

AGENDA

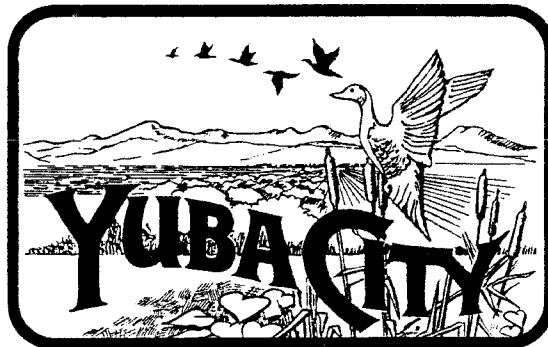
REGULAR MEETING

CITY COUNCIL CITY OF YUBA CITY

MAY 2, 2006
7:00 P.M.
COUNCIL CHAMBERS

ERIC HELLBERG
Mayor

JOHN MILLER
Vice-Mayor



KAREN
CARTOSCELLI
Councilwoman

DAVE DOOLITTLE
Councilman

RORY RAMIREZ
Councilman

JEFFREY FOLTZ
City Manager

TIMOTHY HAYES
City Attorney

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

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City Hall TDD: 530-822-4732

MINUTES
REGULAR MEETING
CITY COUNCIL – CITY OF YUBA CITY
MAY 2, 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

Mayor Hellberg led the Pledge of Allegiance to the Flag.

1. PRESENTATIONS/PROCLAMATIONS

A. Proclamations were presented in honor of Nurses Week, Older Americans Month, and Foster Care Month.

B. Senior Commissioner June Bone gave the monthly report.

2. PUBLIC HEARINGS

A. Report on ZC 05-03 Revisions to the Sign Ordinance

Pam Johns, Special Projects Coordinator for the City, reviewed the background of this item. The Sign Committee made their recommendation to Council last December. At that time Council recommended returning to the Planning Commission for a public hearing. At that public hearing, the Planning Commission received a lot of comments. Much outreach was done to solicit feedback from the business community. Modifications were made to the proposed ordinance. Ms. Johns reviewed those modifications. (1) Special event signs to be limited to a maximum of 90 days. (2) A-frame signs are currently limited to the downtown through the Central City Specific Plan. The Sign Committee recommends performance standards for these signs. (3) Canopy signs to be limited to six square feet in size. (4) Window signs to be limited to 35% maximum window coverage. (5) Handheld spinner signs were removed from the ordinance. More research is needed.

Councilmembers thanked Ms. Johns for all her work on this project. She responded to questions from Council.

John Dukes, a former member of the Sign Committee, presented slides showing various signs—damaged signs, signs completely covering windows, dangerous signs, and mobile signs. He said enforcement is a major issue. ADA requirements will be violated if A-frame signs are allowed to remain in the downtown. He recommended banning A-frame signs.

Mayor Hellberg opened the public hearing.

Don Covey, 669 Plumas Street, Yuba City, spoke in favor of A-frame signs.

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

Council discussed the recommendations for the various types of signs. There was a discussion of the number of days allowed for special event signs. Mayor Hellberg favored 120 days. Councilman Miller favored 60 days but felt 90 days was a good compromise. Councilwoman Cartoscelli concurred with the 90 day limit and felt under canopy signs were a good alternative to A-frames. She felt enforcement was an issue with only one code enforcement officer. Councilman Ramirez felt that for esthetics, an under canopy sign would be more favorable than an A-frame sign. Councilman Miller asked staff to discuss enforcement of the ordinance. Assistant City Manager Phil Carter said giving business owners notice in advance will give them a chance to comply with the ordinance and that would help with enforcement. Councilman Doolittle voiced his opinion that A-frames are a hazard, and he concurred that under canopy signs were better. He felt the 90-day limit of special event signs was sufficient. Mayor Hellberg agreed that A-frame signs should be banned. He would like to continue researching a ban on the

hand held spinner signs. Councilman Ramirez felt Council should consider adding temporary staff to the Code Enforcement Department. Councilwoman Cartoscelli agreed.

Ms. Johns clarified that if Council bans A-frame signs in the Central City Specific Plan, it will need to be removed from the ordinance. An amendment would need to be brought back to change the Central City Specific Plan.

After conducting a public hearing and after review and concurrence with the Planning Commission's recommendation, Councilman Doolittle moved to adopt the recommended findings, with the deletion of the verbiage "except as provided in the Central City Specific Plan" in Section 8-5.6305; and introduced Ordinance No. 004-06 enacting adoption of the Sign Code Amendments; waived the first reading. Councilman Ramirez seconded the motion that passed with the following vote:

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

Councilmembers discussed spinner signs, which are not a part of the ordinance just approved. Mayor Hellberg remarked he would like to have City Attorney Timothy Hayes and staff conduct additional research on banning hand held spinner signs. Mr. Hayes responded that first amendment rights are the issue. Councilwoman Cartoscelli and Councilman Miller expressed concern for the expense involved with the research.

Councilman Doolittle moved to research hand held spinner signs for possible addition to the sign ordinance during the zoning code update. Councilman Ramirez seconded the motion that passed with the following vote:

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

B. Proposed 2006-2007 Annual Action Plan for Community Development Block Grant (CDBG)

Housing Analyst Rebecca Flores said this public hearing is to receive comments on the City's Community Development Block Grant Annual Action Plan for 2006-2007. The plan includes the proposed projects beginning July 1, 2006. Funding for the projects includes \$551,854 of CDBG entitlement funds expected July 1. Funds of \$222,350 were leftover from prior fiscal year projects. Required public hearings were held. Staff recommends acceptance of the annual action plan. Ms. Flores responded to Council's questions.

Councilwoman Cartoscelli commented on the great projects recommended. Spencer Arms is an example of the good this program provides.

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

Councilwoman Cartoscelli moved to adopt the 2006-2007 Annual Action Plan and corresponding Resolution No. 06-030 accepting the plan. Councilman Miller seconded the motion that passed with the following vote:

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

C. Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit C_9

City Engineer Pamela Babjack stated this public hearing and resolution are required by state law to establish the lighting and landscape maintenance district for Siena Estates West to enable future lot owners to pay for the operation and maintenance of the street lighting system and street trees. The proposed annual assessment is \$114.54/lot.

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

After conducting a public hearing, Councilwoman Cartoscelli moved to adopt Resolution No. 06-031 confirming diagram and assessment and levying assessment for Fiscal Year 2005-2006 for 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]. Councilman Doolittle seconded the motion that passed with the following vote:

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

3. APPEARANCE OF INTERESTED CITIZENS

None.

4. CONSENT CALENDAR

Councilman Miller asked that Item D be removed since he has a conflict of interest and must be recused for that item. Councilwoman Cartoscelli moved to adopt the balance of the calendar as presented. Councilman Ramirez seconded the motion that passed with a unanimous vote.

- A. Approved the special joint meeting minutes of April 11, 2006 and the regular meeting minutes of April 18, 2006.
- B. Noted and filed the Monthly Investment Report for March 2006.
- C. Adopted Resolution No. 06-032 accepting certain street and related improvements pursuant to the Summerhill Estates Subdivision Agreement and authorizing the developer to file a Notice of Completion. [Subdivision located on Blevin Road south of Jamie Drive]

Councilman Miller recused himself.

Councilman Ramirez moved to adopt Item D of the Consent Calendar. Councilwoman Cartoscelli seconded the motion that passed with a unanimous vote, less Councilman Miller who was recused.

- D. Adopted Resolution No. 06-033 approving the final map for Domain Estates, a 28-lot single family dwelling development, accepting dedication of rights-of-way and easements shown thereon and authorizing the filing of the map. [subdivision located on the west side of Blevin Road, north of Butte House Road]

Councilman Miller rejoined the meeting.

5. REPORTS AND MISCELLANEOUS

A. Monthly Development Status and Detailed Master Plan Update

Assistant City Manager Phil Carter updated Council on recent development status. He reviewed the detailed Master Plans for projects by Braddock & Logan, Reynen & Bardis and Al Montna.

Regarding affordable housing in Braddock & Logan's Master Plan for Sutter Heritage, they may ask for an "in lieu of" fee as opposed to building affordable housing. They are also looking at multiple-family housing for the affordable housing component. A traffic study was conducted to mitigate the traffic impacts. The Master Plan is being finalized and should be complete in the next seven to ten days. Mr. Carter anticipates this Master Plan will be before the Planning Commission on June 14th and before the City Council on July 15th.

Mr. Carter discussed the Master Plans for Reynen & Bardis and Al Montna together due to their close proximity. Major infrastructure and growth needs to be coordinated by the two projects. The applicants are in favor of an "in lieu of" fee program for affordable housing. The draft traffic study has been out to the Master Plan developers for several weeks and key issues are being discussed. If issues of road alignment and right of way are finalized with the applicants, these Master Plans could come before Council as early as August.

Regarding the Reynen & Bardis project, the General Plan indicated there would be a ten-acre parcel for a school site. During discussions with the schools, they have asked for twenty acres. The applicant has agreed to provide the school fifteen acres. There may be an opportunity to find a joint use of park/school land.

Mr. Carter discussed the Lincoln East Specific Plan. He suggested that, at a future meeting, Council select a land use alternative to commence technical studies.

City Engineer Pamela Babjack said the purpose of prequalification is to have bidding pool that is familiar with the scope and size of the projects. Unqualified or marginally

performing contractors would be eliminated prior to the bidding process. Prequalification assures that on these high profile projects, contractors have the experience, stability and finances necessary.

Next week the City, Sutter County, SACOG and CalTrans will meet to discuss the urban edge buffer and the SACOG Community Design Grant.

George Carpenter of 141 Marillo, Roseville spoke.

Councilmembers agreed to direct staff to proceed with the Lincoln East Specific Plan.

B. Cold Water Street/Royal River Drive Emergency Repair Project

City Engineer Pamela Babjack said there is a need to continue the emergency action to repair the sanitary sewer and storm drain at the intersection of Cold Water Street and Royal River Drive and make a supplemental appropriation. The Utilities Department found ground sinking in the area after a resident reported it. A closed circuit television was used to inspect the line and they found significant infiltration in the storm drain and a broken pipe was discovered. Further investigation found the problem to be much larger than expected. The contractor did not install the storm drains and sewer pipes correctly and the one-year warranty has expired. Ms. Babjack received the authority to make emergency repairs from City Manager Jeffrey Foltz. Final cost to complete the repairs is approximately \$200,000. Ms. Babjack stated she would work with City Attorney Timothy Hayes to see if any costs can be recovered from the contractor.

Councilman Doolittle asked if any other sections of the project have been explored to see if the same deficiencies exist. Ms. Babjack responded no, they have not. She has requested that money be reserved in the budget to do that. Councilman Doolittle felt that the remainder of the project should be checked now. Ms. Babjack responded to Council's questions.

Councilwoman Cartoscelli moved to concur with the findings of the City Manager that emergency action was needed to proceed and that continued emergency action is necessary to repair the sanitary sewer and storm drain at the intersection of Cold Water Street and Royal River Drive in accordance with Public Contract Code Section 22050; and directed the Administrative Services Director to make a supplemental appropriation. Councilman Ramirez seconded the motion that passed with a unanimous vote.

Councilman Doolittle recused himself from Items 5C and 5D due to a conflict of interest. Councilman Doolittle left the Council Chambers.

C. Bridge Street Improvements from Plumas Street to Boyd Street

City Engineer Pamela Babjack said this item is a recommendation to adopt a resolution approving the plans and specifications for the Bridge Street improvements project and authorizing the advertisement for bids on the project. This ties the Town Center, Bridge Street and Plumas Street together and provides for the future alignment of the two additional lanes crossing the Feather River. Total projected cost is \$4.5 million. The project should be ready to bid in late summer or early fall. Groundbreaking could occur in October. Ms. Babjack responded to Council's questions.

Councilwoman Cartoscelli moved to adopt Resolution No. 06-034 approving the plans and specifications for the Bridge Street Improvements Project and authorizing the advertisement for bids on the project. Councilman Miller seconded the motion that passed with a unanimous vote, less Councilman Doolittle who was recused.

D. Plumas Street Improvements Project

City Engineer Pamela Babjack said this item to receive approval of the plans and specifications for the Plumas Streetscape project and authorization for bids. Estimated cost of the project is \$9.5 million. Included in that figure would be the area from Colusa Avenue to Bridge Street, including Center Street and the north side of Colusa. If the improvement area were extended to B Street, there would be an additional cost of \$2.5 million.

Councilman Ramirez asked if contingency plans have been made for interruption of merchant's utility services. Ms. Babjack responded it has absolutely been covered. City Manager Jeffrey Foltz said a team meets weekly to anticipate and avoid any problems. Councilmembers Miller and Cartoscelli said they look forward to having a downtown in which we can have pride. Ms. Babjack responded to Council's questions.

Councilman Miller moved to adopt Resolution No. 06-035 approving the plans and specifications for the Plumas Street Improvements Project and authorizing the advertisement for bids on the project. Councilwoman Cartoscelli seconded the motion that passed with the following vote:

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

Councilman Doolittle rejoined the meeting.

E. Gauche Park & Aquatic Center

City Engineer Pamela Babjack said this item is to request adoption of a resolution on the plans and specifications for the Gauche Park and Aquatic Center Park and authorizing the advertising of bids on the project. Total project cost is \$12.6 million and \$900,000 for a parking lot at Wilbur and C Streets. Ms. Babjack responded to Council's questions.

Councilwoman Cartoscelli moved to adopt Resolution No. 06-036 approving the plans and specifications for the Gauche Park & Aquatic Center Project and authorizing the advertisement for bids on the project. Councilman Miller seconded the motion that passed with a unanimous vote.

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

F. SACOG High-Resolution Imagery Project Participation

Information Services Manager Devin Barber stated the purpose of this project is to acquire color aerial photography data for the Sphere of Influence. It will assist in planning, development, construction and public safety. 1,111 square miles will be photographed. Yuba City is paying for images of 46 square miles. Many departments within the City will make use of these photographs. We will also have access to photographs of other agencies, should the need arise. Council asked for a demonstration when the photos are available.

Councilwoman Cartoscelli moved to adopt Resolution No. 06-037 authorizing the Assistant City Manager to enter into an agreement to participate in the Sacramento Area Council of Government's (SACOG) Sacramento Region High-Resolution Imagery Project with a total cost not to exceed \$30,000. Councilman Doolittle seconded the motion that passed with a unanimous vote.

6. BUSINESS FROM THE COUNCIL

A. Reportable Activities

Mayor Hellberg discussed several letters from residents, including one about the speeding problem on Stabler. He read a commendation letter about Mike Healy and his staff. Calvary Temple is having their annual Memorial Day program, which is always outstanding. He said the Homeless Summit is tomorrow at 9:00 a.m. at Yuba County. Council discussed a letter they received regarding the opening of a parole office in the downtown area. Councilwoman Cartoscelli felt the Mayor should send a letter to the Department of Corrections asking them to look at other sites for the Parole Office. Councilmembers concurred and staff was directed to prepare a letter. Mayor Hellberg asked staff to prepare a letter of condolence to Joe Benatar whose wife, Patty, passed away.

Councilwoman Cartoscelli said she met with Darrel Bolognesi of Braddock & Logan, Virgil Atkinson of the Yuba-Sutter Builders & Developers Assn., and Rajinder Chohan. She also toured Beale AFB's new medical center and renovated residential areas. Councilwoman Cartoscelli then announced she would not be running for another term on the City Council.

Councilman Miller had nothing to report.

Councilman Ramirez attended a MORR (Municipal Officers for Redevelopment Reform) Conference on April 22nd. He said the City's use of Redevelopment has worked well, and we should be proud.

Councilman Doolittle reported on a number of SACOG meetings he attended, including their endorsement of flood control. He encouraged everyone to attend the May 17th MPT2030 Conference. It is on transportation choices. He also attended the Yuba Sutter Youth Obesity Forum, which primarily focused on exercise and walkable communities. He said May is Bike to Work Month.

7. ADJOURNMENT

At 10:25 p.m., adjourned the regular City Council meeting of the City of Yuba City in memory of Patricia Benatar, wife of former mayor Joe Benatar.

ERIC N. HELLBERG
MAYOR

ATTEST:

STEVE JOHNSON
CITY CLERK