

**MINUTES (DRAFT)
REGULAR MEETING OF THE CITY COUNCIL
CITY OF YUBA CITY
COUNCIL CHAMBERS
SEPTEMBER 6, 2016
5:00 P.M. – CLOSED SESSION
6:00 P.M. – REGULAR MEETING**

Closed Session—Butte Room

- A. Annual performance evaluation of City Manager pursuant to Government Code § 54957.
- B. Conferred with legal counsel regarding existing Workers Compensation Claim of Thomas Mathews pursuant to Government Code § 54956.9(a).
- C. Conferred with real property negotiators Steve Kroeger and Diana Langley pursuant to Government Code § 54956.8 regarding possible purchase of APB 51-630-025, 1190 Pease Road.

Regular Meeting—Council Chambers

The City of Yuba City City Council meeting was called to order by Mayor Buckland at 6:00 p.m.

Roll Call

Present: Councilmembers Cleveland, Didbal, Dukes, Gill and Mayor Buckland
Absent: None

Invocation

Councilmember Dukes gave the invocation.

Pledge of Allegiance to the Flag

Lieutenant Brian Baker led the Pledge of Allegiance.

Presentations & Proclamations

1. Public Safety Report – Police Department

Chief Rob Landon, Assistant Chief Garcia, Commander Tappe, and Sargent Runyen provided the report to Council.

Public Hearing

2. 5th Street Bridge Replacement Project – Resolution of Necessity (Initiation of Eminent Domain Proceedings for Property Acquisition)

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

Councilmember Gill moved to make the following findings: 1) The public interest and necessity require the project; 2) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; 3) The property

sought to be acquired is necessary for the project; and 4) The offer required by Section 7267.2 of the Government Code has been made to the owner of record; and adopt **Resolution No. 16-057** a Resolution of Necessity determining that the public interest and necessity require the acquisition of certain real property identified as Assessor Parcel Nos. 010-156-005 & 010-156-006 (426 J St. & 1000 5th St., Marysville, CA,) for constructing and maintaining a right turn lane and related appurtenances associated with the 5th Street Bridge Replacement Project. Councilmember Dukes seconded the motion the passed with a unanimous vote.

3. Proposed 2015-2016 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant (CDBG)

Mayor Buckland opened the public hearing; the following person spoke:

Fotine Halikaskopriva, Yuba City

Hearing not further comment, Mayor Buckland closed the public Hearing.

Council member Dukes moved to approve the CAPER and authorize staff to submit it to the U.S. Department of Housing and Urban Development (HUD). Councilmember Gill seconded the motion that passed with a unanimous vote.

4. Urban Level of Protection (ULOP; Senate Bill 5)

Mayor Buckland opened the public hearing; the following person spoke:

Fotine Halikaskopriva, Yuba City

Hearing not further comment, Mayor Buckland closed the public Hearing.

Councilmember Gill moved to:

- A. Adopt the Negative Declaration prepared for the proposed General Plan Amendment and Zoning Ordinance Text Amendment, that there will be no significant environmental impacts created [Environmental Assessment 16-04]
- B. Adopt **Resolution No. 16-058** amending General Plan text consistent with the State Guidelines that require that General Plans comply with adopted State regulations. [General Plan Amendment 16-03]
- C. Introduce an Ordinance amending the Municipal Code related to Flood Damage Protection and required findings for various entitlements, regulations, and waive the first reading.[Zoning Ordinance Amendment 16-01]

Councilmember Didbal seconded the motion that passed with a unanimous vote.

5. Yuba City Resource Efficiency Plan

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

Councilmember Gill moved to: A) adopt the Mitigated Negative Declaration prepared for the proposed General Plan Amendment, that there will be no significant environmental impacts created after implementation of mitigation measures. [Environmental Assessment 16-05]; and B) adopt **Resolution No. 16-059** adding Appendix B, Resource Efficiency Plan to the City's General Plan. [General Plan Amendment 16-04].

Public Communication

6. **Written Requests** - None
7. **Appearance of Interested Citizens** – None

Consent Calendar

Councilmember Dukes moved to adopt the Consent Calendar, with the Roll Call correction to the August 9th Minutes. Councilmember Cleveland seconded the motion that passed with a unanimous vote.

8. Minutes of July 26, August 9, and August 16, 2016

Approved the City Council Meeting Minutes of July 26, August 9, and August 16, 2016, with a correction to the August 9th minutes.

9. Instrumentation Technician Job Classification Modification and Salary Adjustment

Adopt **Resolution No.16-060** authorizing the Director of Finance to amend the salary schedule to reflect the creation of the Instrumentation Technician I/II and III job classifications as outlined in the staff report; and adopted **Resolution No. 16-061** authorizing the reclassification of one Instrumentation Technician position to Instrumentation Technician III within the Public Works Department.

General Items

10. 2015 Homeland Security Grant Program

Councilmember Gill moved to: A) accept the award of the 2015 Homeland Security Grant in the amount of \$21,563; B) Approve supplemental budget appropriations to the Police Department's revenue account #100-43420 in the amount of \$21,563; and C) Approve supplemental budget appropriations to the Police Department's expenditure account # 2193-69201 in the amount of \$21,563. Councilmember Didbal seconded the motion that passed with a unanimous vote.

11. Police Recruiting Incentive Program

The following person spoke:

Dena Walker, Yuba City

Councilmember Didbal moved to adopt the Police Recruiting Incentive Program with the following amendment to **Resolution No. 16-062**:

3. New lateral Police Officers shall receive an amount equal to their accumulated sick leave from their previous employer placed in their leave banks, not to exceed 40 hours. The applicant must provide verification of the leave bank amount.

Councilmember Gill seconded the motion that passed with a unanimous vote.

12. Wastewater Rate Methodology for Septic Haulers

Councilmember Dukes moved to adopt **Resolution No. 16-063** approving the revision to Section 6-5.507 of Title 6, Chapter 5, Wastewater Collection and Treatment, of the Yuba City Municipal code with the finding that it is in the best interest of the City to provide the best customer service. Councilmember Cleveland seconded the motion that passed with a unanimous vote.

13. Establish a Pension Rate Stabilization Program and an Other Post-Employment Benefits (OPEB) Pre-Funding

Councilmember Gill moved to: A) Adopt **Resolution No. 16-064** approving the adoption of the Public Agencies Post-Employment Benefits Trust administered by Public Agency Retirement Services (PARS); B. Adopt the attached Pension Rate Stabilization Program (PRSP) and Other Post Employee Benefits (OPEB) Pre-Funding Policy; and C. Authorize initial contribution of \$2,000,000 to the PRSP. Councilmember Didbal seconded the motion that passed with a unanimous vote.

14. Fiscal Year 2016 - 2017 City Council Priorities and Goals Progress Report

Noted and Filed the 2016-2017 City Council Priority and Goals Semi-Annual Progress Report.

Business from the City Council

15. Appointment of Interim City Clerk

Mayor Buckland recused himself from this item due to family being a candidate for City Clerk, and left the dais.

Vice-Mayor Cleveland led the discussion.

The following person spoke:

Pat Miller, Sutter County Tax Payers Association.

A motion was made by Councilmember Gill to appoint Patricia Buckland as Interim City Clerk to complete the term of the former incumbent through November 2016. The motion was seconded by Councilmember Dukes. Vice-Mayor Cleveland and Councilmember Didbal were not in favor.

Vice-Mayor Cleveland requested that the City Attorney provide a letter to the Council regarding possible conflict of interest for the appointing of or the election of a wife of a Councilmember to serve as City Clerk.

Councilmember Dukes amended his motion to appoint City Manager Steve Kroeger as Interim City Clerk to complete the term of the former incumbent through November 2016. Councilmember Gill seconded the motion that passed with a unanimous vote.

Mayor Buckland returned to the dais.

16. City Council Reports

- Councilmember Didbal
- Councilmember Dukes
- Councilmember Gill
- Vice Mayor Cleveland
- Mayor Buckland

Adjournment

Mayor Buckland adjourned the Regular Meeting of the City Council of the City of Yuba City at 8:25 p.m. in honor of the 3,000 civilians, public safety, and military personnel who perished on 9/11/2001.

John Buckland, Mayor

Attest:

Terrel Locke, Chief Deputy City Clerk