

AGENDA  
REGULAR MEETING OF  
CITY COUNCIL – CITY OF YUBA CITY  
SEPTEMBER 6, 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. Senior Commission

2. PUBLIC HEARINGS

A. Development Plan #05-02 to construct the 121,840 square feet Geweke Crossing retail center that includes a drive-thru restaurant and a 40-foot multi-tenant monument sign located on the west side of State Route 99 on the north and south sides of Sunsweet Blvd.; Applicants, Capitol Avenue Development / Property Owners, Geweke-Yuba Properties and Meagher & Tomlinson

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.
- C. Approve Development Plan #02-05 for the Geweke Crossing retail center subject to the conditions of approval.

B. Appeal of Planning Commission Decision on Tentative Map for Wal-Mart Stores

Recommendation: Support the appeal and remove Condition #4 from the Conditions of Approval for tentative map (TM 04-09) for Wal-Mart Stores Inc.

C. Yuba City Lighting and Landscape Maintenance District No. 4, Zone of Benefit D\_3

Recommendation: Conduct a public hearing; THEN Adopt a Resolution confirming diagram and assessment and levying assessment for Fiscal Year 2005-2006 for Lighting and Landscape Maintenance District No. 4, Zone of Benefit D\_3. [Tres Picos West Estates located in the Buttes Vista Neighborhood at the southwest corner of Stabler Lane and Pease Road]

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. Minutes of Yuba City Council Meeting  
Recommendation: Approve the regular meeting minutes of August 16, 2005.
- B. Monthly Investment Report (July 2005)  
Recommendation: Note & File.
- C. Planning Commission Actions  
Recommendation: Note & File.
- D. Additional Design Services – New State Route 99 Traffic Signal  
Recommendation: Authorize the Assistant City Manager to sign an amendment to the Agreement for Professional Services with California Engineering Company of Yuba City for additional design work and project support.
- E. Professional Services Agreement – Reconstruction of Plumas Street from Colusa Avenue to B Street and Center Street  
Recommendation: Authorize the City Manager to amend the Agreement for Professional Services with Freedman Tung & Bottomley to provide additional design work needed to rebuild Plumas Street in keeping with the City’s Central Specific Plan. Authorize the Administrative Services Director to make the necessary budget adjustments.
- F. Acceptance and Expenditure Authorization – FY 05 Homeland Security Grant – Police Department  
Recommendation: Approve the Resolution authorizing the acceptance, allocation and expenditure of the Police Department’s FY 05 Homeland Security Grants.
- G. 2005 Homeland Security Grant Program  
Recommendation: Approve a supplemental appropriation to allow the Fire Chief to spend up to \$77,100.04 for the purchase of equipment related to hazardous materials response, decontamination, fire rescue, communications, and related training.
- H. Canterbury Estates Unit No. 4 – 76-lot single family dwelling development  
Recommendation: Adopt a resolution approving the final map for Canterbury Estates Unit No. 4, accepting dedication of rights-of-way and easements shown thereon and authorizing the filing of the map. (Subdivision located on the south side of Pease Road between East Onstott Road and Gray Avenue)
- I. Teal Hollow Unit No. 1 – 43-lot single family dwelling development  
Recommendation: Adopt a resolution approving the final map for Teal Hollow Unit No. 1, accepting dedication of rights-of-way and easements shown thereon and authorizing the filing of the map. (Subdivision located east of Western Parkway between Monroe Drive and Jefferson Avenue)

J. Tres Picos Estates – 78-lot single family dwelling development  
Recommendation: Adopt a resolution approving the final map for Tres Picos Estates, accepting dedication of rights-of-way and easements shown thereon and authorizing the filing of the map. (Subdivision located in the Buttes Vista Neighborhood at the southeast corner of Stabler Lane and Pease Road)

K. Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit A\_3  
Recommendation: Adopt the following resolutions to create the Lighting and Landscape Maintenance District:  
  
Resolution to modify Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit A\_3 (Harter Specific Plan area).  
  
Resolution of Intention, Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit A\_3 (pursuant to the Landscaping and Lighting Act of 1972).

5. REPORTS & MISCELLANEOUS

A. Video Recording of Council Meetings  
Recommendation: Authorize Staff to enter into a 12 month contract with up to two optional annual extensions with Group 20 Productions of Yuba City in an amount not to exceed \$29,880 for recording Council Meetings to be televised by Comcast with the finding that it is in the best interest of the City and approve related transfer of appropriations.

B. Issuance of Water Revenue Certificates to Finance Water System Improvements  
Recommendation: Approve a resolution authorizing the issuance and sale of water revenue certificates in the principal amount of not to exceed \$26,500,000 for water system improvements, and approving related documents and actions.

6. BUSINESS FROM THE COUNCIL

A. Naming of Voting Delegate to the League of California Cities' Annual Conference

7. ADJOURNMENT

Adjourn the regular City Council meeting to the Public Financing Authority. Reconvene to the Regular City Council meeting from the Public Financing Authority.

8. CLOSED SESSION

Adjourn to closed session to confer with Legal Counsel regarding potential litigation pursuant to Subdivision (b) of Section 54956.9 of the Government Code.

9. ADJOURNMENT

MINUTES  
REGULAR MEETING  
CITY COUNCIL – CITY OF YUBA CITY  
SEPTEMBER 6, 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. Senior Commission

Senior Commissioner June Bone gave the monthly report.

2. PUBLIC HEARINGS

A. Development Plan #05-02 to construct the 121,840 square feet Geweke Crossing retail center that includes a drive-through restaurant and a 40-foot multi-tenant monument sign located on the west side of State Route 99 on the north and south sides of Sunsweet Blvd.; Applicants, Capitol Avenue Development/Property Owners, Geweke-Yuba Properties and Meagher & Tomlinson

Senior Planner Brian Trudgeon reviewed the proposed project. He stated it is approximately 122,000 square feet and includes a plaza and ample parking. Access will primarily be from State Highway 99 at Sunsweet. Other access will be from Annette Way and a private easement off the frontage road between Evans Furniture and the Harley Davidson dealership. The applicant requested a 40 foot high multi-tenant monument sign comprising 213 square feet of signage. It would be located at Highway 99 and Sunsweet. Four other signs have been requested but they are much smaller and meet the zoning code. Orchard landscaping will be installed. Architectural design meets the intent of the design code. Mr. Trudgeon responded to Councilman Miller's questions about the private road and parking along the private road. Councilman Hellberg asked if staff supports the 40 foot monument sign. Mr. Trudgeon expressed concern that this might set a precedent if the 40 foot sign is allowed.

Mayor Cartoscelli opened the public hearing.

Patrick McCuen of Capitol Avenue Development, 718 Santa Rita Way, Sacramento, spoke for the applicant. He stated the 40 foot monument sign is needed because of the limited visibility of buildings set back from the highway, and there are existing oleanders blocking the view. Regarding the private road, the developer has laid out a 24-foot road, which meets traffic circulation requirements. Mr. McCuen responded to Council's questions.

Chris Sweeney, 3078 Caminito Ave., Yuba City, owner of Evans Furniture, asked that the private road between his property and the Harley-Davidson shop be expanded from 24 to 30 feet. He also asked for a variance from the City on the landscaping width. Council responded that Mr. Sweeney should work with the developers on his road request as it is a private road and not a part of this application. If they agree, an amendment on the road width and a request for a variance on landscaping would then need to be submitted to the Planning Commission.

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

Council asked Mr. Trudgeon about the process for a variance on landscaping. Mr. Trudgeon replied that he would need to see the plans; a variance may not even be required but he can not say without seeing the plans. Council discussed the variance on the monument sign at Highway 99. Mayor Cartoscelli felt it should be reduced from 40' to 35' tall, which is the same height of the sign at the mall. Councilmembers agreed.

Councilman Doolittle moved, after review and consideration of the mitigated negative declaration, to concur with the Planning Commission's recommendation to adopt the recommended findings, adopt the mitigated negative declaration, and approve Development Plan #02-05 for the Geweke Crossing retail center subject to the conditions of approval, with the modification that the monument sign be reduced from 40 feet to 35 feet tall. Councilman Ramirez seconded the motion that passed with the following vote:

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

B. Appeal of Planning Commission Decision on Tentative Map for Wal-Mart Stores

Assistant City Manager Phil Carter noted there has been a great deal of discussion of this project at the Planning Commission meetings regarding the requirement for Condition #4 for an additional lane on the south side of Highway 20. Staff had discussions with the Planning Commission regarding the relative nexus between the improvement being required and the development occurring, the lot split. Staff indicated to the Commissioners that they did not feel the City could reach the required nexus to impose the condition. Planning Commissioners felt the condition should be imposed and the applicant is appealing that decision. Staff is recommending the condition be removed.

Mayor Cartoscelli opened the public hearing.

Planning Commissioners Craig Starkey and Melia Campbell spoke against removing the condition stating they feel the nexus between the lot split and requiring the additional lane on Highway 20 is present and consistent with the General Plan.

Wal-Mart representative Tim Crimmon spoke in favor of the appeal. He said the lot split is required to enable Wal-Mart to sell the property to a new tenant. While sensitive to the City's needs, Wal-Mart does not see the nexus between the lot split and Condition #4. He said additional traffic will not be created by the lot split. Mr. Crimmon responded to Council's questions.

Anthony Frank, 1683 Redhaven, spoke against the appeal.

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

Assistant City Manager Phil Carter and City Attorney Timothy Hayes responded to Council's questions. Mayor Cartoscelli noted consistency needs to be implemented when the Planning Commission considers projects. The Planning Commission did not require a third lane for the Geweke Crossing project, which is a new project, but they do want to require a third lane from an already established business. Councilman Hellberg said since our Legal Counsel does not believe we can establish a nexus and it would put the City in a legal dilemma, he would not be able to deny the appeal. Councilman Ramirez agreed that the City would probably end up in a major lawsuit if the City pursued the addition of the third lane, and he must support the appeal. Mayor Cartoscelli concurred.

Councilman Miller moved to support the appeal and remove Condition #4 from the Conditions of Approval for Tentative Map TM 04-09 for Wal-Mart Stores Inc. 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. Yuba City Lighting and Landscape Maintenance District No. 4, Zone of Benefit D\_3

Assistant City Manager Phil Carter said a public hearing is required by state law for all lighting and landscape districts. The annual assessment of this district will be \$235.67 per lot and staff recommends approval.

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

Councilman Doolittle moved to adopt Resolution No. 05-172 confirming diagram and assessment and levying assessment for Fiscal Year 2005-2006 for Lighting and Landscape Maintenance District No. 4, Zone of Benefit D\_3. [Tres Picos West Estates located in the Buttes Vista Neighborhood at the southwest corner of Stabler Lane and Pease Road]. 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

On behalf of the Downtown Business Association (DBA), Don Covey, 669 Plumas Street, Yuba City, thanked the Council and the City for their support of the downtown events that have been so successful. They have made a profit for the first time and the proceeds will be donated to the Sutter Theater for the Performing Arts. Mr. Covey introduced Crystal Martin who is the public relations consultant for the DBA's publicity for special events.

Crystal Martin, 964 McCall Ave., Yuba City, spoke about the Summer Stroll, Tomato Festival and the upcoming Christmas Stroll. She noted 24% of those polled at the Summer Stroll and 17% of the attendees of the Tomato Festival were from outside the Yuba-Sutter area. She attributed that to increased media coverage.

Russ Clark, 631 Daniel Drive, Yuba City, expressed concerns about eastbound traffic at Bridge Street and Highway 99. He asked Council to carefully consider any future plans at Bridge Street, including the General Plan road from Franklin to Bridge on the Oji Way alignment, that may impact his property.

4. CONSENT CALENDAR

Councilman Ramirez asked that Item D be removed from the Consent Calendar. Councilman Doolittle asked that Item E be removed. Councilman Hellberg asked that Items F and G be removed from the Consent Calendar. Councilman Ramirez moved to adopt the balance of the calendar as presented. Councilman Miller seconded the motion that passed with a unanimous vote.

- A. Approved the regular City Council meeting minutes of August 16, 2005.
- B. Noted and filed the Monthly Investment Report for July 2005.
- C. Noted and filed the Planning Commission actions.
- H. Adopted Resolution No. 05-174 approving the final map for Canterbury Estates Unit No. 4, accepting dedication of rights-of-way and easements shown thereon and authorizing the filing of the map. (Subdivision located on the south side of Pease Road between East Onstott Road and Gray Avenue)
- I. Adopted Resolution No. 05-175 approving the final map for Teal Hollow Unit No. 1, accepting dedication of rights-of-way and easements shown thereon and authorizing the filing of the map. (Subdivision located east of Western Parkway between Monroe Drive and Jefferson Avenue)
- J. Adopted Resolution No. 05-176 approving the final map for Tres Picos Estates, accepting dedication of rights-of-way and easements shown thereon and authorizing the filing of the map. (Subdivision located in the Buttes Vista Neighborhood at the southeast corner of Stabler Lane and Pease Road)
- K. Adopted the following resolutions to create Lighting and Landscape Maintenance District No. 6, Zone of Benefit A\_3: Resolution No. 05-177 to modify Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit A\_3 (Harter Specific Plan area); and Resolution of Intention No. 05-178, Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit A\_3 (pursuant to the Landscaping and Lighting Act of 1972).

Regarding Item D, Councilman Ramirez asked for more information on how we ended up with work that has been completed for design services going from the original approved amount of \$65,860 to \$110,000; and now we have a request for additional design work for another \$20,000. Assistant City Manager Phil Carter stated while doing a review of the project cost staff noted the authorized funds and funds expended were not the same. After this review, staff felt it was time to return this item to the Council for approval of these additional funds. Mr. Carter and City Manager Jeffrey Foltz responded to Councilmembers' questions regarding the large cost increases and CalTrans requirements for the project.

Councilman Ramirez moved to adopt Item D of the Consent Calendar. Councilman Miller seconded the motion that passed with a unanimous vote.

- D. Authorized the Assistant City Manager to sign an amendment to the Agreement for Professional Services with California Engineering Company of Yuba City for additional design work and project support for the new Rte. 99 traffic signal.

Although Council approved Item D, Council asked staff to provide additional information to them. Councilman Miller commended staff on correcting this issue but asked that in the future if change orders are issued that Council be notified.

Councilman Doolittle recused himself from Item E. Councilman Hellberg asked, "What was the amount of the original contract?" Assistant City Manager Phil Carter replied that it was \$1.3 million. Councilmembers questioned the additional \$366,000 being requested tonight for design work. City Manager Jeffrey Foltz responded to the Council's questions. After discussion, Councilmembers felt they needed more information on this item. Councilman Ramirez moved to continue Item E to the next meeting. Councilman Hellberg seconded the motion that passed with a unanimous vote, less Councilman Doolittle who was absent.

- E. Continued this item to September 20, 2005 for authorization for the City Manager to amend the Agreement for Professional Services with Freedman Tung & Bottomley to provide additional design work needed to rebuild Plumas Street from Colusa Avenue to B Street and Center Street, in keeping with the City's Central Specific Plan; authorization for the Administrative Services Director to make the necessary budget adjustments.

Councilman Doolittle rejoined the meeting.

Regarding Item F, Councilman Hellberg asked that in the future staff bring these homeland grants back to Council under Reports so Council can hear more about them. Councilman Hellberg moved to adopt Item F of the Consent Calendar. Councilman Doolittle seconded the motion that passed with a unanimous vote.

- F. Approved Resolution No. 05-173 authorizing the acceptance, allocation and expenditure of the Police Department's FY 05 Homeland Security Grants. Council requested that both Item F and G appear under Reports in the future.

Councilman Hellberg moved to adopt Item G of the Consent Calendar. Councilman Doolittle seconded the motion that passed with a unanimous vote.

- G. Approved a supplemental appropriation for the 2005 Homeland Security Grant Program to allow the Fire Chief to spend up to \$77,100.04 for the purchase of equipment related to hazardous materials response, decontamination, fire rescue, communications, and related training.

## 5. REPORTS AND MISCELLANEOUS

### A. Video Recording of Council Meetings

General Services Manager Jack Smith said the proposal for video recording of Council meetings is for a three camera operation—2 fixed and 1 manned. A City standard professional services contract would be used. The first or second meeting in October would be recorded but not broadcast. Copies will be provided to Council for their review.

Councilman Hellberg confirmed with Mr. Smith that the cost is \$1,445 per meeting. Councilman Hellberg said there should not be any editing. Staff responded there would only be editing if the Council took a break, then the non-meeting area of the video would be deleted. Councilman Hellberg also asked if this recording could take the place of minutes. City Attorney Timothy Hayes responded that the law requires we keep minutes in written form, but the law only requires that we record actions taken, whereas the City does much more. Councilman Hellberg said he would like the videos to be part of the City's official record.

Councilman Miller asked where the cameras would be located and Mr. Smith pointed them out. Councilman Miller asked staff to negotiate with Comcast for a better broadcast date. He did not feel Friday night was a good night and Councilmembers agreed. Mr. Smith responded they will attempt to secure a better time slot with Comcast. He noted the video will also be on the City's website.

Councilman Doolittle asked for a survey at the end of the twelve month period to see if the meetings are being watched. Mr. Smith felt Comcast may be able to provide that information.

Councilman Doolittle moved to authorize staff to enter into a 12 month contract with up to two optional annual extensions with Group 20 Productions of Yuba City in an amount not to exceed \$29,880 for recording Council Meetings to be televised by Comcast with the finding that it is in the best interest of the City and approve related transfer of appropriations. Councilman Miller seconded the motion that passed with a unanimous vote.

B. Issuance of Water Revenue Certificates to Finance Water System Improvements

Assistant City Manager Steve Kroeger said this item is to fund the project approved by the Council on August 2, 2005 to expand the water treatment plant to 30 million gallons per day.

Councilman Hellberg moved to approve Resolution No. 05-179 authorizing the issuance and sale of water revenue certificates in the principal amount of not to exceed \$26,500,000 for water system improvements, and approving related documents and actions. Councilman Miller 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

A. Naming of Voting Delegate to the League of California Cities' Annual Conference

Mayor Cartoscelli moved to nominate Councilman Doolittle as the voting delegate to the League of California Cities' Annual Conference. Councilman Ramirez seconded the motion that passed with a unanimous vote.

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Councilman Ramirez said there is an event this Friday at the fairgrounds from 5:30-9:00 p.m. which is a collaboration between the Fremont-Rideout Foundation and the U.C. Davis Healthcare system. They will have lecturers on state-of-the-art treatments for cancer.

Councilman Doolittle noted the Sacramento Valley Division of the League is having its quarterly meeting on September 8 & 9, 2005. On September 12, 2005 the League will have a conference call regarding Proposition 76.

Councilman Hellberg asked for the status of the Bridge Street Study. City Manager Jeffrey Foltz responded things have slowed down with the shifting of engineers, but it remains a high priority and should be ready shortly.

City Manager Jeffrey Foltz noted KB Homes attended the July 19, 2005 Council Meeting where they reported they were going through the process with CalTrans, as required by the City, for their Walnut Parks Estates project. CalTrans is questioning the entire intersection at Highway 20 and Township Road, not just the elimination of the free right hand turn that the City conditioned. CalTrans is looking at all the proposed projects, as well as the KB project, on Township Road and their impact on that intersection. The frontage road may need to be eliminated. Mr. Foltz stated the City might have to amend the condition on the KB project for completion of the elimination of the free right hand turn by January of 2006. Because of the changes and additional work CalTrans will likely require, that January date may no longer be feasible. Staff is suggesting that KB revise their final map and go back through the process to address all the traffic issues along with the other effected developers.

7. ADJOURNMENT

At 9:45 p.m. adjourned the regular City Council meeting to the Public Financing Authority. At 9:47 p.m. reconvened to the regular City Council meeting from the Public Financing Authority.

8. CLOSED SESSION

At 9:47 p.m. adjourned to closed session and conferred with Legal Counsel regarding potential litigation pursuant to Subdivision (b) of Section 54956.9 of the Government Code.

9. ADJOURNMENT

At 10:05 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  
SPECIAL MEETING OF  
PUBLIC FINANCING AUTHORITY – CITY OF YUBA CITY  
SEPTEMBER 6, 2005 – 7:00 P.M.

- CALL TO ORDER

- ROLL CALL

\_\_\_\_\_ Chairperson Cartoscelli  
\_\_\_\_\_ Director Doolittle  
\_\_\_\_\_ Director Hellberg  
\_\_\_\_\_ Director Miller  
\_\_\_\_\_ Director Ramirez

1. APPEARANCE OF INTERESTED CITIZENS

Members of the public may address the Yuba City Public Financing Authority Board of Directors on items of interest that are within the Yuba City Public Financing Authority'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. REPORTS & MISCELLANEOUS

A. Issuance of Water Revenue Certificates to Finance Water System Improvements

Recommendation:            Approve a resolution authorizing the issuance and sale of water revenue certificates in the principal amount of not to exceed \$26,500,000 for water system improvements, and approving related documents and actions.

3. BUSINESS FROM THE BOARD

4. ADJOURNMENT

Adjourn the Yuba City Public Financing Authority meeting to the regular City Council meeting.

MINUTES  
SPECIAL MEETING  
CITY OF YUBA CITY  
PUBLIC FINANCING AUTHORITY  
SEPTEMBER 6, 2005

- CALL TO ORDER

Chairperson Cartoscelli called the Yuba City Public Financing Authority to order at 9:45 p.m.

- ROLL CALL

Present: Directors Doolittle, Hellberg, Miller, Ramirez, and Chairperson Cartoscelli  
Absent: None

1. APPEARANCE OF INTERESTED CITIZENS

None.

2. REPORTS & MISCELLANEOUS

A. Issuance of Water Revenue Certificates to Finance Water System Improvements

Director Hellberg moved to adopt Resolution No. 05-001 authorizing the issuance and sale of water revenue certificates in the principal amount of not to exceed \$26,500,000 for water system improvements, and approving related documents and actions. Director Doolittle seconded the motion that passed with the following vote:

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

3. BUSINESS FROM THE BOARD

None.

4. ADJOURNMENT

At 9:47 p.m., Chairperson Cartoscelli adjourned the Public Financing Authority meeting to the regular meeting of the City Council.

\_\_\_\_\_  
KAREN CARTOSCELLI  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
SECRETARY

AGENDA  
SPECIAL JOINT MEETING OF THE  
YUBA CITY CITY COUNCIL & PLANNING COMMISSION AT THE  
YUBA-SUTTER ECONOMIC DEVELOPMENT CORPORATION  
1227 BRIDGE STREET, STE. C  
YUBA CITY, CA  
SEPTEMBER 20, 2005 – 4:30 P.M.

- CALL TO ORDER

- ROLL CALL

COUNCIL:

\_\_\_\_ Mayor Cartoscelli  
\_\_\_\_ Vice Mayor Hellberg  
\_\_\_\_ Councilman Doolittle  
\_\_\_\_ Councilman Miller  
\_\_\_\_ Councilman Ramirez

PLANNING COMMISSION:

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

1. ORDINANCE RELATED TO SPECIALTY SIGNS & NON-COMFORMING SIGNS

Recommendation: Discussion and possible action regarding amendments to the City sign ordinance as it relates to Specialty Signs and Non-Conforming Signs.

2. APPEARANCE OF INTERESTED CITIZENS

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

3. ADJOURNMENT

AGENDA  
REGULAR MEETING OF  
CITY COUNCIL – CITY OF YUBA CITY  
SEPTEMBER 20, 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

B. Sacramento Tree Foundation

Recommendation: Adopt a resolution supporting the Greenprint and select a liaison to the Greenprint Clearinghouse.

2. PUBLIC HEARINGS

A. Yuba-Sutter Disposal Inc. (YSDI) Rate Adjustment Application for Rate Year 2006 and Related Franchise Amendment

Recommendation: 1) Conduct public hearing  
2) Adopt a resolution approving an increase in refuse collection rates and amending the City's franchise agreement with YSDI.

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. Sutter Yuba Regional Recycled Water Facilities Master Plan and Acceptance of Grant Funding

Recommendation: Adopt a resolution that approves acceptance of grant funds from California State Water Resources Control Board for a regional water recycling facilities planning grant, approves a Memorandum of Understanding and approves entering into an Agreement with Kennedy/Jenks Consultants to conduct the study.

5. CONSENT CALENDAR

All matters listed under Consent Calendar are considered to be routine and can be enacted in one motion. There will be no separate discussion of these items prior to the time that Council votes on the motion unless members of the City Council, staff or public request specific items to be discussed or removed from the Consent Calendar for individual action.

A. Minutes of Yuba City Council Meeting

Recommendation: Approve the regular meeting minutes of September 6, 2005.

B. Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit H\_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 H\_5 (Hampton Court, located on the south side of Lincoln Road west of Garden Highway).

Resolution of Intention, Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit H\_5 (pursuant to the Landscaping and Lighting Act of 1972).

C. Delegation of Authority to the City Manager to file Determination of Disability Status for Public Safety Employees and Miscellaneous Employees with the California Public Employees' Retirement System (CalPERS).

Recommendation: Adopt two Resolutions, regarding the disability retirement process, one for Public Safety Employees and one for Miscellaneous Employees, as required by (CalPERS).

6. REPORTS & MISCELLANEOUS

A. Agreement to provide a Retirement Health Savings Account Plan for City employees

Recommendation: Adopt a Resolution authorizing the City Manager to execute an Agreement with ICMA Retirement Corporation for the VantageCare Retirement Health Savings Plan.

B. Pease Road Interchange

Recommendation: Authorize the City Manager to sign a Professional Services Agreement with Quincy Engineering, Inc. for development of the Project Report for the Pease Road Interchange.

C. Professional Services Agreement – Reconstruction of Plumas Street from Colusa Avenue to B Street and Center Street

Recommendation: Authorize the City Manager to amend the Agreement for Professional Services with Freedman Tung & Bottomley to provide additional design work needed to rebuild Plumas Street in keeping with the City's Central City Specific Plan and Revitalization Strategy. Authorize the Administrative Services Director to make the necessary budget adjustments.

7. BUSINESS FROM THE COUNCIL

8. CLOSED SESSION

Adjourn to closed session to confer with legal counsel regarding existing litigation pursuant to Section 54956.9(a) of the Government Code, Sandra Preston, by and through her Conservator, Tammy Malson, vs. Rajwinder Kaur; Kamaljeet Singh; City of Yuba City; Yuba City Unified School District; and Does 1 to 100, inclusive; Sutter County Superior Court Case No. CVCS03-2417.

9. ADJOURNMENT

MINUTES  
REGULAR MEETING  
CITY COUNCIL – CITY OF YUBA CITY  
SEPTEMBER 20, 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

Councilman John Miller led the Pledge of Allegiance to the Flag.

Mayor Cartoscelli stated that Item 6C needs to be continued and asked for action from the Council. Councilman Hellberg moved to continue Item 6C to the October 11, 2005 Special Council meeting. Councilman Ramirez seconded the motion that passed with a unanimous vote, with Councilman Doolittle abstaining.

Mayor Cartoscelli stated that Item 2A would be moved to the beginning of the meeting. This will enable members of the community to attend our public hearing, and be able to leave to attend a similar public hearing with the City of Marysville.

2. PUBLIC HEARINGS

A. Yuba-Sutter Disposal Inc. (YSDI) Rate Adjustment Application for Rate Year 2006 and Related Franchise Amendment

Assistant City Manager Steve Kroeger explained that in 2000 Council approved Rate Adjustment Guidelines for services provided by YSDI. In every odd-numbered year, YSDI is required to submit a detailed application that outlines actual operational costs and revenues. In even-numbered years, YSDI is required to submit an indexed application that adjusts rates based on a CPI adjustment. Mr. Kroeger introduced Keith Martin, Administrator for the Regional Waste Management Authority.

Mayor Cartoscelli asked if the performance evaluation was a part of the amendment to the franchise agreement. Mr. Martin answered no, but that the Board strongly believes in the evaluation process. Mr. Martin answered questions of Council. There was a discussion regarding fuel rates. Councilman Hellberg suggested that a sliding scale be used when setting fuel rates.

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

Councilman Doolittle moved to adopt Resolution No. 05-181 approving an increase in refuse collection rates and amending the City's franchise agreement with YSDI. Councilman Hellberg seconded the motion that passed with the following vote:

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

1. PRESENTATIONS/PROCLAMATIONS

A. Youth Commissioner Sharif Gaynor gave the monthly report.

B. Rob Kerth from the Sacramento Tree Foundation gave a report on the Greenprint, a regional urban forest initiative. Councilman Doolittle moved to adopt Resolution No. 05-180 supporting the Greenprint and selecting Councilman Doolittle as liaison to the Greenprint Clearinghouse. Councilman Miller seconded the motion that passed with a unanimous vote.

3. APPEARANCE OF INTERESTED CITIZENS

YCEA President Gloria Menth explained that she will be coming before Council periodically to update them on YCEA projects and concerns. She gave an overview of current items including: 1) updating all YCEA job descriptions with salary surveys to follow, 2) recent approval of two side-agreements between the City and YCEA pertaining to stand-by time and a uniform policy, and 3) an issue regarding the building department.

Mayor Cartoscelli suggested that if this report will be ongoing, perhaps it could be put on the agenda as a quarterly update from YCEA.

4. BID OPENINGS

A. Sutter Yuba Regional Recycled Water Facilities Master Plan and Acceptance of Grant Funding

Utilities Director Bill Lewis gave an overview of this item. He explained that the communities of Marysville, Linda County Water District and Olivehurst Public Utilities District, along with Yuba City, operate wastewater facilities that dispose of treated wastewater in ponds within the flood plain, Feather River or nearby streams. As these communities' permits come up for renewal, it is anticipated that more stringent permit levels will be placed on their discharges. On March 15, 2005, Council authorized staff to complete an application for a grant associated with a regional water reclamation feasibility study and disposal options. The four communities identified above have prepared a memorandum of understanding that outlines the purpose and cost sharing for the regional recycled water master plan study. Working together, Yuba City will receive an extensive master plan project at a cost of \$120,000 for a \$350,000 study if done on our own.

Councilman Hellberg moved to adopt Resolution No. 05-182 that approves the acceptance of grant funds from California State Water Resources Control Board for a regional water recycling facilities planning grant, approves a Memorandum of Understanding and approves entering into an agreement with Kennedy/Jenks Consultants to conduct the study. Councilman Ramirez seconded the motion that passed with the following vote:

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

5. CONSENT CALENDAR

Councilman Hellberg asked that Item C be removed from the Consent Calendar. Councilman Ramirez moved to adopt the balance of the consent calendar as presented. Councilman Doolittle seconded the motion that passed with a unanimous vote.

- A. Approved the regular Meeting Minutes of September 6, 2005.
- B. Adopted Resolution No. 05-183 to modify Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit H\_5 (Hampton Court, located on the south side of Lincoln Road, west of Garden Highway). Adopted Resolution of Intention No. 05-184, Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit H\_5 (pursuant to the Landscaping and Lighting Act of 1972).

Regarding Item C, Councilman Hellberg asked if these issues would still come before Council for approval as in the past. City Manager Jeffrey Foltz answered yes, as long as they are related to workers compensation.

Councilman Hellberg moved to adopt Item C of the Consent Calendar. Councilman Ramirez seconded the motion that passed with a unanimous vote.

- C. Adopted Resolution No. 05-185 and Resolution No. 05-186 delegating authority to the City Manager to file determination of disability status for public safety employees and miscellaneous employees, respectively, as required by CalPERS.

6. REPORTS & MISCELLANEOUS

A. Agreement to Provide a Retirement Health Savings Account Plan for City Employees

Human Resources Director Steve Johnson explained that because of the concern about rising health care costs and its impact on City employees upon retirement, staff began meeting with leaders from all the City's bargaining groups to discuss options to better plan for retiree health care costs. After review, the VantageCare plan administered by ICMA Retirement Corporation was determined to be the best benefit for the City's employees. The VantageCare plan is similar in nature to an IRA in that pre-tax contributions can be used for post-retirement medical costs. The plan will be available to all employees on a voluntary basis.

Councilman Hellberg asked about dental/vision coverage for retirees. Mr. Johnson answered that the Benefits Committee could look into that as another option.

Councilman Doolittle moved to adopt Resolution No. 05-187 authorizing the City Manager to execute an agreement with ICMA Retirement Corporation for the VantageCare Retirement Health Savings Plan. Councilman Miller seconded the motion that passed with a unanimous vote.

B. Pease Road Interchange

Assistant City Manager Phil Carter explained that a Request for Proposal (RFP) was issued in mid-July for the Pease Road Interchange Project Report. Three bids were received. A City Team reviewed the proposals against the criteria outlined in the RFP and Quincy Engineering, Inc. was selected as the most qualified firm to undertake this project.

Councilman Ramirez asked that in the future, all bid amounts be included in the staff report.

Councilman Ramirez moved to authorize the City Manager to sign a professional services agreement with Quincy Engineering, Inc. for development of the Project Report for the Pease Road Interchange. Councilman Miller seconded the motion that passed with a unanimous vote.

C. Professional Services Agreement – Reconstruction of Plumas Street from Colusa Avenue to B Street and Center Street

This item has been continued to the October 11, 2005 Special City Council meeting.

7. BUSINESS FROM THE COUNCIL

None.

City Manager Jeffrey Foltz announced that on Monday, October 3, 2005 at 4:30 p.m., a press conference will be held regarding the “Be Prepared Yuba City” booklet, prepared by the Yuba City Fire Department. The booklet will be sent to all Yuba City residents, as a guide to use during emergencies. Mr. Foltz invited everyone to attend and thanked staff members for an outstanding job on the booklet.

8. CLOSED SESSION

At 8:02 p.m. adjourned to closed session and conferred with legal counsel regarding existing litigation pursuant to Section 54956.9(a) of the Government Code, Sandra Preston, by and through her Conservator, Tammy Malson, vs. Rajwinder Kaur; Kamaljeet Singh; City of Yuba City; Yuba City Unified School District; and Does 1 to 100, inclusive; Sutter County Superior Court Case No. CVCS03-2417.

9. ADJOURNMENT

At 8:15 p.m., reconvened from closed session and immediately adjourned the regular City Council meeting of the City of Yuba City.

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KAREN CARTOSCELLI  
MAYOR

ATTEST:

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STEVE JOHNSON  
CITY CLERK