

**AGENDA
REGULAR MEETING OF
CITY COUNCIL & REDEVELOPMENT AGENCY
CITY OF YUBA CITY
COUNCIL CHAMBERS
September 18, 2007**

**Closed Session 5:30 P.M.
Regular Meeting 7:00 P.M.**

Closed Session 5:30 p.m.—Butte Room

Annual Performance Evaluation of City Manager pursuant to Government Code Section 54957.

Confer with labor negotiators Steven Jepsen and Steve Kroeger regarding negotiations with the following associations: Yuba City Police Officers, Police Sergeants, Yuba City Firefighters Local 3793, Yuba City Fire Management, Confidential Employees, Executive Services Employees, First Level Managers, Mid Managers, and Yuba City Employees, pursuant to Section 54957.6 of the Government Code.

Regular Meeting 7:00 p.m.—Council Chambers

Call to Order

Roll Call: _____ Mayor Miller
 _____ Mayor Pro Tem Ramirez
 _____ Councilmember Gill
 _____ Councilmember Maan
 _____ Councilmember McBride

Invocation

Pledge of Allegiance to the Flag

Presentations and Proclamations

1. **Proclamation for Domestic Violence Awareness Month**
2. **Certification of Excellence - Cash Handling Program from the Association of Public Treasurer's of United States and Canada**

Public Hearings

3. **Yuba-Sutter Disposal Inc. (YSDI) Rate Adjustment Application for Rate Year 2008 and Related Franchise Amendment**

Recommendation: Conduct a public hearing and adopt a resolution approving an amendment to the 1991 Franchise Agreement with Yuba-Sutter Disposal, Inc.

4. **Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit H_7**

Recommendation: Conduct a public hearing; THEN

Adopt a Resolution confirming diagram and assessment and levying assessment for Fiscal Year 2007-2008 for Lighting and Landscape Maintenance District No. 5, Zone of Benefit H_7. [Improvements associated with 1085 Sessler Drive, Sessler

Commercial Building; property located on the west side of Sessler Drive at the intersection of Lincoln Road]

5. Proposed 2006-2007 Consolidated Annual Performance and Evaluation Report (CAPER) for Community Development Block Grant (CDBG)

Recommendation: Conduct a public hearing to receive comments on the 2006-2007 CAPER and, upon conclusion of the public hearing, approve the CAPER.

6. General Plan Amendment GP 07-04 and Rezone RZ 07-04 at the southeast corner of Sutter Street and Lamon Way to change the land use designation from Manufacturing, Processing, and Warehousing to Business, Technology, and Light Industry and to change the zoning from M-2 X-8, Industrial, Special Standards Combining District to C-M, Heavy Commercial/Light Industrial District. Owner: Tomlinson Family Trust; Applicant: Michael Tomlinson.

Recommendation: Conduct a public hearing, and after consideration of the Mitigated Negative Declaration, concur with the Planning Commission's recommendations, which are to:

- A. Adopt the finding that following review and consideration of the Mitigated Negative Declaration and any comments received, there is no substantial evidence that the project will have a significant impact on the environment.
- B. Adopt the Mitigated Negative Declaration as contained in Exhibit A.
- C. Adopt the finding that General Plan amendment GP 07-04 to change the General Plan designation from Manufacturing, Processing, and Warehousing to Business, Technology, and Light Industry is in the public interest.
- D. Tentatively approve General Plan amendment GP 07-04, postponing final action until the public hearings on the following General Plan amendment and rezoning applications.
- E. Adopt the finding that Rezone RZ 07-04 is consistent with the Business, Technology, and Light Industry land use designation as described in the Yuba City General Plan.
- F. Tentatively approve Rezone RZ 07-04, postponing final action until the public hearings on the following General Plan amendment and rezoning applications.

7. General Plan Amendment GP 07-03 and Rezone RZ 07-03 at the southwest corner of Harter Parkway and Highway 20 to change the land use designation from Community Commercial on the north portion of the property and Office & Office Park on the south portion of the property to Regional Commercial and to change the zoning from C-2 X-19, Community Commercial, Special Standards Combining District on the north portion of the property and C-O X-19, Office Commercial, Special Standards Combining District on the south portion of the property to C-3 X-24, General Commercial, Special Standards Combining District. Owner/Applicant: John L. Sullivan Family Limited Partnership.

Recommendation: Conduct a public hearing, and after consideration of the Mitigated Negative Declaration, concur with the Planning Commission's recommendations, which are to:

- A. Adopt the finding that following review and consideration of the Mitigated Negative Declaration and any comments received, there is no substantial evidence that the project will have a significant impact on the environment.
- B. Adopt the Mitigated Negative Declaration as contained in Exhibit A.
- C. Adopt the finding that General Plan amendment GP 07-03 to change the General Plan designation from Community Commercial on the north portion of the property and Office & Office Park on the south portion of the property to Regional Commercial is in the public interest.
- D. Tentatively approve General Plan amendment GP 07-03, postponing final action until the public hearings on the following General Plan amendment and rezoning applications.
- E. Adopt the following findings for Rezone RZ 07-03:
 - a. Rezone RZ 07-03 is consistent with the Regional Commercial land use designation as described in the Yuba City General Plan;
 - b. Rezone RZ 07-03 will not cause a project to occur that will be incompatible with existing or planned surrounding land uses;
 - c. Rezone RZ 07-03 will result in quality of development that will be as good as or better than would be accomplished through traditional zoning.
- F. Tentatively approve Rezone RZ 07-03, postponing final action until the public hearings on the following General Plan amendment and rezoning applications.

8. **General Plan Amendment GP 07-02 and Rezone RZ 07-02 at the southeast corner of Harter Parkway and Highway 20 to change the land use designation from Community Commercial on the north portion of the property and Office & Office Park on the south portion of the property to Regional Commercial and to change the zoning from C-2 X-19, Community Commercial, Special Standards Combining District on the north portion of the property and C-O X-19, Office Commercial, Special Standards Combining District on the south portion of the property to C-3 X-24, General Commercial, Special Standards Combining District on the north portion of the property and C-3 X-25, General Commercial, Special Standards Combining District on the south portion of the property. Owner: David Lanza and Jaswant Bains; Applicant: Steve Downing et al LLC.**

Recommendation: Conduct a public hearing, and after consideration of the Mitigated Negative Declaration, concur with the Planning Commission's recommendations, which are to:

- A. Adopt the finding that following review and consideration of the Mitigated Negative Declaration and any comments

received, there is no substantial evidence that the project will have a significant impact on the environment.

- B. Adopt the Mitigated Negative Declaration as contained in Exhibit A.
- C. Adopt the finding that General Plan amendment GP 07-02 to change the General Plan designation from Community Commercial on the north portion of the property and Office & Office Park on the south portion of the property to Regional Commercial is in the public interest.
- D. Adopt a resolution for General Plan Amendment GP 07-02 from the Community Commercial and Office & Office Park designations to the Regional Commercial designation, as shown on Exhibit A of the resolution, and for General Plan Amendment GP 07-03 from the Community Commercial and Office & Office Park designations to the Regional Commercial designation, as shown on Exhibit B of the resolution, and for General Plan Amendment GP 07-04 from the Manufacturing, Processing, and Warehousing designation to the Business, Technology, and Light Industry designation, as shown on Exhibit C of the resolution.
- E. Adopt the following findings for Rezone RZ 07-02:
 - a. Rezone RZ 07-02 is consistent with the Regional Commercial land use designation as described in the Yuba City General Plan;
 - b. Rezone RZ 07-02 will not cause a project to occur that will be incompatible with existing or planned surrounding land uses;
 - c. Rezone RZ 07-02 will result in quality of development that will be as good as or better than would be accomplished through traditional zoning.
- F. Introduce an ordinance for approval of Rezoning RZ 07-02 for amendments to the Official Zoning Map to amend the zoning from the C-2 X-19, Community Commercial, Special Standards Combining District on the north portion of the property and C-O X-19, Office Commercial, Special Standards Combining District on the south portion of the property to C-3 X-24, General Commercial District; Special Standards Combining District on the north portion of the property and C-3 X-25, Special Standards Combining District on the south portion of the property, as shown on Exhibit C, and waive the first reading.
- G. Introduce an ordinance for approval of Rezoning RZ 07-03 for amendments to the Official Zoning Map to amend the zoning from the C-2 X-19, Community Commercial, Special Standards Combining District on the north portion of the property and C-O X-19, Office Commercial, Special Standards Combining District on the south portion of the property to C-3 X-24, General Commercial District; Special Standards Combining District, as shown on Exhibit D, and waive the first reading.

- H. Introduce an ordinance for approval of Rezoning RZ 07-04 for amendments to the Official Zoning Map to amend the zoning from the M-2 X-8, Industrial, Special Standards Combining District to C-M, Heavy Commercial/Light Industrial District, as shown on Exhibit E, and waive the first reading.

Public Communication on Items Not On the Agenda

9. Written Requests

10. 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.

Bid Openings

11. Printing and Mailing Services for Utility Bills, Late Notices, Business Licenses, and other Mailings (RFP08-01)

Recommendation: Reject the proposals for Printing and Mailing Services for Utility Bills, Late Notices, Business Licenses, and other Mailings (RFP08-01) with the finding that it is the best interest of the City.

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.

12. City Council Approval of Minutes of August 21 and September 4, 2007

Recommendation: Approve the City Council meeting minutes of August 21 and September 4, 2007.

13. Bay Drive Estates Unit No. 1 – Amended Subdivision Agreement

Recommendation: Adopt a resolution approving the execution of an Amended Subdivision Agreement with 1928 Inc. providing for public improvements for Bay Drive Estates Unit No. 1 [subdivision located on Sanborn Road between Pebble Beach Drive and La Raby Way]

14. Reimbursement Agreement – Harter Parkway/State Route 20 Intersection Improvements

Recommendation: Adopt a resolution approving the execution of a Reimbursement Agreement with Roy E. Lanza, Jaswant S. Bains, and Yuba City Unified School District. Authorize the Chief Financial Officer to make a supplemental appropriation as fees are collected to support payment of pass through to Developer.

15. Kumar Medical Park Final Map – 1180 Live Oak Boulevard

Recommendation: Adopt a resolution approving the Kumar Medical Park Final Map, accepting dedication of rights-of-way and easements shown thereon and authorizing filing of the map. [APN 51-323-020 located on the southwest corner of Live Oak Boulevard and Miller Street.]

16. Revision of Salary and Classification Plan to Modify the Compensation for Plans Examiner

Recommendation: Adopt a resolution revising the salary and classification plan to adjust the compensation of the Plans Examiner Classification

General Items

17. Agreement with Sunsweet Corporation providing for the transfer of remnant right-of-way property from the construction of Sunsweet Blvd. back to Sunsweet Corporation (City Council & RDA)

Recommendation: Continue the Approval of the Agreement between Sunsweet Corporation and the Redevelopment Agency/City of Yuba City providing for the transfer of remnant right-of-way property to a public hearing on October 2, 2007.

18. Great Pacific Associates – Professional Services Agreement

Recommendation: Authorize the Public Works Director to execute a Professional Services Agreement with Great Pacific Associates of El Dorado, California for quarterly sampling and reporting of groundwater conditions at the City's Corporation Yard (AP# 51-530-018) located at the 1185 Market Street, in an amount not to exceed \$24,000, with the finding that it is in the best interest of the City.

19. Adoption of the Sutter County Multi-Hazard Mitigation Plan

Recommendation: Adopt a Resolution accepting the Sutter County Multi-Hazard Mitigation Plan.

Business from the City Council/Redevelopment Agency Board

20. City Council Reports

- Councilmember Gill
- Councilmember Maan
- Councilmember McBride
- Councilmember Ramirez
- Mayor Miller

Adjournment