

**MINUTES  
REGULAR MEETING OF  
CITY COUNCIL & REDEVELOPMENT AGENCY  
CITY OF YUBA CITY  
COUNCIL CHAMBERS  
MAY 18, 2010  
Closed Session 6:00 P.M.  
Regular Meeting 7:00 P.M.**

**Closed Session 6:00 p.m.—Butte Room**

Annual performance evaluation of City Manager pursuant to Government Code Section 54957.

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 Gill at 7:03 p.m.

**Roll Call**

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

**Invocation**

Councilmember Dukes gave the invocation.

**Pledge of Allegiance to the Flag**

Councilmember Miller led the Pledge of Allegiance to the Flag.

**Presentations and Proclamations**

1. **Darren Greenwood, California Water Environment Association (CWEA) Statewide President – Presentation of the Statewide CWEA Wastewater Plant of the Year Award to Council & the Utilities/Public Works Department**
- 1A. **Report by Sutter County Taxpayers Association on Levee Assessments and Statement of Support – Presented by Elaine Miles**

**Public Communication**

2. **Written Requests – Ron Sanderson, 2664 Jefferson Ave, Yuba City**
3. **Appearance of Interested Citizens – None**

**Bid Openings**

4. **Live Oak Boulevard Sewer Repair Project**

Public Works Director George Musallam stated this project is to repair an old cement pipe south of Live Oak Boulevard and North of Highway 20. Eleven bid packages were sent out. Two bids were received and opened at the bid opening held on May 10, 2010.

Councilmember Maan moved to award Contract No. 10-03, Live Oak Boulevard Sewer Repair Project, to Fletcher's Plumbing & Contracting Inc. of Yuba City, CA in the amount of their total bid of \$97,871.00, authorize the City Manager to execute the contract on behalf of the City, following approval by the City Attorney, and authorize a budget transfer in the amount of \$127,232 from the unallocated wastewater reserve fund to Account No. 981104 (Recurring Collection or Rehab System Projects). Councilmember Dukes seconded the motion that passed with a unanimous vote.

**Ordinances**

**5. Repeal then re-enact Chapter 11 of Title 5 to the Yuba City Municipal Code regarding Public Vehicles for Hire (First Reading)**

Assistant Chief of Police Jeffrey Webster stated the original ordinance was written in 1947 and has had five amendments. The latest amendment was adopted in 1993, which left the language open for interpretation. Owners of the 5 taxicab services in town have been consulted and are aware that a change in the ordinance is being proposed.

Mr. Webster stated that in Section 5-11.030(A10), the language stating "within five calendar years preceding the date of application" would be omitted from the final ordinance at the advice of the City Attorney.

Councilmember McBride moved to adopt the repeal and re-enactment of Chapter 11 of Title 5 of the Yuba City Municipal Code and waive the first reading with the language omitted. Councilmember Miller seconded the motion that passed with a unanimous vote.

**6. Zoning Code Amendment ZC 09-02 related to new standards for operating mobile and open air vending businesses within the City Limits (Second Reading)**

Community Development Director Aaron Busch stated that at the May 4, 2010 City Council meeting this ordinance was approved and the first reading was waived.

Councilmember Miller moved to adopt Ordinance No. 004-10 for approval of Zoning Code Amendment ZC 09-02 which establishes procedures and standards for allowing mobile and open air vendors to operate within the City limits, and waive the second reading. Councilmember Maan seconded the motion that passed with a unanimous vote.

**Consent Calendar**

Councilmember McBride moved to adopt the consent calendar as presented. Councilmember Miller seconded the motion that passed with a unanimous vote.

**7. City Council Approval of Minutes of May 4, 2010**

Approved the Council meeting minutes of May 4, 2010.

**General Items**

**8. Semi-Annual Report on Off the Leash Dog Park**

Citizen Chris Parent gave a presentation with pictures of the Off the Leash Dog Park. He stated that a committee was formed to start a nonprofit organization dedicated to providing an off the leash dog park to the citizens of Yuba City. The committee was then able to lease a 5 acre parcel from CalTrans off of Wildriver Drive. There are many volunteers that maintain the property in addition to the patrons that use it. The City provided a water source to enable the dog owners to provide water for their pets while using the park. Overall the park has been a great asset to the community with virtually no incidents.

Councilmember Dukes moved to accept the semi-annual report on Off the Leash Dog Park. Councilmember Miller seconded the motion that passed with a unanimous vote.

**9. Feasibility Study to expand the Redevelopment Project Area**

Community Development Director Aaron Busch stated that in June 2009, staff brought to Council for consideration, a possible expansion to the current Redevelopment boundaries project area. The purpose of the expansion of the project area boundaries is to utilize the more efficient economic development tools to assist in promoting economic stability, provide new job growth while also reversing deteriorating conditions within the community.

In October 2009, RSG was retained to conduct the feasibility study which was intended to evaluate all the properties within the City to determine properties that could potentially be included in the boundary expansion.

Jim Simon of RSG gave a presentation to Council outlining the key points of the study.

Councilmember Maan moved to accept the Feasibility Study to Amend the Redevelopment Plan to expand the Redevelopment Project Area and consider a Project Plan Amendment as part of the FY 2010/11 Annual Budget process. Councilmember Dukes seconded the motion that passed with a unanimous vote.

**10. Exclusive Negotiating Agreement with the YMCA of Superior California**

Parks and Recreation Director Brad McIntire stated the exclusive negotiating agreement would enable both parties to investigate the uses of the old Fire Station No. 4 on Walton Ave. In July 2009, the new fire station was built, leaving the old fire station vacant. In November 2009 the City began the bidding process. The YMCA was the only organization to submit a proposal at that time. Also in November 2009, a public hearing was held at the fire station to get feedback from the community on the short term use of the building as a temporary cold shelter and the long term use as a youth community service provider. In March 2010, the YMCA gave a presentation entailing its vision to the Parks and Recreation, Youth and Senior Commissions. The exclusive negotiating agreement will allow negotiations between YMCA and the City with the end result being a Memorandum of Understanding.

Jay Loudon, CEO and President of YMCA Superior California spoke on this item.

Councilmember Miller moved to approve an Exclusive Negotiating Agreement (ENA) between the City of Yuba City and the YMCA of Superior California to enable the parties to further evaluate the development of an agreement for the use of the Old Fire Station 4 on Walton Avenue; and authorize the City Manager to execute the ENA. Councilmember Maan seconded the motion that passed with a unanimous vote.

**11. Adopt the Initial Study/Mitigated Negative Declaration (IS/MND) for the Feather River Parkway: Willow Island Recreation Project**

Public Works Director George Musallam stated that this project is related to a grant that the City has received related to Proposition 50, for the development of the Willow Island Area. After approval of the environmental report, staff will be coming back to Council with the plans and specifications and description of the project. Plans will include the development of approximately 65 acres, with 2.6 miles of public trails, pedestrian and sidewalk trails, a pavilion and picnic area, boardwalk and a beach landing.

Councilmember McBride moved to adopt the Mitigated Negative Declaration for the project. Councilmember Maan seconded the motion that passed with a unanimous vote.

**12. Laboratory Fee Schedule**

Assistant Utilities Director Maria Solis stated due to some noticing issues, this item could only be approved conceptually. Staff will be bringing this item back in June for the final approval of the new laboratory fee schedule.

Councilmember Miller moved to approve the conception of an updated City of Yuba City Laboratory Fee Schedule. Councilmember Dukes seconded the motion that passed with a unanimous vote.

**13. Application to acquire future American Recovery and Reinvestment Act (ARRA) Grant Funds and/or a Clean Water State Revolving Fund (SRF) Loan**

Assistant Utilities Director Maria Solis stated that in 2008 the Federal Stimulus package provided ARRA grants to be distributed to public agencies through the Clean Water State Revolving Fund program to fund Wastewater infrastructure projects, also referred to as the SRF program. ARRA grants were distributed to agencies in 2008 and 2009 that had shovel ready wastewater projects or who had previously approved SRF loans or who had substantially completed a SRF loan application. Staff recommends that it is in the best interest of the City to prepare an SRF loan application now and prepare shovel ready projects in anticipation of future wastewater grants and/SRF loans.

Councilmember Dukes moved to adopt Resolution No. 10-037 designating and authorizing the City Manager to submit a Financial Assistance Application on behalf of the City, not to exceed \$14.2 million for implementation of Wastewater Infrastructure Projects. Councilmember Maan seconded the motion that passed with a unanimous vote.

**14. Revisions to the City Manager's Employment Agreement for Fiscal Year 2010/2011**

City Manager Steve Jepsen stated that this will be the second consecutive year that he has requested that Council adjust his compensation to recognize the downturn in the economy. It is important to demonstrate to the employees our expectations of what is needed from them in order to avoid further reductions in staffing. Given the situation, the contract changes would increase the furlough from 5% to 10% in a salary reduction, beginning January 2011. In addition to that, with 2009-2010 being the base year, all health care cost and pension increases will be paid by the City Manager rather than the City. The City is anticipating significant increases in our healthcare and PERS this year. They cannot continue to pick up these increases. In addition, in all fairness to the tax payers of Yuba City or anywhere in the state of California, the citizens should not be required to absorb the increasing costs for the employees benefit programs. The employees have a fine benefit program that is very generous, but it has reached the point

that it is not sustainable. Our employees will need to find a way to pay the increased cost from this year forward. These are the same concessions that we will be asking all the bargaining units for.

Council commended Mr. Jepsen on his "lead by example" approach to the City's budget situation.

Councilmember McBride moved to authorize the Mayor to sign the Agreement providing for the City Manager's Employment from July 1, 2010 through June 30, 2011. Councilmember Dukes seconded the motion that passed with a unanimous vote.

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

#### **15. City Council Reports**

- Councilmember Maan stated he had an interview at Comcast regarding the flood protection assessment vote. Everyone should have received their assessment ballot in the mail, take the time to study it and cast your vote. The choices are to do nothing and pay the increased \$2,000-3,000 a year flood insurance costs for life or vote to for the assessment and pay \$100-200 in assessment fees for thirty years.
- Councilmember McBride had nothing to report.
- Councilmember Miller stated that the Sutter Butte Flood Control Agency had a meeting last Wednesday and approved the final assessment. The assessment ballots went out and residents should have started receiving them. There is an explanation with the ballot and it is encouraged that everyone look it over and make an educated decision.
- Mayor Pro Tem Dukes stated that he attended the United Way Awards Dinner last week. He also met the new Beale Air Force Base Commander, Colonel Paul McGillicuddy. The Yuba City business community stepped up and donated nearly \$2,000 in gift certificates to provide to the Colonel and his family. Gift certificates were given to encourage the Colonel and his family to visit Yuba City and see what we have to offer.

Mayor Pro Tem Duke invited Council and the public to the Memorial Day production at Calvary Christian Center on Monday. There are two events at 10 and 2 o'clock to honor our veterans in the community. This event has taken place for the last 16 years and it is probably one of the largest events in the country on Memorial Day.

- Mayor Gill stated he joined Bill Edgar and Kim Floyd in a neighborhood meeting Friday in the Teesdale area concerning the flood assessment. He had the opportunity to visit and address our grand jury regarding the City. He attended the Sacramento Host Breakfast in Sacramento this morning put on by the California Chamber of Commerce. He will be a keynote speaker at Beale Air Force Base this weekend addressing the Asian Pacific population. Next Friday the Chamber of Commerce has their State of the Cities address at Peach Tree. Council will be wearing business casual attire June through Labor Day.

### **Adjournment**

Mayor Gill adjourned the regular City Council meeting of the City of Yuba City at 8:33 p.m.

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Kash Gill  
Mayor

ATTEST:

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Terrel Locke  
City Clerk