

AGENDA
SPECIAL MEETING OF
CITY COUNCIL – CITY OF YUBA CITY
FIRE DEPARTMENT HEADQUARTERS TRAINING ROOM
JUNE 6, 2005 – 8:00 A.M.

- CALL TO ORDER

- ROLL CALL

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

1. APPEARANCE OF INTERESTED CITIZENS

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

2. SCENARIO PLANNING

Council to meet with consultant Steve Halley regarding Scenario Planning at the Fire Department Headquarters Training Room, 824 Clark Avenue, Yuba City, from 8:00 a.m. to 1:00 p.m. for the purpose of discussing scenarios involving the City and their potential consequences and impacts.

3. ADJOURNMENT

AGENDA
SPECIAL MEETING OF
CITY COUNCIL – CITY OF YUBA CITY
SUTTER ROOM
JUNE 6, 2005 – 6:00 P.M.

- CALL TO ORDER

- ROLL CALL

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

1. APPEARANCE OF INTERESTED CITIZENS

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

2. REPORTS AND MISCELLANEOUS

A. 2005-2006 City Budget and Capital Improvement Program

Recommendation: Conduct study session in the Sutter Room to review the 2005-2006 City Budget and Capital Improvement Program.

3. ADJOURNMENT

AGENDA
SPECIAL MEETING
REDEVELOPMENT AGENCY – CITY OF YUBA CITY
SUTTER ROOM
JUNE 6, 2005 – 6:00 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 concerning any item that has been described in the notice of the meeting.

2. REPORTS AND MISCELLANEOUS

A. 2005-2006 Redevelopment Agency Budget and Capital Improvement Program

Recommendation: Conduct study session in the Sutter Room to review the 2005-2006 Redevelopment Agency Budget and Capital Improvement Program.

3. ADJOURNMENT

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

AGENDA
REGULAR MEETING OF
CITY COUNCIL – CITY OF YUBA CITY
JUNE 7, 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 the Retirement of Billy Ollar
- B. Proclamation for the Retirement of MaryAnn Deabel
- C. Senior Commission

2. PUBLIC HEARINGS

- A. Zoning Code 05-03 Revisions to the Sign Ordinance

Recommendation: Following a public hearing, concur with the Planning Commission's recommendation, which is to introduce an ordinance; and waive the first reading.

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. Emergency Sewer Line Repair Near Colusa Highway and Sutter Street

Recommendation: Adopt a Resolution awarding the construction and repair of 425 feet of 20 inch diameter sewer force main to Insituform Technologies, Inc. of Benicia, California in the amount of \$282,500, and declare the project is an emergency situation to protect public health.

- B. Spillman Auto Vehicular Location (AVL) module Purchase

Recommendation: Adopt a resolution authorizing the Assistant City Manager to enter into an agreement in the best interest of the City with Spillman Technologies, Inc. to purchase the Spillman AVL module for the Police/Fire Computer Aided Dispatch (CAD) System for the amount of \$71,560.

5. ORDINANCES

A. Rezoning of Property located at 1352 & 1356 Colusa Avenue, RZ 05-05

Recommendation: Adopt Ordinance No. 004-05 to rezone Property located at 1352 & 1356 Colusa Avenue, APN 58-041-008, from the Heavy Commercial/Light Industrial; District (C-M) to the General Commercial District (C-3); waive the second reading.

B. Add Chapter 10, Title 6 to the Yuba City Municipal Code regarding recycling at special events held on City of Yuba City controlled property and/or streets

Recommendation: Introduce an Ordinance adding Chapter 10, Title 6 to the Yuba City Municipal Code; waive the first reading.

6. 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 Meeting

Recommendation: Approve the Regular Meeting minutes of May 17, 2005.

B. Planning Commission Actions (April 27, 2005)

Recommendation: Note and File.

C. Planning Commission Actions (May 25, 2005)

Recommendation: Note and File.

D. Monthly Investment Report (April 2005)

Recommendation: Note and File.

E. Appropriation for Election Costs

Recommendation: Approve a Supplemental Appropriation of \$8,214.34 to Budget Line Item 1710-62722.

F. Transfer of Funds to Allow for the Purchase of One (1) Pole Trailer for use by the Utility Department, Electrical Maintenance Division

Recommendation: Transfer funding in the amount of \$5,000 from FY 04-05 Salary Account 100-3150-61210 to Account 3150-69201 Capital Acquisitions for additional funding of a pole trailer.

G. Canterbury Estates Unit No. 4 – 76-lot single family dwelling development

Recommendation: Adopt a resolution approving the execution of a Subdivision Agreement with Dunmore Canterbury, LLC, providing for public improvements for Canterbury Estates Unit No. 4.

H. River Valley Commercial Center

- Recommendation:
1. Adopt a resolution approving the execution of a Subdivision Agreement with Roy Lanza providing for public improvements for River Valley Commercial Center.
 2. Adopt a resolution approving the final map for River Valley Commercial Center, accepting dedication of rights-of-way and easements shown thereon and authorizing the filing of the map.

I. Fletcher Place – 8-Lot Single Family Dwelling Subdivision

- Recommendation:
1. Adopt a resolution approving the execution of an Amended Subdivision Agreement with Larjer, Inc. providing for public improvements for Fletcher Place.
 2. Adopt a resolution approving the final map for Fletcher Place, accepting dedication of rights-of-way and easements shown thereon and authorizing the filing of the map.

J. Siena Estates Reimbursement Agreement

- Recommendation: Adopt a resolution approving the execution of a Reimbursement Agreement with Siena Partners, LLC. Authorize the Administrative Services Director to make a supplemental appropriation.

K. Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit B_5

- 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 B_5 (Fletcher Place, located on the south side of B Street east of Park Avenue), and
- Resolution of Intention, Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit B_5 (pursuant to the Landscaping and Lighting Act of 1972).

L. Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit K_11

- 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 K_11 (Canterbury Estates Unit No. 3 located at the north end of Gray Avenue between East Onstott and Live Oak Boulevard).
- Resolution of Intention, Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit K_11 (pursuant to the Landscaping and Lighting Act of 1972).

M. Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit A_1

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

Resolution to modify Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit A_1 (River Valley Commercial Center located south of Colusa Avenue (State Route 20) where Harter Road currently intersects the highway), and

Resolution of Intention, Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit A_1 (pursuant to the Landscaping and Lighting Act of 1972).

N. Canterbury Estates Units No. 3 – 73-lot single family dwelling development

Recommendation: Adopt a resolution approving the final map for Canterbury Estates Unit No. 3, accepting dedication of rights-of-way and easements shown thereon and authorizing the filing of the map.

O. Siena Estates – 56-lot single family dwelling development

Recommendation: Adopt a resolution approving the final map for Siena Estates, accepting dedication of rights-of-way and easements shown thereon and authorizing the filing of the map.

7. REPORTS & MISCELLANEOUS

A. Adoption of Fiscal Year 2005-2006 Operating and Capital Budget and Fiscal Year 2005-2006 Appropriations Limit

- Recommendation:
1. Adopt a resolution approving the proposed Fiscal Year 2005-2006 Operating and Capital Budget, with amendments as set forth during the Budget Study Session.
 2. Adopt a resolution approving the City's Appropriations Limit for Fiscal Year 2005-2006.

8. BUSINESS FROM THE COUNCIL

A. Boards and Commissions

Confirm the Screening Committee's recommendation to appoint 1) one member to the Yuba City Parks & Recreation Commission, term to expire December 31, 2006; and 2) one member to the Yuba City Senior Commission, term to expire December 31, 2007.

9. ADJOURNMENT

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

10. CLOSED SESSION

Adjourn to closed session to confer with real property negotiators Jeffrey Foltz and Phil Carter pursuant to Government Code Section 54956.8 regarding the possible sale of excess City right of way property located at 350 Colusa Avenue.

Confer with labor negotiators Jeffrey Foltz and Steve Johnson regarding negotiations with all bargaining units pursuant to Section 54957.6 of the Government Code.

Confer with legal counsel regarding potential litigation pursuant to Government Code Section 54956.9 (c).

Confer with real property negotiators Jeffrey Foltz and Marc Boomgaarden pursuant to Government Code Section 54956.8 regarding possible purchase of APN 20-030-12 located at the southeast corner of Franklin and Ohleyer Roads, and APN 20-030-11 located on the southwest corner of Franklin and Ohleyer Roads.

11. ADJOURNMENT

MINUTES
REGULAR MEETING
CITY COUNCIL – CITY OF YUBA CITY
JUNE 7, 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

Billy Ollar led the Pledge of Allegiance to the Flag.

1. PRESENTATIONS/PROCLAMATIONS

A. Proclamation for the Retirement of Billy Ollar

Mayor Cartoscelli and Police Chief Richard Doscher presented proclamations and awards to Billy Ollar on his retirement.

B. Proclamation for the Retirement of MaryAnn Deabel

Mayor Cartoscelli presented a proclamation and award to Volunteer Coordinator MaryAnn Deabel on her retirement.

C. Senior Commission

Senior Commissioner June Bone gave the monthly report.

2. PUBLIC HEARINGS

A. Zoning Code 05-03 Revisions to the Sign Ordinance

Community Development Director Denis Cook said that some months back Council authorized Councilmembers Hellberg and Doolittle to form a Committee of business owners to review and propose revisions to the sign ordinance. The Committee is recommending changes on five types of signs: non-conforming, special event signs, A-frame signs, window signs, and under canopy signs. Mr. Cook summarized each of the types of signs and their proposed revisions. He stated that the Planning Commission held a public hearing on the proposed ordinance and recommends approval of the ordinance. Councilmembers asked Mr. Cook questions to clarify the content of the proposed ordinance.

Mayor Cartoscelli opened the public hearing. The following residents spoke:

Don Covey, 669 Plumas Street, Yuba City, expressed concerns over some types of signs that are not covered in the proposed ordinance as they relate to the downtown.

John Dukes, 1985 Mann Drive, Yuba City, a member of the Sign Ordinance Committee, expressed concerns over convenience stores filling their windows with advertising.

Hearing no further comment, Mayor Cartoscelli closed the public hearing.

Councilman Doolittle addressed issues with pole signs in downtown areas and stated he is not in favor of this type of sign. Councilman Miller thanked the Sign Committee for their hard work. He stated we need a strict sign ordinance and asked that this public hearing be postponed to allow the Council and Planning Commission to have a study session to discuss the ordinance further and to address signs not included in the proposed ordinance. Councilman Ramirez thanked the Committee and said he has concerns over the window signage in terms of safety and is not in favor of flag signage. Mayor Cartoscelli stated she has concerns with extensions in time allowed for outdoor advertising. She said years ago Colusa Highway had a reputation for tacky advertising and this seems to be taking a step backward. Councilman Hellberg commented on Council's concerns and explained the Committee's reasoning on specific aspects of the proposed ordinance. He stated he feels the ordinance is a good ordinance. Mayor

Cartoscelli asked that in the future when Committees and Council are assigned to a project such as this, that prior to taking the item to the Planning Commission and City Council, they give updates to Council periodically.

Councilman Miller moved to continue this item and the public hearing until a study session can be held with Council, the Planning Commission, the Sign Ordinance Committee, and interested business owners. Mayor Cartoscelli seconded the motion which passed with the following vote:

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

3. APPEARANCE OF INTERESTED CITIZENS

None.

4. BID OPENINGS

A. Emergency Sewer Line Repair Near Colusa Highway and Sutter Street

Utilities Director Bill Lewis stated there is a sewer leak on Sutter Street at Colusa Highway. The existing pipe is made of Techite that was installed in the late 1960's. It was marketed as a miracle material but it has not achieved that claim. Due to the fact that there are no manholes in the area, the leak is under the 10th Street Bridge, and there are existing underground utilities, staff is recommending a liner be installed inside the present pipe. The cost of the repair is about \$283,500 and a 6% contingency, due to unknown factors underground, for a total of \$300,000.

Mr. Lewis responded to Council's questions. Councilman Hellberg stated he felt there should be a cheaper way to accomplish the repair, possibly going around the leakage. Mr. Lewis stated this is a health and safety issue and this seemed to be the most expeditious manner to handle the sewer seepage. He also said underground contractors would not bid on the project. City Attorney Timothy Hayes reminded Council that a 4/5 vote is required since this is an emergency health and safety issue.

Councilman Doolittle moved to adopt Resolution No. 05-097 awarding the construction and repair of 425 feet of 20-inch diameter sewer force main to Insituform Technologies, Inc. of Benicia, California in the amount of \$282,500 plus contingency of 6% for a total of \$300,000, and declare the project is an emergency situation to protect public health. Councilman Miller seconded the motion that passed with the following vote:

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

B. Spillman Auto Vehicular Location (AVL) module Purchase

Information Services Manager Devin Barber gave the background on the current and proposed system. The GPS system to be installed in all fire and police vehicles will show the actual vehicle locations and will automatically report the location of the vehicles without any action from the driver. This is a major enhancement to the system. Mr. Barber responded to Council's questions.

Councilman Doolittle moved to adopt Resolution No. 05-098 authorizing the Assistant City Manager to enter into an agreement in the best interest of the City with Spillman Technologies, Inc. to purchase the Spillman AVL module for the Police/Fire Computer Aided Dispatch (CAD) System for the amount of \$71,560. Councilman Ramirez seconded the motion that passed with the following vote:

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

5. ORDINANCES

A. Rezoning of Property located at 1352 & 1356 Colusa Avenue, RZ 05-05

Councilman Doolittle moved to adopt Ordinance No. 004-05 to rezone Property located at 1352 & 1356 Colusa Avenue, APN 58-041-008, from the Heavy Commercial/Light Industrial; District (C-M) to the General Commercial District (C-3); and waive the second reading. Councilman Hellberg seconded the motion that passed with the following vote:

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

B. Add Chapter 10, Title 6 to the Yuba City Municipal Code regarding recycling at special events held on City of Yuba City controlled property and/or streets

Fire Chief Marc Boomgaarden introduced two Yuba City High School students, Tom Macpherson and David DuPlantier, who are members of the Great Valley Catapult Youth Leadership Program. Tom and David selected this recycling program for their Great Valley Center project.

David DuPlantier stated they were instructed by Great Valley to create a project to better the community or environment. After deliberation, they decided the environment was the best target for improvement. They have worked with Keith Martin of the Regional Waste Management Authority and Jackie Sillman of Yuba-Sutter Disposal. Their target of interest was Assembly Bill 2176 which has a model ordinance requiring that recycling be provided at all large scale public events.

Tom Macpherson continued by explaining they are proposing an ordinance to comply with Assembly Bill 2176 which requires recycling when event attendance is 500 or more. A recycling fee of \$50 will be refundable upon proof of recycling and a receipt. This will result in less refuse in the landfills.

Mr. Boomgaarden noted City events are exempt. Private entities would be subject to a charge but funds have been made available through the California Department of Conservation that have offset those costs. It appears that the funds will continue to be available. Parks and Recreation will be the agency the public with contact. Mr. Boomgaarden responded to questions from Council. The Council commended Mr. Macpherson and Mr. DuPlantier on their efforts.

Councilman Doolittle moved to introduce Ordinance No. 005-05 adding Chapter 10, Title 6 to the Yuba City Municipal Code; and waive the first reading. Councilman Hellberg seconded the motion that passed with a unanimous vote.

6. CONSENT CALENDAR

Mayor Cartoscelli asked that Item H of the Consent Calendar be removed at the request of the applicant. Councilman Doolittle moved to adopt the balance of the Consent Calendar as presented. Councilman Ramirez seconded the motion that passed with a unanimous vote:

- A. Approved the Regular Meeting minutes of May 17, 2005.
- B. Noted and filed the Planning Commission Actions of April 27, 2005.
- C. Noted and filed the Planning Commission Actions of May 25, 2005.
- D. Noted and filed the Monthly Investment Report of April 2005.
- E. Approved a Supplemental Appropriation of \$8,214.34 to Budget Line Item 1710-62722 for election costs.
- F. Approved the transfer funding in the amount of \$5,000 from FY 04-05 Salary Account 100-3150-61210 to Account 3150-69201 Capital Acquisitions for additional funding of a pole trailer for use by the Utility Department—Electrical Maintenance Division.
- G. Adopted Resolution No. 05-099 approving the execution of a Subdivision Agreement with Dunmore Canterbury, LLC, providing for public improvements for Canterbury Estates Unit No. 4, a 76-lot single-family development.
- I. Adopted Resolution No. 05-100 approving the execution of an Amended Subdivision Agreement with Larjer, Inc. providing for public improvements for Fletcher Place, an 8-Lot Single Family Dwelling Subdivision; and adopted Resolution No. 05-101 approving the final map for Fletcher Place, accepting dedication of rights-of-way and easements shown thereon and authorizing the filing of the map.
- J. Adopted Resolution No. 05-102 approving the execution of a Reimbursement Agreement with Siena Partners, LLC and authorized the Administrative Services Director to make a supplemental appropriation.
- K. Adopted Resolution No. 05-103 to modify Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit B_5 (Fletcher Place, located on the south side of B Street east of Park Avenue), and Resolution of Intention No. 05-104, Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit B_5 (pursuant to the Landscaping and Lighting Act of 1972).

- L. Adopted Resolution No. 05-105 to modify Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit K_11 (Canterbury Estates Unit No. 3 located at the north end of Gray Avenue between East Onstott and Live Oak Boulevard). Adopted Resolution of Intention No. 05-106, Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit K_11 (pursuant to the Landscaping and Lighting Act of 1972).
- M. Adopted Resolution No. 05-107 to modify Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit A_1 (River Valley Commercial Center located south of Colusa Avenue (State Route 20) where Harter Road currently intersects the highway), and Resolution of Intention No. 05-108, Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit A_1 (pursuant to the Landscaping and Lighting Act of 1972).
- N. Adopted Resolution No. 05-109 approving the final map for Canterbury Estates Unit No. 3, accepting dedication of rights-of-way and easements shown thereon and authorizing the filing of the map.
- O. Adopted Resolution No. 05-110 approving the final map for Siena Estates, accepting dedication of rights-of-way and easements shown thereon and authorizing the filing of the map.

7. REPORTS AND MISCELLANEOUS

- A. Adoption of Fiscal Year 2005-2006 Operating and Capital Budget and Fiscal Year 2005-2006 Appropriations Limit

Assistant City Manager Steve Kroeger noted that Council reviewed the budget yesterday in a Study Session and tonight's item is to adopt the budget and appropriations limit. Mayor Cartoscelli complimented Mr. Kroeger and his staff on the budget. Councilman Miller commended staff on a document that was well prepared and easy to read.

Councilman Miller moved to adopt Resolution No. 05-111 approving the proposed Fiscal Year 2005-2006 Operating and Capital Budget, with amendments as set forth during the Budget Study Session, and to adopt Resolution No. 05-112 approving the City's Appropriations Limit for Fiscal Year 2005-2006. Councilman Ramirez seconded the motion that passed with the following vote:

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

8. BUSINESS FROM THE COUNCIL

- A. Boards and Commissions

Councilman Ramirez moved to confirm the Screening Committee's recommendation to appoint Jeff Souza to the Yuba City Parks & Recreation Commission, term to expire December 31, 2006; and Delores Da'Venport to the Yuba City Senior Commission, term to expire December 31, 2007. Councilman Doolittle seconded the motion that passed with a unanimous vote.

Mayor Cartoscelli announced that City Manager Jeffrey Foltz indicated his desire to retire during his performance evaluation on April 19, 2005. He has given a retirement date of July 5, 2005 but Council will ask that he remain with the City until his replacement is recruited, however long that takes.

9. ADJOURNMENT

At 8:37 p.m., adjourned the regular City Council meeting to the Redevelopment Agency. At 8:40 p.m., reconvened from the Redevelopment Agency to the regular City Council meeting.

10. CLOSED SESSION

Adjourned to closed session to confer with real property negotiators Jeffrey Foltz and Phil Carter pursuant to Government Code Section 54956.8 regarding the possible sale of excess City right of way property located at 350 Colusa Avenue.

Conferred with labor negotiators Jeffrey Foltz and Steve Johnson regarding negotiations with all bargaining units pursuant to Section 54957.6 of the Government Code.

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

Conferred with real property negotiators Jeffrey Foltz and Marc Boomgaarden pursuant to Government Code Section 54956.8 regarding possible purchase of APN 20-030-12 located at the southeast corner of Franklin and Ohleyer Roads, and APN 20-030-11 located on the southwest corner of Franklin and Ohleyer Roads.

11. ADJOURNMENT

At 10:35 p.m., adjourned the regular City Council meeting of the City of Yuba City.

KAREN CARTOSCELLI
MAYOR

ATTEST:

CITY CLERK

AGENDA
REGULAR MEETING
REDEVELOPMENT AGENCY – CITY OF YUBA CITY
JUNE 7, 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 May 17, 2005.

3. REPORTS AND MISCELLANEOUS

A. Adoption of Fiscal Year 2005-2006 Operating and Capital Budget

Recommendation: Adopt a resolution approving the Redevelopment Agency's proposed Fiscal Year 2005-2006 Operating and Capital Budget.

4. BUSINESS FROM THE BOARD

5. ADJOURNMENT

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

AGENDA
REGULAR MEETING OF
CITY COUNCIL – CITY OF YUBA CITY
JUNE 21, 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 on Successful Heart Restart

B. Proclamation for Gloria Menth

C. Youth Commission

2. WRITTEN COMMUNICATIONS

A. Levee Update from Mary Keller, Deputy Director of Water Resources, Sutter County

3. PUBLIC HEARINGS

A. Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit H_4

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 H_4. [Bay Drive Estates Unit No. 1 located north of Pebble Beach Drive on the east side of Sanborn Road]

B. Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit K_10

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 K_10. [Canterbury Estates Unit No. 2 located at the north end of Gray Avenue between East Onstott and Live Oak Boulevard]

C. Apply consistent preannexation zoning (RZ 04-10 & RZ 04-15) of One-Family Residence, Special Standards Combining (R-1-X₂₀) District, One-Family Residence, Special Standards Combining (R-1-X_{20a}) District, Multiple-Family Residence, Special Standards Combining (R-3-X₂₀) District, Community Commercial (C-2) District and Light Industrial (M-1) District or to districts as deemed appropriate to 249+ acres located between Hooper Road and a point midway between Elmer Road and Blevin Road and

between Vine Avenue and the extension of Lizanne Drive. The zoning classifications will be applied in conformance with the adopted 2004 Yuba City General Plan Land Use Diagram. Property Owners—Interwest Homes, Inc., Bill Walker, Patricia Sadler, Piari Singh & Satnam Tatla—Applicant, Interwest Homes, Inc. and Reynen & Bardis Communities

Recommendation: Conduct a public hearing and after review and consideration of the mitigated negative declaration, concur with the Planning Commission’s recommendation, which is to:

- (a) Adopt the recommended findings,
- (b) Adopt the mitigated negative declaration, and
- (c) Introduce an ordinance for approval of Rezoning 04-10 and 04-15 for amendments to the Official Zoning Map to apply preannexation zoning of R-1-X₂₀, R-1-X_{20a}, R-3-X₂₀, C-2 and M-1 Districts as indicated on Exhibit A and subject to the conditions listed on Exhibit B; and waive the first reading.

D. Apply consistent preannexation zoning (#RZ 05-04) of One-Family Residence, Special Standards Combining (R-1-X₂₁) District or a district as deemed appropriate to 71 acres located between Butte House Road and Roosevelt Road and between Lynchburg Drive and Coy Drive. Property Owners, Ernest Low and Henry & Marian Kodama—Applicant, Meritage Homes of California

Recommendation: Conduct a public hearing and after review and consideration of the negative declaration, concur with the Planning Commission’s recommendation, which is to:

- (a) Adopt the recommended findings,
- (b) Adopt the negative declaration, and
- (c) Introduce an ordinance for approval of Rezoning 05-04 for amendments to the Official Zoning Map to apply preannexation zoning of R-1-X₂₁ District as indicated on Exhibit A and subject to the conditions listed on Exhibit B; and waive the first reading.

E. For property located between Walton Avenue and Gilsizer Slough and between the current city limits and Bogue Road: (1) General Plan Amendment 05-01 to change the existing Medium Density residential (MDR) for 2 acres to Low Density Residential (LDR) and to rearrange the Medium Density Residential, High Density Residential (HDR) and Parks, Recreation and Open Space (PR&OS) designations into a different configuration while maintaining the same acreages for each designation as shown on the Yuba City General Plan Land Use Diagram adopted in April of 2004, and (2) Rezoning 05-01 for a smaller area within the proposed general plan amendment described above, specifically the 33 acres north of Smith Road, to change the existing preannexation zoning from One-Family Residence, Agricultural Combining (R-1-A) District in order to place consistent preannexation zoning of Planned Development (PD₁₁) District or to a district as deemed appropriate. The application does not include a request for preannexation zoning to be applied at this time to the lands located between Smith and Bogue Roads – Property Owner, Siller Brothers, Inc./Applicant, Braddock and Logan

- Recommendation: Conduct a public hearing and after review and consideration of the negative declaration, concur with the Planning Commission's recommendation, which is to:
- (a) Adopt the recommended findings,
 - (b) Adopt the negative declaration,
 - (c) Approve a resolution for General Plan Amendment 05-01 for 2 acres from the Medium Density Residential to the Low Density Residential designation and the reconfiguration of the Medium Density Residential, High Density Residential and Parks, Recreation & Open Space designations for the properties as shown on the exhibit (Proposed General Plan).
 - (d) Introduce an ordinance for approval of Rezoning 05-01 for amendments to the Official Zoning Map from the current preannexation zoning of One-Family Residence, Agricultural Combining (R-1-A) District to conditional preannexation zoning of Planned Development (PD₁₁) District as shown on Exhibit A and subject to the conditions listed in Exhibit B and subject to the criteria of development for the properties located in each respective general plan designation listed in Exhibit C; and waive the first reading.

F. Appeal of Tentative Map 05-03, 1889 Jamie Drive, Subdivider/Property Owner Tom Crossan

- Recommendation: Following a public hearing, uphold the Planning Commission's decision to deny the subdivision of a single parcel of .4 acres into 2 separate parcels of .14 and .26 acres, subject to conditions.

4. 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.

5. BID OPENINGS

A. Harding Road and Cherry Street Water Line

- Recommendation: Award a contract to Tidelands Construction Company of Brentwood, California for the Harding Road and Cherry Street Water Line project in the amount of their low bid of \$480,904.00.

B. Annual Computer Purchase

Recommendation: Authorize staff to sole source computer purchases to Dell Computer Systems of Round Rock Texas for fiscal year 2006 at prices not to exceed the California Multiple Award Schedule (CMAS) contract price for Dell Computer Systems by finding that it is in the best interest of the City to do so.

C. One (1) Engineering Printer, Copier and Scanner (Formal Bid 05-16)

Recommendation: Award a bid to the low bidder A & E Repro Systems, Inc. of Rancho Cordova, CA in the amount of \$29,976.38 for the purchase of one (1) engineering printer, copier and scanner and authorize a transfer of funds from account #3120-62701 Engineering Professional Services to account #3120-69201 Engineering Equipment in the amount of \$4,000.

6. ORDINANCES

A. Add Chapter 10, Title 6, to the Yuba City Municipal Code Regarding Recycling at Special Events

Recommendation: Adopt Ordinance No. 005-05 adding Chapter 10, Title 6, to the Yuba City Municipal Code; waive the second reading.

B. Cash Handling Ordinance

Recommendation: Introduce an ordinance establishing cash handling guidelines; waive the first reading.

7. 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. Regular City Council Meeting Minutes of June 7, 2005

Recommendation: Approve the Regular Meeting Minutes of June 7, 2005.

B. Cancellation of Lien against APN 55-010-042, and related parcels split from APN 55-010-042, for Advances related to the Garden Highway Assessment District

Recommendation: Adopt a resolution relating to and providing for the cancellation of a lien against APN 55-010-042, and related parcels split from APN 55-010-042, in connection with the restructuring of certain delinquent reassessments and reassessment refunding bonds for the City of Yuba City Garden Highway Reassessment District No. 2.

C. Bay Drive Estates Unit No. 2 – 30-lot single family dwelling development

Recommendation: Adopt a resolution approving the execution of a Subdivision Agreement with Interwest Homes Corporation providing for public improvements for Bay Drive Estates Unit No. 2.

D. Tres Picos Estates – 78-lot single family dwelling subdivision

Recommendation: Adopt a resolution approving the execution of a Subdivision Agreement with Cresleigh Homes Corporation providing for public improvements for Tres Picos Estates.

E. Yuba City Lighting and Landscape Maintenance District No. 4, Zone of Benefit D_2

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

Resolution to modify Yuba City Lighting and Landscape Maintenance District No. 4, Zone of Benefit D_2 (Tres Picos Estates located in the Buttes Vista Neighborhood at the southeast corner of Stabler Lane and Pease Road).

Resolution of Intention, Yuba City Lighting and Landscape Maintenance District No. 4, Zone of Benefit D_2 (pursuant to the Landscaping and Lighting Act of 1972).

F. Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit C_8

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 C_8 (Bay Drive Estates Unit No. 2, located north of Pebble Beach Drive on the east side of Sanborn Road).

Resolution of Intention, Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit C_8 (pursuant to the Landscaping and Lighting Act of 1972).

G. Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit K_12

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 K_12 (Canterbury Estates Unit No. 4 located on the south side of Pease Road between East Onstott Road and Gray Avenue).

Resolution of Intention, Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit K_12 (pursuant to the Landscaping and Lighting Act of 1972).

H. Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit K_13

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 K_13 (Teal Hollow Unit No. 1 located north of State Route 20 and west of Royo Ranchero Drive), and

Resolution of Intention, Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit K_13 (pursuant to the Landscaping and Lighting Act of 1972).

I. Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit K_14

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 K_14 (Domain Estates located north of Queens Avenue and west of Blevin Road).

Resolution of Intention, Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit K_14 (pursuant to the Landscaping and Lighting Act of 1972).

8. REPORTS & MISCELLANEOUS

A. "Be Prepared Yuba City" Disaster Preparedness Booklet

Recommendation: Approve a supplemental revenue adjustment of \$6,008.00 to Fire Department Revenue Account 100-44251 and approve a supplemental budget appropriation to Fire Department Account 2305-62701 (Professional Services) to allow the use of donations from the business community and the County of Sutter to be used in the design, printing and distribution of the "Be Prepared Yuba City" disaster preparedness booklet to Yuba City Urban Area residents.

B. Staffing for Adequate Fire and Emergency Response (SAFER) Grant

Recommendation: Approve the Yuba City Fire Department's submittal of an application for consideration of funding under the SAFER Grant program for addition of three new firefighters, and, in doing so, accept the cost-sharing commitment required over the five-year life of the grant.

C. Set compensation levels for affected City Employees, and approve a Memorandum of Understanding

Recommendation: Adopt resolutions authorizing the following:

- (a) Set the compensation for City employees as determined in the Salary Schedule and General Compensation Plan effective June 25, 2005, and authorize the Assistant City Manager to make the appropriate budget adjustments.
- (b) Approve a Memorandum of Understanding (MOU) with City Manager Jeffrey Foltz.

D. Amendment to Legal Services Agreement with McDonough, Holland & Allen

Recommendation: Approve the amendment for legal services.

9. BUSINESS FROM THE COUNCIL

10. CLOSED SESSION

Adjourn to closed session to confer with legal counsel regarding existing Worker's Compensation Claim of former employee Bill Ollar, No. 2003017367, pursuant to Government Code Section 54956.9(a).

11. ADJOURNMENT

MINUTES
REGULAR MEETING
CITY COUNCIL – CITY OF YUBA CITY
JUNE 21, 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 Hellberg, Miller, Ramirez, and Mayor Cartoscelli
Absent: Councilman Doolittle

- INVOCATION

Mayor Cartoscelli gave the invocation.

- PLEDGE OF ALLEGIANCE TO THE FLAG

Police Captain Rob Landon led the Pledge of Allegiance to the Flag.

1. PRESENTATIONS/PROCLAMATIONS

- A. Mayor Cartoscelli presented a proclamation to Fire Apparatus Operators Eric Hankins and Jon Blevins (not in attendance) and Public Safety Dispatcher Dulce Ward for their part in successfully restarting a heart attack victim's heart. Mr. Cobb, the victim, also thanked all those involved.
- B. Mayor Cartoscelli presented a proclamation to Gloria Menth, upon her retirement with the City.
- C. Youth Commission: No report given.

2. WRITTEN COMMUNICATIONS

- A. Levee Update from Mary Keller, Deputy Director of Water Resources, Sutter County

Mary Keller, Deputy Director of Water Resources for Sutter County gave an update on our levees and the lower Feather River study.

3. PUBLIC HEARINGS

- A. Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit H_4

Assistant City Manager Phil Carter explained that this public hearing is required by State law to establish the Lighting and Landscape Maintenance District which is required in the Bay Drive Estates Unit No. 1 Map to enable the future lot owners to pay for the street lighting costs within the subdivision. The proposed assessment is \$24.99 per year to each lot owner in Zone of Benefit H_4.

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

Councilman Ramirez moved to adopt Resolution No. 05-113 confirming the diagram and assessment and levying assessment for Fiscal Year 2004-2005 for Lighting and Landscape Maintenance District No. 5, Zone of Benefit H_4. [Bay Drive Estates Unit No. 1 located north of Pebble Beach Drive on the east side of Sanborn Road]. Councilman Hellberg seconded the motion that passed with the following vote:

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

- B. Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit K_10

Assistant City Manager Phil Carter explained that this public hearing is required by State law to establish the Lighting and Landscape Maintenance District which is required in the Canterbury Estates Unit No. 2 Map to enable the future lot owners to pay the cost and maintenance of landscaping materials, irrigation systems, lighting, and street trees within the subdivision. The proposed assessment is \$198.54 per year to each lot owner in Zone of Benefit K_10.

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

Councilman Miller moved to adopt Resolution No. 05-114 confirming the diagram and assessment and levying assessment for Fiscal Year 2004-2005 for Lighting and Landscape Maintenance District No. 5, Zone of Benefit K_10. [Canterbury Estates Unit No. 2 located at the north end of Gray Avenue between East Onstott and Live Oak Boulevard]. Councilman Ramirez seconded the motion that passed with the following vote:

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

- C. Apply consistent preannexation zoning (RZ 04-10 & RZ 04-15) of One-Family Residence, Special Standards Combining (R-1-X₂₀) District, One-Family Residence, Special Standards Combining (R-1-X_{20a}) District, Multiple-Family Residence, Special Standards Combining (R-3-X₂₀) District, Community Commercial (C-2) District and Light Industrial (M-1) District or to districts as deemed appropriate to 249+ acres located between Hooper Road and a point midway between Elmer Road and Blevin Road and between Vine Avenue and the extension of Lizanne Drive. The zoning classifications will be applied in conformance with the adopted 2004 Yuba City General Plan Land Use Diagram. Property Owners—Interwest Homes, Inc., Bill Walker, Patricia Sadler, Piari Singh & Satnam Tatla—Applicant, Interwest Homes, Inc. and Reynen & Bardis Communities

Community Development Director Denis Cook gave an overview of the proposed project. He explained that this project is one of the six applications submitted to the City and approved by Council to move forward. Staff is recommending conditional zoning for the area as a vehicle to achieve compliance with the 12 adopted growth policies. Within the project area there are approximately 152 acres of undeveloped or under developed properties.

Mayor Cartoscelli opened the public hearing. The following citizens spoke:

1. David Lane, 1955 Elmer Lane, Yuba City, CA: Concerned about traffic. Would like Elmer and Butte House expanded. Requested the proposed R-3 zoning be changed to R-2 zoning.
2. William Smith, 1415 El Margarita Road, Yuba City, CA: Does not want zoning in his area to be changed because it is fully developed. Mr. Cook explained that the zoning in his area is proposed to remain at a minimum of 1 acre lots.
3. Randy Collins, representing Reynen & Bardis: They realize that there are some issues to work out and would like to work on those issues prior to submittal of the tentative map.
4. Lewis Boyd, 1387 El Margarita Road, Yuba City, CA: Concurred with Mr. Smith. Would like zoning to remain as is.
5. Shawn Menard, MHN, working with Interwest Homes: Concurs with all conditions proposed by the Planning Commission.
6. Denis Scott, 1353 El Margarita, Yuba City, CA: Asked when he would be asked to hook up to City water and sewer. Mayor Cartoscelli explained that as long as he was functioning, he would not have to convert to City services.
7. Wilmer Green, 217 Elmer Avenue, Yuba City, CA: Voiced concerns about traffic on Elmer. He suggested a different area for a new road.
8. Jeff (undistinguishable), 2000 Elmer, Yuba City, CA: Voiced concerns about traffic. He stated that he lives next to a private road and asked if the City would take over maintenance of that road or mandate that the owners maintain. Mr. Cook answered that it would depend on the dedications for the road.
9. Gary Trimble, 2424 Jefferson Avenue, Yuba City, CA: Would like the option to subdivide his property. Asked that the proposed zoning be changed.
10. Dale Henderson, 2471 Blevin Road, Yuba City, CA: Asked for clarification about the new roads.
11. Ted Holmes, Elmer Avenue, Yuba City, CA: Would like the option to split his property. He asked if he would need to bring the private road up to City standards if he does split the lot. Mayor Cartoscelli answered that generally the answer is yes.
12. Rick Blue, 2290 Elmer, Yuba City, CA: Asked if the subdivision behind him will have City water and sewer and he was told yes.
13. Bonnie Hansen, 2351 Capistrano, Yuba City, CA: Concurs with changing proposed R-3 zoning to R-2. Also concerned about traffic.
14. Ed Gavin, 2197 Hooper Road, Yuba City, CA: Voiced his opposition to the rezoning. Would like zoning to remain as is.

Hearing no further comment, Mayor Cartoscelli closed the public hearing.

Community Development Director Denis Cook stated that it would not be a problem if Council changed the proposed R-3 zoning to R-2 zoning. He further stated that in the future, the City needs to look at streets, water and sewer issues and suggested that community meetings be held.

Mayor Cartoscelli suggested that the proposed zoning for the larger 1-acre lots be approved. She stated that if a property owner would like his parcel rezoned, he could come back to the City with a request individually.

There was a discussion regarding the new Tuly Road. Assistant City Manager Phil Carter explained that he couldn't say at this point when the road would go from 2 lanes to 4 lanes. There are too many unknown factors at this point.

Mayor Cartoscelli moved that after review and consideration of the mitigated negative declaration, to concur with the Planning Commission's recommendation to: 1) Adopt the recommended findings; 2) Adopt the mitigated negative declaration; and 3) Introduce Ordinance No. 006-05 for approval of Rezoning 04-10 and 04-15 for amendments to the Official Zoning Map to apply preannexation zoning of R-1-X₂₀, R-1-X_{20a}, R-2-X₂₀, C-2 and M-1 Districts as indicated on Exhibit A and subject to the conditions listed on Exhibit B; and waived the first reading. This motion changes the proposed R-3 zoning to R-2 zoning. Councilman Ramirez seconded the motion that passed with the following vote:

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

- D. Apply consistent preannexation zoning (#RZ, 05-04) of One-Family Residence, Special Standards Combining (R-1-X₂₁) District or a district as deemed appropriate to 71 acres located between Butte House Road and Roosevelt Road and between Lynchburg Drive and Coy Drive. Property Owners, Ernest Low and Henry & Marian Kodama—Applicant, Meritage Homes of California

Community Development Director Denis Cook gave an overview of the proposed project. He explained that this project is also one of the six applications submitted to the City and approved by Council to move forward. Staff is recommending conditional zoning for the area as a vehicle to achieve compliance with the 12 adopted growth policies. The applicant is requesting that preannexation zoning of One-Family Residence (R-1) District be applied to 68 acres of property. Staff has added an additional three acre parcel to the application to avoid the creation of an unincorporated island.

Mayor Cartoscelli opened the public hearing. The following citizens spoke:

1. Mark Traver, Meritage Homes: Stated that they are at the beginning of this project and do not have plans as of yet.
2. Celia Barriga, 1737 Lynchburg Drive, Yuba City, CA: Stated that she doesn't want 2-story homes to back up to her one-story home. She also asked that the large oak tree in the area be kept. Mayor Cartoscelli explained that the City does not allow 2-story homes to back up to one-story homes. She further stated that the City would keep the oak tree.

Hearing no further comment, Mayor Cartoscelli closed the public hearing.

Councilman Miller moved that after review and consideration of the negative declaration, to concur with the Planning Commission's recommendation, to: 1) Adopt the recommended findings; 2) Adopt the negative declaration; and 3) Introduce Ordinance No. 007-05 for approval of Rezoning 05-04 for amendments to the Official Zoning Map to apply preannexation zoning of R-1-X₂₁ District as indicated on Exhibit A and subject to the conditions listed on Exhibit B; and waived the first reading. Councilman Ramirez seconded the motion that passed with the following vote:

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

- E. For property located between Walton Avenue and Gilsizer Slough and between the current city limits and Bogue Road: (1) General Plan Amendment 05-01 to change the existing Medium Density residential (MDR) for 2 acres to Low Density Residential (LDR) and to rearrange the Medium Density Residential, High Density Residential (HDR) and Parks, Recreation and Open Space (PR&OS) designations into a different configuration while maintaining the same acreages for each designation as shown on the Yuba City General Plan Land Use Diagram adopted in April of 2004, and (2) Rezoning 05-01 for a smaller area within the proposed general plan amendment described above, specifically the 33 acres north of Smith Road, to change the existing preannexation zoning from One-Family Residence, Agricultural Combining (R-1-A) District in order to place consistent preannexation zoning of Planned Development (PD₁₁) District or to a district as deemed appropriate. The application does not include a request for preannexation zoning to be applied at this time to the lands located between Smith and Bogue Roads – Property Owner, Siller Brothers, Inc./Applicant, Braddock and Logan

Community Development Director Denis Cook gave an overview of the proposed project. He explained that this project is also one of the six applications submitted to the City and approved by Council to move forward. Staff is recommending conditional zoning for the area as a vehicle to achieve compliance with the 12 adopted growth policies. Since this development is part of one of the Master Plan areas, and the applicant proposes some unique building standards, staff proposes that the area be preannexation zoned Planned Development (PD₁₁) District and subject to the preannexation conditions and development criteria listed in Exhibits B and C of the staff report.

Mayor Cartoscelli stated that she has some major concerns about this project, especially with the proposed high density zoning close to the Gilsizer Slough. There are generally more children in these areas and safety is a big concern. She also would like the project to look nice, even though there will be a higher number of cars in the area.

Councilman Miller suggested that the developer look into alley-way entrances behind the houses for a nice look.

Mayor Cartoscelli opened the public hearing. The following citizens spoke:

1. Shawn Menard, MHN, 523 Jones Street, Marysville, CA: They are working very hard on the tentative map to come up with a very nice project.
2. Jim Sullivan, Braddock & Logan Group: Stated that safety is very important to them as well. They are working with Gilsizer Slough regarding safety issues. He then gave an overview of what the project might look like.
3. Russell Rohleder, 1895 Dillan Drive, Yuba City, CA: representing Grace Christian Academy: Asked for confirmation that zoning on their property would not change. He voiced many concerns. Mr. Cook explained that they will be able to continue business as is.
4. Paul Radobenko, 1460 Crest Court, Yuba City, CA: Asked for clarification regarding boundaries of rezoning. Mr. Cook explained the proposed boundaries.

Hearing no further comment, Mayor Cartoscelli closed the public hearing.

Councilman Miller stated that he would like staff to work on developing design guidelines for single-family homes. Mr. Cook stated that funds have been budgeted in Fiscal Year 2005/2006 for that purpose.

Councilman Miller moved that after review and consideration of the negative declaration, to concur with the Planning Commission's recommendation, to: 1) Adopt the recommended findings; 2) Adopt the negative declaration, 3) Approve Resolution No. 05-115 for General Plan Amendment 05-01 for 2 acres from the Medium Density Residential to the Low Density Residential designation and the reconfiguration of the Medium Density Residential, High Density Residential and Parks, Recreation & Open Space designations for the properties as shown on the exhibit (Proposed General Plan); and 4) Introduce Ordinance No. 008-05 for approval of Rezoning 05-01 for amendments to the Official Zoning Map from the current preannexation zoning of One-Family Residence, Agricultural Combining (R-1-A) District to conditional preannexation zoning of Planned Development (PD₁₁) District as shown on Exhibit A and subject to the conditions listed in Exhibit B and subject to the criteria of development for the properties located in each respective general plan designation listed in Exhibit C; and waived the first reading. Councilman Ramirez seconded the motion that passed with the following vote:

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

F. Appeal of Tentative Map 05-03, 1889 Jamie Drive, Subdivider/Property Owner Tom Crossan

Community Development Director Denis Cook explained that a request to subdivide a .4 parcel into two single-family residential lots on the northeast corner of Blevin Road and Jamie Drive was received. The proposed new parcels meet all standards set for single family residential lots. Mr. Cook explained that this is a case of conflicting General Plan Policies. The general plan states it is important to promote infill development and higher densities, but the plan also calls for the protection of the character and scale of existing neighborhoods. Protecting neighborhood character is important and during the Planning Commission hearing neighbors expressed such concern. The Planning Commissioners agreed with the sentiments of the surrounding residents and denied the request.

Mayor Cartoscelli opened the public hearing. The following citizens spoke:

1. Tom Crossan, 1889 Jamie Drive, Yuba City, CA: Gave an in-depth overview of the steps he and his family have taken to meet all City standards regarding splitting his property. These steps include hiring an engineer and having the water/sewer split for both parcels. He stated that they have followed and met all City requirements and

that this request will make a big improvement to the corner lot and probably increase property values.

2. Dale Henderson, 2471 Blevin Road, Yuba City, CA: Stated that he is against splitting the lot.

Hearing no further comment, Mayor Cartoscelli closed the public hearing.

Councilman Ramirez stated that this is not an infill project. Because the split lots would be much smaller and out of character for the area, concurs with the Planning Commission to deny the request. Councilman Miller concurred.

Councilman Hellberg stated that this is certainly a dilemma. Because Mr. Crossen has met all the requirements necessary and a new home on the corner will look nice, he is in support of the appeal.

Mayor Cartoscelli stated that this is a hard decision to make. After considering all the facts, she will also support the appeal.

Councilman Ramirez moved to uphold the Planning Commission's decision to deny the subdivision of a single parcel of .4 acres into 2 separate parcels of .14 and .26 acres, subject to conditions. Councilman Miller seconded the motion that failed with a split vote as follows:

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

Because this item ended in a split vote, Councilman Hellberg moved to reconsider the item when all Councilmembers are in attendance. Mayor Cartoscelli seconded the motion that passed with the following vote:

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

Councilman Hellberg moved to continue this item to the July 5, 2005 Council Meeting. Mayor Cartoscelli seconded the motion that passed with the following vote:

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

4. APPEARANCE OF INTERESTED CITIZENS

None.

5. BID OPENINGS

A. Harding Road and Cherry Street Water Line

Assistant City Manager Phil Carter explained that this project consists of installation of a 16" surface water line to connect existing Cherry Street and Sanborn Road customers to the City surface water system and to provide water to ground water system customers when pressure decreases in the ground water system below an acceptable level.

Councilman Ramirez moved to award a contract to Tideland Construction Company of Brentwood, California for the Harding Road and Cherry Street Water Line project in the amount of their low bid of \$480,904.00. Councilman Hellberg seconded the motion that passed with a unanimous vote.

B. Annual Computer Purchase

General Services Manager Jack Smith explained that the City had been purchasing Dell Computers since December of 2000. An annual review is completed each year and Dell Computers Systems has consistently been the lowest priced based on value, and their reliability and service have remained outstanding.

Councilman Ramirez moved to authorize staff to sole source computer purchases to Dell Computer Systems of Round Rock, Texas for fiscal year 2006 at prices not to exceed the California Multiple Award Schedule (CMAS) contract price for Dell Computer Systems by finding that it is in the best interest of the City to do so. Councilman Miller seconded the motion that passed with a unanimous vote.

C. One (1) Engineering Printer, Copier and Scanner (Formal Bid 05-16)

General Services Manager Jack Smith explained that they worked closely with City Engineering personnel to develop specifications for this purchase. Staff believes that the low bid from A & E Repro Systems is the best price available at this time.

Councilman Miller moved to award a bid to the low bidder A & E Repro Systems, Inc. of Rancho Cordova, CA in the amount of \$29,976.38 for the purchase of one (1) engineering printer, copier and scanner and authorize a transfer of funds from account #3120-62701 Engineering Professional Services to account #3120-69201 Engineering Equipment in the amount of \$4,000. Councilman Hellberg seconded the motion that passed with a unanimous vote.

6. ORDINANCES

A. Add Chapter 10, Title 6, to the Yuba City Municipal Code Regarding Recycling at Special Events

Councilman Miller moved to adopt Ordinance No. 005-05 adding Chapter 10, Title 6, to the Yuba City Municipal Code, and waived the second reading. Councilman Ramirez seconded the motion that passed with the following vote:

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

B. Cash Handling Ordinance

Assistant City Manager Steve Kroeger explained that in recognition of the important of accountability and internal controls within the City's various cash handling operations, the Administrative Services Department developed a Cash Management Policies and Procedures Manual in keeping with recommended practices of the Municipal Treasurers' Association of the United States and Canada (MTA US&C). The proposed ordinance formally recognizes the City's program and is required by the MTA US&C in order for the City to receive "Cash Handling Program Certification."

Councilman Ramirez moved to introduce Ordinance No. 009-05 establishing cash handling guidelines; and waived the first reading. Councilman Miller seconded the motion that passed with the following vote:

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

7. CONSENT CALENDAR

Councilman Ramirez moved to adopt the consent calendar as presented. Councilman Hellberg seconded the motion that passed with a unanimous vote.

- A. Approved the Regular Meeting Minutes of June 7, 2005.
- B. Adopted Resolution No. 05-116 relating to and providing for the cancellation of a lien against APN 55-010-042, and related parcels split from APN 55-010-042, in connection with the restructuring of certain delinquent reassessments and reassessment refunding bonds for the City of Yuba City Garden Highway Reassessment District No. 2.
- C. Adopted Resolution No. 05-117 approving the execution of a Subdivision Agreement with Interwest Homes Corporation providing for public improvements for Bay Drive Estates Unit No. 2, a 30-lot single family dwelling development.
- D. Adopted Resolution No. 05-118 approving the execution of a Subdivision Agreement with Cresleigh Homes Corporation providing for public improvements for Tres Picos Estates, a 78-lot single family dwelling subdivision.
- E. Adopted Resolution No. 05-119 to modify Yuba City Lighting and Landscape Maintenance District No. 4, Zone of Benefit D_2 (Tres Picos Estates located in the Buttes Vista Neighborhood at the southeast corner of Stabler Lane and Pease Road); and Resolution of Intention No. 05-120, Yuba City Lighting and Landscape Maintenance District No. 4, Zone of Benefit D_2 (pursuant to the Landscaping and Lighting Act of 1972).
- F. Adopted Resolution No. 05-121 to modify Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit C_8 (Bay Drive Estates Unit No. 2, located north of Pebble Beach Drive on the east side of Sanborn Road); and Resolution of Intention No. 05-122, Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit C_8 (pursuant to the Landscaping and Lighting Act of 1972).

- G. Adopted Resolution No. 05-123 to modify Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit K_12 (Canterbury Estates Unit No. 4 located on the south side of Pease Road between East Onstott Road and Gray Avenue); and Resolution of Intention No. 05-124, Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit K_12 (pursuant to the Landscaping and Lighting Act of 1972).
- H. Adopted Resolution No. 05-125 to modify Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit K_13 (Teal Hollow Unit No. 1 located north of State Route 20 and west of Royo Ranchero Drive), and Resolution of Intention No. 05-126, Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit K_13 (pursuant to the Landscaping and Lighting Act of 1972).
- I. Adopted Resolution No. 05-127 to modify Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit K_14 (Domain Estates located north of Queens Avenue and west of Blevin Road) and adopted Resolution of Intention No. 05-128, Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit K_14 (pursuant to the Landscaping and Lighting Act of 1972).

8. REPORTS AND MISCELLANEOUS

A. “Be Prepared Yuba City” Disaster Preparedness Booklet

Fire Chief Marc Boomgaarden explained that the Fire Department has created a disaster preparedness brochure, for distribution to residents of the Yuba City Urban Area. The 20-page booklet contains practical information on how families can prepare for any disaster, including safety tips and information about preparedness and protection. The Department solicited the community for donations to help offset the cost of producing the booklet and are pleased that nine local organizations joined as a partner on the project.

Councilman Hellberg commended the department for an outstanding job on the booklet. He asked if a date could be added to the cover for historical purposes. Councilman Ramirez concurred with Councilman Hellberg.

Councilman Hellberg moved to approve a supplemental revenue adjustment of \$6,008.00 to Fire Department Revenue Account 100-44251 and approve a supplemental budget appropriation to Fire Department Account 2305-62701 (Professional Services) to allow the use of donations from the business community and the County of Sutter to be used in the design, printing and distribution of the “Be Prepared Yuba City” disaster preparedness booklet to Yuba City Urban Area residents. Councilman Miller seconded the motion that passed with a unanimous vote.

B. Staffing for Adequate Fire and Emergency Response (SAFER) Grant

Fire Chief Marc Boomgaarden explained that the U.S. Department of Homeland Security is accepting applications under their 2005 SAFER Grant program. The purpose of the SAFER grant is to award grants directly to fire departments to help the departments increase their cadre of firefighters. The program involves a five-year grant to assist in paying for a portion of the salaries of newly hired firefighters. Yuba City will be in competition with many other fire departments from across the nation.

Councilman Ramirez moved to approve the Yuba City Fire Department’s submittal of an application for consideration of funding under the SAFER Grant program for the addition of three new firefighters, and, in doing so, accept the cost-sharing commitment required over the five-year life of the grant. Councilman Hellberg seconded the motion that passed with a unanimous vote.

C. Set compensation levels for affected City Employees, and approve a Memorandum of Understanding

Human Resources Director Steve Johnson explained that the revised City Salary Schedule and Compensation Plan, effective June 25, 2005, includes a COLA adjustment of 3.9 percent for most City employees. Additional salary increases are proposed based on a recent survey of comparable local government agencies. These equity increases range from 1.1 to 3.1 percent, and will take effect January 1, 2006. This item also includes a Memorandum of Understanding between the City and our current City Manager Jeffrey Foltz. Mr. Foltz is scheduled to retire on July 4, 2005, and has agreed to become a temporary employee with the City, to provide assistance to the City for a smooth transition to a new City Manager and assist with the implementation of key projects.

Councilman Hellberg moved to adopt Resolution No. 05-129 which will 1) set the compensation for City employees as determined in the Salary Schedule and General Compensation Plan effective June 25, 2005; 2) authorize the Assistant City Manager to make the appropriate budget adjustments; and 3) approve a Memorandum of

Understanding with City Manager Jeffrey Foltz. Councilman Ramirez seconded the motion that passed with a unanimous vote.

D. Amendment to Legal Services Agreement with McDonough, Holland & Allen

City Manager Jeffrey Foltz explained that the proposed amendment would amend the compensation section of the agreement to provide for an hourly rate of \$175 and cost of living increases thereafter, starting in July of 2006.

Councilman Miller moved to approve the amendment for legal services. Councilman Ramirez seconded the motion that passed with a unanimous vote.

9. BUSINESS FROM THE COUNCIL

Mayor Cartoscelli congratulated the Finance Division for receiving a Certificate of Achievement.

Councilman Hellberg asked that the Railroad Depot be placed on the July 5, 2005 Council meeting agenda for discussion, direction, and possible action. He further asked that staff members research the cost of enclosing one of the swimming pools included in the Gauche Park Project.

10. CLOSED SESSION

At 10:52 p.m. adjourned to closed session and conferred with legal counsel regarding existing Worker's Compensation Claim of former employee Bill Ollar, No. 2003017367, pursuant to Government Section 54956.9(a).

10. ADJOURNMENT

At 11:10 p.m., reconvened from closed session and immediately adjourned in memory of Past Police Chief Roy Harmon.

KAREN CARTOSCELLI
MAYOR

ATTEST:

STEVE JOHNSON
CITY CLERK