

**MINUTES  
REGULAR MEETING  
CITY COUNCIL & REDEVELOPMENT AGENCY  
CITY OF YUBA CITY  
DECEMBER 16, 2008  
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) Fair Political Practices Commission (FPPC) File No. 08/510; Rory Ramirez.

**Regular Meeting**

**Call To Order**

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

**Roll Call**

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

**Invocation**

Police Chief Richard Doscher gave the invocation.

**Pledge of Allegiance to the Flag**

Deputy Police Chief Rob Landon led the Pledge of Allegiance to the Flag.

**Presentations and Proclamations**

1. **Proclamation for the retirement of Police Chief Richard Doscher** – Mayor McBride presented Police Chief Doscher a proclamation in honor of his retirement after 31 years of service with the City of Yuba City. Councilmembers expressed their gratitude.
2. **Proclamation for the retirement of Brian Trudgeon** – Mayor McBride presented Mr. Trudgeon a proclamation in honor of his 21 years of service to the City of Yuba City.

**Public Hearing**

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

Councilmember Miller recused himself due to a conflict of interest.

Assistant City Manager Steve Kroeger said on December 2, 2008 the public hearing for the levy for the downtown improvement district was set for this evening. The annual levy is for assessments used toward the marketing and activities of the downtown.

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

Councilmember Maan moved to adopt Resolution No. 08-130 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. Councilmember Gill seconded the motion that passed with a unanimous vote.

Councilmember Miller rejoined the meeting.

**Public Communication**

4. **Written Requests** - none
5. **Appearance of Interested Citizens** – Mark Martin, 670 Shasta St., Yuba City spoke.

**Ordinances**

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

Public Works Director George Musallam stated this item is to amend the municipal code for side sewer service. A side sewer connection is a connection to the public sewer system that is not connected to the front of the property. As the ordinance exists now it requires that no two properties or buildings can be connected to the same sewer. Staff is not asking that you waive that requirement but to allow the Public Works Department to issue a modification of it so the connection can be delayed until the time sewer is available. The City will require that improvement and maintenance agreements be executed by the property owners.

Councilmember Gill moved to 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. Councilmember Miller seconded the motion that passed with a unanimous vote.

### **Consent Calendar**

Councilmember Gill asked that Item 11 of the Consent Calendar be removed for further discussion.

Councilmember Maan moved to adopt Items 7-10 of the consent calendar. Councilmember Miller seconded the motion that passed with a unanimous vote with Councilmember Dukes abstaining from Item 7.

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

Approved the Council meeting minutes of November 18, 24 and 25, 2008.

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

Adopted Resolution No. 08-131 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)**

Adopted Resolution No. 08-132 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).**

Adopted Resolution No. 08-133 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.

Councilmember Gill expressed concern for the large number of vacancies on the Youth Commission. What can we do to promote interest in the Commission by the youth of our community? Council asked that staff bring back a recommendation for a plan to get the youth more involved. City Manager Steve Jepsen said an annual work program for all boards and commissions might be in order. Council asked that the number of members be reviewed as well as programs used in other cities. Councilmember Gill moved to adopt Item 11 of the consent calendar. Councilmember Maan seconded the motion that passed with a unanimous vote.

#### **11. Annual Boards and Commissions Local Appointment List**

Directed 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)**

Chairperson McBride recused herself due to a possible conflict of interest.

Assistant City Manager Steve Kroeger said this concept is to use our low and moderate housing set aside funds for the purchase of distressed housing. These special revenue funds are restricted for use within the Redevelopment area.

Customer Service Manager Becky Hudson noted the Redevelopment Agency has set aside funds for increasing, improving and preserving the community's supply of low and moderate income housing. The proposed process is comprised of three phases. Phase I

is to establish a list of homes for evaluation for purchase. Guidelines for purchase include price range, square footage and location at the top the list. Phase II will include evaluation and purchase of homes. Appraisals and cost of repair reports factor into the dollar amount. Offers will be made and escrows opened. In Phase III escrows are closed, homeowner's insurance is purchased, repairs are completed, and homes are deemed habitable. Property management contracts will be established between the Agency and the Consolidated Area Housing Authority who will oversee the rental of the properties.

Director Miller asked about location of properties. Ms. Hudson responded all types of available homes, be they resale, for sale by owner, bank owned, pre foreclosure, etc. will be considered. Director Dukes asked who will maintain the yards and the homes. Ms. Hudson said a community service agreement will be in place with the Housing Authority that will set out the guidelines, including landscaping, annual visits, and maintenance. A suggestion has been made that utilities be kept in the Housing Authority's name. Rents will be kept by the Housing Authority although the use of funds may be built up to acquire more properties.

Director Miller moved to 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. Director Maan seconded the motion that passed with a unanimous vote.

Chairperson McBride rejoined the meeting.

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

Utilities Director Bill Lewis said we began the wastewater permit process in 2001 at which time we entered into an agreement with Larry Walker & Associates. Appeals have been filed with the State twice, which resulted in a \$60 million savings to the City and over \$3 million per year in ongoing operational expense had we accepted the State's permit in 2003. Some special studies are conducted by staff but others are completed by Larry Walker & Associates. They have been instrumental in achieving dilution studies for the Feather River. They will continue to provide environmental assistance during the life of this permit and for a potential appeal process. Councilmember Gill asked if appeals are necessary and the use of Larry Walker in that process. Mr. Lewis said the preparation of data is an ongoing process. While appeals are costly and some communities have elected to not file appeals, they are now dealing with the consequences of their decision.

Councilmember Gill moved to 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. Councilmember Miller seconded the motion that passed with a unanimous vote.

**14. Cost allocation for Hillcrest Water System public educational services**

Councilmembers Dukes and Miller recused themselves due to a conflict of interest.

City Manager Steven Jepsen said this item is for the allocation of costs incurred for educational services for Hillcrest water. Originally, it was anticipated to be a much larger issue regarding educational efforts citywide. Instead, the primary beneficiaries of these costs were the Hillcrest water customers. Mr. Jepsen recommended the transfer of the expenditures for the educational process back into the Hillcrest water system from the General Fund and that all additional expenditures be charged to the Hillcrest account.

Mayor McBride asked if anyone from the public would like to speak on this issue. There were none.

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

Councilmembers Dukes and Miller rejoined the meeting.

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

Finance Director Robin Bertagna stated that in October staff was asked to prepare a proposed budget reduction of 2-1/2% for public safety and 7-1/2% for all other departments. These proposed reductions totaled \$956,020. Revenues are anticipated to be down \$1,511,000. With the proposed budget reductions, the City will still have a \$1.3

million deficit which will come from reserves. Round 2 of budget reductions is anticipated to occur in spring. Recommended budget reductions for 2009-10 include the cancellation of lobbyist services and the Yuba-Sutter EDC. Councilmember Gill noted that today we are looking at a reduction of expenses but Round 2 will probably include a reduction of personnel, a reduction of salaries and/or furloughs.

Mayor McBride asked for public comment. Steve Brammer of the Yuba-Sutter EDC asked that Council reconsider the funding of \$52,000 a year to the EDC.

Councilmember Gill said the Yuba-Sutter EDC has not been providing value for their funding. Ms. Bertagna said the non-funding of the Yuba-Sutter EDC will allow the City to hire a Yuba City Economic Development director. Half of that salary would be paid from the Redevelopment Agency and half from the General Fund. The City can not afford to fund both the YSEDC and the City's EDC manager's position.

Councilmember Dukes moved to approve Budget Amendments to Reduce the FY 08-09 Adopted Budget. Councilmember Gill seconded the motion that passed with the following vote:

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

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

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

City Manager Steve Jepsen displayed a calendar showing the process for agenda preparation of a City Council Meeting. Preparation for the January 6, 2009 meeting would begin the day after Christmas. We anticipate business for the January 6 meeting to be light. He recommended carrying over these items to the January 20, 2009 meeting and to dispense with the January 6 meeting.

Councilmember Miller moved to cancel the January 6, 2009 City Council Meeting. Councilmember Maan seconded the motion that passed with a unanimous vote.

#### **17. City Council Reports**

- Councilmember Dukes had nothing to report.
- Councilmember Maan had nothing to report. He wished everyone a Merry Christmas.
- Councilmember Miller had nothing to report.
- Mayor Pro Tem Gill said the Plumas Street Christmas Stroll was very well attended. He asked that this meeting be closed in memory of former Mayor Lon Renfrow and his wife Evelyn who recently passed away.
- Mayor McBride had nothing to report.

### **Adjournment**

Mayor McBride adjourned the regular City Council meeting of the City of Yuba City in memory of Lon and Evelyn Renfrow at 8:30 p.m.

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Leslie McBride  
Mayor

ATTEST:

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Terrel Locke  
City Clerk