

**MINUTES
REGULAR MEETING
CITY COUNCIL & REDEVELOPMENT AGENCY
CITY OF YUBA CITY
MAY 5, 2009
6:00 p.m. – Closed Session
7:00 p.m. – Regular Meeting**

Closed Session 6:00 p.m.

Conferred with real property negotiators Steven Jepsen and William Lewis pursuant to Government Code Section 54956.8 regarding negotiations for the possible purchase of the following properties or portions thereof: APN 22-030-006 and APN 22-030-057.

Conferred with real property negotiators Steven Jepsen and Steve Kroeger pursuant to Government Code Section 54956.8 regarding negotiations for the possible purchase of the following property or portion thereof: APN 52-226-009.

Conferred with labor negotiators Steven Jepsen and Steve Kroeger regarding negotiations with the following associations: Yuba City Police Officers, Police Sergeants, Yuba City Firefighters Local 3793, Yuba City Fire Management, Confidential Employees, Executive Services Employees, First Level Managers, Mid Managers, and Yuba City Employees, pursuant to Section 54957.6 of the Government Code.

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

Call To Order

The City Council of the City of Yuba City was called to order by Mayor Pro Tem Gill at 7:04 p.m.

Roll Call

Present: Councilmembers Dukes, Maan, Miller, and Mayor Pro Tem Gill
Absent: Mayor McBride

Invocation

Councilmember Dukes gave the invocation.

Pledge of Allegiance to the Flag

Councilmember Miller led the Pledge of Allegiance to the Flag.

Mayor Pro Tem Gill introduced the City's new Economic Development Manager Darin Gale.

Presentations and Proclamations

1. **Recognition of Patricia Colleen Vantress for Attaining the Girl Scout's Gold Award**
– absent
2. **Proclamation for Salvation Army Week** – presented to Captain Tom Stambaugh.

Public Communication on Items Not on the Agenda

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

Bid Openings

5. **Printing, Graphic Design, Finishing, Binding and Delivery of Parks and Recreation brochure (RFP 09-06)**

Parks & Recreation Director Brad McIntire said the City sends three brochures each year to everyone in the Yuba-Sutter area. It informs residents of the activities for youth sports, adult sports, senior classes and travel, aquatic classes and swim lessons, concerts in the park and special events. Over 200 programs will be offered in the next four months. With the help of General Services, Parks and Recreation develops specifications and scoring for printing bids. Twenty proposals were received; two were local. Staff recommends award of the bid to Wag the Frog of Marysville. Councilmember Maan asked that in the future dollar amounts of the bids should be included in the staff report in addition to the score.

Councilmember Miller moved to award the contract for Printing, Graphic Design, Finishing, Binding and Delivery of Parks and Recreation brochure to Wag the Frog of

Marysville, CA in the total not to exceed amount of \$64,893.00. Councilmember Dukes seconded the motion that passed with a unanimous vote.

Ordinances

6. Amendment of Redevelopment Plan for Yuba City Project Area (second reading)

Mayor Pro Tem Gill said this is the second reading amending the Redevelopment Plan.

Councilmember Maan moved to adopt Ordinance No. 007-09, waiving the second reading, amending the Redevelopment Plan for the Yuba City Project Area to: Eliminate the time limit on the establishing of loans, advances, and indebtedness; and extend the time limits for plan effectiveness and tax increment receipt dates by one year. Councilmember Miller seconded the motion that passed with a unanimous vote.

Consent Calendar

Councilmember Maan asked that Item 10 of the Consent Calendar be removed for further discussion. Councilmember Maan moved to adopt the balance of the consent calendar. Councilmember Dukes seconded the motion that passed with a unanimous vote.

7. City Council Approval of Minutes of April 21, 2009

Approved the Council meeting minutes of April 21, 2009.

8. CDBG Sidewalk Improvements 2008 Project (Notice of Completion)

Adopted Resolution No. 09-029 accepting the subject project and authorizing the Public Works Director to file a Notice of Completion.

9. Easement Agreement with Roman Real Estate Development, LLC

Authorized the City Manager to sign an Easement Agreement with Roman Real Estate Development, LLC, for dedication of right-of-way and a public utility easement associated with AP# 58-020-006. [Northwest corner of Walton Avenue and Franklin Road]

10. Settlement Agreement, Mutual Release & Joint Escrow Instructions with Guaranty Plus Properties LLC-2

Councilmember Maan asked that the background of this item be discussed for the benefit of the audience. Principal Engineer Diana Langley introduced Steve Lamon who is our attorney on the Dunmore Homes, Canterbury subdivision. Mr. Lamon said he has been working with staff on this dispute. This settlement agreement contemplates that the bank that foreclosed on the property after Dunmore defaulted has agreed to transfer the property to the City. This agreement does not affect any claims the City may have against Dunmore to complete the improvements on the Canterbury subdivision. Councilmember Miller asked for a description of the property. Mrs. Langley said the property is on the SE corner of E. Onstott and Pease Roads and consists of 4-1/2 acres containing a detention basin and the remainder is property that may be used for roadway purposes in the future. These are the best uses of the property. 1.58 acres of city owned property originally planned to be transferred to Dunmore was contingent upon Dunmore completing a storm drain pump station on the pond, which they did not do.

Councilmember Miller moved to authorize the City Manager to sign a Settlement Agreement, Mutual Release & Joint Escrow Agreement with Guaranty Plus Properties LLC-2 for matters associated with the Dunmore Homes Canterbury Subdivisions. [subdivisions located south of Pease Road and east of State Route 99]. Councilmember Maan seconded the motion which passed with a unanimous vote.

General

11. Presentation of Treasurer's Report – Quarter Ended March 31, 2009

Treasurer and Assistant City Manager Steve Kroeger gave the quarterly treasurer's report for quarter ended March 31, 2009. He reviewed investment of City's funds. The portfolio value was slightly over \$105 million and is earning about 3%. Staff continually evaluates the credit quality of corporate funds we hold. He also reviewed other investment and economic conditions.

12. SR-99 Median Improvement Project and Maintenance Agreement

Public Works Director George Musallam said this item is for the landscaping of the median between Sunsweet Boulevard and Woodward Street. Staff has prepared plans and specifications for the work, and has submitted an encroachment permit to CalTrans. As a condition of the permit, we are required to have a maintenance agreement with the

state. This agreement is part of the approval staff is requesting tonight. About \$60,000 of the \$425,000 cost is for street lights. Council could bid the lights as and add/alt to the bid. CalTrans is not requiring the street lights. CalTrans has stringent criteria on trees. They are requiring that crepe myrtle trees be used. CalTrans also will not approve drip systems. The crepe myrtle trees use a moderate amount of water. Councilmember Miller said there appears to be a lot of prep work and underground work that has to be completed. Mr. Musallam agreed and said traffic control is also a big cost, as is the concrete. The length of the median is about 1,500 feet. Councilmember Dukes asked if Council decided to approve this item without the street lights, would the necessary wiring for future lights be installed. Mr. Musallam said he would propose that the prep wiring be done. Cost of operating the street lights would be about \$1,500/year.

Councilmember Dukes moved to (a) Adopt Resolution No. 09-030 approving the plans and specifications for the SR-99 Median Improvement Project and authorizing advertisement for bids on the project. Engineer's Estimate - \$425,000; and (b) adopt Resolution No. 09-031 authorizing the execution of an agreement for maintenance of landscaped area, with the State of California, for the State Route 99 median between Sunsweet Boulevard and Woodward Street. Estimate - \$3,000 annual cost, with the provision that it be bid with and without street lights. Councilmember Maan seconded the motion that passed with a unanimous vote.

Business from the City Council/Redevelopment Agency Board

13. Boards & Commission Appointment Recommendation

Mayor Pro Tem Gill said he and Mayor McBride visited with Youth Commission applicants. Those selected are Maria LaBouyer, Stephanie Sarabia, and alternate Anjali Bhatti. Their terms expire 12/31/09. Youth Commissioners went to a retreat over the weekend at Elk Grove and visited with other Youth Commissioners. They returned with ideas for projects and are very excited. It is nice to see the community taking an interest in our commissions.

14. City Council Reports

- Councilmember Dukes said a representative of Habitat for Humanity asked about amending an area currently zoned M-1 for retail sales. Mayor Pro Tem Gill said he has also been approached on this issue and he believes Community Development Director Aaron Busch can probably handle this.
- Councilmember Maan said the Yuba-Sutter EDC is working with Beale Air Force Base and the private sector to open up 300+ acres at the base for private business to locate.
- Councilmember Miller welcomed Darin Gale.
- Mayor Pro Tem Gill – nothing to report.
- Mayor McBride - absent

Adjournment

Mayor Pro Tem Gill adjourned the regular City Council meeting of the City of Yuba City in memory of Gordon Stromer and Bob Hetherwick at 7:40 p.m.

Kashmir S. Gill
Mayor Pro Tem

ATTEST:

Terrel Locke
City Clerk