

AGENDA
REGULAR MEETING OF
CITY COUNCIL – CITY OF YUBA CITY
MARCH 7, 2006 – 7:00 P.M.

- CALL TO ORDER

- ROLL CALL

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

- INVOCATION

- PLEDGE OF ALLEGIANCE TO THE FLAG

1. PRESENTATIONS/PROCLAMATIONS

A. Senior Commission

B. Distinguished Budget Presentation Award for Fiscal Year beginning July 1, 2005 from the Government Finance Officers Association and the Excellence in Operational Budgeting 2005-06 from the California Municipal Finance Officers Association

C. “Discover Yuba City” Video

2. PUBLIC HEARINGS

A. The rezoning of 1.39 acres of property from the Light Industrial (M-1) District to the Community Commercial (C-2) District to facilitate the redevelopment of the site for retail use. The C-2 District is consistent with the current Community Commercial General Plan Designation. Property is located on the northwest corner of Lincoln Road and Garden Highway, east of State Route 99. Applicant: David Lanza

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 05-10 for amendments to the Official Zoning Map to change the zoning to the C-2 District as indicated on Exhibit A, and waive the first reading.

B. Approval of 2005 Yuba City Urban Water Management Plan

Recommendation: Conduct a public hearing and accept comments related to the Urban Water Management Plan. Direct staff to make certain changes or approve the Urban Water Management Plan as written. Adopt a Resolution and direct staff to submit it to the California Department of Water Resources.

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. Roof Maintenance and Repair (Formal Bid 06-09)

Recommendation: Award a bid to the low bidder Alpine Roofing of Yuba City, CA in the amount of \$31,500 for roof winterization and maintenance of all City facilities; and approve related appropriations to departmental budgets.

B. Purchase of three (3) diesel exhaust gas filtering devices for fire engines located at Fire Station No. 4 (Walton Avenue)

Recommendation: Authorize staff to purchase three (3) diesel exhaust gas filtering devices from Ward Diesel Filter Systems of Elmira, New York finding that is in the City's best interest to do so.

C. Update Water Master Plan Water Demands, Water Storage and Pipeline Sizing

Recommendation: Authorize the Utilities Director to sign a contract with HDR Engineering of Folsom, CA to update the Water Master Plan infrastructure evaluation, and find it is in the best interest of the City.

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. Planning Commission Actions

Recommendation: Note and File

B. Monthly Investment Report (January 2006)

Recommendation: Note and File

C. Grant Deed – Kohl's Department Stores, Inc.

Recommendation: Adopt a resolution accepting a Grant Deed from Kohl's Department Stores, Inc., a Delaware Corporation, Parcel Number 58-060-030. [land located at the south side of Sunsweet Boulevard west of Annette Way]

D. Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit C 9

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_9 (Siena Estates West, located west of Hooper Road at the current western extension of San Niccolo Drive).

Resolution of Intention, Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit C_9 (pursuant to the Landscaping and Lighting Act of 1972).

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

Recommendation: Adopt a resolution approving the execution of the Siena Estates Amended Subdivision Agreement with Siena Partners, LLC, providing for additional public improvements for Siena Estates. [subdivision located west of Hooper Road and south of Monroe Road]

F. River Valley Commercial Center – 11-parcel community commercial development

Recommendation: Adopt a resolution accepting certain 18” Sewer Line Construction – Harter Parkway portion improvements pursuant to the River Valley Commercial Center Improvement Agreement. [located south of Colusa Avenue (State Route 20) where Harter Road currently intersects the Highway]

G. Harter Storage and Pumping Plant Project – Contract 04-07 Notice of Completion

Recommendation: Adopt a Resolution accepting the Harter Storage and Pumping Plant Project and authorizing the Utilities Director to file a Notice of Completion.

H. WTP Expansion Project – High Lift Pumping Station Modifications; Contract 05-05 Notice of Completion

Recommendation: Adopt a Resolution accepting the WTP Expansion Project – High Lift Pumping Station Modifications and authorizing the Utilities Director to file a Notice of Completion.

I. 2006 ADA Handicap Curb Ramps Project and Discussion of Sidewalk Widths

Recommendation: 1) Accept the information provided,
2) Adopt the resolution in Exhibit A approving the plans and specifications for the project, and
3) Authorize the Administrative Services Director to appropriate \$71,850 to the project from CDBG funds.

J. Amendment to Agreement with Mercy Housing California for Housing Consultant Services

Recommendation: Adopt a resolution accepting an amendment to the City’s professional services agreement with Mercy Housing California.

6. REPORTS & MISCELLANEOUS

A. Yuba-Sutter Enterprise Zone Time Extension

Recommendation: Authorize the Yuba-Sutter Enterprise Zone Manager to work in conjunction the Yuba-Sutter Economic Development Corporation in actions to obtain state legislative authority that would allow a 5-year extension approval for the Yuba-Sutter Enterprise Zone and authorize the Mayor to execute the letter of support.

7. BUSINESS FROM THE COUNCIL

A. Reportable Activities

8. CLOSED SESSION

Adjourn to closed session to confer with legal counsel regarding potential litigation pursuant to Section 54956.9 (c) of the Government Code.

9. ADJOURNMENT

MINUTES
REGULAR MEETING
CITY COUNCIL – CITY OF YUBA CITY
MARCH 7, 2006 – 7:00 P.M.

- CALL TO ORDER

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

- ROLL CALL

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

- INVOCATION

Police Chief Richard Doscher gave the invocation.

- PLEDGE OF ALLEGIANCE TO THE FLAG

Councilman Ramirez led the Pledge of Allegiance to the Flag.

- Mayor Hellberg said he would like to move the closed session to the first item of business. Councilmen Miller and Ramirez recused themselves due to conflicts of interest.

8. CLOSED SESSION

Adjourned to closed session at 7:03 p.m. and conferred with legal counsel regarding potential litigation pursuant to Section 54956.9 (c) of the Government Code.

Reconvened from closed session at 7:17 p.m. Councilmen Miller and Ramirez rejoined the meeting. Councilwoman Cartoscelli announced no reportable action was taken in closed session.

- Mayor Hellberg asked Vice Mayor Miller to conduct the remainder of the meeting. Mayor Hellberg left the meeting after saying he did not feel well.

1. PRESENTATIONS/PROCLAMATIONS

A. Senior Commission

Senior Commissioner June Bone gave the report. She introduced new Senior Commissioner Pasqua Halter who provided background information on herself.

B. Distinguished Budget Presentation Award for Fiscal Year beginning July 1, 2005 from the Government Finance Officers Association and the Excellence in Operational Budgeting 2005-06 from the California Municipal Finance Officers Association

Vice Mayor Miller presented two awards to Finance Department members Robin Bertagna, Finance Officer; Spencer Morrison, Accountant; Becky Hudson, Customer Service Manager; and Terrel Locke, Administrative Assistant. The City received the Distinguished Budget Presentation Award for Fiscal Year beginning July 1, 2005 from the Government Finance Officers Association and the Excellence in Operational Budgeting 2005-06 from the California Municipal Finance Officers Association.

C. “Discover Yuba City” Video

City Manager Jeffrey Foltz introduced the new “Discover Yuba City” video which was played. He said other agencies could also use the video to recruit employees or businesses to the area. Deputy City Manager Laura Duncan worked with David Essary, Linda Plummer, and Gary Connover to create the video.

2. PUBLIC HEARINGS

A. The rezoning of 1.39 acres of property from the Light Industrial (M-1) District to the Community Commercial (C-2) District to facilitate the redevelopment of the site for retail use. The C-2 District is consistent with the current Community Commercial General Plan Designation. Property is located on the northwest corner of Lincoln Road and Garden Highway, east of State Route 99. Applicant: David Lanza

Councilman Rory Ramirez recused himself due to a conflict of interest. Senior Planner Brian Trudgeon reviewed the rezoning and stated an 8,400 square foot retail building is planned for the property. Councilwoman Cartoscelli remarked she has concerns about the traffic at that corner. Mr. Trudgeon said the Planning Department is addressing that issue.

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

Councilman Doolittle moved, after review and consideration of the negative declaration, to concur with the Planning Commission's recommendation, which is to: (A) adopt the recommended findings; (B) adopt the negative declaration; and (C) introduced Ordinance No. 002-06 for approval of Rezoning 05-10 for amendments to the Official Zoning Map to change the zoning to the C-2 District as indicated on Exhibit A, and waived the first reading. Councilwoman Cartoscelli seconded the motion that passed with a unanimous vote, less Mayor Hellberg who was absent and Councilman Ramirez who was recused.

Councilman Ramirez rejoined the meeting.

B. Approval of 2005 Yuba City Urban Water Management Plan

Assistant Director of Utilities Tom Glover said approval of the Urban Water Management plan is required every five years. The last review and approval was in 2000. The population of Yuba City has almost doubled in the last five years. Yuba City has two sources of water, the Feather River and groundwater. The total annual water usage is 33,200 acre feet. In the past, conservation was not a major issue but that may be changing. Mr. Glover reviewed many scenarios of drought years, wet years, summer month vs. winter month water demands, permit allocations, and rebate programs. He responded to Council's questions.

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

Councilman Ramirez moved to approve the Urban Water Management Plan as written, adopt Resolution No. 06-013, and directed staff to submit it to the California Department of Water Resources. Councilwoman Cartoscelli seconded the motion that passed with a unanimous vote, less Mayor Hellberg who was absent.

3. APPEARANCE OF INTERESTED CITIZENS

None.

4. BID OPENINGS

A. Roof Maintenance and Repair (Formal Bid 06-09)

General Services Manager Jack Smith said this is the annual cost for roof winterization and maintenance of all the City's buildings. Staff recommends approval of the bid.

Councilwoman Cartoscelli moved to award a bid to the low bidder Alpine Roofing of Yuba City, CA in the amount of \$31,500 for roof winterization and maintenance of all City facilities; and approve related appropriations to departmental budgets. Councilman Doolittle seconded the motion that passed with a unanimous vote, less Mayor Hellberg who was absent.

B. Purchase of three (3) diesel exhaust gas filtering devices for fire engines located at Fire Station No. 4 (Walton Avenue)

Fire Chief Marc Boomgaarden asked for approval of this bid. Due to possible relocation of the fire station, it is more cost effective to purchase these items, which are located on the fire engine rather than installing a system within the fire station itself. He stated these devices purify the exhaust coming out of the engines. Chief Boomgaarden responded to questions from Council.

Councilwoman Cartoscelli moved to authorize staff to purchase three (3) diesel exhaust gas filtering devices from Ward Diesel Filter Systems of Elmira, New York finding that is in the City's best interest to do so. Councilman Ramirez seconded the motion that passed with a unanimous vote, less Mayor Hellberg who was absent.

C. Update Water Master Plan Water Demands, Water Storage and Pipeline Sizing

Utilities Director Bill Lewis stated the General Plan was used in compiling the Water Master Plan in July 2004. Historical water demands and density were used for the plan. Due to recent projects with increased density, an update to the Water Master Plan is needed. HDR Engineering prepared the last Water Master Plan and Mr. Lewis recommended awarding the bid to them for the update. Mr. Lewis responded to Council's questions.

Councilman Doolittle moved to authorize the Utilities Director to sign a contract with HDR Engineering of Folsom, CA to update the Water Master Plan infrastructure

evaluation, and find it is in the best interest of the City. Councilman Ramirez seconded the motion that passed with a unanimous vote, less Mayor Hellberg who was absent.

5. CONSENT CALENDAR

Councilman Ramirez asked that Items F & I be removed for further discussion. Councilwoman Cartoscelli moved to adopt the balance of the calendar as presented. Councilman Ramirez seconded the motion that passed with a unanimous vote, less Mayor Hellberg who was absent.

- A. Noted and filed the Planning Commission Actions.
- B. Noted and filed the Monthly Investment Report (January 2006).
- C. Adopted Resolution No. 06-014 accepting a Grant Deed from Kohl's Department Stores, Inc., a Delaware Corporation, Parcel Number 58-060-030. [land located at the south side of Sunsweet Boulevard west of Annette Way]
- D. Adopted the following resolutions to create Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit C_9: Resolution No. 06-015 to modify Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit C_9 (Siena Estates West, located west of Hooper Road at the current western extension of San Niccolo Drive) and Resolution of Intention No. 06-016, Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit C_9 (pursuant to the Landscaping and Lighting Act of 1972).
- E. Adopted Resolution No. 06-017 approving the execution of the Siena Estates Amended Subdivision Agreement with Siena Partners, LLC, providing for additional public improvements for Siena Estates. [subdivision located west of Hooper Road and south of Monroe Road]
- G. Adopted Resolution No. 06-019 accepting the Harter Storage and Pumping Plant Project, Contract 04-07, and authorizing the Utilities Director to file a Notice of Completion.
- H. Adopted Resolution No. 06-020 accepting the WTP Expansion Project – High Lift Pumping Station Modifications, Contract 05-05, and authorizing the Utilities Director to file a Notice of Completion.
- J. Adopted Resolution No. 06-022 accepting an amendment to the City's professional services agreement with Mercy Housing California for Housing Consultant Services.

Councilman Ramirez recused himself from Item F due to a conflict of interest. Councilman Doolittle moved to adopt Item F of the Consent Calendar. Councilwoman Cartoscelli seconded the motion that passed with a unanimous vote, less Councilman Ramirez who was recused and Mayor Hellberg who was absent.

- F. Adopted Resolution No. 06-018 accepting certain 18" Sewer Line Construction – Harter Parkway portion improvements pursuant to the River Valley Commercial Center Improvement Agreement. [an 11-parcel community commercial development located south of Colusa Avenue (State Route 20) where Harter Road currently intersects the Highway]

Councilman Ramirez rejoined the meeting.

Councilman Ramirez noted that Item I was continued from a previous meeting. He asked for clarification on past sidewalk policies that refer to new work, whereas this project is for infill work on existing sidewalks. He pointed out terms used are not clear. Councilwoman Cartoscelli said this project is actually just for ADA improvements to existing sidewalks. City Manager Jeffrey Foltz said the policy adopted in 2002 was for new development. Tonight's project is primarily for the ramps at the corners except for a small section of sidewalk on Live Oak Boulevard. CDBG funds are being used for the project. In the next few months staff will be presenting standard criteria for all City street and sidewalk projects. Councilman Ramirez moved to adopt Item I of the Consent Calendar. Councilman Doolittle seconded the motion that passed with a unanimous vote, less Mayor Hellberg who was absent.

- I. Regarding the 2006 ADA Handicap Curb Ramps Project, accepted the information provided, adopted Resolution No. 06-021 approving the plans and specifications for the project, and authorized the Administrative Services Director to appropriate \$71,850 to the project from CDBG funds.

6. REPORTS AND MISCELLANEOUS

- A. Yuba-Sutter Enterprise Zone Time Extension

Mary Hansen of the Yuba-Sutter Enterprise Zone said the Enterprise Zone was designated in October 1986. It was a 15-year partnership program with Sutter County,

Yuba County, Marysville, and Yuba City. One five-year extension was granted in 2001. It expires October 2006 unless legislation is enacted to extend it. The state is drafting two bills, AB1766 and SB1008, regarding Enterprise Zones. Ms. Hansen asked Mr. Tim Johnson to continue the presentation.

Tim Johnson of the Yuba-Sutter Economic Development Corporation said these bills are heading for committee. He is hopeful these bills will carry the extension of the zone for another five years, but said they are not inclined to grant another extension. It is important that the Council support the extension. If the Enterprise Zone expires and a new Enterprise Zone program is created, the Yuba-Sutter area will be competing with the larger counties such as San Diego, Los Angeles and Sacramento. Mr. Johnson responded to Council's questions.

Councilwoman Cartoscelli moved to authorize the Yuba-Sutter Enterprise Zone Manager to work in conjunction the Yuba-Sutter Economic Development Corporation in actions to obtain state legislative authority that would allow a 5-year extension approval for the Yuba-Sutter Enterprise Zone and authorized the Mayor to execute the letter of support. Councilman Ramirez seconded the motion that passed with a unanimous vote, less Mayor Hellberg who was absent.

7. BUSINESS FROM THE COUNCIL

A. Reportable Activities

Councilwoman Cartoscelli met with Al Montna for an informational tour of KB Home projects in Natomas. She said the Police Department's 2005 Annual Report is great. She also said she attended a Beale Community Council meeting where they announced there would be a two day air show at Beale Air Force Base with the Thunderbirds performing on June 3-4th.

Vice Mayor Miller commented on the recent crime fighting efforts of Councilwoman Cartoscelli and said she was very courageous. He attended the First Thursday dinner in Sacramento with City Manager Jeffrey Foltz. The topic for the evening was what you can do with your outdated strip malls.

Councilman Doolittle said he had also toured the KB Home projects with Al Montna to look at 4 and 6-pack homes. He also reported on a number of SACOG meetings including the Legislative Public Affairs Committee. The committee recommended CEQA reform to the board of SACOG. They also reviewed federal appropriation earmarks. SACOG's Metropolitan Transportation Plan 20/30 program will be in Sutter County at the Feather River Academy on May 17th. It is an interactive program and he encouraged attendance.

Councilman Ramirez had no reportable activities but said the Local Operating Engineers have asked for a resolution in support of their heavy equipment training center at the Yuba goldfields. Council agreed to support the resolution and asked that it be added to the next agenda.

9. ADJOURNMENT

At 9:00 p.m. adjourned the regular City Council meeting of the City of Yuba City

JOHN MILLER
VICE MAYOR

ATTEST:

STEVE JOHNSON
CITY CLERK