

**MINUTES
REGULAR MEETING OF
CITY COUNCIL & REDEVELOPMENT AGENCY
CITY OF YUBA CITY
Council Chambers
June 16, 2009
Closed Session 6:00 P.M.
Regular Meeting 7:00 P.M.**

Closed Session 6:00 p.m.—Butte Room

Conferred with labor negotiators Steven Jepsen and Steve Kroeger regarding negotiations for the City Manager and Department Head Employment Agreements, pursuant to Section 54957.6 of the Government Code.

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 McBride at 7:03 p.m.

Roll Call

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

Invocation

Councilmember Dukes gave the invocation.

Pledge of Allegiance to the Flag

Fire Chief Marc Boomgaarden led the Pledge of Allegiance to the Flag.

Presentations and Proclamations

1. **Proclamation for the Retirement of Fatima Ceballos** – Proclamation presented by Mayor McBride
2. **Presentation by Ken Freeman, Small Business Dev. Center, Yuba College**

Public Hearings

3. **Walton Avenue and Franklin Road Improvement Bid Documents**

Principal Engineer Diana Langley stated that it is the intent of this project to widen Walton Avenue from Anneka Lane to Franklin Road which will provide five lanes of traffic, two north bound, two south bound and a continuous left turn lane; curb and gutter on the west side; curb, gutter and sidewalk on the east side; and bike lanes on both sides. On Franklin Road, the widening from Walton Avenue to Littlejohn Road to include four lanes

of traffic, two east bound, two west bound; curb, gutter and sidewalk on both sides. Also, as a part of the project, we are extending a 16-inch water main to connect two existing water mains on Franklin Road, and the installation of water and sewer stubs to properties for future connection.

The Mitigated Negative Declaration has standard mitigation measures that the contractor will have to follow during construction. Those mitigation measures are related to Water Quality, Noise, Air Quality, and Geology/Soils.

Public Works received a petition, a list of property owners, requesting that we consider the installation of a left turn pocket from Franklin Road on to Neil Drive. In order to accommodate a left turn pocket additional right of way would be needed from Mr. Bath, the property owner on the north side of Franklin. Mr. Bath is one of those that signed the petition.

Councilmembers asked Ms. Langley what the additional cost of adding the left turn pocket onto Neil Drive would be and if we would need to purchase the additional right of way.

Ms. Langley responded that the additional cost would be approximately \$20,000 to incorporate the turn pocket into the design and the additional asphalt work to be done. As for the right of way, the City would contact Mr. Bath and offer the improvements at no cost to him in exchange for a dedication of right of way.

Council would like to see the turn pocket be added to project as its benefit outweighs the cost of the addition.

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

Councilmember Maan moved to adopt the Mitigated Negative Declaration for the project and adopt Resolution 09-043 approving the plans and specifications for the Walton Avenue and Franklin Road Improvements Project and authorizing advertisement for bids on the project. Councilmember Miller seconded the motion that passed with a unanimous vote.

Public Communication

4. **Written Requests** - None
5. **Appearance of Interested Citizens** – Mark Martin, 670 Shasta Street, Yuba City

Consent Calendar

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

6. **City Council Approval of Minutes of June 2, 2009**
Approved the Council meeting minutes of June 2, 2009.
7. **Property Management Agreements with the Consolidated Area Housing Authority of Sutter County (RDA)**
Authorized the Executive Director to enter into Agreements for Property Management Services with the Consolidated Area Housing Authority of Sutter County for three

properties (APN 51-095-48, APN 52-411-016 & APN 51-073-010) purchased with Low/Mod Housing Funds to provide affordable housing for qualified participants in the Housing Program.

8. Extension of the Exclusive Right to Negotiate Agreement with Dr. Narinder Bajwa of the California Heart Institute (RDA)

Authorized the Executive Director to Approve a Four-Month Extension to the Exclusive Right to Negotiate Agreement with regard to Redevelopment Agency property located at the Southwest Corner of Wilbur and C Street (APN 52-380-017).

9. Yuba City Certified Farmers' Market License Agreement

Dan Silva, Yuba City Certified Farmers' Market, spoke on this item.

Adopted the Yuba City Certified Farmers' Market License Agreement as amended.

10. Agreements with the California Department of Transportation for State-Funded Projects

Adopted Resolution 09-044 authorizing the City Manager to execute all Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements and/or Fund Transfer Agreements and any amendments thereto with the California Department of Transportation.

General Items

11. Authorization to Accept Grant Funding from the California Department of Alcoholic Beverage Control, Approve Expenditure Recommendations and Budget Modifications, as required

Assistant Chief of Police Jeffery Webster stated that the Police Department has received grant funding with no fund matching required by the City. The services that will be provided by these funds include training for officers, as well as licensed business owners in the use of Minor Decoy Operations and Shoulder Tap Operations, additional enforcement and any equipment needed to perform the operations. The Alcoholic Beverage Control will also be sending agents to our City to help in the enforcement efforts.

Council stated that it is wonderful that we can get these types of grants to help combat the issues that face our community.

Councilmember Miller moved to adopt Resolution 09-045 authorizing the Chief of Police to accept the 2009/2010 California Alcoholic Beverage Control Grant in the amount of \$45,859.00 and approve expenditure recommendations. Further, authorize the Chief Financial Officer to make budget adjustments as necessary. Councilmember Dukes seconded the motion that passed with a unanimous vote.

12. Garden Highway & Franklin Avenue Signal Project

Public Works Director George Musallam stated that this is an item that was previously brought to Council, dealing with the intersection of Garden Hwy. Staff had recommended the installation of stop signs as a response to the problems that the intersection creates, with a final plan of installing traffic signals to minimize traffic build-up and aid in the safety of the intersection.

The engineer's estimate on the project is \$158,000. Currently, there is approximately \$40,000 worth of equipment at the Corporation Yard that was for another project that will not be completed anytime soon. Staff recommends that we use this equipment for this project.

Mayor McBride read a letter from former Mayor Hellberg.

Councilmembers Dukes and Maan stated their concerns with proceeding with the signal project when there are others with in the City that are perhaps a higher priority.

Councilmember Miller moved to adopt Resolution 09-046 approving the plans and specifications for the Garden Highway & Franklin Avenue Signal Project and authorizing advertisement for bids on the project. Councilmember Gill seconded the motion that passed with the following vote:

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

13. Adoption of the Redevelopment Agency's Fiscal Year 2009-2010 Operating and Capital Budget

Finance Director Robin Bertagna gave a presentation outlining the Redevelopment Agency's budget. The presentation also reflected the changes that have occurred over the last few years.

Councilmember Gill moved to adopt Resolution 09-006 approving the Redevelopment Agency's proposed Fiscal Year 2009-2010 Operating and Capital Budget. Councilmember Miller seconded the motion that passed with a unanimous vote.

14. Adoption of the City of Yuba City's Fiscal Year 2009-2010 Operating and Capital Budgets and Fiscal Year 2009-2010 Appropriations Limit

Finance Director Robin Bertagna gave a presentation outlining the City of Yuba City's budget. The presentation also reflected the changes that have occurred over the last few years and the reasoning for the expected shortfalls.

City Manager Steven Jepsen commended the City Council, Ms. Bertagna and her staff for the leadership and diligence they have shown in the efforts to balance the budget.

Councilmember Miller asked if the Downtown Business Association position was a part of this budget.

Ms. Bertagna responded that it was, but at half time for a one year period.

Councilmember Gill moved to adopt Resolution 09-047 approving the proposed Fiscal Year 2009-2010 Operating Budget. Adopt Resolution 09-048 approving the Fiscal Year 2009-2010 Capital Improvement Program Budget and accept findings of consistency with the General Plan as approved by the Planning Commission, and adopt Resolution 09-049 approving the City's Appropriations Limit for Fiscal Year 2009-10. Councilmember Maan 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 Manager

15. Revisions to the City Manager's Employment Agreement for Fiscal Year 2009/2010

Mr. Jepsen asked Council to consider replacing his current five year agreement with the proposed one year agreement. The one year agreement provides for the 5% furlough reduction in addition to the 5% surrendered in last year's contract. It also relieves the Council of the 2% increase next year and any further obligations. There is also an addendum to include an additional 5% furlough reduction to begin next year.

Council commended Mr. Jepsen in his efforts to help the City. They understand that Mr. Jepsen does not have to break the current contract, but does so in an effort to assist the City in these economic times.

Councilmember Miller moved to authorize the Mayor to sign the Agreement providing for the City Manager's Employment from July 1, 2009 through June 30, 2010. Councilmember Gill seconded the motion that passed with a unanimous vote.

Addendum

Mayor McBride requested that Mr. Lewis and Mr. Kroeger state the reasoning for these items not being listed on the agenda and the reason for immediate action.

Mr. Lewis stated that in the process of submitting of the phase 2 application for the State Drinking Water State Revolving Fund American Recovery and Reinvestment Act Funding, it was discovered that a resolution would have to be passed to the submit phase 3 application. This is a time sensitive matter and the Utilities Department would like to submit the phase 3 application next week. As there is not another Council meeting until July, action on this item would need to be taken by Council at this meeting.

Mr. Kroeger stated that the state is looking to seize local funds to balance the state budget. Approval of the opposition would help in the efforts to keep the City's dollars in the City's pocket. The seizure of funds would jeopardize the ability of Yuba City to maintain multiple public functions.

Mayor McBride stated that in order for these items to be added to the agenda, a minimum of a two-thirds vote is required by the Council.

Councilmember Gill moved to add items 15A and 15B to the agenda for discussion and decision. Councilmember Dukes seconded the motion that passed with a unanimous vote.

15A. Approval to apply for State Drinking Water State Revolving Fund American Recovery and Reinvestment Act Funding

Councilmember Maan moved to adopt Resolution 09-050 authorizing the application for State Drinking Water State Revolving Fund American Recovery and Reinvestment Act funding and designation of the Utilities Director to sign and submit the application. Councilmember Miller seconded the motion that passed with a unanimous vote.

15B. Resolution in Opposition to State Take-Away of Transportation and Redevelopment Funds

Councilmember Maan moved to adopt Resolution 09-051 in Opposition to any seizure by the State Government of the City's share of the Highway User's Tax account revenues,

Prop. 42 "Sales Tax on Gas Revenue" Funds, or Redevelopment Property Tax Funds. Councilmember Gill seconded the motion that passed with a unanimous vote.

Business from the City Council/Redevelopment Agency Board

16. Formation of a "Buy Local" Taskforce

Economic Development Manager Darin Gale asked Council to consider the formation of a "Buy Local" Task Force. The task force would work in conjunction with the Chamber of Commerce and local businesses to develop innovative ways to inform the public of the benefits of making purchases locally versus shopping elsewhere. At this time, most of the public is unaware that the revenue generated from sales tax directly affects the City. The revenues contribute to the services the City is able to offer, such as, police and fire protection, road repairs and many other benefits.

Councilmember Gill moved to approve the formation of a "Buy Local" Task Force to include a City Council Representative. 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.
- Councilmember Miller stated that the Sutter Buttes Flood Control Agency is diligently working on moving up the schedule for the repairs to our levees. FEMA is expected to map the Yuba-Sutter area into the flood plain next year, which will cause insurance rates to rise. It is hoped that with the repairs being made faster that the local area will only remain in the Flood Plain until 2013.
- Mayor Pro Tem Gill had nothing to report.
- Mayor McBride had nothing to report.

Adjournment

Mayor McBride adjourned the regular City Council meeting of the City of Yuba City at 8:45 p.m.

Leslie McBride
Mayor

ATTEST:

Terrel Locke
City Clerk