

AGENDA
REGULAR MEETING OF
CITY COUNCIL – CITY OF YUBA CITY
JANUARY 4, 2005 – 7:00 P.M.

- CALL TO ORDER

- ROLL CALL

____ Mayor Cartoscelli
____ Vice Mayor Hellberg
____ Councilman Doolittle
____ Councilman Miller
____ Councilman Ramirez

- INVOCATION

- PLEDGE OF ALLEGIANCE TO THE FLAG

1. PRESENTATIONS/PROCLAMATIONS

- A. Proclamation for Jerry Orr for his retirement
- B. Proclamation for Bill Croghan for his retirement
- C. Proclamation for Roger Stam for his retirement
- D. Proclamation for the United Way
- E. Senior Commission

2. PUBLIC HEARINGS

- A. Amendments of the Yuba City Zoning Regulations to provide for indoor recreational facilities in the industrial districts, office uses in the C-M Zone and the prohibition of medical marijuana dispensaries within the City limits—Applicant City of Yuba City

Recommendation: Following a public hearing, concur with the Planning Commission's recommendation, which is to:

- (1) Adopt the recommended findings, and
- (2) Introduce an ordinance and waive the first reading.

- B. Public Hearing Concerning the Formation of Jamie Drive Assessment District No. 2004-2

Recommendation: Conclude public hearing and declare that it is the best interest of all parties to amend the Engineer's report to provide water only and conduct a second balloting procedure.

- C. Public Hearing – Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit B-1

Recommendation: Conduct a public hearing; THEN Adopt a Resolution confirming diagram and assessment and levying assessment for Fiscal Year 2004-2005 for Lighting and Landscape Maintenance District No. 5, Zone of Benefit B-1. [Phillips Estates located east of Phillips Road and south of Lincoln Road]

D. South Colusa Frontage Road Right-of-Way Vacation Public Hearing

Recommendation: Conduct a public hearing; then

Adopt a Resolution vacating the portion of South Colusa Frontage Road right-of-way from approximately 120' east of Kiley Avenue to a point approximately 535' east of Kiley Avenue.

3. APPEARANCE OF INTERESTED CITIZENS

Members of the public may address the City Council on items of interest that are within the City's jurisdiction whether or not such items of interest are on the agenda for this meeting. Public comment on public hearing agenda items will be permitted during those hearings.

4. BID OPENINGS

A. Jamie Drive Improvement Project & Staple/Ashley/Dennis/Cornwell Water Line Project

Recommendation: Award a contract to Sutter Constructors of Yuba City for the Jamie Drive Improvement Project & Staple/Ashley/Dennis/Cornwell Water Line Project.

5. 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.

A. Monthly Investment Report (November 2004)

Recommendation: Note & File

B. Minutes of Yuba City Council Meetings

Recommendation: Approve the Regular Meeting minutes of November 2, 2004; and the Special Meeting minutes of November 6 and November 12, 2004.

C. Easement Deed – C & S Partnership

Recommendation: Adopt a resolution accepting an Easement Deed from C & S Partnership, Parcels No. 52-211-059 and 52-211-060.

D. Easement Deed – Joseph Quirantes, Jr.

Recommendation: Adopt a resolution accepting an Easement Deed from Joseph Quirantes, Jr., Parcel No. 52-061-023.

E. Sunsweet Boulevard Project

Recommendation: Adopt a resolution approving the plans and specifications for the Sunsweet Boulevard Project and authorizing the advertisement for bids on the project.

F. Easement Deeds – Sunsweet Boulevard Project

- Recommendation: Adopt six resolutions accepting Easement Deeds as follows:
- (1) Donald Dupar, Robert T. Angel, Kirk C. Romain, and Timothy S. Johnson – a portion of Parcel No. 58-060-004
 - (2) Michael Tomlinson and Theresa Tomlinson, and William G. Meagher – a portion of Parcel No. 58-060-006
 - (3) Albert L. Esparza and Linda K. Esparza, and Juan C. De La Torre and Rachael R. De La Torre – a portion of Parcels No. 58-060-007 and 58-060-008
 - (4) Joseph Andre Guidera and Therese Ann Guidera – a portion of Parcel No. 58-060-014
 - (5) Christopher Pierce Swinney – a portion of Parcels No. 58-060-011 and 58-060-026
 - (6) Geweke-Yuba Properties, Daryl Geweke and Opal Geweke, Jane Willett, and Larry Geweke and Dale Geweke – a portion of Parcels No. 58-060-023 and 58-060-024

G. Public Works Supplemental Appropriation of Funds

- Recommendation: Authorize the Administrative Services Director to do a supplemental appropriation of funds received through the River Valley Estates map toward five future projects.

H. Public Works Supplemental Appropriation of Funds – Del Monte Ranch

- Recommendation: Authorize the Administrative Services Director to do a supplemental appropriation of funds received through the Del Monte Ranch Subdivision Agreements toward the future construction of traffic signals at the intersection of Walton Avenue/Lassen Boulevard and Tharp Road/Lassen Boulevard.

I. Rai Estates Units No. 1 and No. 2

- Recommendation: Adopt a resolution accepting certain street and related improvements pursuant to the Rai Estates Unit No. 1 Subdivision Agreement and Rai Estates Unit No. 2 Subdivision Agreement and authorizing the developer to file Notices of Completion.

J. Walnut Glen Estates East Unit No. 2

- Recommendation: Adopt a resolution accepting certain street and related improvements pursuant to the Walnut Glen Estates East Unit No. 2 Subdivision Agreement and authorizing the developer to file a Notice of Completion.

K. Shankar Village

- Recommendation:
- (1) Adopt a resolution approving the execution of an Amended Subdivision Agreement with Crowne Development Incorporated, providing for public improvements for Shankar Village.
 - (2) Adopt a resolution approving the final map for Shankar Village, accepting dedication of rights-of-way and easements shown thereon and authorizing the filing of the map.

6. REPORTS AND MISCELLANEOUS

A. Consultant Services for the Update to the Five-Year Consolidated Plan and the Analysis of Impediments to Fair Housing Choice

- Recommendation: Adopt a resolution awarding a contract for consultant services to Stuart and Graham Associates in the amount of \$41,000 for the purposes of updating the City of Yuba City Five-Year Consolidated Plan and the Analysis of Impediments to Fair Housing Choice.

7. BUSINESS FROM THE COUNCIL

A. Boards and Commissions

Confirm the Screening Committee's recommendation to appoint two members to the Yuba City Planning Commission, terms to expire December 31, 2008.

8. ADJOURNMENT

Adjourn to the joint City Council/Planning Commission Meeting at 7:00 p.m. on January 11, 2005 in Council Chambers for the downtown Plumas Street Streetscape presentation.

MINUTES
REGULAR MEETING
CITY COUNCIL – CITY OF YUBA CITY
JANUARY 4, 2005 – 7:00 P.M.

- CALL TO ORDER

The City Council of the City of Yuba City was called to order by Mayor Cartoscelli at 7:00 p.m.

- ROLL CALL

Present: Councilmembers Doolittle, Hellberg, Miller, Ramirez, and Mayor Cartoscelli
Absent: None

- INVOCATION

Police Chief Richard Doscher gave the invocation.

- PLEDGE OF ALLEGIANCE TO THE FLAG

City Engineer Jerry Orr led the Pledge of Allegiance to the Flag.

1. PRESENTATIONS/PROCLAMATIONS

A. Proclamation for Jerry Orr for his retirement

Mayor Cartoscelli presented a proclamation to City Engineer Jerry Orr for his retirement after 25 years of service with the City.

B. Proclamation for Bill Croghan for his retirement

Mayor Cartoscelli presented a proclamation to Equipment Operator Bill Croghan for his retirement after 23 years of service with the City.

C. Proclamation for Roger Stam for his retirement

Mayor Cartoscelli presented a proclamation to Park Maintenance Worker II Roger Stam for his retirement after 17 years of service with the City.

D. Proclamation for the United Way

Mayor Cartoscelli presented a proclamation to United Way for this year's campaign in which employees contributed \$9,653, which is 12.68% more than last year.

E. Senior Commission

No report was given.

2. PUBLIC HEARINGS

A. Amendments of the Yuba City Zoning Regulations to provide for indoor recreational facilities in the industrial districts, office uses in the C-M Zone and the prohibition of medical marijuana dispensaries within the City limits—Applicant City of Yuba City

Community Development Director Denis Cook stated the ordinance before Council this evening does three things: (1) It allows recreational use within Industrial Districts but requires a use permit which allows staff to have some control over areas that might be too dangerous for children; (2) it allows for office use in a C-M Zone; and (3) it prohibits medical marijuana dispensaries within the City limits. Mr. Cook checked with other cities to see how they deal with recreational uses within Industrial Districts and found that they generally require a use permit. He noted that Police Chief Doscher had spoken to several cities that have medical marijuana dispensaries; and they all stated there were numerous problems associated with the dispensaries. Mr. Cook stated the Planning Commission recommends approval of this ordinance.

Mayor Cartoscelli opened the public hearing. Hearing no comment, the public hearing was closed.

Councilman Ramirez led a discussion on the percentage of retail usage allowed in M-1 and C-M Zones. It is presently 15% in the M-1 and Councilman Ramirez stated he felt 20-25% might make more sense in the C-M Zone. Councilman Hellberg concurred. Councilman Doolittle said he thought 15% is reasonable. City Attorney Timothy Hayes informed Council that changing the percentage at this time would require the ordinance to go back to the Planning Commission.

Councilman Doolittle moved to adopt the recommended findings and introduce Ordinance No. 001-05 and waived the first reading. Councilman Miller seconded the motion that passed with the following vote:

AYES: Councilmembers Doolittle, Miller, and Mayor Cartoscelli
NOES: Councilmembers Hellberg and Ramirez
ABSENT: None

Council asked that the percentage increase of retail in the M-1 and C-M Zones be reviewed by staff and brought back to Council at a later meeting.

B. Public Hearing Concerning the Formation of Jamie Drive Assessment District No. 2004-2

Mayor Cartoscelli recused herself since she lives adjacent to the Jamie Drive properties. Mayor Pro Tem Hellberg led the public hearing.

Public Works Director John Wright said tonight's item is a continuation of a public hearing started December 7, 2004 regarding a proposed assessment district for water and sewer in the Jamie Drive vicinity. At the December meeting only eight of ten property owners had returned ballots. Staff had concerns about the two missing ballots for this small assessment district and recommended continuing the public hearing to the first meeting in January. Council agreed the public hearing should be continued to the meeting of January 4, 2005. All ten ballots have now been received. The hearing is still open at this time from the December meeting.

Mayor Pro Tem Hellberg announced the public hearing remains open and asked if anyone would like to speak regarding this assessment district.

Mike Tatro, 1856 Jamie Drive, Yuba City spoke in favor of the City providing hookups for both sewer and water.

Hearing no further comment, the public hearing was closed.

City Clerk Steve Johnson said he has calculated and certified the ten ballots. The yes votes were 58.4%. One of the ballots had a letter attached. Public Works Director John Wright read the letter in which the property owner stated he should never have been in the district since he is already hooked up to City water. Mr. Wright recommended, based on the letter, that the District be reduced from 10 to 9. The overall cost per property will increase and will require a new Engineer's Report be prepared and another public hearing. Mr. Wright said he would set up meetings with the property owners to review the changes and answer questions.

Councilman Ramirez moved to conclude the public hearing, declare that it is the best interest of all parties to amend the Engineer's Report to provide for water and sewer and to conduct a second balloting procedure, and to adopt a Resolution of Intention No. 05-001 to Amend the Engineer's Report and to keep the assessment fees the same as those quoted in April 2004. Councilman Doolittle seconded the motion that passed with the following vote:

AYES: Councilmembers Doolittle, Hellberg, Miller, and Ramirez
NOES: None
ABSENT: Mayor Cartoscelli

Since Item 4A deals with this subject and the Mayor must be recused again, Councilman Ramirez recommended moving forward in the agenda to Item 4A. Council concurred. After completing Item 4A, Mayor Cartoscelli returned to the meeting.

C. Public Hearing – Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit B-1

Public Works Director John Wright stated this public hearing sets up the Lighting and Landscape Maintenance District for the Phillips Estates subdivision. Property owners voted affirmatively for the District. The property owners in the District will pay \$51.75 per year for the street lighting and street trees. There was a discussion regarding the CPI index for inflation.

Mayor Cartoscelli opened the public hearing. Hearing no comment, the public hearing was closed.

Councilman Doolittle moved to adopt Resolution No. 05-002 confirming diagram and assessment and levying assessment for Fiscal-Year 2004-2005 for Lighting and Landscape Maintenance District No. 5, Zone of Benefit B-1. [Phillips Estates located east of Phillips Road and south of Lincoln Road]. Councilman Hellberg seconded the motion that passed with the following vote:

AYES: Councilmembers Doolittle, Hellberg, Miller, and Ramirez, and Mayor Cartoscelli
NOES: None
ABSENT: None

D. South Colusa Frontage Road Right-of-Way Vacation Public Hearing

Public Works Director John Wright reviewed the subject property which is an excess right-of-way in front of the Wheeler auto dealership. Mr. Wright noted he would normally recommend opening the public hearing at this point but he has discovered a discrepancy between the description on the map and the description on the resolution. Since this is a noticed public hearing, Mr. Wright recommended the public hearing be opened then continued it to the next meeting.

Mayor Cartoscelli opened the public hearing. Councilmembers unanimously agreed to continue the public hearing to the February 18, 2005 meeting.

3. APPEARANCE OF INTERESTED CITIZENS

None.

4. BID OPENINGS

A. Jamie Drive Improvement Project & Staple/Ashley/Dennis/Cornwell Water Line Project

Public Works Director John Wright stated this water line project will serve two separate developments—Jamie Drive and Staple/Ashley/Dennis/Cornwell. The contractor bid the project in October in the hope of keeping his crew busy in February. He will not extend his bid.

Councilman Doolittle moved to award a contract to Sutter Constructors of Yuba City for the Jamie Drive Improvement Project & Staple/Ashley/Dennis/Cornwell Water Line Project for the low bid of \$289,000. Councilman Miller seconded the motion that passed with the following vote:

AYES: Councilmembers Doolittle, Hellberg, Miller, and Ramirez
NOES: None
ABSENT: Mayor Cartoscelli

Council returned to Item 2C of the agenda.

5. CONSENT CALENDAR

Councilman Ramirez asked that Item B be removed for further discussion. Councilman Hellberg asked that Item E be removed for further discussion. Councilman Hellberg moved to adopt the balance of the calendar as presented. Councilman Miller seconded the motion that passed with a unanimous vote.

- A. Noted and filed the Monthly Investment Report (November 2004).
- C. Adopted Resolution No. 05-003 accepting an Easement Deed from C & S Partnership, Parcels No. 52-211-059 and 52-211-060.
- D. Adopted Resolution No. 05-004 accepting an Easement Deed from Joseph Quirantes, Jr., Parcel No. 52-061-023.
- F. Adopted six resolutions accepting Easement Deeds on the Sunsweet Boulevard Project: (1) Resolution No. 05-006 – Donald Dupar, Robert T. Angel, Kirk C. Romain, and Timothy S. Johnson – a portion of Parcel No. 58-060-004; (2) Resolution No. 05-007 – Michael Tomlinson and Theresa Tomlinson, and William G. Meagher – a portion of Parcel No. 58-060-006; (3) Resolution No. 05-008 – Albert L. Esparza and Linda K. Esparza, and Juan C. De La Torre and Rachael R. De La Torre – a portion of Parcel Nos. 58-060-007 and 58-060-008; (4) Resolution No. 05-009 – Joseph Andre Guidera and Therese Ann Guidera – a portion of Parcel No. 58-060-014; (5) Resolution No. 05-010 – Christopher Pierce Swinney – a portion of Parcel Nos. 58-060-011 and 58-060-026; and (6) Resolution No. 05-011 - Geweke-Yuba Properties, Daryl Geweke and Opal Geweke, Jane Willett, and Larry Geweke and Dale Geweke – a portion of Parcel Nos. 58-060-023 and 58-060-024.
- G. Authorized the Administrative Services Director to do a supplemental appropriation of funds received through the River Valley Estates map toward five future projects.
- H. Authorized the Administrative Services Director to do a supplemental appropriation of funds received through the Del Monte Ranch Subdivision Agreements toward the future

construction of traffic signals at the intersection of Walton Avenue/Lassen Boulevard and Tharp Road/Lassen Boulevard.

- I. Adopted Resolution No. 05-012 accepting certain street and related improvements pursuant to the Rai Estates Unit No. 1 Subdivision Agreement and Resolution No. 05-013 on Rai Estates Unit No. 2 Subdivision Agreement and authorizing the developer to file Notices of Completion.
- J. Adopted Resolution No. 05-014 accepting certain street and related improvements pursuant to the Walnut Glen Estates East Unit No. 2 Subdivision Agreement and authorizing the developer to file a Notice of Completion.
- K. Adopted Resolution No. 05-015 approving the execution of an Amended Subdivision Agreement with Crowne Development Incorporated, providing for public improvements for Shankar Village; and adopted Resolution No. 05-016 approving the final map for Shankar Village, accepting dedication of rights-of-way and easements shown thereon and authorizing the filing of the map.

Councilman Ramirez stated he must abstain from Item B since he was not a Councilmember at the time of these meetings. Councilman Doolittle moved to adopt Item B of the Consent Calendar. Councilman Hellberg seconded the motion that passed with a unanimous vote less Councilman Ramirez who abstained.

- B. Approved the Regular Meeting minutes of November 2, 2004; and the Special Meeting minutes of November 6 and November 12, 2004.

Councilman Hellberg asked for a review of the costs involved in Item E. After Public Works Director John Wright reviewed the costs of the project, Councilman Hellberg moved to adopt Item E of the Consent Calendar. Councilman Doolittle seconded the motion that passed with a unanimous vote.

- E. Adopted Resolution No. 05-005 approving the plans and specifications for the Sunsweet Boulevard Project and authorizing the advertisement for bids on the project.

6. REPORTS AND MISCELLANEOUS

- A. Consultant Services for the Update to the Five-Year Consolidated Plan and the Analysis of Impediments to Fair Housing Choice

Deputy City Manager Laura Duncan stated the City is entitled to receive funds annually from the U.S. Department of Housing and Urban Development (HUD) through the Community Development Block Grant program. Conditions are placed on receiving these funds including Annual Action Plans and, every five-years, a Five-Year Consolidated Plan is required. This will be our third update to the Consolidated Plan. We have a part time employee who handles the CDBG program, but she is going out on maternity leave shortly and will be unable to complete the Consolidated Plan. Therefore, Ms. Duncan proposes using a consulting firm for the update. Staff solicited proposals from firms experienced in preparing these plans. Only two responded and Ms. Duncan recommended that the contract be awarded to Stuart and Graham.

Ms. Duncan responded to Council's questions. Councilman Ramirez noted a discrepancy in the hourly rate in the report. He asked questions regarding the contract completion dates of the report and who is authorized to sign any amendments to the contract.

Councilman Hellberg asked how companies were identified to receive proposal requests. Ms. Duncan stated between 5-7 local companies received proposal requests. She noted there are a limited number of companies capable of preparing the Plan and, through experience, it is generally more cost efficient to have local companies provide the services. Mr. Hellberg said he would like to see a complete list of the companies who were solicited to bid the project. Ms. Duncan stated she would provide that information to Council. Mr. Hellberg expressed concern that Ms. Duncan was not recommending the lower bid, Cotton Bridges, for this project. Ms. Duncan related her reasoning for selecting Stuart and Graham as her recommendation.

Councilman Doolittle moved to adopt Resolution No. 05-017 awarding a contract for consultant services to Stuart and Graham Associates in the amount of \$41,000 for the purposes of updating the City of Yuba City Five-Year Consolidated Plan and the Analysis of Impediments to Fair Housing Choice. Councilman Miller seconded the motion that passed with the following vote:

AYES:	Councilmembers Doolittle, Hellberg, Miller, and Ramirez, and Mayor Cartoscelli
NOES:	None
ABSENT:	None

Mayor Cartoscelli said she concurs with Councilman Hellberg that in the future she would like to see a complete list of the companies who were solicited to bid on RFQ's for professional services.

7. BUSINESS FROM THE COUNCIL

A. Boards and Commissions

Councilman Doolittle moved to confirm the Screening Committee's recommendation to appoint two members, Craig Starkey and Tejinder Maan, to the Yuba City Planning Commission, terms to expire December 31, 2008. Councilman Ramirez seconded the motion that passed with a unanimous vote.

Mayor Cartoscelli said they had wonderful candidates for the Planning Commission.

8. ADJOURNMENT

At 8:50 p.m., adjourned to the joint City Council/Planning Commission Meeting at 7:00 p.m. on January 11, 2005 in Council Chambers for the Downtown Plumas Street Streetscape presentation.

KAREN CARTOSCELLI,
MAYOR

ATTEST:

CITY CLERK

AGENDA
SPECIAL JOINT MEETING
CITY COUNCIL & PLANNING COMMISSION
CITY OF YUBA CITY
JANUARY 11, 2005 –7:00 P.M.

- CALL TO ORDER

- ROLL CALL
COUNCIL:

_____ Mayor Cartoscelli
_____ Vice Mayor Hellberg
_____ Councilman Doolittle
_____ Councilman Miller
_____ Councilman Ramirez

PLANNING COMMISSION:

_____ Melia Campbell
_____ Michael Cartoscelli
_____ Maynard Dunn
_____ Tejinder Maan
_____ Jeffrey Spencer
_____ Craig Starkey
_____ Satwant Takhar

1. APPEARANCE OF INTERESTED CITIZENS

Members of the public may address the Council concerning any item that has been described in the notice for the meeting.

2. PLUMAS STREETScape PROJECT

Recommendation: Approve Conceptual Designs and Authorization to Prepare Construction Drawings.

3. ADJOURNMENT

MINUTES
SPECIAL JOINT MEETING
CITY COUNCIL AND PLANNING COMMISSION
CITY OF YUBA CITY
JANUARY 11, 2005 – 7:00 P.M.

- CALL TO ORDER

The City Council and Planning Commission of the City of Yuba City were called to order by Mayor Cartoscelli at 7:00 p.m.

- ROLL CALL-CITY COUNCIL

Present: Councilmembers Doolittle, Hellberg, Miller, Ramirez, and Mayor Cartoscelli
Absent: None

ROLL CALL-PLANNING COMMISSION

Present: Commissioners Dunn, Maan, Spencer, Starkey and Takhar
Absent: Commissioners Campbell and Cartoscelli

- INVOCATION

Police Chief Richard Doscher gave the invocation.

- PLEDGE OF ALLEGIANCE TO THE FLAG

Commissioner Maan led the Pledge of Allegiance to the Flag.

1. APPEARANCE OF INTERESTED CITIZENS

Mayor Cartoscelli requested that interested citizens make their comments after the presentation.

2. PLUMAS STREETSCAPE PROJECT

Councilman Doolittle recused himself from the meeting since he is a property owner in the affected area.

Deputy City Manager Laura Duncan said Michael Freedman of Freedman, Tung and Bottomley has been under contract with the City since 2002 for the downtown design. The City has overcome the state budget crisis and the parking issues on Plumas between Center Street and Teegarden. On January 5, 2005, Mr. Freedman presented his designs to the merchants and they selected the option that will be presented this evening. Tonight's action is to approve the design concepts and authorize preparation of the construction drawings. Ms. Duncan turned the meeting over to Mr. Michael Freedman.

Mr. Freedman gave an overview of the downtown project. He initially asked himself, "How can the community invest in street and physical improvements that will enhance sales and the vitality of the core?" He began the process with an analysis phase by defining the "use" of Plumas Street. The southern half of Plumas had many new uses and new businesses including the Town Center. The northern half was a very different mix. Once the Town Center was well on its way, the downtown core was the next obvious area for revitalization.

Parking analyses were done to make sure there were sufficient parking places. 1,180 spaces are needed and there are 1,315 spaces. Present parking problems have to do with visibility, privatization and distribution. Mr. Freedman proposed using "flexible zones" that can be used for parking areas or restaurants that may want to use them for patron seating at certain times of the year. Shade trees will be in the flexible zone. At the Scott/Plumas intersection he said there could be no parking on the east side of Plumas due to the space needed for fire engines to make the turn.

The present traffic lanes are oversized. By reducing the lanes from 16' to 12', you have a more effective use of space. Canary Island Date Palms will be used from Teegarden to Center Street, which will help to draw the eye down Plumas Street.

Colusa Avenue is a great opportunity to get people downtown. From that intersection, it doesn't look like there is a downtown. A landmark will attract attention to the downtown. The design for the landmark uses both existing and new architecture. The tremendous agricultural base in this area is incorporated into this monument. Mr. Freedman showed slides of landmarks in Lodi, Cathedral City and San Leandro that have had great success in attracting business.

The streetlights will be similar to those used in the Town Center. Trees will be up lit at night. Oversized urns will be used in strategic areas. There will be two level curbs. Seating areas will be incorporated in various locations.

If the design concept and authorization to move ahead with the construction drawings is given tonight, the schedule would be: construction drawings by March or April of this year, the bid

period would be November/December 2005, construction would begin in March 2006 and completion would be October 2006.

Due to budget constraints, Mr. Freedman believes doing the project in phases is the best approach. Phase I would include the landmark and Plumas Street from Colusa Avenue to Bridge Street. Phase II would be Center Street and the Bridge Street amenities. Originally, the estimate was \$9.4 million for the entire project—Phase I & II. Cost estimates for Phase I only are \$6.67 million. To reduce costs to the City's \$6.5 budget, the brick pavers originally planned for the Teegarden to Center section of Plumas Street will be replaced by colored concrete. Councilman Miller asked for a breakdown of the \$9.4 million and Mr. Freedman complied and later distributed copies of the breakdown.

Commissioners Dunn and Spencer asked questions about the landmark. Commissioner Starkey stated he thought it was a great plan.

3. APPEARANCE OF INTERESTED CITIZENS

The following individuals spoke in favor of the project:

Donna Clark, wife of Russ Clark, read his statement. She then read her own statement.
David Anderson, Yuba City
Don Covey, 669 Plumas Street, Yuba City
Mary Barkhouse, President of the Sutter Buttes Garden Club
Lea Jones, 212 C Street, Yuba City

The following individual, while commending the project, spoke against the use of palm trees and for the use of ginkgo trees:

Greg Scandalis, 788 Andrew Drive, Yuba City.

4. PLUMAS STREETSCAPE PROJECT (continued)

Mayor Cartoscelli asked for comments from Council.

Councilman Miller stated he has attended Michael Freedman's previous presentations on Streetscape and finds it well designed and thinks he's done a wonderful job. It will create a strong City core. Councilman Miller said he is very much in support of the project.

Councilman Ramirez noted he has been involved in the process a long time. He has a question on the landmark, which he believes is a critical element. His concern is that the landmark will end up by itself with no new businesses to enhance it, but he supports moving ahead.

Councilman Hellberg also remarked he wishes to move forward but has concerns with the two level curbs and the loss of parking spaces necessary to allow for the fire engine's turning radius at the Scott/Plumas Street intersection. Mr. Hellberg also stated he wants to use ginkgo trees instead of palm trees. He does not like the landmark.

Mayor Cartoscelli said she was elected to represent the people and although she is not crazy about palm trees, the majority of the merchants selected a plan with palm trees. The landmark is a key piece. In most other towns the landmark came first and the redevelopment followed.

Councilman Miller said he would like to see this go forward as designed, and moved to approve the conceptual designs as presented by Michael Freedman including palms and the landmark; and to authorize the preparation of construction drawings. Mayor Cartoscelli seconded the motion that passed with the following vote:

AYES: Councilmembers Miller, Ramirez and Mayor Cartoscelli
NOES: Councilman Hellberg
ABSENT: Councilman Doolittle

After the vote, Downtown Business Association President Don Covey congratulated everyone and encouraged future development of the area of Plumas between Bridge and B Streets.

5. ADJOURNMENT

At 9:05 p.m., adjourned the Special Joint Meeting of the City Council and Planning Commission of the City of Yuba City.

KAREN CARTOSCELLI
MAYOR

ATTEST:

CITY CLERK

AGENDA
REGULAR MEETING OF
CITY COUNCIL – CITY OF YUBA CITY
JANUARY 18, 2005 – 7:00 P.M.

- CALL TO ORDER

- ROLL CALL

____ Mayor Cartoscelli
____ Vice Mayor Hellberg
____ Councilman Doolittle
____ Councilman Miller
____ Councilman Ramirez

- INVOCATION

- PLEDGE OF ALLEGIANCE TO THE FLAG

1. PRESENTATIONS/PROCLAMATIONS

A. Youth Commission

2. PUBLIC HEARINGS

A. North Colusa Frontage Road Vacation Public Hearing

Recommendation: Conduct a public hearing;

THEN

Adopt a Resolution vacating the portion of North Colusa Frontage Road right-of-way and public utility easement from approximately 60' east of Harter Road to the easterly end of the frontage road as indicated on the vacation plat.

B. South Colusa Frontage Road Right-of-Way Vacation Public Hearing

Recommendation: Continue the public hearing;

THEN

Adopt a Resolution vacating a strip of land varying in width along the southerly right-of-way of South Colusa Frontage Road from approximately 10' east of Kiley Avenue to a point approximately 537' east of Kiley Avenue.

3. APPEARANCE OF INTERESTED CITIZENS

Members of the public may address the City Council on items of interest that are within the City's jurisdiction whether or not such items of interest are on the agenda for this meeting. Public comment on public hearing agenda items will be permitted during those hearings.

4. ORDINANCES

A. Amend Title 8, Chapter 5 of Yuba City Municipal Code

Recommendation: Adopt Ordinance No. 001-05 to amend the municipal code to provide for indoor recreational facilities in the industrial districts, office uses in the C-M Zone and the prohibition of medical marijuana dispensaries within the City limits, Applicant: City of Yuba City; waive the second reading.

5. 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.

A. Minutes of Yuba City Council Meetings

Recommendation: Approve the Regular Meeting minutes of November 16 and December 7, 2004; and the Special Meeting minutes of November 30, 2004.

B. Fiscal Year 2004 Comprehensive Annual Financial Report (CAFR) and Related Audit Reports

Recommendation: Accept the Fiscal Year 2004 CAFR and related audit reports.

C. Supplemental Appropriation of Funds

Recommendation: Authorize the Administrative Services Director to record a supplemental appropriation in the amount of \$40,000 to Lighting & Landscape Maintenance District #1 Zone of Benefit B. [Garden Highway area from Lincoln Road to Eureka Drive]

D. Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit I_3

Recommendation: Adopt the following resolutions to create the Lighting and Landscape Maintenance District:

Resolution to modify Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit I_3 (generally located in the vicinity of Lincoln Road west of Walton Avenue).

Resolution of Intention, Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit I_3 (pursuant to the Landscaping and Lighting Act of 1972).

E. Burnard Taylor Parcel Map

Recommendation: Adopt a resolution approving the parcel map for Burnard Taylor on the northwest corner of Del Monte Avenue and Dorman Avenue, accepting dedication of the utility easements shown thereon and authorizing the filing of the map.

F. Feather River Development Parcel Map, Starr Drive, Parcel 7

Recommendation: Adopt a resolution approving the parcel map for Feather River Development for Parcel 7 on Starr Drive, accepting dedication of the utility easements shown thereon and authorizing the filing of the map.

G. Budget Adjustments, Engineering Division of Public Works Department

Recommendation: Approve supplemental appropriation of \$15,000 to account number 3120-61310 (Engineering – Extra Help).

6. BUSINESS FROM THE COUNCIL

A. Boards and Commissions

Confirm the Screening Committee's recommendation to appoint 1) two members to the Traffic Committee, terms to expire January 31, 2007; 2) three members to the Parks & Recreation Commission, terms to expire December 31, 2008; 3) three members to the Handicapped Board of Appeals, terms to expire September 30, 2006; 4) one member to the Building Board of Appeals, term to expire September 30, 2006; and 5) one member to the Youth Commission, term to expire December 31, 2006.

7. ADJOURNMENT

Adjourn the regular City Council meeting to the Redevelopment Agency. Reconvene to the Regular City Council meeting from the Redevelopment Agency.

8. CLOSED SESSION

Adjourn to closed session to confer with real property negotiators Jeffrey Foltz and John Wright pursuant to Government Code Section 54956.8 regarding: (1) Excess City property at 350 Colusa Avenue; and (2) Excess City property – Sumner Street.

9. ADJOURNMENT

Adjourn to the joint Study Session at 6:00 p.m. on January 25, 2005 in the Training Room at the Police Department for review of Annexation and Tentative Maps.

MINUTES
REGULAR MEETING
CITY COUNCIL – CITY OF YUBA CITY
JANUARY 18, 2005 – 7:00 P.M.

- CALL TO ORDER

The City Council of the City of Yuba City was called to order by Mayor Cartoscelli at 7:00 p.m.

- ROLL CALL

Present: Councilmembers Doolittle, Ramirez, and Mayor Cartoscelli
Absent: Councilmembers Hellberg and Miller

- INVOCATION

Police Chief Richard Doscher gave the invocation.

- PLEDGE OF ALLEGIANCE TO THE FLAG

Citizen Brendan Mallory led the Pledge of Allegiance to the Flag.

1. PRESENTATIONS/PROCLAMATIONS

A. Youth Commissioner Brittany Sheahan gave the monthly report.

2. PUBLIC HEARINGS

A. North Colusa Frontage Road Vacation

Public Works Director John Wright explained that this vacation of the right-of-way and public utility easement in this portion of the North Colusa Frontage Road will allow for reconfiguration to meet the needs of the Yuba City Marketplace development. The City will need to retain a public utility easement over a portion of the area to be vacated.

Mayor Cartoscelli opened the public hearing. Hearing no comment, the public hearing was closed.

Councilman Doolittle moved to adopt Resolution No. 05-018 vacating the portion of North Colusa Frontage Road right-of-way and public utility easement from approximately 60' east of Harter Road to the easterly end of the frontage road as indicated on the vacation plat. Councilman Ramirez seconded the motion that passed with the following vote:

AYES: Councilmembers Doolittle, Ramirez and Mayor Cartoscelli

NOES: None

ABSENT: Councilmembers Hellberg and Miller

B. South Colusa Frontage Road Right-of-Way Vacation

Public Works Director John Wright explained that with the reconfiguration of the on-ramps and frontage road to SR 20, an excess of right-of-way was created. The City does not need to retain this right-of-way. However, the City will need to retain a public utility easement over the entire area to be vacated to preserve existing utilities presently in the street area.

Mayor Cartoscelli opened the public hearing. Hearing no comment, the public hearing was closed.

Councilman Doolittle moved to adopt Resolution No. 05-019 vacating a strip of land varying in width along the southerly right-of-way of South Colusa Frontage Road from approximately 10' east of Kiley Avenue to a point approximately 537' east of Kiley Avenue. Councilman Ramirez seconded the motion that passed with the following vote:

AYES: Councilmembers Doolittle, Ramirez and Mayor Cartoscelli

NOES: None

ABSENT: Councilmembers Hellberg and Miller

3. APPEARANCE OF INTERESTED CITIZENS

None

4. ORDINANCES

A. Amend Title 8, Chapter 5 of the Yuba City Municipal Code

Councilman Doolittle noted that there was a typographical error in the body of the ordinance. Under Section C, the “8” was left off and should read “Section 8-5.2102”. Councilman Ramirez moved to adopt Ordinance No. 001-05, as amended, to amend the municipal code to provide for indoor recreational facilities in the industrial districts, office uses in the C-M Zone, and the prohibition of medical marijuana dispensaries within the City limits, applicant: City of Yuba City, and waived the second reading. Councilman Doolittle seconded the motion that passed with the following vote:

AYES: Councilmembers Doolittle, Ramirez and Mayor Cartoscelli
NOES: None
ABSENT: Councilmembers Hellberg and Miller

Councilman Ramirez wanted to comment on the record that regarding his vote on the first reading of this ordinance, he did not intend to vote against the prohibition of medical marijuana dispensaries. Councilman Ramirez stated that Councilman Hellberg would also like to make this statement, but unfortunately could not be here tonight.

5. CONSENT CALENDAR

Councilman Ramirez asked that Item A be removed from the consent calendar. Councilman Ramirez moved to adopt the balance of the consent calendar. Councilman Doolittle seconded the motion that passed with the following vote:

AYES: Councilmembers Doolittle, Ramirez and Mayor Cartoscelli
NOES: None
ABSENT: Councilmembers Hellberg and Miller

- B. Accepted the Fiscal Year 2004 Comprehensive Annual Financial Report (CAFR) and related audit reports.
- C. Authorized the Administrative Services Director to record a supplemental appropriation in the amount of \$40,000 to Lighting & Landscape Maintenance District No. 1, Zone of Benefit B (Garden Highway area from Lincoln Road to Eureka Drive).
- D. Adopted the following resolutions for Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit I_3: 1) Resolution No. 05-020 to modify Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit I_3 (generally located in the vicinity of Lincoln Road west of Walton Avenue), and 2) Resolution of Intention No. 05-021, Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit I_3 (pursuant to the Landscaping and Lighting Act of 1972).
- E. Adopted Resolution No. 05-022 approving the parcel map for Burnard Taylor on the northwest corner of Del Monte Avenue and Dorman Avenue, accepting dedication of the utility easements shown thereon and authorizing the filing of the map.
- F. Adopted Resolution No. 05-023 approving the parcel map for Feather River Development for Parcel 7 on Starr Drive, accepting dedication of the utility easements shown thereon and authorizing the filing of the map.
- G. Approved supplemental appropriation of \$15,000 to account number 3120-61310, Engineering – Extra Help, Public Works Department.

Councilman Ramirez asked if he could vote on Item A even though he was not at all the Council meetings listed. City Manager Jeffrey Foltz answered yes, if the City Clerk’s Office states that the meeting minutes are true and correct. Deputy City Clerk Lisa Bush stated that the minutes listed in Item A are indeed true and correct.

After fixing a typographical error in the minutes of the regular meeting of November 16, 2004, Councilman Doolittle moved to adopt Item A of the consent calendar. Councilman Ramirez seconded the motion that passed with a unanimous vote.

- A. Approved the minutes of the regular City Council meetings of November 16 (as amended) and December 7, 2004; and the special Meeting of November 30, 2004.

6. BUSINESS FROM THE COUNCIL

A. Boards and Commissions

Mayor Cartoscelli read the Screening Committee’s recommendation. Councilman Ramirez moved to confirm the Screening Committee’s recommendation to appoint (1) Bill White and Tom Ross to the Traffic Committee, terms to expire January 31, 2007; (2) Richard Garmire, Walt Balfour and Lynne Koll to the Parks & Recreation Commission,

terms to expire December 31, 2008; (3) Robert Boyer, Stephen Decker and Joginder Pardesi Cheema to the Handicapped Board of Appeals, terms to expire September 30, 2006; (4) Garry Laughlin to the Building Board of Appeals, term to expire September 30, 2006; and (5) Christine Ang to the Youth Commission, term to expire December 31, 2006. Councilman Doolittle seconded the motion that passed with the following vote:

AYES: Councilmembers Doolittle, Ramirez and Mayor Cartoscelli

NOES: None

ABSENT: Councilmembers Hellberg and Miller

7. ADJOURNMENT

At 7:16 p.m., adjourned the regular City Council meeting to the Redevelopment Agency. At 7:17 p.m., reconvened to the regular City Council meeting.

8. CLOSED SESSION

At 7:18 p.m., adjourned to closed session and conferred with real property negotiators Jeffrey Foltz and John Wright pursuant to Government Code Section 54956.8 regarding: 1) excess City property at 350 Colusa Avenue, and 2) excess City property -- Sumner Street.

9. ADJOURNMENT

At 8:30 p.m. adjourned in memory of Henry Lamon, former City Councilmember and Mayor, to the joint Study Session at 6:00 p.m. on January 25, 2005 in the Training Room at the Police Department for review of Annexation and Tentative Maps.

KAREN CARTOSCELLI
MAYOR

ATTEST:

STEVE JOHNSON
CITY CLERK

AGENDA
REGULAR MEETING
REDEVELOPMENT AGENCY – CITY OF YUBA CITY
JANUARY 18, 2005 – 7:00 P.M.

- CALL TO ORDER

- ROLL CALL

____ Chairperson Cartoscelli
____ Vice Chairperson Hellberg
____ Director Doolittle
____ Director Miller
____ Director Ramirez

1. APPEARANCE OF INTERESTED CITIZENS

Members of the public may address the Yuba City Redevelopment Agency Board of Directors on items of interest that are within the Redevelopment Agency's jurisdiction whether or not such items of interest are on the agenda for this meeting. Public comment on public hearing agenda items will be permitted during those hearings.

2. CONSENT CALENDAR

A. Minutes of Redevelopment Agency Meeting

Recommendation: Approve the Redevelopment Agency minutes of November 2, November 16, and December 7, 2004.

B. Fiscal Year 2004 Annual Financial Report

Recommendation: Accept the Fiscal Year 2004 Annual Financial Report.

3. BUSINESS FROM THE BOARD

4. ADJOURNMENT

Adjourn the Redevelopment Agency to the regular meeting of the City Council.

MINUTES
CITY OF YUBA CITY
REDEVELOPMENT AGENCY
JANUARY 18, 2005

- CALL TO ORDER

The Redevelopment Agency of the City of Yuba City was called to order by Chairperson Cartoscelli at 7:16 p.m.

- ROLL CALL

Present: Directors Doolittle, Ramirez, and Chairperson Cartoscelli

Absent: Directors Hellberg and Miller

1. APPEARANCE OF INTERESTED CITIZENS

None.

2. CONSENT CALENDAR

Director Doolittle moved to adopt the consent calendar as presented. Director Ramirez seconded the motion that passed with a unanimous vote:

A. Approved the Redevelopment Agency minutes of November 2, November 16, and December 7, 2004.

B. Accepted the Fiscal Year 2004 Annual Financial Report.

3. BUSINESS FROM THE BOARD

None

4. ADJOURNMENT

At 7:17 p.m., adjourned to the regular meeting of the City Council.

KAREN CARTOSCELLI
CHAIRPERSON

ATTEST:

SECRETARY

AGENDA

SPECIAL JOINT MEETING CITY COUNCIL & PLANNING COMMISSION CITY OF YUBA CITY

STUDY SESSION

JANUARY 25, 2005

6:00 P.M.

POLICE DEPARTMENT TRAINING ROOM

KAREN CARTOSCELLI
Mayor

ERIC HELLBERG
Vice-Mayor



DAVID DOOLITTLE
Councilman

JOHN MILLER
Councilman

RORY RAMIREZ
Councilman

JEFFREY FOLTZ
City Manager

TIMOTHY HAYES
City Attorney

**Council Chambers Wheelchair Accessible
1201 Civic Center Blvd., Yuba City, CA**

If you need assistance in order to attend the City Council meeting, or if you require auxiliary aids or services, e.g., hearing aids or signing services to make a presentation to the City Council, the City is happy to assist you. Please contact City offices at 530/822-4601 at least 72 hours in advance so such aids or services can be arranged.

City Hall TDD: 530-822-4732

AGENDA
SPECIAL MEETING OF
CITY COUNCIL & PLANNING COMMISSION
CITY OF YUBA CITY
STUDY SESSION
POLICE DEPARTMENT TRAINING ROOM
JANUARY 25, 2005 – 6:00 P.M.

- CALL TO ORDER

- ROLL CALL

COUNCIL:

_____ Mayor Cartoscelli
_____ Vice Mayor Hellberg
_____ Councilman Doolittle
_____ Councilman Miller
_____ Councilman Ramirez

PLANNING COMMISSION:

_____ Melia Campbell
_____ Michael Cartoscelli
_____ Maynard Dunn
_____ Tejinder Maan
_____ Jeffrey Spencer
_____ Craig Starkey
_____ Satwant Takhar

1. PLEDGE OF ALLEGIANCE

2. CONSIDER REVISING THE SUBDIVISION APPROVAL PROCESS

3. CITY GROWTH POLICIES IN THE CITY'S SPHERE OF INFLUENCE

4. APPEARANCE OF INTERESTED CITIZENS

Members of the public may address the Council concerning any item that has been described in the notice for the meeting.

5. ADJOURNMENT