

AGENDA
REGULAR MEETING OF
CITY COUNCIL – CITY OF YUBA CITY
MARCH 1, 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. Achievement of Excellence in Procurement (AEP) Award Presentation

B. Senior Commission

2. PUBLIC HEARINGS

A. Request for Proposal for Solar Energy Project (RFP 05-03)

Recommendation: Conduct a public hearing; then award a contract in the best interest of the City to Power Light Corporation of Berkeley, CA for a 775-kilowatt power turnkey solar electric system in the amount of \$2,572,560 contingent upon the approval of an additional \$2,424,244 by the end of Calendar Year (CY) 05 that would be paid directly to Power Light Corporation from the Pacific Gas and Electric Self Generation Incentive Program (SGIP).

B. Rezone #04-14 to change the existing Light Industrial (M-1) District to the Heavy Commercial/Light Industrial (C-M) District or to a district as deemed appropriate for property located at 909 Spiva Avenue – Applicant, City of Yuba City/Owner, Roger and Sue Abe

Recommendation: Conduct a public hearing and introduce an ordinance for approval of Rezone #04-14 for amendment to the Official Zoning Map from the Light Industrial (M-1) District to the Heavy Commercial/Light Industrial (C-M) District; waive the first reading.

C. Amendment of Yuba City Zoning Regulations to provide a definition of Medical Marijuana Dispensaries – 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.

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. 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 (January 2005)

Recommendation: Note & File.

B. Minutes of Yuba City Council Meeting

Recommendation: Approve the regular meeting minutes of February 1, 2005 and the Special Joint meeting minutes of February 15, 2005.

C. Water Treatment Plant High Lift Pumping Improvement Plans and Specifications Approval

Recommendation: Adopt a resolution approving plans and specifications for the improvements to the High Lift Pumping Station as part of the Water Treatment Plant Expansion Project, and direct the advertisement for competitive bids on the proposed project.

D. Tierra Buena Water Line Project

Recommendation: Adopt a resolution accepting the subject project and authorizing the Director of Public Works to file a Notice of Completion.

E. Conflict of Interest Code

Recommendation: Adopt a Resolution amending the City of Yuba City's Conflict of Interest Code and list of Designated Positions.

F. Yuba City Cinema 14 Transportation Enhancement Activities (TEA) Project Application

Recommendation: Adopt a resolution authorizing the Public Works Director to submit an application for funding under the Transportation Enhancement Activities (TEA) program for a Community Design Grant to Provide Transportation Improvements for the Downtown Area in the Vicinity of the Yuba City Cinema 14 Project.

5. REPORTS AND MISCELLANEOUS

A. Professional Services Agreement for a consultant team to prepare the Lincoln East Specific Plan and EIR and accompanying documents. The Lincoln East project, being SP 04-01 and SP 04-02, is a 1,150+ acre area bordered by Franklin Road to the north, the City limits along Harding and Sanborn Roads to the east, Bogue Road to the south and George Washington Boulevard to the west.

Recommendation: Adopt a resolution that authorizes the City Manager to enter into a professional services agreement with RRM Design to prepare the specific plan, EIR and accompanying documents necessary to complete the project.

6. BUSINESS FROM THE COUNCIL

7. 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 right-of-way on APN 59-010-090.

8. ADJOURNMENT

MINUTES
REGULAR MEETING
CITY COUNCIL – CITY OF YUBA CITY
MARCH 1, 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

Mayor Cartoscelli led the Pledge of Allegiance to the Flag.

1. PRESENTATIONS/PROCLAMATIONS

A. Achievement of Excellence in Procurement (AEP) Award Presentation

Hugh Smith, Past President of the California Association of Public Purchasing Officers (CAPPO), presented an Achievement of Excellence in Procurement (AEP) Award to General Services Manager Jack Smith and his department. Mr. Smith noted that only 13 cities in California received this award in 2004 and Yuba City was one of them. Yuba City also received the award in 2003. Few cities have that distinction.

B. Senior Commission

Senior Commissioner June Bone gave the monthly report.

2. PUBLIC HEARINGS

A. Request for Proposal for Solar Energy Project (RFP 05-03)

General Services Manager Jack Smith reviewed the proposed 775-kilowatt power turnkey solar electric system to be built at the north detention pond to power the Wastewater Treatment Facility. The project is dependant upon a self generation grant from PG&E. We are number 200 of 366 applicants. The recommendation is to use an internal loan with staff returning to Council with the terms and conditions of the loan at the time we receive the grant. The anticipated savings over 25 years would be \$1,200,000.

Councilman Ramirez asked when the City would recapture the \$2.5 million investment. Mr. Smith responded that it depends on what the City does with the savings. If we make payments that are less than our total PG&E savings, then it would pay off at the end of the 25 years. If interest rates stay as they are projected and all savings are put into it, then it would pay off in 12-15 years. Councilman Miller asked what the life expectancy is for this system and the cost of maintenance. Mr. Smith said the panels are warrantied for 25 years and they should function beyond that. Maintenance has been included in the cost of the system, which has very little maintenance. Councilman Doolittle asked who compiled the projected electrical savings. Mr. Smith said staff compiled them with 3% inflation factored in. Councilman Hellberg asked who manufactures the panels and how they are manufactured. Mr. Smith responded the manufacturer is Sanyo. He explained the manufacturing process. Councilmembers asked about financing of the project and Mr. Smith responded to their questions.

Mayor Cartoscelli asked for a recap of projects Power Light has completed in Chico. Howard Wenger, Executive Vice President of Power Light, responded by saying a 90-kilowatt system was installed in Chico's downtown parking structure and a one-megawatt project was completed for their water pollution control plant. Councilman Miller asked for a history of Power Light. Mr. Wenger replied they have been in business since 1991, employ approximately 100 people, and had revenues of \$100 million in 2004. They have completed over 300 solar systems including the world's largest, which is in Germany. Power Light has extensive knowledge in this type of system. He complimented staff saying they were a pleasure to work with. Their due diligence process is the most extensive the company has ever gone through in working with a public agency.

Mayor Cartoscelli opened the public hearing.

Ray Pynchon of CW Electric, 880 Cedar Lane, Marysville, CA, will be the contractor on the project and he offered to respond to Council's questions.

Carsten Bethge, WorldWater & Power, 1125 East Hillsdale Blvd., Foster City, CA, asked if a public RFP was issued on this project and he was told yes, as well as the required public noticing.

Hearing no further comment, the public hearing was closed.

Councilman Doolittle moved to award a contract in the best interest of the City to Power Light Corporation of Berkeley, CA for a 775-kilowatt power turnkey solar electric system in the amount of \$2,572,560 contingent upon the approval of an additional \$2,424,244 by the end of Calendar Year (CY) 05 that would be paid directly to Power Light Corporation from the Pacific Gas and Electric Self Generation Incentive Program (SGIP), and the Council finds the anticipated cost to the City for the electric energy under the contract will be less than the anticipated marginal cost to the City of other energy that would have been consumed by the City in the absence of this purchase. 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. Rezone #04-14 to change the existing Light Industrial (M-1) District to the Heavy Commercial/Light Industrial (C-M) District or to a district as deemed appropriate for property located at 909 Spiva Avenue – Applicant, City of Yuba City/Owner, Roger and Sue Abe

Community Development Director Denis Cook recalled that several months ago there was an issue with several businesses at the old Sunsweet building at Spiva and Gray Avenue. Direction from Council was to proceed with the rezoning of this property. The Planning Commission conducted a public hearing and recommends approval of amending the zoning of this property from the M-1 District to a C-M District. Councilman Doolittle questioned traffic and parking impacts. Mr. Cook responded that when the use permits are requested, the environmental document will review the traffic and parking impacts.

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

Councilman Doolittle moved to introduce Ordinance No. 002-05 for approval of Rezone #04-14 for amendment to the Official Zoning Map from the Light Industrial (M-1) District to the Heavy Commercial/Light Industrial (C-M) District; and waived the first 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

C. Amendment of Yuba City Zoning Regulations to provide a definition of Medical Marijuana Dispensaries – Applicant City of Yuba City

Community Development Director Denis Cook stated that approximately six weeks ago Council approved an ordinance to disallow medical marijuana dispensaries within Yuba City. The definition of a medical marijuana dispensary was omitted in that ordinance and the Planning Commission recommends amendment of the ordinance to add that definition. Police Chief Richard Doscher responded to Council's questions. He also said there may be some changes in federal statute and the definition has allowed for that possibility.

Mayor Cartoscelli opened the public hearing. The following individuals spoke in favor of medical marijuana dispensaries:

Bonnie Metcalf of the Compassionate Use Coop, no address given
Steve King, no address given
Ryan Landers, Sacramento
Nathan Sands, Compassionate Coalition of Sacramento
Mark Hight, 1278 Judith Ct., Yuba City
Alan MacAvee, Brownsville

Mayor Cartoscelli clarified that the ordinance not allowing medical marijuana dispensaries in Yuba City was previously acted upon. Tonight's action is to add the definition of a medical marijuana dispensary.

Police Chief Richard Doscher again responded to Council's questions.

Hearing no further comment, the public hearing was closed.

Councilman Hellberg moved to concur with the Planning Commission's recommendation, which is to adopt the recommended findings, introduce Ordinance No. 003-05, and waive the first reading. Councilman Ramirez seconded the motion that passed with the following vote:

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

3. APPEARANCE OF INTERESTED CITIZENS

The following citizens spoke about problems associated with a walkway between their homes that leads to April Lane School and a public park:

Jay Stevenson, 1644 Tamarack, Yuba City
Dave Stockmal, 1638 Tamarack, Yuba City

Public Works Director John Wright has been involved in trying to resolve these problems. He will return to Council with recommendations.

4. CONSENT CALENDAR

Councilman Hellberg asked that Item A be removed from the Consent Calendar. Councilman Ramirez moved to adopt the balance of the Consent Calendar with Councilman Hellberg and Councilman Ramirez abstaining from Item B, and Councilman Doolittle abstaining from Item F. Councilman Miller seconded the motion that passed unanimously.

- B. Approved the regular meeting minutes of February 1, 2005 and the Special Joint meeting minutes of February 15, 2005.
- C. Adopted Resolution No. 05-035 approving plans and specifications for the improvements to the High Lift Pumping Station as part of the Water Treatment Plant Expansion Project, and directed the advertisement for competitive bids on the proposed project.
- D. Adopted Resolution No. 05-036 accepting the Tierra Buena Water Line Project and authorizing the Director of Public Works to file a Notice of Completion.
- E. Adopted Resolution No. 05-037 amending the City of Yuba City's Conflict of Interest Code and list of Designated Positions.
- F. Adopted Resolution No. 05-038 authorizing the Public Works Director to submit an application for funding under the Transportation Enhancement Activities (TEA) program for a Community Design Grant to provide transportation improvements for the downtown area in the vicinity of the Yuba City Cinema 14 Project.

After clarification, Councilman Doolittle moved to adopt Item A of the Consent Calendar. Councilman Miller seconded the motion that passed unanimously.

- A. Noted and filed the Monthly Investment Report (January 2005).

5. REPORTS AND MISCELLANEOUS

- A. Professional Services Agreement for a consultant team to prepare the Lincoln East Specific Plan and EIR and accompanying documents. The Lincoln East project, being SP 04-01 and SP 04-02, is a 1,150+ acre area bordered by Franklin Road to the north, the City limits along Harding and Sanborn Roads to the east, Bogue Road to the south and George Washington Boulevard to the west.

Community Development Director Denis Cook stated that the General Plan adopted last year includes policies stating that when we begin moving into new areas that specific plans be prepared. Two applicants have applied for a specific plan involving approximately 1,100 acres including an 80-acre park, an elementary school and, potentially, a new high school. The applicants, Braddock & Logan and Granite Bay Development, will be paying for the specific plan. Four companies received requests for proposals. Two companies chose not to present proposals due to time constraints. Staff recommends entering into a contract with RRM Design.

Council clarified that full cost recovery of City staff time will be a part of this agreement as well as the cost of a developer's agreement.

Councilman Ramirez moved to adopt Resolution No. 05-039 that authorizes the City Manager to enter into a professional services agreement with RRM Design to prepare the

specific plan, EIR and accompanying documents necessary to complete the project. Councilman Doolittle seconded the motion that passed with the following vote:

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

6. BUSINESS FROM THE COUNCIL

Councilman Doolittle told Councilmembers he had distributed a League of California Cities document to them tonight on the state's proposed pension reform and urged Councilmembers to respond to the League.

Councilman Hellberg said the traveling Vietnam Memorial Wall will be at Calvary Temple from May 28 to June 2. It will be open 24 hours a day. It is anticipated that 40,000-50,000 people will view it.

Mayor Cartoscelli asked that Council think about a group float or other transportation for the Bok Kai Parade. Councilman Miller will look into arranging transportation for the parade.

Mayor Cartoscelli also reminded Council the "Stand Up for Beale" function will be at Yuba City High School's football stadium at 8:00 am Saturday.

Our Legal Counsel has provided a conflict of interest legal opinion, which Mayor Cartoscelli urged all Councilmembers to read.

7. CLOSED SESSION

Adjourned to closed session at 8:45 p.m. and conferred with real property negotiators Jeffrey Foltz and John Wright pursuant to Government Code Section 54956.8 regarding right-of-way on APN 59-010-090.

8. ADJOURNMENT

At 9:10 p.m., reconvened from Closed Session and adjourned the regular City Council meeting of the City of Yuba City.

KAREN CARTOSCELLI, MAYOR

ATTEST:

CITY CLERK

AGENDA
REGULAR MEETING OF
CITY COUNCIL – CITY OF YUBA CITY
MARCH 15, 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. Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit I_3

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 I_3. [Shankar Village, located in the vicinity of Lincoln Road west of Walton 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. Low Lift Pump and Inverter Duty Motor (FB 05-05)

Recommendation: Award the purchase of a low lift pump and inverter duty motor to the low bidder, Durham Pump, Inc. of Durham, CA, for \$71,183.74.

B. Plant 3 (Well 9) Treatment Improvements

Recommendation: Determine it is in the best interest of the City and direct staff to purchase a proprietary filter system from Odell Engineering/ATEK Systems in the amount of \$473,535.00 and abandon the Treatment Plant 4 (Well 13) Improvement Project.

5. ORDINANCES

A. Rezoning of Property

Recommendation: Adopt Ordinance No. 002-05 rezoning property at 909 Spiva Avenue, APN 52-051-001, from a Light Industrial District (M-1) to the Heavy Commercial/Light Industrial District (C-M); waive the second reading.

B. Amendment of Yuba City Zoning Regulations to Provide a Definition of Medical Marijuana Dispensaries

Recommendation: Adopt Ordinance No. 003-05 amending Section 8.5.520(A)1 of the Yuba City Municipal Code to provide a definition of “Medical Marijuana Dispensary”; waive the second 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. Staple/Ashley/Dennis/Cornwell Assessment District No. 2004-1

Recommendation: Adopt a resolution authorizing the issuance of bonds and purchase and sale thereof by the City.

B. Eastridge Revocable Trust of 2004 Parcel Map, Civic Center Boulevard, Parcel 7

Recommendation: Adopt a resolution approving the parcel map for Eastridge Revocable Trust of 2004 for Parcel 7 on Civic Center Boulevard, accepting dedication of the utility easements shown thereon and authorizing the filing of the map.

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

Recommendation: Adopt a resolution accepting the subject project and authorizing the Director of Public Works to file Notices of Completion.

D. Shankar Village

Recommendation: Adopt a resolution approving the execution of Amended Subdivision Agreement #2 with Chart Lane LLC, providing for public improvements for Shankar Village.

E. Masera Ranch No. 2, Phase 3

Recommendation: Adopt a resolution approving the execution of Amended Subdivision Agreement #2 with Crowne Development Incorporated, providing for public improvements for Masera Ranch No. 2, Phase 3.

F. Grant Deed – City of Yuba City

Recommendation: Adopt a resolution conveying a Grant Deed from the City of Yuba City to Brown Yuba City, LLC, a California Limited Liability Company, for a portion of North Colusa Frontage Road east of Harter Road.

G. Grant Deeds – Harter Specific Plan Area

Recommendation: Adopt two resolutions accepting Grant Deeds as follows:

- (1) Brown Yuba City, LLC, a California Limited Liability Company – Parcel No. 59-010-090
- (2) Harter Packing Partnership, a California General Partnership – Parcel Nos. 59-010-081, 82, 83, 62-310-001, and 62-310-002

H. Recycled Water Grant Application

Recommendation: Approve the attached resolution and direct staff to file a water recycling facilities planning grant application with the California State Water Resources Control Board.

7. REPORTS & MISCELLANEOUS

A. Growth Policies for the City’s Sphere of Influence

Recommendation: Adopt a Resolution implementing the growth policies and accompanying map outlining boundaries for Specific Plans and Master Plan development.

8. BUSINESS FROM THE COUNCIL

A. Boards and Commissions

Confirm the Screening Committee’s recommendation to appoint (1) one member to the Sutter-Yuba Mosquito & Vector Control District, term to expire December 31, 2008; and (2) one member to the Yuba City Building Board of Appeals, term to expire September 30, 2006.

B. Citywide Strategic Goals and City Council Initiatives for Fiscal Year 2005-2006 Budget

Recommendation: Review Citywide Strategic Goals and set City Council Initiatives for inclusion in Fiscal Year 2005-2006 Budget.

9. ADJOURNMENT

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

10. ADJOURNMENT

MINUTES
REGULAR MEETING
CITY COUNCIL – CITY OF YUBA CITY
MARCH 15, 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

Mayor Cartoscelli gave the invocation.

- PLEDGE OF ALLEGIANCE TO THE FLAG

Councilman Miller led the Pledge of Allegiance to the Flag.

1. PRESENTATIONS/PROCLAMATIONS

A. Youth Commission: No report given.

2. PUBLIC HEARINGS

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

Public Works Director John Wright explained that this public hearing is required by State law to establish the Lighting and Landscape Maintenance District which is required in the Shankar Village map to enable the future lot owners to pay for the street lighting and landscape planter maintenance costs within the subdivision. The estimated annual assessment per lot is \$52.37.

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

Councilman Doolittle moved to adopt Resolution No. 05-040 confirming the diagram and assessment and levying assessment for Fiscal Year 2004-2005 for Lighting and Landscape Maintenance District No. 5, Zone of Benefit I_3 (Shankar Village, located in the vicinity of Lincoln Road west of Walton Avenue). Councilman Hellberg seconded the motion that passed with the following vote:

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

3. APPEARANCE OF INTERESTED CITIZENS

Mayor Cartoscelli stated that a letter from Robert Mackensen regarding rapid City growth had been received for Council and would be entered into the record as received.

4. BID OPENINGS

A. Low Lift Pump and Inverter Duty Motor (FB 05-05)

General Services Manager Jack Smith explained that this pump and inverter duty motor are required as an “in-place” spare at the City’s low lift facility. The low lift facility is the initial point where surface water enters the City’s water distribution system. The City’s growing demand for water has made an “in-place” spare necessary.

Councilman Doolittle moved to award the purchase of a low lift pump and inverter duty motor to the low bidder, Durham Pump, Inc. of Durham, CA, for \$71,183.74. 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. Plant 3 (Well 9) Treatment Improvements

Utilities Director Bill Lewis explained that Plant 3 (Well 9) serves as a primary source of water during the summer months for the Walton area groundwater customers, and is currently equipped to remove iron and manganese. The existing filter is in need of

extensive repairs and replacement of filter media. Due to growth in the Walton area, additional water supply is critical for this summer. Mr. Lewis then answered questions of Council.

Councilman Doolittle moved to determine it is in the best interest of the City and directed staff to purchase a proprietary filter system from Odell Engineering/ATEK Systems in the amount of \$473,535.00 and abandon the Treatment Plant 4 (Well 13) Improvement Project. Councilman Miller 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

Councilman Doolittle moved to adopt Ordinance No. 002-05 rezoning property at 909 Spiva Avenue, APN 52-051-001, from a Light Industrial District (M-1) to the Heavy Commercial/Light Industrial District (C-M); and waived the second reading. Councilman Hellberg seconded the motion that passed with a unanimous vote.

B. Amendment of Yuba City Zoning Regulations to Provide a Definition of Medical Marijuana Dispensaries

Councilman Doolittle moved to adopt Ordinance No. 003-05 amending Section 8.5.520(A)1 of the Yuba City Municipal Code to provide a definition of "Medical Marijuana Dispensary"; and waived the second reading. Councilman Miller seconded the motion that passed with a unanimous vote.

6. CONSENT CALENDAR

Mayor Cartoscelli asked that Item C be removed from the consent calendar. City Manager Jeffrey Foltz asked that Item G be removed from the consent calendar. Councilman Doolittle moved to adopt the balance of the consent calendar. Councilman Hellberg seconded the motion that passed with a unanimous vote.

A. Adopted Resolution No. 05-041 authorizing the issuance of bonds and purchase and sale thereof by the City for Staple/Ashley/Dennis/Cornwell Assessment District No. 2004-1.

B. Adopted Resolution No. 05-042 approving the parcel map for Eastridge Revocable Trust of 2004 for Parcel 7 on Civic Center Boulevard, accepting dedication of the utility easements shown thereon and authorizing the filing of the map.

D. Adopted Resolution No. 05-044 approving the execution of Amended Subdivision Agreement #2 with Chart Lane LLC, providing for public improvements for Shankar Village.

E. Adopted Resolution No. 05-045 approving the execution of Amended Subdivision Agreement #2 with Crowne Development Incorporated, providing for public improvements for Maser Ranch No. 2, Phase 3.

F. Adopted Resolution No. 05-046 conveying a Grant Deed from the City of Yuba City to Brown Yuba City, LLC, a California Limited Liability Company, for a portion of North Colusa Frontage Road east of Harter Road.

H. Adopted Resolution No. 05-048 directing staff to file a water recycling facilities planning grant application with the California State Water Resources Control Board.

Mayor Cartoscelli stated that because she lives in the affected area of Item C, she would abstain from the vote. Councilman Doolittle moved to adopt Item C of the consent calendar. Councilman Miller seconded the motion that passed with a unanimous vote, with Mayor Cartoscelli abstaining.

C. Adopted Resolution No. 05-043 accepting the subject project and authorizing the Director of Public Works to file Notices of Completion for the Jamie Drive Improvement Project and the Staple/Ashley/Dennis/Cornwell Water Line Project.

Public Works Director John Wright stated that regarding Item G of the consent calendar, staff is recommending that Council approve the first item and continue the second item to the next Council meeting. Councilman Doolittle moved to approve Item G(1) of the consent calendar and to continue Item G(2). Councilman Hellberg seconded the motion that passed with a unanimous vote.

G. Adopted Resolution No. 05-047 accepting a grant deed from Brown Yuba City, LLC, a California Limited Liability Company, Parcel No. 59-010-090.

7. REPORTS AND MISCELLANEOUS

A. Growth Policies for the City's Sphere of Influence

City Manager Jeffrey Foltz gave an overview of this item to date. Staff is proposing 12 growth policies. A letter from the Building Industry Association of Superior California (B.I.A.) has been received. They have asked for a change in the language to Item 2 regarding the affordable housing component.

Mayor Cartoscelli opened the discussion of this item to anyone who wished to speak. The following citizens spoke:

1. Sean Rawson, Legislative Advocate for the B.I.A.. Mr. Rawson stated that the B.I.A. was in agreement with all proposed items except Item 2, the affordable housing component, as stated in their letter. They asked that Yuba City adopt the amended language proposed by the B.I.A. that "Yuba City will fulfill the voluntary goals as set forth in the Affordable Housing Compact", which was signed in November of 2004. This requires that all new subdivisions meet an affordable housing obligation through a development agreement negotiated between the City and the developer.
2. George Carpenter, Roseville, CA. Mr. Carpenter asked for clarification regarding changes made from the first meeting to the proposed policies tonight. First, he asked why the cost estimates had been deleted from the draft policies? Interim fees are needed so that there is a uniform amount that developers will pay. Second, he asked if a developer will be refunded if overpayment is received, as previously discussed. Third, he asked if the levy contribution would still be a "region wide" cost as previously discussed. It should not fall on developers alone. Fourth, he stated that he is in agreement with the language suggested by the B.I.A. regarding the Affordable Housing element. Fifth, he asked for clarification regarding the timeline for development agreements between the City and developer, Item 4. He would like this item to state that development agreements need to be executed and recorded before a final map can be recorded on the property.
3. Lew Hudspeth, Yuba Sutter Builders & Developers Association. Mr. Hudspeth asked that more time be spent regarding the Affordable Housing component. He doesn't feel that the suggested policy, or the language from the B.I.A., will meet the needs of affordable housing on a long-term basis.
4. Jaswant Bains, 1880 Lorainne Way, Yuba City. Mr. Bains asked for an explanation of the map regarding specific plans and future specific plans.

Community Development Director Denis Cook explained that the map shows three (3) specific plan areas. We currently have applications for two of these areas and are starting the process. The southern area is ready for contract signatures. Staff has identified the area as "Future Specific Plan" because development can't occur until the infrastructure is through the first specific plan due to staff time. That will probably take a year or so. The first two areas will be about an 18 month process, so there will be some overlap.

Mr. Cook further explained that the City does have an application for the northern specific plan area. A request for proposal will be sent out in the near future. We do not have an application on the area identified as "future". The informal discussions were to wait awhile on this one, perhaps a year or so. All the other areas are shown as Master Plan Areas. The proposal to the Council is to do the six applications that we have first and then as staff time comes available, we'll start other applications. We have received several other applications.

Councilman Miller asked Mr. Cook to spend some time with Mr. Bains to answer the questions that he has.

5. Tej Maan, 1425 Portofino Drive, Yuba City, CA. Mr. Maan asked what the fees will be for the six projects in process, since the impact fee amounts have been removed from the policies.

Mayor Cartoscelli answered that we will use the interim fees agreed upon at the last meeting until the fee study is complete.

Mayor Cartoscelli asked Council and staff to discuss items brought forward.

Regarding Item 2, Councilman Ramirez suggested that we refer by reference to the Regional Compact with SACOG rather than restating the components as proposed. Councilman Doolittle stated that he feels the wording is perfectly adequate and does not need to be changed. Councilman Hellberg stated he is not happy with the resolution as

proposed. He is in favor of the language suggested by the B.I.A.. Councilman Miller stated that he concurs with Councilman Ramirez. Mayor Cartoscelli concurred. She is fine with the wording as is, but will support the change in language, since it basically means the same thing.

Mayor Cartoscelli asked if Council concurred with Councilman Ramirez's suggested language that states, "All residential subdivisions will include an affordable housing component that meets the minimum production standard of affordable housing outlined in the Regional Compact with SACOG adopted by the City of Yuba City in November of 2004. There are a variety of options of how best to meet the affordable housing requirement. These options will be subject to negotiations between the City and the developer." Council concurred.

Regarding Item 4, Mayor Cartoscelli suggested that "All developments proposing pre-annexation zoning to the City will enter into a development agreement with the City prior to the tentative map being recorded."

City Attorney Timothy Hayes stated that staff feels it is very important to leave the language as it is in Item 4. The language states that all developments proposing pre-annexation zoning to the City will enter into a development agreement. Mr. Hayes offered to meet with Mr. Carpenter regarding this item.

After discussion, Council concurred with leaving the current language in Item 4. Mayor Cartoscelli stated that this Item could be re-visited in the future.

After discussion, Council agreed to leave Items 8 and 9 as submitted.

Mayor Cartoscelli asked that on page two of the staff report, on the third paragraph from the bottom, the words "applicable to all departments involved" be added after the words staff time. Council concurred.

Councilman Doolittle moved to adopt Resolution No. 05-049, as amended, implementing the growth policies and accompanying map outlining boundaries for Specific Plans and Master Plan development. Councilman Miller seconded the motion that passed with the following vote:

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

City Manager Jeffrey Foltz asked for clarification regarding whether or not we will accept applications now and hold them until after the current six applications that are now in process are complete. After discussion, Council concurred that we would not accept any additional applications now. Once the current six applications are done, we will at that point begin to accept additional applications. If the current six applications are done prior to the estimated date of January 2006, we will begin to accept new applications after that date. Council concurred.

8. BUSINESS FROM THE COUNCIL

A. Boards and Commissions

Councilman Doolittle moved to confirm the Screening Committee's recommendation to appoint 1) Robert Coykendall to the Sutter-Yuba Mosquito & Vector Control District, term to expire December 31, 2008, and 2) Luke Carpenter to the Yuba City Building Board of Appeals, term to expire September 30, 2006. Councilman Ramirez seconded the motion that passed with a unanimous vote.

B. Citywide Strategic Goals and City Council Initiatives for Fiscal Year 2005-2006 Budget

Council reviewed the existing Citywide Strategic Goals and draft FY 2005-2006 Initiatives. Councilman Miller asked for an explanation of the 7th initiative listed, "Approve and Update Design Guidelines." Community Development Director Denis Cook explained that the current design standards are about 10 years old and are in need of updating. Councilman Doolittle asked that an additional initiative be added in regards to the Affordable Housing Compact. Mayor Cartoscelli asked that the word "project" be added after the words 5th Street Bridge on initiative #11.

Councilman Doolittle moved that after review of the Citywide Strategic Goals, to approve the City Council Initiatives for Fiscal Year 2005-2006 Budget as amended. Councilman Miller seconded the motion that passed with a unanimous vote.

* * *

Councilman Doolittle announced that a new Thursday Night Market would be starting on Center Street in the near future, possibly April 9th.

Councilman Hellberg asked that the Littlejohn House be put on an upcoming agenda for discussion. City Manager Jeffrey Foltz stated that staff was still interested in possibly moving the Recreation Staff to that location. Mayor Cartoscelli suggested that this be put on hold until the new Parks & Recreation Director is hired and can look into the possibility.

Mayor Cartoscelli gave an overview of her recent trip to Washington DC to lobby for the Fifth Street Bridge funding, levees, and Save Beale Air Force Base.

9. ADJOURNMENT

At 8:30 p.m., adjourned to the Redevelopment Agency.

10. ADJOURNMENT

At 8:45 p.m., reconvened from the Redevelopment Agency to the regular City Council meeting and immediately adjourned.

KAREN CARTOSCELLI
MAYOR

ATTEST:

STEVE JOHNSON
CITY CLERK

AGENDA
REGULAR MEETING
REDEVELOPMENT AGENCY – CITY OF YUBA CITY
MARCH 15, 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 Meetings

Recommendation: Approve the Redevelopment Agency minutes of December 21, 2004; and January 18 and February 1, 2005.

3. REPORTS & MISCELLANEOUS

A. Exclusive Right to Negotiate Agreement for Meridian Property Company

Recommendation: Adopt a resolution of the Redevelopment Agency of the City of Yuba City approving and authorizing the Executive Director of the Redevelopment Agency to Execute and Implement the Agreement.

4. BUSINESS FROM THE BOARD

5. ADJOURNMENT

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

MINUTES
CITY OF YUBA CITY
REDEVELOPMENT AGENCY
MARCH 15, 2005

- CALL TO ORDER

The Redevelopment Agency of the City of Yuba City was called to order by Chairperson Cartoscelli at 8:30 p.m.

- ROLL CALL

Present: Directors Doolittle, Hellberg, Miller, Ramirez, and Chairperson Cartoscelli

Absent: None

1. APPEARANCE OF INTERESTED CITIZENS

None.

2. CONSENT CALENDAR

Director Doolittle moved to adopt the consent calendar, after the minutes of January 18 and February 1, 2005 were removed from Item A. Director Miller seconded the motion that passed with a unanimous vote:

A. Approved the Redevelopment Agency minutes of December 21, 2004.

Directors Hellberg and Miller stated that they would abstain from the vote for approval of the January 18, 2005 Agency minutes as they were not in attendance at the meeting.

Director Doolittle moved to approve the Redevelopment Agency minutes of January 18, 2005. Director Ramirez seconded the motion that passed with a unanimous vote, with Directors Hellberg and Miller abstaining from the vote.

Directors Hellberg and Ramirez stated that they would abstain from the vote for approval of the February 1, 2005 Agency minutes as they were not in attendance at the meeting.

Director Doolittle moved to approve the Redevelopment Agency minutes of February 1, 2005. Director Miller seconded the motion that passed with a unanimous vote, with Directors Hellberg and Ramirez abstaining from the vote.

3. REPORTS AND MISCELLANEOUS

A. Exclusive Right to Negotiate Agreement for Meridian Property Company

Deputy City Manager Laura Duncan explained that the Redevelopment Agency has received a proposal from Meridian Property Company to purchase land in the Town Center. Meridian proposes to develop medical/professional office space for lease and/or sale on the 4.09 acre parcel located at the northeast corner of Plumas and Franklin. Staff proposes that the Agency enter into an Exclusive Right to Negotiate (ERN) Agreement in order to pursue this proposal. The purpose of the ERN is to establish procedures and standards for negotiation by the Agency with a developer leading up to preparation of a Disposition and Development Agreement (DDA).

Director Ramirez moved to adopt Resolution No. 05-002 of the Redevelopment Agency of the City of Yuba City approving and authorizing the Executive Director of the Redevelopment Agency to execute and implement an exclusive right to negotiate agreement with Meridian Property Company. Director Doolittle seconded the motion that passed with the following vote:

AYES: Directors Doolittle, Hellberg, Miller, Ramirez and Chairperson Cartoscelli
NOES: None
ABSENT: None

4. BUSINESS FROM THE BOARD

None.

5. ADJOURNMENT

At 8:45 p.m., adjourned to the regular meeting of the City Council.

KAREN CARTOSCELLI
CHAIRPERSON

ATTEST:

SECRETARY