

# DRAFT

MINUTES  
REGULAR MEETING OF  
CITY COUNCIL & REDEVELOPMENT AGENCY  
CITY OF YUBA CITY  
COUNCIL CHAMBERS  
NOVEMBER 18, 2008 – 7:00 P.M.

## Closed Session 6:00 p.m

Confer with real property negotiators Steven Jepsen and Devin Barber pursuant to Government Code Section 54956.8 regarding negotiations with Union Pacific regarding possible purchase of right of way through the City of Yuba City.

## Regular Meeting 7:00 p.m

### Call to Order

The City Council of the City of Yuba City was called to order by Mayor Ramirez at 7:01 p.m.

### Roll Call:

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

### Invocation

Police Chief Richard Doscher gave the invocation.

### Pledge of Allegiance to the Flag

Councilmember Miller led the Pledge of Allegiance to the Flag.

### Public Communication

1. **Written Requests - None**
2. **Appearance of Interested Citizens –**

Donald Kessel, 1964 Pebble Beach Drive, Yuba City  
Elaine Miles, 487 Anita Way, Yuba City

### Consent Calendar

Councilmember Gill moved to adopt the Consent Calendar as presented. Councilmember Maan seconded the motion that passed with a unanimous vote.

3. **City Council Approval of Minutes of November 4, 2008**  
Approved the Council meeting minutes of November 4, 2008.
4. **Authorization to Formally Apply, Accept and Expend Grant Funding for Training, Governance and Policy Development Relative to the Police Department's Regional Emergency Interoperable Radio System as Funded by the Office of Homeland Security.**

Adopted Resolution 08-122 authorizing the application, acceptance and expenditure of a California Office of Homeland Security Training, Governance and Operations Policy Development Grant. Further, authorized the City's Chief Financial Officer to make budget adjustments as necessary.

**5. Purchase of Real Property (APN 52-401-014) (RDA)**

Adopted RDA Resolution 08-008 authorizing the Executive Director to execute a Purchase and Sale Agreement and accept a Grant Deed for Real Property located at 454 Stevens Avenue (APN 52-401-014) in Yuba City, and approving a related supplemental appropriation of \$123,000 in Redevelopment Agency Funds.

**6. Amendment to City Investment Policy**

Approved an amendment to the City Investment Policy to provide for the purchase of City and Redevelopment Agency lease and debt obligations exceeding 5 years in maturity. Authorized staff to purchase Yuba City Redevelopment Project 2007 Tax Allocation Bonds for investment in the City's pooled cash portfolio.

**General Items**

**7. Annual Review of Development Impact Fee Update**

Community Development Director Aaron Busch stated that given the fact that the offset in impact fees is not a significant amount, it would be prudent at this time to hold impact fees at their current levels in an effort to stimulate economic activity.

The following members of the community spoke on this item:

Dr. Larry Ozeran  
Elaine Miles, 487 Anita Way  
Darin Gale, 1153 Franklin Ave

Council discussed the benefits and pitfalls of continuing with the Impact Fee freeze that has already been in place for one year. Council decided that a continuation of the freeze may place the City behind in terms of future development.

Councilmember Miller moved to adopt the recommendation that staff continue with the fee schedule previously adopted in 2007. Councilmember Maan seconded the motion that passed with a unanimous vote.

**8. Bicycle Transportation Plan**

Public Works Director George Musallam asked Council to consider Item 8 and 9 together as they are related. This plan is required as a condition of applying for the BTA grants. These grants are made available to local agencies for projects that are related to the relief of traffic congestion. This plan is a copy of the Bicycle Master Plan. There has been no change. That plan was adopted through the public process in 1995.

**9. Bicycle Transportation Account Grant Application**

Mr. Musallam stated that this deals with the project involving the widening of Garden Highway between Winship and Lincoln. The City is asking for State approval for approximately \$445,000 with the City matching 10%, which is included in the budget for the Garden Highway Project.

Councilmember Gill moved to adopt Resolution 08-120 adopting the City of Yuba City Bicycle Transportation Plan dated November 2008. Councilmember Gill also moved to adopt Resolution 08-121 authorizing the Public Works Director to submit an application for the State Bicycle Transportation Account, and if selected, agreeing to the matching funds requirement. Councilmember Maan seconded the motions that passed with a unanimous vote.

**10. Town Center Property – License and Cleanup Agreement with Yuba City Steel Products Company (RDA)**

Mr. Musallam stated this property was purchased years ago from Yuba City Steel. Some contamination on the property due to the steel operations has been found. We have been in contact with Yuba City Steel to initiate clean-up of the property. This agreement will outline the terms for the clean-up efforts as well as the reimbursement. The agreement will also allow Yuba City Steel access to the property.

Councilmember Maan moved to authorize the Executive Director to enter into a License and Cleanup Agreement with Yuba City Steel Products Company covering environmental investigation and remediation of property located at 425 Franklin Avenue (AP#52-380-016) owned by the Redevelopment Agency of the City of Yuba City. Councilmember Gill seconded the motion that passed with a unanimous vote.

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

**11. City Council Reports**

- Councilmember Gill gave thanks to the Fire Chief for the updates on Yuba City Fire Personnel currently in Southern California. He also gave thanks to the Police Chief for the invitation to his retirement dinner. Councilmember Gill stated that this was the last official meeting for Mayor Ramirez and that he would save his remarks for the Changing of the Guard Ceremony.
- Councilmember Maan reiterated what Councilmember Gill had stated and also asked that the close of the meeting be in honor of Mike Vinsonhalor.
- Councilmember Miller stated it has been a real pleasure working with Mayor Ramirez.
- Mayor Pro Tem McBride also stated it has been a pleasure working with the Mayor. She attended the badge pinning event for the new Fire Recruits. She stated that the City has done an excellent job of selecting personnel.
- Mayor Ramirez said thank you to his fellow Councilmembers for the kind words. He stated he was saving his comments for the ceremony next week where Mr. John Dukes will be sworn in as the new Councilmember and reelected to Council was Mr. John Miller.

**Adjournment**

Mayor Ramirez adjourned the regular City Council meeting of the City of Yuba City at 8:05 p.m. in memory of Mike Vinsonhalor.

# DRAFT

MINUTES  
SPECIAL MEETING  
CITY COUNCIL & REDEVELOPMENT AGENCY  
CITY OF YUBA CITY  
NOVEMBER 24, 2008 – 4:00 P.M.

## Call To Order

The City Council of the City of Yuba City was called to order by Mayor Ramirez at 4:00 p.m.

## Roll Call

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

Pledge of Allegiance to the Flag – led by Councilmember McBride.

## Public Hearings

Councilmember Miller recused himself due to a possible conflict of interest.

### **Hillcrest Water System (HWS) conversion to surface water protest hearings for Region 1 and Region 2/3 in accordance with Proposition 218**

Mayor Ramirez stated we will be conducting the protest hearings for both Region 1 and Region 2/3 simultaneously. Residents will have until 4:30 to submit protest ballots.

Utilities Director Bill Lewis said on July 1, 2008 Council approved the Proposition 218 protest hearing process. On August 29 it was determined there were a majority of protests in Regions 2/3. Region 1 did not have a majority protest. Legal counsel recommended another 218 protest hearing to allow either of the regions to independently obtain City surface water if the protest prevails in only one region.

Tonight is about submitting protests or withdrawals. If tabulation is required, we will reconvene December 12, 2008. If the protests received demonstrates the number received is manifestly less than one-half of the parcels, then the City Clerk may advise Council of the absence of a majority protests.

A well in Region 2/3 collapsed last week, production dropped to 10%, and it began pumping gravel. Either the casing failed or the well collapsed. It is staff recollection that the casing has already been repaired once. It is unknown until the casing is inspected if it can be repaired again. Maintenance has been ongoing on the wells. City Manager Steve Jepsen added that while the wells were not maintained prior to the City's purchase, they have been maintained since becoming City owned.

## Public Communication

Mayor Ramirez opened the meeting for public comment. The following residents spoke:

Cheryl Dahlman, 1469 Lincoln  
Phil Treanor, 1570 Richland Road  
Deb Fahs, 1072 Wanda  
Michael Santos, 1079 Cambridge Ct.  
John Fitch, 1827 Drake Ct.  
L.D. Hake, 1536 Glen Way  
Michael Payne  
Janet Baur, 1532 Rancho Way

At 4:30 p.m. Mayor Ramirez asked that any remaining ballots be submitted at this time. Public comment continued:

Gisela Hamilton  
Elaine Miles, 487 Anita Way  
Lloyd Leighton

At 4:45 p.m. Mayor Ramirez closed the public protest hearing and directed City Clerk Terrel Locke to tabulate the protests per adopted guidelines for submission and tabulation of protests. Resident comments then continued:

Suzanne Connelly, 1660 Alicia Dr.  
Gayle Payne, 223 Anita Way  
Michael Santos, 1079 Cambridge Ct.  
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Roberta Osgood, 238 S. Palora Ave.  
Noal Miles, 487 Anita Way  
Diane Leighton, 1350 Hilltop Dr.  
Louis Ferre, 3774 N. Township Rd.  
Darin Gale, 1945 Phillips Rd.  
Lee Harmon, Penn Valley, CA  
Jim Morse  
Tony Galyean, 1400 Sherman Ct.

## Hillcrest Water System (HWS) conversion to surface water protest hearings for Region 1 and Region 2/3 in accordance with Proposition 218 (continued)

Mayor Ramirez asked City Clerk Terrel Locke if she had a determination of the outcome of the protest hearing. Ms. Locke announced the review of the protests demonstrates that the number received is manifestly less than one-half of the parcels served by the City in Region 1 and/or Region 2/3. It will not be necessary to determine the validity of all protests.

Councilmember McBride moved to introduce Ordinance No. 011-08 amending Section 6-6.18 (o), of the Yuba City Municipal Code regarding water fees and charges, waive the full reading. Councilmember Gill seconded the motion which passed with the following vote:

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

### Adjournment

Mayor Ramirez adjourned the special City Council meeting of the City of Yuba City at 5:40 p.m.

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Rory Ramirez  
Mayor

ATTEST:

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Terrel Locke  
City Clerk

# DRAFT

MINUTES  
SPECIAL MEETING  
CITY COUNCIL & REDEVELOPMENT AGENCY  
CITY OF YUBA CITY  
NOVEMBER 25, 2008 – 6:00 P.M.

## Call To Order

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

## Roll Call

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

## Invocation

The Invocation was given by Rev. Dori Torrey.

## Posting of the Colors

The Yuba City Police Department posted the colors.

## Pledge of Allegiance to the Flag

Mayor Ramirez led the Pledge of Allegiance to the Flag.

## Public Communication on Items on the Agenda

1. None

## Business from Council

2. **Comments from Outgoing Mayor/Presentations to Council**

Mayor Ramirez introduced his family and honored dignitaries in attendance. He stated it has been a tremendous year and an honor to serve the City of Yuba City. The City has made significant positive progress in many areas. He said it has been a pleasure working with the City's staff. He then presented Mayor Pro Tem McBride and Councilmembers Gill, Maan and Miller with tokens of his appreciation. Mrs. Ramirez was presented with a bouquet in appreciation of her help this past year.

3. **Farewell and Presentations to Outgoing Mayor Ramirez**

Supervisor Larry Montna presented Mayor Ramirez with a Gold Resolution from Sutter County.

Mayor Pro Tem McBride presented Mayor Ramirez a proclamation from the City which outlined all his activities and accomplishments this past year. She also gave him congratulatory letters from President Bush and California State Senator Sam Aarstad.

U.S. Representative Wally Herger and Assemblyman Doug LaMalfa presented resolutions to Mayor Ramirez.

City Councilmembers all expressed their thanks to Mayor Ramirez for the wonderful job he has done this past year. They commented on his honesty and integrity, and expressed their appreciation for his mentoring of new councilmembers.

## Election Results

4. **City Clerk to announce the November 4, 2008 Election Results**

City Clerk Terrel Locke announced the persons with the highest number of votes received at the General Election held on November 4, 2008 and recommended that the City Council declare elected for City Council are John Dukes and John Miller, and for City Clerk: Terrel Locke, and for City Treasurer: Steve Kroeger.

5. **Administer the Oath of Office to City Clerk Elect Terrel Locke**

Mayor Ramirez administered the oath of office to City Clerk Elect Terrel Locke.

6. **Administer the Oath of Office to Treasurer Elect Steve Kroeger**

Mayor Ramirez administered the oath of office to Treasurer Elect Steve Kroeger.

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**7. Administer the Oath of Office to Council Elect John Dukes**

City Clerk Terrel Locke administered the Oath of Office to Council Elect John Dukes.

**8. Administer the Oath of Office to Council Elect John Miller**

City Clerk Terrel Locke administered the Oath of Office to Council Elect John Miller.

**Further Business from the Council**

**9. Comments from the New Councilmembers**

Councilmembers Dukes and Miller took their seats.

- Councilmember Dukes said his public service began ten years ago when he collected signatures for the annexation of Happy Park to the City. Since then he has served four years on the Yuba City Planning Commission and a year on the Sutter County Planning Commission. He thanked his election committee.
- Councilmember Miller thanked his family and friends for being here tonight. He noted he has enjoyed serving the community and feels the Council has accomplished a lot of good things. He pledged to continue working on a balanced budget, gang violence and levee upgrades. He said he looks forward to working with this new Council.

**10. Election of New Mayor and Mayor Pro Tempore**

Councilmember McBride opened the nominations for Mayor. Councilmember Gill nominated Councilmember McBride for Mayor. Councilmember Miller seconded the motion that passed with the following vote:

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

Mayor McBride opened the nominations for Mayor Pro Tem. Councilmember Miller nominated Councilmember Gill for Mayor Pro Tem. Councilmember Maan seconded the motion that passed with the following vote:

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

**11. Comments from New Mayor**

Mayor McBride thanked everyone for being allowed to serve as the Mayor of Yuba City. She said Mayors Miller and Ramirez have been great role models. She congratulated Councilmember Dukes and welcomed him to the City Council. She said an incredible staff supports this Council. She thanked her family and Pastor Dori for being here tonight. Mayor McBride expressed pride in this Council which is proactive and conveys mutual respect.

**Adjournment**

Mayor McBride adjourned the special City Council meeting of the City of Yuba City at 6:50 p.m.

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Leslie McBride  
Mayor

ATTEST:

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Terrel Locke  
City Clerk