

DRAFT

MINUTES
REGULAR MEETING
CITY COUNCIL & REDEVELOPMENT AGENCY
CITY OF YUBA CITY
APRIL 7, 2009 – 7:00 P.M.

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, and Mayor McBride
Absent: Councilmember Miller

Invocation

Councilmember Dukes gave the invocation.

Pledge of Allegiance to the Flag

Councilmember Maan led the Pledge of Allegiance to the Flag.

Presentations and Proclamations

1. **Proclamation for Child Abuse Prevention Month** – presented to Pang Yang of Casa de Esperanza.
2. **Proclamation for the DMV's Donate Life Month** – presented to Tim Crompton of the DMV.

Public Communication on Items Not on the Agenda

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

Scott Proconien, 1631 Greenwood Way, Yuba City spoke.

Ordinances

5. **Second reading of previously heard ordinances for approval of Amendments to the City's Municipal Code relating to new code enforcement programs and procedures for nuisance abatement**

Mayor McBride said this is the second reading of an ordinance to change the municipal code on code enforcement and nuisance abatement.

Councilmember Maan moved to: (a) Adopt Ordinance No. 005-09 to repeal Title 6, Chapter 8 and Title 4, Chapter 8 of the Yuba City Municipal Code and re-enact Title 4, Chapter 8 regarding Nuisance Abatement as indicated on Exhibit A, and waive the second reading; and, (b) Adopt Ordinance No. 006-09 to add Chapter 6 to Title 1 of the Yuba City Municipal Code pertaining to an Administrative Citation Program as indicated on Exhibit B, and waive the second reading. Councilmember Gill seconded the motion that passed with a unanimous vote.

Consent Calendar

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

6. **Queens Avenue and Stabler Lane Traffic Signal Project (Notice of Completion)**

Adopted Resolution No. 09-022 accepting the subject project and authorizing the Public Works Director to file a Notice of Completion.

8. **Dry Year State Water Project Purchase Agreement Amendments with the California Department of Water Resources**

Adopted Resolution No. 09-024 authorizing the Utilities Director to sign the Dry Year State Water Project Purchase Agreement Amendments with the California Department of Water Resources including future non-substantive amendments.

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City Manager Steve Jepsen asked Public Works Director George Musallam to focus on two issues: (1) when will undergrounding occur on Walton between Bridge and Franklin, and (2) what are the plans and when do you anticipate that we will making improvements on Walton, south of Franklin. Mr. Musallam said Council previously adopted a resolution designating an underground district on Walton between Bridge Street and Joseph. This was done to use Rule 20 funds, which is money set aside by PG&E for underground utilities. We are working with the County because the utilities cross boundaries in both the City and County. The County has also expressed an interest in transferring some of their PG&E funds to the City. It is in our best interest to work with the County and PG&E to obtain these funds. Depending on Council's priorities, the work between Bridge and Franklin could be done in the next two years. The physical widening of Walton south of Franklin requires extensive right of way acquisition. Occupied homes need to be purchased. The timeline is dictated by how quickly impact fee funds are collected. Councilmember Gill moved to adopt Item 7 of the Consent Calendar. Councilmember Maan seconded the motion that passed with a unanimous vote.

7. Underground Utility District No. 02-1 – Walton Avenue from South Side of Bridge Street to the North Side of Joseph Street

Adopted Resolution No. 09-023 to modify Underground Utility District No. 02-1 to reduce the limits to Walton Avenue from the south side of Franklin Road to the north side of Joseph Street.

General

9. Walnut Glen Estates East Unit 2 – Repair of Cracked Concrete

Public Works Director George Musallam said this subdivision's final approval was accepted by the City without repairs to the concrete sidewalks being corrected. Usually, these items are discovered at the building permit stage. Repairs are generally required prior to occupancy. Property owners are requesting that the cracks be repaired. An outside consultant was hired to do an unbiased review of the sidewalks. Staff is recommending that the City take responsibility of the sidewalks for a period of 10 years. A letter will be sent to each property owner notifying them of this.

Mr. Musallam also noted a correction to the staff report recommendation. The staff report included the phrase "for a ten year period." An amended recommendation changed the phrase to "up to ten years." Mr. Musallam would like to change it again to "for a period of ten years." Mr. Musallam responded to Council's questions.

Mike Short, 2347 Oregon Way, Yuba City spoke regarding the history of the sidewalk cracks. He stated his displeasure in seeing the amended recommendation. Staff assured Mr. Short that the phrase "up to ten years" will be replaced with "for a period ten years" and the City will provide confirmation of that record tomorrow.

Councilmember Dukes moved to approve the amended recommendation: Approve the City accepting responsibility for repair of existing sidewalk deficiencies within Walnut Glen Estates East Unit 2 subdivision for a period of ten years, excluding any responsibility for future sidewalk deficiencies. Direct the Public Works Department to forward record of cracked sidewalks to affected property owners. Councilmember Gill seconded the motion that passed with a unanimous vote.

Business from the City Council/Redevelopment Agency Board

10. City Council Reports

- Councilmember Dukes – nothing to report
- Councilmember Maan – nothing to report
- Mayor Pro Tem Gill said he and Councilmember Maan attended the Sutter Buttes Flood Control Agency meeting. The Agency is aggressively moving forward.
- Mayor McBride said May is Bike Month. She encouraged everyone to log on to the website and record your miles.

Adjournment

Mayor McBride adjourned the regular City Council meeting of the City of Yuba City at 7:33 p.m.

Leslie McBride, Mayor

ATTEST:

Terrel Locke, City Clerk