

**AGENDA
REGULAR MEETING OF
CITY COUNCIL & REDEVELOPMENT AGENCY
CITY OF YUBA CITY
COUNCIL CHAMBERS
OCTOBER 2, 2007
Closed Session 5:30 P.M.
Regular Meeting 7:00 P.M.**

Closed Session 5:30 p.m.—Butte Room

Confer with legal counsel regarding existing litigation pursuant to Government Code Section 54956.9(a), Roxy Yuba City Partners v. City of Yuba City, et al., Sutter County Superior Court, case # CVCS 07-1227.

Confer with legal counsel regarding potential litigation pursuant to Government Code Section 54956.9(b)—one potential case.

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. **Proclamation for Yuba-Sutter United Way Campaign**
3. **Senior Commission Presentation**

Public Hearings

4. **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.

5. 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.

6. 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.

7. 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: Conduct a public hearing, then approve the Agreement between Sunsweet Corporation and the Redevelopment Agency/City of Yuba City providing for the transfer of remnant right-of-way

property, (Parcel B). Authorize the Agency Chair/Mayor to sign the Agreement on behalf of the Agency/City, and authorize the Agency Executive Director/City Manager, or his designee, to execute a quit claim deed transferring the Property, identified as Parcel B in Attachment 1, to Sunsweet Corporation.

Public Communication on Items Not On the Agenda

8. Written Requests – Larry Ozeran, M.D.

9. 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

10. Stabler Lane Overlay – Regional Surface Transportation Program (RSTP) 2007

- Recommendation:
1. Award Contract No. 07-07, Stabler Lane Overlay – RSTP 2007, to the lowest, responsive, responsible bidder in the amount of their total bid, including the Add Alternate, Railroad Track Removal.
 2. Authorize the City Manager to execute the contract on behalf of the City, following approval by the City Attorney.
 3. Adopt a resolution authorizing the City Manager to execute the Master Agreement, Program Supplemental Agreements, Fund Exchange Agreements, and/or Fund Transfer Agreements needed to be executed with the California Department of Transportation to claim Federal/State project funding for this project and future Federal Aid projects.

11. 2007 ADA Sidewalk Improvements Project

- Recommendation:
1. Award Contract No. 07-19, 2007 ADA Sidewalk Improvements Project, to Sutter Constructors, Inc. of Yuba City in the amount of their bid of \$332,650.00.
 2. Authorize the City Manager to execute the contract on behalf of the City, following approval by the City Attorney.

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 September 11 & 18, 2007

- Recommendation: Approve the Council meeting minutes of September 11 & 18, 2007.

13. Domain Estates Phase 1

Recommendation: Adopt a resolution approving the execution of an Amended Subdivision Agreement with Piara Johl providing for public improvements for Domain Estates Phase 1 [subdivision located on the west side of Blevin Road north of Queens Avenue]

14. Hetherington Place

Recommendation: Adopt a resolution accepting certain street and related improvements pursuant to the Hetherington Place Amended Subdivision Agreement and authorizing the developer to file a Notice of Completion. [subdivision located on the north side of Franklin Road west of Walton Avenue]

15. Masera Ranch Unit 1

Recommendation: Adopt a resolution accepting certain street and related improvements pursuant to the Masera Ranch Unit 1 Revised Subdivision Agreement and authorizing the developer to file a Notice of Completion. [subdivision located north of Lincoln Road and west of Walton Avenue]

16. Masera Ranch Unit 2 Phase 3

Recommendation: Adopt a resolution accepting certain street and related improvements pursuant to the Masera Ranch Unit 2 Phase 3 Amended Subdivision Agreement #2 and authorizing the developer to file a Notice of Completion. [subdivision located north of Lincoln Road and west of Walton Avenue]

17. 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.

18. Harter Storage and Pumping Plant Project – Contract 04-07 Revised Final Payment

Recommendation: Adopt a Resolution authorizing the Utilities Director to make a revised Final Payment for the Harter Storage and Pumping Plant Project.

General Items

19. Employee Medical Benefits package for the Calendar Years 2008 - 2010

Recommendation: Adopt a Resolution authorizing the City Manager to enter into a three year contract with California State Association of Counties (CSAC) effective January 1, 2008, to provide health insurance for our employees administered by Blue Shield of California.

20. Planning and Design Consultant Services for a Citywide Parks Master Plan

Recommendation: Approve a resolution determining it is in the best interest of the City of Yuba City to enter into a Professional Services

Agreement with Carter and Burgess of Sacramento, California, for the Parks/Facilities/Physical/Development Master Plan.

21. Approve the Filing of an Application to Apply for additional Grant Funds of \$1,000,000 for The California River Parkways Grant Program Under the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50)

Recommendation: Adopt a Resolution approving the Filing of an Application for additional funding from the California River Parkways Grant Program and appoint the Public Works Director or his designee as the City's agent to work with the Sutter County Resource Conservation District to ensure that all negotiations, execution and submittal of all documents including, but not limited to, applications, agreements and payment requests, which may be necessary for the completion of the California River Parkways Grant Program, are taken care of in the proper manner.

22. Stabler Lane Pedestrian Traffic

Recommendation:

- A. Adopt a resolution approving the installation of stop signs at the Stabler Lane/Jamie Drive intersection, creating a four way stop.
- B. Authorize the Public Works Department to mark the crosswalks located at the intersections of Jamie Drive/Stabler Lane and Bradley Estates Drive/Stabler Lane.
- C. Authorize the Public Works Department to purchase and implement Pedestrian Crosswalk Beacons for Stabler Lane at the intersections of Jamie Drive and Bradley Estates.
- D. Authorize the Public Works Department to prepare plans and specifications, and contract work in accordance with the Public Contract Code for street improvements along Stabler Lane and Jamie Drive.

23. Community Service Organization FY 07/08

Recommendation: Approve Funding Requests for Community Service Organizations for FY 07/08.

Business from the City Council/Redevelopment Agency Board

24. City Council Reports

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

Adjournment