hillcrest Water System public educational services

Recommendation: Direct staff to transfer \$18,515.28 of expenditures paid to ICF Jones & Stokes (J&S), previously charged to the General Fund Contingency account, to the Hillcrest Groundwater Fund Professional Services account.

15. Implementation of Round 1 of Budget Reductions for Fiscal Year 2008-2009

Recommendation: Approve Budget Amendments to Reduce the FY 08-09 Adopted Budget.

Business from the City Council/Redevelopment Agency Board

16. Discuss Cancellation of the January 6, 2009 Council Meeting

17. City Council Reports

- Councilmember Dukes
- Councilmember Maan
- Councilmember Miller
- Mayor Pro Tem Gill
- Mayor McBride

Adjournment

CITY OF YUBA CITY
STAFF REPORT

Date: December 16, 2008
To: Honorable Mayor & Members of the City Council
From: Administration
Presentation By: Steven C. Kroeger, Assistant City Manager

Summary

Subject: Proposed Levy of the 2009 Annual Assessment of the Downtown Yuba City Business Improvement District

Recommendation: 1) Conduct public hearing
2) Adopt a resolution confirming the Annual Report for the Yuba City Downtown Business Association and levying the assessment for the Downtown Business Improvement District for Calendar Year 2009

Fiscal Impact: None related to levy and collection of annual assessments besides staff time

Background:

At its meeting on December 2, 2008, the City Council received the 2008 Annual Report from the Yuba City Downtown Business Association and adopted Resolution 08-129 declaring its intention to levy and collect an annual assessment for calendar year 2009 in the Downtown Yuba City Business Improvement District (BID). A public hearing was set for December 16, 2008. The notice of public hearing was published in the Appeal Democrat on December 2nd and 9th, 2008.

The purpose of the public hearing is for the City Council to hear and consider all protests against the levying of the proposed assessments. The City Council should note that the Annual Report proposes no changes to the BID boundaries or the assessment formula as originally established.

Analysis:

After the public hearing, the City Council may take one of the following actions:

1. Terminate proceedings if protest is received from business owners in the proposed district who collectively pay 50% or more of the proposed assessment (a "majority protest"). If the majority protest is only against the furnishing of a specified type of improvement or activity within the district, those types of improvements or activities shall be eliminated.
2. Order changes in any of the matters provided in the Annual report including: 1) changes in the proposed assessments, 2) the proposed improvements and activities to be funded with the revenues derived from the levy of the assessments, and 3) the proposed boundaries of the area and any benefit zones with the area. The City Council cannot change the boundaries to include any territory that will not, in its judgment, benefit by the improvement of activity.

3. Continue the public hearing with the understanding that the public hearing must be completed within 30 days.
4. Adopt a resolution confirming the Annual Report as originally filed or as amended. The adoption of the resolution constitutes the levy of the assessment for calendar year 2009.

Fiscal Impact:

None related to levy and collection of annual assessments besides staff time. The City's Redevelopment Agency provides staff support to the DBA on an ongoing basis at an approximate cost of \$43,000 annually.

Alternatives:

1. Do not levy assessments
2. Identify alternate funding source for Downtown improvements and activities.

Recommendation:

Unless there is majority protest, it is the recommendation of staff that the City Council adopt the attached resolution confirming the Annual Report as originally filed by the Downtown Yuba City Business Association and levying the annual assessment for calendar year 2009 in the Downtown Yuba City Business Improvement District.

Attachments:

1. Resolution Confirming the Annual Report and levying the Assessment for the Downtown Business Improvement District for Calendar Year 2009
2. Map of the Downtown Business Improvement District
3. District Assessment Formula

Prepared By:

Judy Sanchez
Administrative Clerk III

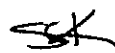
Submitted By:



Steven R. Jepsen
City Manager

Reviewed by:

Department Head
Finance
City Attorney



RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY CONFIRMING THE ANNUAL REPORT FOR THE YUBA CITY DOWNTOWN BUSINESS ASSOCIATION AND LEVYING THE ASSESSMENT FOR THE DOWNTOWN YUBA CITY BUSINESS IMPROVEMENT DISTRICT FOR CALENDAR YEAR 2009

WHEREAS, on December 2, 2008, the Yuba City Council adopted Resolution No. 08-129 (the "Resolution") declaring its intention to levy and collect an annual assessment for Calendar Year 2009 in the Downtown Yuba City Business Improvement District (the "District") pursuant to the Parking and Business Improvement Area Law of 1989, Part 6, (commencing with Section 36500) of Division 18 of the California Streets and Highways Code (the "Act"); and

WHEREAS, pursuant to the Act and the Resolution, the City Council of the City of Yuba City conducted a public hearing, after giving due notice thereof as required by the Act, on December 16, 2008, at 7:00 p.m. at the Council Chambers, 1201 Civic Center Boulevard, Yuba City, California; and

WHEREAS, the public hearing has been held and the City Council has heard and considered all oral and written protests and other comments regarding the levying of the proposed assessments; and

WHEREAS, protests from businesses in the District paying fifty percent (50%) or more of the proposed assessments have not been received; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YUBA CITY DOES HEREBY RESOLVE, DETERMINE, AND FIND AS FOLLOWS:

1. The recitals set forth herein are true and correct.
2. The City Council does confirm the Annual Report as originally filed by the Yuba City Downtown Business Association.
3. This Resolution is effective on its adoption and constitutes the levy of the assessment for calendar year 2009 for the Downtown Yuba City Business Improvement District.

I HEREBY CERTIFY that the foregoing resolution was introduced and read at a Regular Meeting of the City Council of the City of Yuba City on the 16th day of December, 2008, and was duly adopted at said meeting by the following vote:

AYES:
NOES:
ABSENT:

ATTEST:

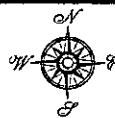
Mayor

City Clerk

Yuba City - Downtown Plumas Street Area

Downtown Business Improvement District

- Commercial Uses--A Zone
- Commercial Uses--B Zone
- Residential Uses



DISTRICT ASSESSMENT FORMULA

The Business Improvement District (BID) is a self-initiated business district funded by an annual assessment based on a formula developed by the Downtown Yuba City Business Improvement District Formation Committee. The assessments will be used to fund improvements and activities in the BID designed for economic stimulation and business enhancement for the business in the BID. The assessment formula is based on type, size and location of business in order to offer a fair and equitable charge for each business in the BID.

Business Type	Business Size Number of Employees		Annual Assessment Zone	
			A	B
Retail, Restaurant and Service	Small	1-4	\$385	\$180
	Medium	5-9	\$560	\$285
	Large	10 +	\$735	\$380
Professional Business			\$350	\$180
Lodging Business			\$560	\$285
Financial Business			\$875	\$725

Retail, Restaurant and Service Businesses: Includes businesses that buy and resell goods such as clothing stores, shoe stores, office supplies, businesses that sell prepared foods and drinks, general office, news and advertising media, printers, photographers, personal care facilities and outlets, contractors, builders, service stations, repairing and servicing businesses, renting and leasing businesses, utilities, vending machine businesses, household finance companies, theaters and entertainment-oriented businesses, and other similar businesses not otherwise defined in the other categories.

Professional Business: Includes attorneys, architects, accountants, engineers, surveyors, physicians, dentists, optometrists, chiropractors and others in a medical/health service field, consultants, real estate brokers, financial advisors, laboratories (including dental and optical), hearing aid services, artists and designers, and similar businesses.

Lodging Businesses: Includes inns, hotels, motels, RV parks, and other similar businesses.

Financial Institutions: Includes banks, savings & loans, credit unions, and similar businesses.

Associate Members: Businesses outside the BID boundaries that would like to participate will be charged.

Note: Retail and restaurant businesses will be assess on size which will be determined by number of employees, either full-time or the equivalent made up of multiples of part-time employees.

CITY OF YUBA CITY
STAFF REPORT

Date: December 16, 2008
To: Honorable Mayor & Members of the City Council
From: Department of Public Works
Presentation by: George L. Musallam, Public Works Director

Summary

Subject: Modification to Section 6-5.301(c) of the Yuba City Municipal Code regarding separate side sewer connections.

Recommendation: Introduce an ordinance amendment for Section 6-5.301(c) of the Yuba City Municipal Code, which will allow the Public Works Director to grant a waiver to certain sewer connection requirements subject to specific conditions, waiving the first reading.

Fiscal Impact: None

Background:

Section 6-5.301(c) of the Yuba City Municipal Code requires that no two adjacent buildings fronting the same street be allowed to use the same side sewer for connection to the public sewer system. An exception to this requirement is allowed for one or more buildings located on property belonging to the same owner. However, upon sale or subdivision of the property, the portion of the property not directly connected to public sewer is to be separately connected to the public sewer.

Analysis:

In certain situations where there is no public sewer in the right of way adjacent to the property, the requirement to immediately provide a separate connection to the public sewer may be excessive. The proposed ordinance amendment allows the Public Works Director to grant a waiver to this requirement provided the property owner develops a maintenance agreement for the side sewer and enters into a subdivision agreement stipulating the property owner agrees to connect to the public sewer at such time that it may exist in the right of way adjacent to the property. The proposed revisions to Section 6-5.301(c) are shown in underlined text in the attached ordinance amendment.

Fiscal Impact:

None.

Alternatives:

Do not adopt the ordinance amendment.

Recommendation:

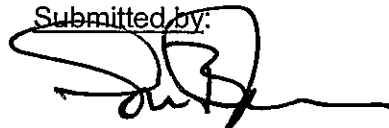
Introduce an ordinance amendment for Section 6-5.301(c) of the Yuba City Municipal Code, which will allow the Public Works Director to grant a waiver to certain sewer connection requirements subject to specific conditions, waiving the first reading.

Prepared by:



George Musallam
Public Works Director

Submitted by:




Steven R. Jepsen
City Manager

Reviewed by:

Department Head

Finance

Utilities



ORDINANCE NO. ____-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AMENDING SECTION 6-5.301(c) OF THE YUBA CITY MUNICIPAL CODE REGARDING
BUILDING SEWERS, LATERAL SEWERS, AND CONNECTIONS

THE CITY COUNCIL OF THE CITY OF YUBA CITY DOES HEREBY ORDAIN AS
FOLLOWS:

1. Section 6-5.301(c) of the Yuba City Municipal Code entitled "Separate Sewers" is hereby amended to read as follows:

(c) Separate sewers. No two (2) adjacent buildings fronting on the same street shall be permitted to join in the use of the same side sewer. Every building or industrial facility shall be separately connected with a public sewer if such public sewer exists in the street upon which the property abuts or in an easement which will serve such property. However, one (1) or more buildings located on property belonging to the same owner may be served with the same side sewer during the period of such ownership. Upon the subsequent subdivision and sale of a portion of such lot, the portion not directly connected to such public sewer shall be separately connected to a public sewer, and it shall be unlawful for the owner thereof to continue to use or maintain such indirect connection. Upon written request of the property owner, the Public Works Director may grant a waiver to the requirement to discontinue use of an existing side sewer upon subdivision and sale of property provided that the following conditions are met:

(1) At the time of subdivision and sale of the property, there exists no public sewer in the right-of-way adjacent to the property;

(2) The property owner shall develop an agreement providing for maintenance of the side sewer. The agreement shall contain a mechanism for financing the maintenance and repairs to the side sewer. The agreement shall be approved by the Public Works Director and recorded with the final map;

(3) The property owner and the City shall enter into a subdivision agreement stipulating that the property owner agrees to connect immediately to the public sewer when it exists in the public right-of-way adjacent to the property. All construction costs and City fees associated with the new connection shall be the responsibility of the property owner;

2. This ordinance shall be effective thirty (30) days after its adoption and after it is adopted, it shall be published as provided for by law.

Introduced and read at a regular meeting of the City Council of the City of Yuba City on the 16th day of December, 2008, and adopted at a regular meeting thereof held on the ___ day of _____, 200_.

AYES:
NOES:
ABSENT:

name, Mayor

ATTEST:

Terrel Locke, City Clerk

APPROVED AS TO FORM:

Timothy P. Hayes, Esq.
City Attorney

DRAFT

MINUTES
REGULAR MEETING OF
CITY COUNCIL & REDEVELOPMENT AGENCY
CITY OF YUBA CITY
COUNCIL CHAMBERS
NOVEMBER 18, 2008 – 7:00 P.M.

Closed Session 6:00 p.m

Confer with real property negotiators Steven Jepsen and Devin Barber pursuant to Government Code Section 54956.8 regarding negotiations with Union Pacific regarding possible purchase of right of way through the City of Yuba City.

Regular Meeting 7:00 p.m

Call to Order

The City Council of the City of Yuba City was called to order by Mayor Ramirez at 7:01 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.

Public Communication

1. **Written Requests - None**
2. **Appearance of Interested Citizens –**

Donald Kessel, 1964 Pebble Beach Drive, Yuba City
Elaine Miles, 487 Anita Way, Yuba City

Consent Calendar

Councilmember Gill moved to adopt the Consent Calendar as presented. Councilmember Maan seconded the motion that passed with a unanimous vote.

3. **City Council Approval of Minutes of November 4, 2008**
Approved the Council meeting minutes of November 4, 2008.
4. **Authorization to Formally Apply, Accept and Expend Grant Funding for Training, Governance and Policy Development Relative to the Police Department's Regional Emergency Interoperable Radio System as Funded by the Office of Homeland Security.**

Adopted Resolution 08-122 authorizing the application, acceptance and expenditure of a California Office of Homeland Security Training, Governance and Operations Policy Development Grant. Further, authorized the City's Chief Financial Officer to make budget adjustments as necessary.

5. Purchase of Real Property (APN 52-401-014) (RDA)

Adopted RDA Resolution 08-008 authorizing the Executive Director to execute a Purchase and Sale Agreement and accept a Grant Deed for Real Property located at 454 Stevens Avenue (APN 52-401-014) in Yuba City, and approving a related supplemental appropriation of \$123,000 in Redevelopment Agency Funds.

6. Amendment to City Investment Policy

Approved an amendment to the City Investment Policy to provide for the purchase of City and Redevelopment Agency lease and debt obligations exceeding 5 years in maturity. Authorized staff to purchase Yuba City Redevelopment Project 2007 Tax Allocation Bonds for investment in the City's pooled cash portfolio.

General Items

7. Annual Review of Development Impact Fee Update

Community Development Director Aaron Busch stated that given the fact that the offset in impact fees is not a significant amount, it would be prudent at this time to hold impact fees at their current levels in an effort to stimulate economic activity.

The following members of the community spoke on this item:

Dr. Larry Ozeran
Elaine Miles, 487 Anita Way
Darin Gale, 1153 Franklin Ave

Council discussed the benefits and pitfalls of continuing with the Impact Fee freeze that has already been in place for one year. Council decided that a continuation of the freeze may place the City behind in terms of future development.

Councilmember Miller moved to adopt the recommendation that staff continue with the fee schedule previously adopted in 2007. Councilmember Maan seconded the motion that passed with a unanimous vote.

8. Bicycle Transportation Plan

Public Works Director George Musallam asked Council to consider Item 8 and 9 together as they are related. This plan is required as a condition of applying for the BTA grants. These grants are made available to local agencies for projects that are related to the relief of traffic congestion. This plan is a copy of the Bicycle Master Plan. There has been no change. That plan was adopted through the public process in 1995.

9. Bicycle Transportation Account Grant Application

Mr. Musallam stated that this deals with the project involving the widening of Garden Highway between Winship and Lincoln. The City is asking for State approval for approximately \$445,000 with the City matching 10%, which is included in the budget for the Garden Highway Project.

Councilmember Gill moved to adopt Resolution 08-120 adopting the City of Yuba City Bicycle Transportation Plan dated November 2008. Councilmember Gill also moved to adopt Resolution 08-121 authorizing the Public Works Director to submit an application for the State Bicycle Transportation Account, and if selected, agreeing to the matching funds requirement. Councilmember Maan seconded the motions that passed with a unanimous vote.

10. Town Center Property – License and Cleanup Agreement with Yuba City Steel Products Company (RDA)

Mr. Musallam stated this property was purchased years ago from Yuba City Steel. Some contamination on the property due to the steel operations has been found. We have been in contact with Yuba City Steel to initiate clean-up of the property. This agreement will outline the terms for the clean-up efforts as well as the reimbursement. The agreement will also allow Yuba City Steel access to the property.

Councilmember Maan moved to authorize the Executive Director to enter into a License and Cleanup Agreement with Yuba City Steel Products Company covering environmental investigation and remediation of property located at 425 Franklin Avenue (AP#52-380-016) owned by the Redevelopment Agency of the City of Yuba City. Councilmember Gill seconded the motion that passed with a unanimous vote.

Business from the City Council/Redevelopment Agency Board

11. City Council Reports

- Councilmember Gill gave thanks to the Fire Chief for the updates on Yuba City Fire Personnel currently in Southern California. He also gave thanks to the Police Chief for the invitation to his retirement dinner. Councilmember Gill stated that this was the last official meeting for Mayor Ramirez and that he would save his remarks for the Changing of the Guard Ceremony.
- Councilmember Maan reiterated what Councilmember Gill had stated and also asked that the close of the meeting be in honor of Mike Vinsonhalor.
- Councilmember Miller stated it has been a real pleasure working with Mayor Ramirez.
- Mayor Pro Tem McBride also stated it has been a pleasure working with the Mayor. She attended the badge pinning event for the new Fire Recruits. She stated that the City has done an excellent job of selecting personnel.
- Mayor Ramirez said thank you to his fellow Councilmembers for the kind words. He stated he was saving his comments for the ceremony next week where Mr. John Dukes will be sworn in as the new Councilmember and reelected to Council was Mr. John Miller.

Adjournment

Mayor Ramirez adjourned the regular City Council meeting of the City of Yuba City at 8:05 p.m. in memory of Mike Vinsonhalor.

DRAFT

MINUTES
SPECIAL MEETING
CITY COUNCIL & REDEVELOPMENT AGENCY
CITY OF YUBA CITY
NOVEMBER 24, 2008 – 4:00 P.M.

Call To Order

The City Council of the City of Yuba City was called to order by Mayor Ramirez at 4:00 p.m.

Roll Call

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

Pledge of Allegiance to the Flag – led by Councilmember McBride.

Public Hearings

Councilmember Miller recused himself due to a possible conflict of interest.

Hillcrest Water System (HWS) conversion to surface water protest hearings for Region 1 and Region 2/3 in accordance with Proposition 218

Mayor Ramirez stated we will be conducting the protest hearings for both Region 1 and Region 2/3 simultaneously. Residents will have until 4:30 to submit protest ballots.

Utilities Director Bill Lewis said on July 1, 2008 Council approved the Proposition 218 protest hearing process. On August 29 it was determined there were a majority of protests in Regions 2/3. Region 1 did not have a majority protest. Legal counsel recommended another 218 protest hearing to allow either of the regions to independently obtain City surface water if the protest prevails in only one region.

Tonight is about submitting protests or withdrawals. If tabulation is required, we will reconvene December 12, 2008. If the protests received demonstrates the number received is manifestly less than one-half of the parcels, then the City Clerk may advise Council of the absence of a majority protests.

A well in Region 2/3 collapsed last week, production dropped to 10%, and it began pumping gravel. Either the casing failed or the well collapsed. It is staff recollection that the casing has already been repaired once. It is unknown until the casing is inspected if it can be repaired again. Maintenance has been ongoing on the wells. City Manager Steve Jepsen added that while the wells were not maintained prior to the City's purchase, they have been maintained since becoming City owned.

Public Communication

Mayor Ramirez opened the meeting for public comment. The following residents spoke:

Cheryl Dahlman, 1469 Lincoln
Phil Treanor, 1570 Richland Road
Deb Fahs, 1072 Wanda
Michael Santos, 1079 Cambridge Ct.
John Fitch, 1827 Drake Ct.
L.D. Hake, 1536 Glen Way
Michael Payne
Janet Baur, 1532 Rancho Way

At 4:30 p.m. Mayor Ramirez asked that any remaining ballots be submitted at this time. Public comment continued:

Gisela Hamilton
Elaine Miles, 487 Anita Way
Lloyd Leighton

At 4:45 p.m. Mayor Ramirez closed the public protest hearing and directed City Clerk Terrel Locke to tabulate the protests per adopted guidelines for submission and tabulation of protests. Resident comments then continued:

Suzanne Connelly, 1660 Alicia Dr.
Gayle Payne, 223 Anita Way
Michael Santos, 1079 Cambridge Ct.
Sandy Watson