

AGENDA

REGULAR MEETING

**CITY COUNCIL & REDEVELOPMENT AGENCY
CITY OF YUBA CITY**

AUGUST 17, 2010

**CLOSED SESSION – 6:00 P.M. – BUTTE ROOM
REGULAR MEETING – 7:00 P.M. – COUNCIL CHAMBERS**

**KASH GILL
Mayor**

**JOHN DUKES
Mayor Pro Tem**

**LESLIE McBRIDE
Councilmember**



**TEJ MAAN
Councilmember**

**JOHN MILLER
Councilmember**

**STEVEN JEPSEN
City Manager**

**TIMOTHY HAYES
City Attorney**

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

If you need assistance in order to attend the City Council meeting, or if you require auxiliary aids or services, e.g., hearing aids or signing services to make a presentation to the City Council, the City is happy to assist you. Please contact City offices at 530/822-4601 at least 72 hours in advance so such aids or services can be arranged.

City Hall TDD: 530-822-4732

**AGENDA
REGULAR MEETING OF
CITY COUNCIL & REDEVELOPMENT AGENCY
CITY OF YUBA CITY
Council Chambers
August 17, 2010
Closed Session 6:00 P.M.
Regular Meeting 7:00 P.M.**

Materials related to an item on this Agenda submitted to the Council/Redevelopment Agency after distribution of the agenda packet are available for public inspection in the City Clerk's office at 1201 Civic Center Blvd., Yuba City, during normal business hours. Such documents are also available on the City of Yuba City's website at www.yubacity.net subject to staff's availability to post the documents before the meeting.

Closed Session—Butte Room

Confer with legal counsel regarding existing litigation pursuant to Government Code Section 54956.9(a), Alameda County Flood Control and Water Conservation District Zone 7, et al. v. State of California Department of Water Resources, et al., Sacramento Superior Court Case No. 05AS01775.

Confer with real property negotiators Steven Jepsen and Steve Kroeger pursuant to Government Code Section 54956.8 regarding negotiations with Union Pacific Railroad regarding possible purchase of right of way.

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—Council Chambers

Call to Order

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

Invocation

Pledge of Allegiance to the Flag

Public Hearings

- 1. Zoning Text Amendment ZC 10-05 modifying section 8-5.6312 "temporary banner signs" for economic stimulus in the Yuba City municipal code related to extending the time provisions for allowing an additional banner sign to be temporarily installed by businesses during the current economic downturn**

Recommendation: Conduct a public hearing and after consideration of the item, take the actions recommended by the Planning Commission which are to:

- a. Adopt the finding that Zoning Code Amendment ZC 10-05 for the amendment of the City's Sign Code is in the public interest.
- b. Introduce an Ordinance for approval of Zoning Code Amendment ZC 10-05, as shown in Exhibit A and waive the first reading.

2. Establish a Schedule of Parking Penalties for Parking Violations and Late Payment Penalties

Recommendation: Conduct a public hearing and upon the conclusion, adopt a resolution establishing a schedule of parking penalties for parking violations and late payment penalties.

3. Recology Yuba-Sutter Rate Adjustment Application for Rate Year 2011 and Related Franchise Amendment

Recommendation: Conduct a Public Hearing and adopt a Resolution:

- a. Approving a 1.0% adjustment to Recology service rates for the Rate Year 2011; and
- b. Amending the 1991 Franchise Agreement with Recology, Inc.

Public Communication

You are welcome and encouraged to participate in this meeting. Public comment is taken on items listed on the agenda when they are called. Public comment on items not listed on the agenda will be heard at this time. Comments on controversial items may be limited and large groups are encouraged to select representatives to express the opinions of the group.

4. Written Requests

Members of the public submitting written requests, at least 24 hours prior to the meeting, will be normally allotted 5 minutes to speak.

5. Appearance of Interested Citizens

Members of the public may address the City Council on items of interest that are within the City's jurisdiction. Individuals addressing general comments are encouraged to limit their statements to 3 minutes.

Bid Openings

6. Striping & Pavement Marking Improvements 2010 (Award of Contract – Total Cost \$122,664.60)

Recommendation: a. Award Contract No. 10-10, Striping & Pavement Marking Improvements 2010 to Sierra Traffic Markings, Inc. of Loomis, CA in the amount of their base bid of \$111,513.27 and reject the add alternate bid.

- b. Adopt a resolution approving the plans and specifications for the Bicycle Lanes Striping Project 2010 and authorizing advertisement for bids on the project.
- c. Authorize the City Manager to execute the contract on behalf of the City, following approval by the City Attorney.
- d. Authorize the Public Works Director to execute and file a Notice of Completion upon completion of the project.

Ordinances

- 7. **Zoning Code Amendment ZC 10-02 related to new definitions and development standards for eating and drinking establishments, bars and nightclubs (Second reading)**

Recommendation: Adopt an Ordinance for approval of Zoning Code Amendment ZC 10-02, which establishes new definitions and development standards for eating and drinking establishments, bars and nightclubs as shown in Exhibit A and waive the second reading.

- 8. **Zoning Code amendment ZC 10-03 to establish “emergency shelters” as a permitted use in the M-2, Industrial, Zoning District and to establish design and management standards for emergency shelters as allowed by Senate Bill 2 (Second reading)**

Recommendation: Adopt an Ordinance for approval of Zoning Code Amendment ZC 10-03, which establishes “emergency shelters” as a permitted use in the M-2, Industrial, Zoning District and to establish design and management standards for emergency shelters as allowed by Senate Bill 2 as shown in Exhibit A and waive the second reading.

- 9. **Amend Title 4, Chapter 9, Article 8 (Stopping, Standing or Parking Restrictions of the Yuba City Municipal Code. (Second Reading)**

Recommendation: Adopt an Ordinance amending Article 8, Chapter 9 of Title 4 of the Yuba City Municipal Code and waive the second reading.

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.

- 10. **City Council Approval of Minutes of August 3, 2010**

Recommendation: Approve the Council meeting minutes of August 3, 2010

- 11. **Amendment number 1 to a Memorandum of Understanding between Sacramento Area Council of Governments (“SACOG”) and the City of Yuba City for the project known as “Defining the Urban-Rural Edge Project”**

Recommendation: Approve the amendment and authorize the City Manager to execute the Amendment number 1 to the Memorandum of

Understanding between SACOG and the City of Yuba City as shown in Exhibit A.

12. Bay Drive Estates Unit No. 1 – Acceptance of Public Improvements

Recommendation: Adopt a resolution accepting certain street and related improvements pursuant to the Bay Drive Estates Unit No. 1 Amended Subdivision Agreement and authorize the developer to file a Notice of Completion. [subdivision located on east side of Sanborn Road north of Pebble Beach Drive]

General Items

13. Yuba City Landscape Maintenance District No. 1 (Stabler Lane/Garden Highway Area), Yuba City Lighting and Landscape Maintenance District No. 2, 3, 4 & 5 (Town Center and 69 subdivisions throughout the City), and Yuba City Lighting and Landscape Maintenance District No. 6 (Commercial District) Resolution of Intent

Recommendation:

- a. Adopt the following resolutions to continue the Maintenance Districts, all pursuant to the Landscaping and Lighting Act of 1972:
 - Resolution Directing Filing of Annual Report, Yuba City Landscape Maintenance District No. 1
 - Resolution of Intention to Order Improvements, Yuba City Landscape Maintenance District No. 1
 - Resolution Directing Filing of Annual Report, Yuba City Lighting and Landscape Maintenance District No. 2, 3, 4, 5 and 6.
 - Resolution of Intention to Order Improvements, Yuba City Lighting and Landscape Maintenance District No. 2, 3, 4, 5 and 6.
- b. Direct staff to implement Alternative 1 for setting FY 10/11 assessments.

14. Yuba City Residential Street Light Maintenance Districts (Walton Area and Tierra Buena Area) Resolution of Intent

Recommendation:

- a. Adopt the following resolutions to continue the Street Light Maintenance Districts, pursuant to the Benefits Assessment Act of 1982:
 - Resolution Directing Filing of Annual Report, Yuba City Street Light Maintenance Districts.
 - Resolution of Intention to Order Improvements, Yuba City Street Light Maintenance Districts.
- b. Direct staff to implement Alternative 1 for setting FY 10/11 assessments.

15. 2010 Sustainable Communities Planning Grant Program

Recommendation: Adopt a Resolution approving the application for grant funds for the Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and

Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84).

16. Authorization to Accept Grant Funding from the California Office of Traffic Safety (Selective Traffic Enforcement Program), Approve Expenditure Recommendations and Budget Modifications as Required

Recommendation: Adopt a resolution authorizing the Chief of Police to accept the 2010/2011 Office of Traffic Safety Grant titled Selective Traffic Enforcement Program in the amount of \$155,000.00 and approve expenditure recommendations. Further, authorize the Chief Financial Officer to make budget adjustments as necessary.

17. Authorization to Accept Grant Funding from the California Office of Traffic Safety (Buckle Up For Safety), Authorize the Chief of Police to Enter into a Professional Services Agreement With the Health and Social Policy Institute (HASPI), Approve Expenditure Recommendations and Budget Modifications as Required

Recommendation:

- a. Adopt a resolution authorizing the Chief of Police to accept the 2010/2011 California Office of Traffic Safety Grant titled Buckle Up for Safety in the amount of \$125,964.00
- b. Authorize the Chief of Police to enter into a Professional Services Agreement with The Health and Social Policy Institute (HASPI) finding it is in the best interest in the City to do so, and approve expenditure recommendations. Further, authorize the Chief Financial Officer to make budget adjustments as necessary.

Business from the City Council/Redevelopment Agency Board

18. Discussion and possible action regarding changing the time, date or possible cancellation of the regularly scheduled City Council meeting of September 7, 2010

19. City Council Reports

- Councilmember Maan
- Councilmember McBride
- Councilmember Miller
- Mayor Pro Tem Dukes
- Mayor Gill

Adjournment