

**MINUTES
REGULAR MEETING
CITY COUNCIL & REDEVELOPMENT AGENCY
CITY OF YUBA CITY
JUNE 1, 2010 - 7:00 p.m.**

Regular Meeting—Council Chambers

Call To Order

The City Council of the City of Yuba City was called to order by Mayor Gill at 7:05 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 McBride led the Pledge of Allegiance to the Flag.

Presentations and Proclamations

1. A **Proclamation Officially Recognizing the Tsi-Akim Maidu Tribe** was presented to a member of the tribe.

Public Hearings

2. **Authorization to Accept Grant Funding, Approve Expenditure Recommendations and Budget Modifications as Required in the Amount of \$26,359.00**

Police Chief Rob Landon said this grant is given annually by the U.S. Department of Justice, the Office of Justice Programs' Bureau of Justice Assistance, offering funding to local, state and tribal efforts to prevent or reduce crime and violence. The Yuba City Police Department was notified that we are eligible for \$26,359 in funding through this grant. A joint application is required with Sutter County being the fiscal agency. Of this grant, \$14,912 will be used to pay half of the 2011/12 fiscal year for the Sutter Buttes Gateway System public safety interoperable radio communications equipment. This allows us interoperability with the county, state and federal agencies. The remainder will be used for the purchase of three portable radios. These radios can operate digitally and in analog. No matching funds are required.

Mayor Gill opened the public hearing. Hearing no comment, he closed the public hearing.

Councilmember Maan moved to adopt Resolution No. 10-038 authorizing the Chief of Police to accept the FY 2010/2011 Edward Byrne Memorial Justice Assistance Grant funding and approve expenditure recommendations. Authorize the Mayor to execute the associated memorandum of understanding with Sutter County on behalf of the City, following approval by the City Attorney. Further, authorize the Chief Financial Officer to make budget adjustments as necessary. Councilmember Dukes seconded the motion that passed with a unanimous vote.

Public Communication on Items Not on the Agenda

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

Bid Openings

5. **Waste Activated Sludge Thickening Polymer (FB10-08)**

General Services Director Devin Barber stated the low bidder for this item is US Polymer at \$27.07 per ton. When sludge is treated at the wastewater plant, water is added to lubricate the tracks. Once it is treated, the water needs to be removed. He estimates a savings of \$15,000 per year with the award to US Polymer.

Councilmember Miller moved to award a contract to the low bidder for Rotary Drum Thickener (RDT) polymer to US Polymer of Tupelo, MS in the amount of \$27.07 per ton. Councilmember Maan seconded the motion that passed with a unanimous vote.

6. Corporation Yard Solar Panel Installation Project (Award of Contract)

General Services Director Devin Barber said this is the last of the American Recovery and Reinvestment Act Energy Efficiency and Conservation Block Grant (EECBG) projects. Solar panels are to be installed at the Corporation Yard. Emard Electric of Loomis was the lowest of five bids received. Mr. Barber responded to questions from Council. We expect to save \$10,000/year in electric costs at the Corp Yard.

Councilmember Maan moved to (a) Award Contract No. 10-05, Corporation Yard Solar Panel Installation Project, Emard Electric of Loomis, CA in the amount of their bid of \$196,000; (b) Authorize the City Manager to execute the contract on behalf of the City, following approval by the City Attorney; (c) Authorize the Finance Director to make necessary supplemental appropriations in the amount of \$287,281.00 for work performed under the Corporation Yard Solar Panel Installation Project that is reimbursable through the American Recovery and Reinvestment Act (ARRA) Energy Efficiency and Conservation Block Grant (EECBG) to Account No. 941123 (Corp Yard Solar); and (d) Authorize the Finance Director to transfer remaining funds between previous DOE EECBG projects to this project which is the last to be completed with these funds. Councilmember McBride seconded the motion that passed with a unanimous vote.

Ordinances

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

Assistant Chief of Police Jeff Webster said this is the second reading of an ordinance regarding public vehicles for hire. The original ordinance was written in 1947. It is no longer up to date. Insurance requirements are different and vehicles will be subject to inspection.

Councilmember Miller moved to adopt Ordinance No. 005-10 for the repeal and re-enactment of Chapter 11 of Title 5 of the Yuba City Municipal Code and waive the second reading. Councilmember Dukes seconded the motion that passed with a unanimous vote.

Consent Calendar

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

8. City Council Approval of Minutes of May 17, 2010

Approved the Council meeting minutes of May 17, 2010

9. Stimulus Street Rehabilitation – ARRA 2009 (Live Oak Blvd Overlay - Notice of Completion)

Adopted Resolution No. 10-039 accepting the subject project and authorizing the Public Works Director to file a Notice of Completion.

10. Approval of a Resolution authorizing the Public Works Director to prepare, sign, and submit documents associated with the California Department of Fish & Game to apply for grant funding for the Yuba City Feather River Fish Screen Project

Adopted Resolution No. 10-040 authorizing George Musallam, Public Works Director, to sign and submit all required documents associated with the Yuba City Feather River Fish Screen Project and to execute an agreement with the California Department of Fish and Game on behalf of the City.

General

11. Authorization to Purchase Video Equipment for Patrol Vehicles Utilizing a Sole Source with an Anticipated Maximum Expenditure of \$68,000

Commander Jeremy Garcia said this is a request to authorize the Chief of Police to enter into a purchase agreement with Hub-Data911 for patrol vehicle video equipment. The approximate cost is \$64,000, plus the cost of installation, not to exceed \$68,000. State COPS grant money will pay for this purchase. The COPS grant for \$100,000 was received in March of this year. The benefit of purchasing through Hub-Data911 is that their equipment is compatible with existing digital media hardware at the Police Department. This would be a seamless joining of the two.

Councilmember Dukes asked if all vehicles would receive this video equipment. Commander Garcia said no, it would equip ten patrol cars out of about 20 in the fleet. We anticipate installing video equipment in the remainder of the vehicles next year.

Mayor Gill asked if the cameras will be operated manually. Commander Garcia said they are typically set up so that whenever the light bar comes on, the cameras become operational, but they can also be operated manually. Both video and audio will be recorded. Councilmember Miller asked about the selection of the vendor. Commander Garcia said the technology sergeant reviewed the bids. About \$12,000 will be saved over other vendors because we already have the hardware at the P.D.

Councilmember Maan moved to authorize the Chief of Police to enter into a purchasing agreement with Hub-Data911 for the sole source purchase of patrol vehicle video equipment (a cost of \$63,657.75) with the finding that it is in the best interest of the City; and authorize the cost of installation of the equipment, not to exceed \$68,000.00. Councilmember McBride seconded the motion that passed with a unanimous vote.

12. Approval of an Agreement with Yuba City and the Yuba City Unified School District in Support of the School District's Assessments for Flood Control Improvements to the Feather River Levee System

City Manager Steve Jepsen asked that Council consider subsidizing the School District's levee assessment fee. Last minute changes to the assessments raised the School District's assessment \$24,000. The School District has asked Sutter County and the City to share in that cost. Mr. Jepsen asked for favorable consideration in light of the next item which involves the loan that the City has provided to the Flood Control Agency for the construction at Star Bend. If the assessment passes, he believes the loan will be repaid. If it does not pass, the City stands little chance of recovering the \$1.6 million loan. He responded to questions from Council. Mayor Gill noted if the City grows, it could result in the reduction of the assessments to all other parcels, including the School District properties.

Councilmember Miller moved to authorize the City Manager to Develop an Agreement with the Yuba City Unified School District for the Support of the School District's final assessments in an amount not to exceed 6.0 percent or \$12,000 of the annual assessment. Councilmember Dukes seconded the motion that passed with a unanimous vote.

13. Approval of amendment to Loan Agreement between the Sutter Butte Flood Control Agency and Yuba City for funding of Lower Feather River Set Back Levee at Star Bend

City Manager Steve Jepsen said the construction of the set back levee at Star Bend was completed with substantial savings because of favorable bids received in this economic climate. That resulted in a savings of \$1 million in match money shared between the County and the City. The Sutter Butte Flood Control agency has asked that we amend our agreement for repayment of the \$1.6 million to allow them to use \$500,000 of the Star Bend money for alternative purposes to carry the Agency's costs for the next year and beyond.

Councilmember Dukes moved to authorize the Mayor to execute an amendment to a Loan Agreement between the Sutter Butte Flood Control Agency and Yuba City for funding of lower Feather River set back levee at Star Bend. Councilmember Maan seconded the motion that passed with a unanimous vote.

Business from the City Council/Redevelopment Agency Board

14. Discuss Cancellation of the July 6, 2010 City Council Meeting

Mayor Gill noted since July 4 falls on the weekend, it will result in Monday, July 5, being observed by City employees. City Manager Steven Jepsen noted the previous Friday is a furlough day which shortens the timeframe to put agenda materials together. Staff is planning on forwarding agenda items to the July 20 meeting.

Councilmember Dukes moved to cancel the July 6, 2010 City Council Meeting. Councilmember Miller seconded the motion that passed with a unanimous vote.

15. City Council Reports

- Councilmember Maan thanked Councilmember Dukes for the invitation to attend the special Memorial Day service, A Grateful Nation Remembers, at Calvary Christian Center. This service was a wonderful representation of what Memorial Day is about. He said Coach Stassi has led the Honkers to their fourth consecutive championship and would like to see Council do something to commemorate it. He also attended the Punjabi American Festival over the weekend.
- Councilmember McBride attended the Chambers State of the Cities event last week where Mayor Gill did a great job speaking about the City.

- Councilmember Miller said he was sorry he had to go out of town and missed the State of the Cities speeches.
- Mayor Pro Tem Dukes agreed Mayor Gill gave a wonderful speech. He said Calvary's Memorial Day services also included 17 outdoor panels with 5,414 names of Americans who gave their lives for our freedom.
- Mayor Gill thanked Councilmembers and staff who attended the State of the Cities event. He strongly recommended that everyone should attend Calvary's annual Memorial Day service. It's an amazing tribute. He wished all the graduates in the area well and said his son, Rajan, graduates from Yuba City High School Thursday evening.

Adjournment to Closed Session

Mayor Gill adjourned the regular City Council meeting of the City of Yuba City to closed session at 8:47 p.m.

Closed Session-Butte Room

Conferred with legal counsel regarding potential litigation pursuant to Government Code Section 54956.9(c) – one potential case.

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.

Adjournment

Kash Gill
Mayor

ATTEST:

Terrel Locke
City Clerk