

**AGENDA
REGULAR MEETING OF
CITY COUNCIL & REDEVELOPMENT AGENCY
CITY OF YUBA CITY
Council Chambers
November 17, 2009
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 Steven Jepsen and Steve Kroeger pursuant to Government Code Section 54957, Public Employee Appointment, regarding the appointment of the Interim Fire Chief.

Confer with legal counsel regarding potential litigation pursuant to Government Code Section 54956.9(b)—one potential case.

Confer 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

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

Invocation

Pledge of Allegiance to the Flag

Presentations and Proclamations

1. **Proclamation for Pancreatic Cancer Awareness Month**
2. **Proclamation for the Retirement of Field Services Technician Kenneth Summers**
3. **Marc Boomgaarden Acknowledgement of Service and Best Wishes for Retirement**

Public Hearings

4. **Water System Ordinance update**

- Recommendation:
- a. Conduct a public hearing and adopt an Ordinance repealing Chapter 6 Title 6 and adding Chapter 6 Title 6 of the Yuba City Municipal Code regarding the Water System and waive the second reading.
 - b. Direct staff to issue credit for all existing customers out of City rates charges collected since August 2008.

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.

5. 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.

6. 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.

Bid Openings

7. Sanborn Storage & Pumping Plant Project (Award of Contract)

- Recommendation:
- a. Reject the bids submitted by Mountain Cascade of Livermore, CA and Spiess Construction of Santa Maria, CA because they proposed an electrical subcontractor that fails to meet the minimum experience requirements for this project as specified in the bid documents.
 - b. Award Contract No. 09-24, Sanborn Storage & Pumping Plant Project, to Auburn Constructors, Inc of Sacramento, CA in the amount of their bid of \$4,815,300.00.
 - c. Authorize the City Manager to execute the contract on behalf of the City, following approval by the City Attorney.
 - d. Authorize the Utilities Director to amend the existing Professional Services Agreement with Carollo Engineers for modifications made to the design of this project due to the relocation of the tank site and to provide engineering services during construction in the amount of \$408,700 plus \$60,000 contingency with the finding that it is in the best interest of the City to do so.
 - e. Authorize the Finance Director to make necessary supplemental appropriations in the amount of \$6,259,890 for reimbursable work performed under the Sanborn Storage & Pumping Plant Project from the State of California to Account No. 941057 (Water Storage Tanks and Pumping Stations).

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.

8. Approval to apply for a Proposition 50 Grant through the California Department of Public Health for Water Security Projects

Recommendation: Adopt a Resolution authorizing the Utilities Director to apply and submit all required documents associated with the Proposition 50 Water Security Grant application.

9. Sale of City Property Located at the Northwest Corner of Sutter Street and North Colusa Frontage Road to Michael Tomlinson and Theresa Tomlinson, as Trustees of the Michael Tomlinson and Theresa Tomlinson 1997 Irrevocable Inter Vivos Family Trust, contingent upon the dedication of a portion of AP#51-571-015 for Sutter Street from the Tomlinson's to the City

Recommendation:

- a. Authorize the City Manager, or his designee, to execute all escrow documents pertaining to the sale of the subject property.
- b. Authorize the Mayor to execute a Grant Deed transferring title of the subject property to Michael Tomlinson and Theresa Tomlinson, as Trustees of the Michael Tomlinson and Theresa Tomlinson 1997 Irrevocable Inter Vivos Family Trust.

10. SR-99 Median Improvement Project - Authorize additional work.

Recommendation:

- a. Increase the purchase order amount with Newland Entities to cover additional night work costs at the total amount of \$25,000.00.
- b. Authorize the Finance Director to make financial changes as necessary to accommodate the increased work.

General Items

11. Bridge Street Reconstruction Project, Authorize Additional Work

Recommendation:

- a. Increase the purchase order amount with Granite Construction Co. to cover additional water main replacement work, extension of the paving limits on Plumas Street to B Street and additional Underground Joint Trench work in the total amount of \$400,000.00.
- b. Approve a budget transfer in the amount of \$50,000 from Account No. 971093 (Replacement and Major Maintenance of Water Lines) to Account No. 1055 (Bridge Street Reconstruction).
- c. Approve a budget transfer in the amount of \$70,000 from Account No. 931041-65501 (Western Parkway and SR-20 Intersection) to Account No. 1055 (Bridge Street Reconstruction).

- d. Authorize the Finance Director to make financial changes as necessary to accommodate the increased work.

12. Final Financial Report for Fiscal Year Ending June 30, 2009

Recommendation: Note and File the Final Financial Report for the Fiscal Year Ending June 30, 2009

13. Quarterly Financial Report—1st Quarter FY 2009-10

Recommendation: Note and File the Quarterly Financial Report

Business from the City Council/Redevelopment Agency Board

14. City Council Reports

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

Adjournment