



AGENDA

DECEMBER 17, 2013

REGULAR MEETING
CITY COUNCIL
CITY OF YUBA CITY

5:00 P.M. – CLOSED SESSION: BUTTE ROOM
6:00 P.M. – REGULAR MEETING: COUNCIL CHAMBERS

MAYOR	• Kash Gill
VICE MAYOR	• John Dukes
COUNCILMEMBER	• John Buckland
COUNCILMEMBER	• Tej Maan
COUNCILMEMBER	• Craig Starkey
CITY MANAGER	• Steven Kroeger
CITY ATTORNEY	• Timothy Hayes

1201 Civic Center Blvd
Yuba City CA 95993

Wheelchair Accessible



*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 530/822-4817 at least 72 hours in advance so such aids or services can be arranged. **City Hall TTY: 530-822-4732***

**AGENDA
REGULAR MEETING OF THE
CITY COUNCIL
CITY OF YUBA CITY
COUNCIL CHAMBERS
DECEMBER 17, 2013
5:00 P.M. – CLOSED SESSION
6:00 P.M. – REGULAR MEETING**

Materials related to an item on this Agenda submitted to the Council 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

Public Comment: Any member of the public wishing to address the City Council on any item listed on the closed session agenda will have an opportunity to present testimony to the City Council prior to the City Council convening into closed session. Comments from the public will be limited to three (3) minutes. No member of the public will be allowed to be present once the City Council convenes into closed session. Contact the City Clerk in advance of the closed session either in person at City Hall, by phone 822-4817, or email tlocke@yubacity.net to allow for time for testimony.

- A. Confer with real property negotiators Steven Kroeger and Diana Langley pursuant to Government Code Section 54956.8 regarding negotiations with Union Pacific Railroad regarding possible purchase of right-of-way.
- B. Confer with legal counsel and Steven Kroeger regarding existing Worker's Compensation Claim of employee pursuant to Government Code Section 54956.9 (a), *Parsons v. City of Yuba City*, Claim No. NCWA-555781.

Regular Meeting—Council Chambers

Call to Order

Roll Call: ___ Mayor Gill
 ___ Vice Mayor Dukes
 ___ Councilmember Buckland
 ___ Councilmember Maan
 ___ Councilmember Starkey

Invocation

Pledge of Allegiance to the Flag

Presentations and Proclamations

1. **Proclamation for the Retirement of Terry Brown**

2. Proclamation for the Retirement of Assistant Chief Jeff Webster

Public Hearings

3. Proposed Levy of the 2014 Annual Assessment of the Downtown Yuba City Business Improvement District

- Recommendation:
- 1) Conduct Public Hearing
 - 2) Adopt a Resolution confirming the Annual Report for the Yuba City Downtown Business Association and levying the assessment for the Downtown Business Improvement District for calendar year 2014

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

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.

6. Minutes of November 19 and December 3, 2013

Recommendation: Approve the City Council Meeting Minutes of November 19 and December 3, 2013

7. 2013 Homeland Security Grant Program

Recommendation: Accept funding from the 2013 Homeland Security Grant and approve a revenue supplemental appropriation of \$23,167 to the Fire Department's budget

8. Financial and Information Technology Services Agreement between Yuba City and Sutter Butte Flood Control Agency (SBFCA)

Recommendation: Approve Services Agreement as approved by SBFC Board and authorize the City Manager to execute it

9. Declare Portions of 211 & 217 Walton Avenue Public Road Right of Way and Public Utility Easement

Recommendation: Adopt a Resolution declaring portions of City owned property along Walton Avenue Public Road Right of Way and Public Utility Easement as depicted in Exhibit A and Exhibit B

10. Transportation Development Act (TDA) Claim for FY 2013 – 2014 of \$1,779,980

Recommendation: Adopt a Resolution authorizing submission of the City's FY 2013-2014 TDA claim to the Sacramento Area Council of Governments (SACOG)

11. Submission of Re-Certification application for Tree City USA Designation

Recommendation: Adopt a Resolution authorizing the City to submit an application for re-certification to the National Arbor Day Foundation for consideration of the City continuing its designation as a Tree City USA community

General Items

12. Copier Service Contract

Recommendation: Authorize the execution of a five (5) year contract with the possibility of five (5) one year (1) year extensions to Advanced Document Concepts of Chico, CA to provide twelve (12) new digital copiers with the finding that it is in the best interest of the City

13. Purchase of Solar System located at the Wastewater Treatment Facility

Recommendation:

- a. Adopt a Resolution authorizing the City manager to execute a Termination Agreement, and a Bill of Sales, Transfer of Warranties and Assignment and Assumption of Easement Agreement – by approving the purchase of the Solar System, in the amount of \$2,398,711, located at the Wastewater Treatment Facility
- b. Adopt a Resolution authorizing the Finance Director to establish and execute a Promissory Note between the Sewer Enterprise Fund and City of Yuba City for a 20-year term at 4% interest in the loan amount of \$2,398,711 for the purchase of the Solar System located at the Wastewater Treatment Facility. The City will purchase the Promissory Note to be held as a pooled cash investment.

14. Wastewater Collection System Evaluation

Recommendation: Information Item Only - Note and File Presentation

15. Continuation of Reduced Development Impact Fees for Single-family Residential Development

Recommendation: Adopt a Resolution authorizing the extension of a temporary city-wide reduction of development impact fees for residential development projects beginning January 1, 2014

16. Presentation of Investment Report – Quarter Ended September 30, 2013

Recommendation: Note & File Quarterly Investment Report

Business from the City Council

17. Mayor’s 2013-2014 Appointments for City Council Committees and Regional Boards

Recommendation: Confirm Appointments by the Mayor

18. City Council Reports

- Councilmember Buckland
- Councilmember Maan
- Councilmember Starkey
- Vice Mayor Dukes
- Mayor Gill

Adjournment



Proclamation

of the City Council

Terry Brown

Park Maintenance Worker II

May 18, 1990 – December 13, 2013

WHEREAS, Terry Brown retired from the City of Yuba City with 23 years of dedicated service on December 13, 2013; and

WHEREAS, Terry began his career at the City as a Park Maintenance Worker I, and promoted to the position of Park Maintenance Worker II in November of 1991; and

WHEREAS, Terry spent 19 years of his career with the City maintaining the Blackburn Talley Softball Complex where he prepared in excess of 10,000 fields for play; and

WHEREAS, Terry always maintained the fields at a professional playing level and insisted on the same degree of service in his absence; and

WHEREAS, Terry Brown's skills and expertise in maintaining softball fields has accredited the Blackburn Talley Softball Complex as being the best fields of play in Northern California; and

WHEREAS, Terry was always very meticulous in the care and maintenance of the equipment assigned to his facility and never missed a scheduled service; and

WHEREAS, Terry Brown was always a conscientious, dedicated and loyal employee of the City of Yuba City Parks & Recreation Department and has earned the respect of employees and citizens alike.

NOW, THEREFORE, BE IT RESOLVED, that I, Kash Gill, Mayor of the City of Yuba City and on behalf of the entire City Council, do hereby commend Terry's outstanding and loyal service, and sincerely urge all residents of the City of Yuba city to join with me in recognizing Mr. Terry Brown for all of his contributions to the Yuba City community for the past 23 years.

Done this 17th day of December, 2013, at the City of Yuba City, County of Sutter, State of California.

Kash Gill, Mayor



Proclamation

of the City Council

Jeffrey Wayne Webster **Assistant Chief of Police**

In Recognition of your Retirement

WHEREAS, Jeff Webster was hired as a Police Officer by the City of Yuba City on February 25, 1989, after working at Yuba County Sheriff's Department since October 1, 1984, spending over 29 years as a law enforcement officer in the State of California; and

WHEREAS, he successfully competed and was selected to the position of Detective, Corporal, Sergeant, Lieutenant, Captain, Deputy Chief and Assistant Chief while at Yuba City Police Department. He also served as the interim Chief of Wheatland for a period of two months, while a Captain at Yuba City Police Department, and also as the acting Chief at Yuba City Police Department for a period of 3 months in 2012; and

WHEREAS, he has been recognized with numerous awards and commendations for his exemplary professional performance including his on-scene assistance at the Lindhurst High School Hostage incident on May 1, 1992 and his meticulous handling of several high profile homicides incidents; and

WHEREAS, Assistant Chief Webster always demonstrated a "follow me" leadership style, never asking of his staff what he wasn't willing to do himself; and

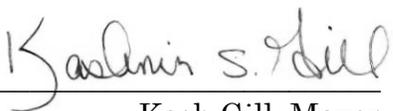
WHEREAS, Jeff continuously improved his knowledge as an officer by successfully completing the FBI National Academy in 1997 and completing his Bachelor of Science degree from Fresno State University in 2004; and

WHEREAS, Jeff Webster took an oath when he was hired to, "Preserve, Protect and Defend the Constitution," an oath he never broke; and

WHEREAS, Assistant Chief Webster kept faith with the public he so honorably served for more than 29 years.

NOW, THEREFORE, BE IT RESOLVED, that I, Kash Gill, Mayor of the City of Yuba City, on behalf of the entire Council and citizens we serve, do hereby congratulate Assistant Chief Webster on the occasion of his honorable retirement, December 27th, 2013. We wish Assistant Chief Webster, the very best in his future.

Done on this 17th day of December, 2013 in the City of Yuba City, County of Sutter, State of California.


Kash Gill, Mayor

CITY OF YUBA CITY
STAFF REPORT

Date: December 17, 2013
To: Honorable Mayor & Members of the City Council
From: Administration
Presentation By: Darin Gale, Economic Development Manager

Summary

Subject: Proposed Levy of the 2014 Annual Assessment of the Downtown Yuba City Business Improvement District

Recommendation: 1) Conduct public hearing
2) Adopt a resolution confirming the Annual Report for the Yuba City Downtown Business Association and levying the assessment for the Downtown Business Improvement District for calendar year 2014

Fiscal Impact: None related to levy and collection of annual assessments.

Background:

At its meeting on November 19, 2013, the City Council received the 2013 Annual Report from the Yuba City Downtown Business Association and adopted Resolution No 13-076 declaring its intention to levy and collect an annual assessment for calendar year 2013 in the Downtown Yuba City Business Improvement District (BID). A public hearing was set for December 17, 2013. The notice of public hearing was published in the Appeal Democrat on December 6, 2013.

The purpose of the public hearing is for the City Council to hear and consider all protests against the levying of the proposed assessments. The City Council should note that the Annual Report proposes no changes to the BID boundaries or the assessment formula as originally established.

Analysis:

After the public hearing, the City Council may take one of the following actions:

1. Terminate proceedings if protest is received from business owners in the proposed district who collectively pay 50% or more of the proposed assessment (a "majority protest"). If the majority protest is only against the furnishing of a specified type of improvement or activity within the district, those types of improvements or activities shall be eliminated.
2. Order changes in any of the matters provided in the Annual report including: 1) changes in the proposed assessments, 2) the proposed improvements and activities to be funded with the revenues derived from the levy of the assessments, and 3) the proposed boundaries of the area and any benefit zones with the area. The City Council cannot change the boundaries to include any territory that will not, in its judgment, benefit by the improvement of activity.
3. Continue the public hearing with the understanding that the public hearing must be completed within 30 days.

4. Adopt a resolution confirming the Annual Report as originally filed or as amended. The adoption of the resolution constitutes the levy of the assessment for calendar year 2014.

Fiscal Impact:

None related to levy and collection of annual assessments.

Alternatives:

1. Do not levy assessments
2. Identify alternate funding source for Downtown improvements and activities.

Recommendation:

Unless there is majority protest, it is the recommendation of staff that the City Council adopt the attached resolution confirming the Annual Report as originally filed by the Downtown Yuba City Business Association and levying the annual assessment for calendar year 2014 in the Downtown Yuba City Business Improvement District.

Attachments:

1. Resolution Confirming the Annual Report and levying the Assessment for the Downtown Business Improvement District for Calendar Year 2014.
2. Map of the Downtown Business Improvement District
3. District Assessment Formula

Prepared By:

/s/ Darin E. Gale
Darin E. Gale
Economic Development Manager

Submitted By:

/s/ Steven C. Kroeger
Steven C. Kroeger
City Manager

Reviewed by:

Finance

RB

City Attorney

TH

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
CONFIRMING THE ANNUAL REPORT FOR THE YUBA CITY
DOWNTOWN BUSINESS ASSOCIATION AND LEVYING THE
ASSESSMENT FOR THE DOWNTOWN YUBA CITY BUSINESS
IMPROVEMENT DISTRICT FOR CALENDAR YEAR 2014**

WHEREAS, on November 19, 2013, the Yuba City Council adopted Resolution No. 13-076 (the "Resolution") declaring its intention to levy and collect an annual assessment for calendar year 2013 in the Downtown Yuba City Business Improvement District (the "District") pursuant to the Parking and Business Improvement Area Law of 1989, Part 6, (commencing with Section 36500) of Division 18 of the California Streets and Highways Code (the "Act"); and

WHEREAS, pursuant to the Act and the Resolution, the City Council of the City of Yuba City conducted a public hearing, after giving due notice thereof as required by the Act, on December 17, 2013, at 7:00 p.m. at the Council Chambers, 1201 Civic Center Boulevard, Yuba City, California; and

WHEREAS, the public hearing has been held and the City Council has heard and considered all oral and written protests and other comments regarding the levying of the proposed assessments; and

WHEREAS, protests from businesses in the District paying fifty percent (50%) or more of the proposed assessments have not been received; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YUBA CITY DOES HEREBY RESOLVE, DETERMINE, AND FIND AS FOLLOWS:

1. The recitals set forth herein are true and correct.
2. The City Council does confirm the Annual Report as originally filed by the Yuba City Downtown Business Association.
3. This Resolution is effective on its adoption and constitutes the levy of the assessment for calendar year 2014 for the Downtown Yuba City Business Improvement District.

I HEREBY CERTIFY that the foregoing resolution was introduced and read at a Regular Meeting of the City Council of the City of Yuba City on the 17th day of December, 2013, and was duly adopted at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

Kash Gill, Mayor

Terrel Locke, City Clerk

DISTRICT ASSESSMENT FORMULA

The Business Improvement District (BID) is a self-initiated business district funded by an annual assessment based on a formula developed by the Downtown Yuba City Business Improvement District Formation Committee. The assessments will be used to fund improvements and activities in the BID designed for economic stimulation and business enhancement for the business in the BID. The assessment formula is based on type, size and location of business in order to offer a fair and equitable charge for each business in the BID.

Business Type	Business Size Number of Employees		Annual Assessment Zone	
			A	B
Retail, Restaurant and Service	Small	1-4	\$385	\$180
	Medium	5-9	\$560	\$285
	Large	10 +	\$735	\$380
Professional Business			\$350	\$180
Lodging Business			\$560	\$285
Financial Business			\$875	\$725

Retail, Restaurant and Service Businesses: Includes businesses that buy and resell goods such as clothing stores, shoe stores, office supplies, businesses that sell prepared foods and drinks, general office, news and advertising media, printers, photographers, personal care facilities and outlets, contractors, builders, service stations, repairing and servicing businesses, renting and leasing businesses, utilities, vending machine businesses, household finance companies, theaters and entertainment-oriented businesses, and other similar businesses not otherwise defined in the other categories.

Professional Business: Includes attorneys, architects, accountants, engineers, surveyors, physicians, dentists, optometrists, chiropractors and others in a medical/health service field, consultants, real estate brokers, financial advisors, laboratories (including dental and optical), hearing aid services, artists and designers, and similar businesses.

Lodging Businesses: Includes inns, hotels, motels, RV parks, and other similar businesses.

Financial Institutions: Includes banks, savings & loans, credit unions, and similar businesses.

Associate Members: Businesses outside the BID boundaries that would like to participate will be charged.

Note: Retail and restaurant businesses will be assessed on size which will be determined by number of employees, either full-time or the equivalent made up of multiples of part-time employees.

Yuba City - Downtown Plumas Street Area



CITY OF YUBA CITY

Written Requests

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

Procedure

When requesting to speak, please indicate your name and the topic and mail to:

City of Yuba City
Attn: City Clerk
1201 Civic Center Blvd
Yuba City CA 95993

Or email to:

Terrel Locke, City Clerk tlocke@yubacity.net

The Mayor will call you to the podium when it is time for you to speak.

CITY OF YUBA CITY

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.

Procedure

Complete a Speaker Card located in the lobby and give to the City Clerk. When a matter is announced, wait to be recognized by the Mayor. Comment should begin by providing your name and place of residence. A three minute limit is requested when addressing Council.

- For Items on the Agenda

Public comments on items on the agenda are taken during Council's consideration of each agenda item. If you wish to speak on any item appearing on the agenda, please note the number of the agenda item about which you wish to speak. If you wish to speak on more than one item, please fill out a separate card for each item.

- Items not listed on the Agenda

Public comments on items not listed on the agenda will be heard during the Public Communication portion of the meeting.

**MINUTES (DRAFT)
REGULAR MEETING OF THE
CITY COUNCIL
CITY OF YUBA CITY
COUNCIL CHAMBERS
NOVEMBER 19, 2013
5:00 P.M. – CLOSED SESSION
6:00 P.M. – REGULAR MEETING**

Closed Session—Butte Room

- A. Conferred with legal counsel regarding existing litigation pursuant to Government Code Section 54956.9(a), Biscotti, et al v. City of Yuba City, et al, United States District Court, Eastern District of California, Case No. : 2:11-CV-01347-JAM-EFB.
- B. Conferred with legal counsel regarding existing litigation pursuant to Government Code Section 54956.9 (a), Claim of Lucha et al. v. City of Yuba City.
- C. Conferred with real property negotiators Steven Kroeger and Diana Langley pursuant to Government Code Section 54956.8 regarding possible sale of the following properties or portions thereof: APN'S 23-040-050 and 23-040-077, properties along the east side of the levee east of Garden Highway, southeast of Shanghai Bend Road.

Regular Meeting—Council Chambers

The City of Yuba City City Council meeting was called to order by Mayor Buckland at 6:01 p.m.

Roll Call

Present: Councilmembers Dukes, Gill, Maan, Starkey and Mayor Buckland

Absent: None

Invocation

Councilmember Dukes gave the invocation.

Pledge of Allegiance to the Flag

Councilmember Gill led the Pledge of Allegiance.

Presentations and Proclamations

1. Proclamation for Screamatorium contributions to local High Schools

Mayor Buckland presented a proclamation to the Garnett and Harrold Families, founders of the Screamatorium in honor of their volunteerism and support for raising funds for safe and sober grad nights.

2. Proclamation for Max Stassi, Homers for the Hungry

Mayor Buckland presented a proclamation to Mr. Max Stassi, congratulating him on signing on to the National Baseball League Houston Astros and raising funds for the area Homeless with "Homers for the Hungry" events.

3. Report from the Senior Commission

Chairman June Bone provided the Council a presentation on the activities of the Senior Commission.

Public Communication

4. Written Requests

Chanthyda Hou of the new non-partisan Yuba College Students for a Democratic Society spoke.

5. Appearance of Interested Citizens

The following person spoke:

Pat Miller, Sutter County Tax Payer's Association regarding Closed Session Item C.

Bid Openings

6. Prop. 84 Waterline Extension Project 2013 (Award)

Councilmember Starkey moved to: A) Award Contract No. 11-17, Prop. 84 Waterline Extension Project, to T & S Construction Co., Inc., of Sacramento, CA in the amount of their total bid of \$4,818,316.80 and B) Authorize the City Manager to execute the contract on behalf of the City, following approval by the City Attorney. Councilmember Dukes seconded the motion that passed with a unanimous vote.

Ordinances

7. Adoption of the 2013 Edition of the California Building Standards Code and Building Regulations Ordinance (second reading)

Councilmember Gill moved to adopt **Ordinance No. 005-13** repealing and reenacting Title 7 and appropriate chapters of the Yuba City Municipal Code entitled Building Regulations which provides regulations to implement the 2013 edition of the California Building Standards Code, waiving the second reading. Councilmember Starkey seconded the motion that passed with a unanimous vote.

8. Adoption of the 2012 Edition of the International Fire Code and Fire Prevention Ordinance (second reading)

Councilmember Starkey moved to adopt **Ordinance No. 006-13** repealing and reenacting Chapter 5 of Title 4 of the Yuba City Municipal Code, waiving the second reading. Councilmember Maan seconded the motion that passed with a unanimous vote.

Consent Calendar

Mayor Buckland removed Item 10 from the Consent Calendar for separate discussion by request by a member of the public.

Councilmember Maan moved to adopt Items 9 & 11 from Consent Calendar. Councilmember Gill seconded the motion that passed with a unanimous vote.

9. Minutes of October 29 and November 5, 2013

Approved the City Council Special Meeting Minutes of October 29 and City Council Meeting Minutes of November 5, 2013

11. Appointment to the “Oversight Board” of the former Yuba City Redevelopment Agency

Appointed Economic Development Manager Darin Gale to serve on the “Oversight Board” of the former Yuba City Redevelopment Agency as the Board Member Representing the Employees of the Former Redevelopment Agency in compliance with the requirements of AB 1X 26

10. Development Impact Fees – Annual Report

The following person spoke:

Pat Miller, Sutter County Tax Payers Association

Councilmember Maan moved to accept the AB1600 Annual Report and adopt **Resolution No. 13-075**, finding that there is a reasonable relationship between current needs for the fees and the purposes for which they were originally collected. Councilmember Starkey seconded the motion that passed with a unanimous vote.

General Items

12. Annual Report from the Downtown Yuba City Business Improvement District and Proposed Levy of Annual Assessment for 2014

Downtown Business Association President LeeAnn Cimino spoke.

Councilmember Starkey moved to approve the Annual Report as filed, adopt **Resolution No. 13-076** Intention to Levy and Collect 2014 Annual Assessments, and set a public hearing for December 17, 2013. Councilmember Maan seconded the motion that passed with a unanimous vote.

13. Memorandum of Understanding with the Mehmet Noyan Company for the property located at Bridge and Shasta Streets (“*Feather River Mills*” site)

Councilmember Dukes moved to authorize the City Manager to approve and sign on behalf of the City, a proposed Memorandum Of Understanding Agreement (“Agreement”) to negotiate exclusively with Mr. Mehmet Noyan of the Mehmet Noyan Company with regard to the property located at the southeast corner of Bridge and Shasta Streets to be used for the future development of a mixed use project (APN 52-324-023). Councilmember Starkey seconded the motion that passed with a unanimous vote.

Board Member Dukes moved to authorize the Executive Director to approve and sign on behalf of the Agency a proposed Memorandum Of Understanding Agreement (“Agreement”) to negotiate exclusively with Mr. Mehmet Noyan of the Mehmet Noyan Company with regard to the property located at the southeast corner of Bridge and Shasta Streets to be used for the future development of a mixed use project (APN 52-324-023). Board Member Starkey seconded the motion that passed with a unanimous vote.

14. Replacement of Police/Fire Dispatch Radio Consoles and Related Equipment and Installation of Radio Repeater Equipment in South Yuba City

Councilmember Dukes moved to award a contract, in the best interest of the City, to Motorola Solutions, Inc. of San Diego, Ca. in the amount of \$650,924 to replace the radio consoles and infrastructure in the Police/Fire Dispatch center as well as equipment needed to construct a radio relay station at a location yet to be determined. Councilmember Gill seconded the motion that passed with a unanimous vote.

15. **Consideration of a turn-key project by Chevron Energy Solutions Company to review cost effective energy solutions for Yuba City. Preliminary reviews have identified almost \$16 million in potential energy saving opportunities for Yuba City ranging from solar photovoltaic to building lighting systems.**

Mayor Buckland removed this item from the Agenda at the request of Staff.

16. **Combine the Community Development Tech I and the Community Development Tech II positions into a single, flexibly staff Community Development Tech I/II position**

Councilmember Gill moved to adopt **Resolution No. 13-077** combining the Community Development Tech I and the Community Development Tech II positions into a single, flexibly staff Community Development Tech I/II position. Councilmember Starkey seconded the motion that passed with a unanimous vote.

17. **Approving the terms and conditions for the Interim Public Works Director/City Engineer consistent with those of all other Department Directors and setting the Public Works Director/City Engineer salary**

Councilmember Starkey moved to authorize the City Manager to sign the Employment Agreement with the Interim Public Works Director/City Engineer setting the terms and conditions of employment including provisions for the 10% furloughs until such time as amended by City Council action and approve **Resolution No. 13-078** establishing the Public Works Director/City Engineer salary. Councilmember Gill seconded the motion that passed with a unanimous vote.

18. **2014 City Council Meeting Schedule**

Councilmember Dukes moved to approve the Proposed 2014 Council Meeting Calendar as Recommended. Councilmember Starkey seconded the motion that passed with a unanimous vote.

Business from the City Council

19. **City Council Reports**

- Councilmember Dukes
- Councilmember Maan
- Councilmember Starkey
- Mayor Pro Tem Gill
- Mayor Buckland

Adjournment

Mayor Buckland adjourned the Regular Meeting of the City Council of the City of Yuba City at 7:30 p.m.

Kash Gill, Mayor

ATTEST:

Terrel Locke, City Clerk

**MINUTES (DRAFT)
REGULAR MEETING OF THE
CITY COUNCIL
CITY OF YUBA CITY
COUNCIL CHAMBERS
DECEMBER 3, 2013 - 6:00 P.M.**

Regular Meeting —Council Chambers

The City of Yuba City City Council meeting was called to order by Mayor Buckland at 6:00 p.m.

Roll Call

Present: Councilmembers Dukes, Gill, Maan, Starkey and Mayor Buckland

Absent: None

Invocation

Councilmember John Dukes gave the invocation.

Pledge of Allegiance to the Flag

Posting of the Colors was performed by the Yuba City Police Department Honor Guard

Miss Preya Gill led the Pledge of Allegiance to the Flag

The National Anthem was sung by Ms. Sarah Gibson

Public Communication

1. **Written Requests** - None
2. **Appearance of Interested Citizens** - *None*

Business from the City Council

3. Comments from Outgoing Mayor

Mayor Buckland thanked his family, staff, the community, and fellow Councilmembers for their support during the year, especially his wife Tricia.

4. Presentations to Outgoing Mayor

Vice-Mayor Kash Gill presented Mayor Buckland with a Proclamation and commemorative plaque and gavel from the City of Yuba City.

5. Election of New Mayor

Mayor Buckland called for nominations for Mayor. Councilmember Dukes made a motion to elect Kash Gill as Mayor for 2013-2014. Mayor Buckland seconded the motion that passed with the following vote.

Ayes: Councilmembers Dukes, Buckland, Gill, Maan and Starkey

Noes: None

Councilmember Buckland handed the gavel to Mayor Gill.

6. Election of Vice-Mayor

Mayor Gill called for nominations for Vice-Mayor. Councilmember Maan moved to elect John Dukes as Vice-Mayor. Councilmember Starkey seconded the motion that passed with the following vote:

Ayes: Councilmembers Maan, Starkey, Buckland, Dukes, and Mayor Gill

Noes: None

7. Comments from New Mayor

Mayor Gill thanked his family, especially his wife Neena for their support. His outline for the up-coming year is attached to these minutes.

Adjournment

Mayor Gill adjourned the Regular Meeting of the City Council of the City of Yuba City at 6:30 p.m.

ATTEST:

Kash Gill, Mayor

Terrel Locke, City Clerk

CITY OF YUBA CITY
STAFF REPORT

Date: December 17, 2013
To: Honorable Mayor Gill & Members of the City Council
From: Fire Department
Presentation By: Peter H. Daley, Fire Chief

Summary

Subject: 2013 Homeland Security Grant Program

Recommendation: Accept funding from the 2013 Homeland Security Grant and approve a revenue supplemental appropriation of \$23, 167 to Revenue Acct 100-43419.

Alternatives: Do not approve the grant award.

Fiscal Impact: No fiscal impact, as authorized purchases under the Homeland Security Grant are reimbursed 100% reimbursed by the State.

Purpose:

Enhance Fire Department emergency response and firefighter safety.

Background:

In an effort for local agencies to be better prepared to deal with weapons of mass destruction, the Federal Department of Homeland Security, in conjunction with the State of California, has allocated funding to be distributed to all of the counties and local agencies within the State under the 2013 Homeland Security Grant program.

The goal, as in the case of earlier disaster preparedness/homeland security grants, is to provide first responders with the tools to better deal with natural disasters, as well as manmade emergencies.

The City Council has previously approved requests from the Fire Department for equipment and training to be purchased from earlier homeland security grant programs.

Analysis:

After careful review by staff members of the Yuba City Fire Department, we have identified equipment purchases and services that will enhance our City's first responders' capability to respond to emergencies.

The Yuba City Fire Department is requesting authorization to spend up to \$23,167 for the purchase of 72 SCBA facemasks, air tanks for the Department's mobile air cart and for a small inventory of facemask repair parts to be used by our firefighters. The proposed purchase of replacement facemasks is due to wear issues and deterioration of facemask seals and straps being experienced with our current facemasks. To be proactive and assure the safety of our firefighters, we are requesting authorization to purchase 72 new SCBA masks for use in the Fire Department. The new air tanks will replace ones that have reached the end of their 15-year service life. All of the money spent on this purchase will be reimbursed 100% to the City through the Homeland Security Grant Program.

Fiscal Impact:

Under the Homeland Security Grant, money spent on authorized purchases by the local agencies will be 100% reimbursed by the State. Once the equipment is purchased, the proper documentation will be forwarded through the County of Sutter for State reimbursement. The reimbursement will be placed into the appropriate revenue accounts when received.

City Council action will allow the City's Financial Officer to make the following budget supplemental appropriation:

- 1) Make a motion to accept the award of the 2013 Homeland Security Grant in the amount of \$23,167;
- 2) Accept funding from the 2013 Homeland Security Grant and approve a revenue supplemental appropriation of \$23, 167 to Revenue Acct 100-43419.
- 3) Approve supplemental budget appropriations to the Fire Department's Account No. 2322-69201 in the amount of \$23,167 for the purchase of 72 SCBA facemasks, air tanks for the Department's mobile air cart and for a small inventory of facemask repair parts.

Alternatives:

Do not approve the grant award.

Recommendation:

Accept funding from the 2013 Homeland Security Grant and authorize appropriate modification to the Fire Department's budget.

Prepared By:

/s/ Peter H. Daley
Peter H. Daley, Fire Chief

Submitted By:

/s/ Steven C. Kroeger
Steven C. Kroeger, City Manager

Reviewed By:

Finance
City Attorney

RB
TH

CITY OF YUBA CITY
STAFF REPORT

Date: December 17, 2013
To: Honorable Mayor & Members of the City Council
From: Finance/IT Department
Presentation By: Robin Bertagna, C.P.A., Finance Director

Summary

Subject: Financial and Information Technology Services Agreement between Yuba City and Sutter Butte Flood Control Agency (SBFCA)

Recommendation: Approve Services Agreement as approved by SBFCA Board and authorize the City Manager to execute it

Fiscal Impact: Revenues of \$74,900 (account 100-49072) which are included in the FY 2013-14 Adopted Budget

Purpose:

To formalize services which are provided by the City to SBFCA in a written agreement.

Background:

The Yuba City Finance Department has provided accounting services for SBFCA since the inception of SBFCA. Near the end of FY 2012-13, SBFCA requested that support services from the City's Information Technology staff be added to the services provided. SBFCA reimburses the City for the cost of these services on a quarterly basis. Activities of SBFCA have increased in the past year with construction of the levee improvements commencing and the first bond sale being consummated. It seemed appropriate to formalize the services provided in a Services Agreement and to also include the appropriate indemnity clauses for both agencies.

Analysis:

Attached is a copy of the Staff Report presented to the SBFCA Board at their December 11, 2013 meeting, the Financial and Information Technology Services Agreement between the City and SBFCA along with the Scope of Services attachment.

Fiscal Impact:

\$74,900 in City general fund revenues which have been included in the FY 2013-14 Adopted Budget.

Alternatives:

1) Direct staff to make changes to proposed Services Agreement

Recommendation:

Approve attached Financial and Information Technology Services Agreement and authorize the City Manager to execute it.

Prepared By:

Submitted By:

/s/ Robin Bertagna

Robin Bertagna, CPA
Finance/IT Director

/s/ Steven C. Kroeger

Steven C. Kroeger
City Manager

Reviewed By:

City Attorney

TH



Sutter Butte Flood Control Agency

A Partnership for Flood Safety

December 11, 2013

TO: Board of Directors

FROM: Mike Inamine, Executive Director
Seth Wurzel, Budget Manager

SUBJECT: Yuba City Financial and Information Technology Services Agreement

Recommendation

Staff recommends that the Board approve the attached form of agreement (the "Agreement") with the City of Yuba City to provide financial and information technology ("IT") services and authorize the Executive Director to execute the Agreement with Yuba City.

Background

The SBFCA Joint Powers Agreement (JPA) requires that the City of Yuba City hold all SBFCA funds and that the City's Finance Director, Robin Bertagna, act as SBFCA's Treasurer and Financial Officer. As a result, the City's Finance Department provides SBFCA a critical supporting role. Overtime, the City has also provided IT support to SBFCA related to financial system access as well as the specification and procurement of equipment and software. To formalize the provisions of the service and clearly define its scope and extent, the City has requested that SBFCA enter into the attached services agreement

Discussion

An important provision within the agreement includes SBFCA's obligation to reimburse the City for the costs of providing services. The City has been providing financial services to SBFCA, pursuant to the JPA, since the inception of the Agency and SBFCA has reimbursed the City for the services provided. This agreement now formalizes the arrangement. The Agreement specifies that SBFCA will continue to reimburse the City for its costs of providing the services as it has done so in the past. SBFCA has already included the cost of providing these services within the approved 5-Year Budget.

An additional provision within Agreement pertains to SBFCA's indemnification of the City for providing the services. The agreement is consistent with JPA in that the City's Finance Director will act as SBFCA's Treasurer and Financial Officer, however, the City's Finance Director does not directly manage SBFCA's financial activities. SBFCA's projects and activities are unique and require ongoing management of all financial aspects in order to coordinate local and state funding and to manage SBFCA's cash reserves. The City's Finance Department provides SBFCA a critical supporting role in many respects, but SBFCA staff and consultants direct all of the City's activities. Given this arrangement, the City does not wish to incur additional liability associated with supporting SBFCA's activities (liability that would otherwise not be covered under its own liability or crime insurance policies). SBFCA's JPA requires that the role of Treasurer and Financial Officer be bonded and SBFCA met these requirements in

November 2012 when it moved forward with obtaining a Crime Insurance Policy. However, this policy only protects SBFCA, and not the City. In light of the critical supportive role that Robin Bertagna and the City's Finance Staff provides SBFCA, the City is requesting that SBFCA protect it from any loss associated with providing these services that would not otherwise be covered by the City's insurance policies. The Agreement's indemnity provisions would provide coverage to the City except in cases of negligence or intentional misconduct.

SBFCA staff is supportive of this request and recommends that the Board approve the attached form of Services Agreement and authorize the Executive Director to execute a final Agreement with Yuba City subject to any further review and minor modification by SBFCA Counsel and the City Attorney.

Fiscal Impact

The cost of services defined within the Agreement are included within the already approved 5-Year Budget. There is no net budgetary impact as a result of approval of the recommended action.

Attachments:

- 1) Financial and Information Technology Services Agreement between the City of Yuba City and Sutter Butte Flood Control Agency.

**FINANCIAL AND INFORMATION TECHNOLOGY
SERVICES AGREEMENT
BETWEEN THE CITY OF YUBA CITY
AND THE SUTTER BUTTE FLOOD CONTROL AGENCY**

This Financial and Information Technology Services Agreement (“**Agreement**”) is entered into effective as of December 11, 2013 (the “**Effective Date**”), by and between the City of Yuba City (“**City**”) and the Sutter Butte Flood Control Agency (“**SBFCA**”), each a “**Party**” and together the “**Parties**.”

In consideration of the mutual promises, covenants, and agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Recitals. The following recitals are true and correct and shall be viewed as the context for this Agreement:

a. SBFCA is a joint power agency which was formed in 2007 to provide increased levels of flood protection for its member agencies, which includes the City.

b. Pursuant to the Joint Exercise of Powers Agreement (“JPA Agreement”) that created SBFCA, the Treasurer of the City is both the Treasurer of SBFCA and the depository for SBFCA and has custody of all money of SBFCA, from whatever source. The JPA Agreement authorizes the SBFCA Board to designate a new Treasurer and the Board has done so, designating the City’s Finance Director as the Treasurer of SBFCA.

c. The JPA Agreement further provides that the City’s Finance Director is the Financial Officer of SBFCA and shall perform the paying agent functions for SBFCA as provided in Government Code section 6505 and 6505.6. Paying agent functions include processing all vendor payments for SBFCA using SBFCA’s funds on deposit within Yuba City’s pooled cash accounts and providing accounting records to SBFCA’s independently hired Certified Public Accountants performing SBFCA’s annual audit. It is agreed that the City’s Finance Director does not provide independent audit services, nor express an opinion on the Agency’s financial statements, SBFCA contracts an independent auditor for this service.

d. SBFCA has paid City annually for the services described above in an amount that reflects City’s costs for those services.

e. The Parties wish to enter into this Agreement for the purpose of clarifying their roles with respect to the financial services performed by the City for SBFCA.

2. Term. This Agreement shall commence on the Effective Date and terminate upon thirty (30) days written notice by either Party to the other Party (the “**Term**”).

3. Services. The City agrees to provide the services (“**Services**”) as described within the scope of services attached hereto as Exhibit 1 (“**Scope of Services**”). City also agrees that its

Finance Director will serve as Treasurer of SBFCA and that its Finance Director will serve as the Financial Officer of SBFCA, consistent with the Scope of Services. SBFCA agrees to pay City quarterly for the Services in an amount that reflects City's costs for the Services.

4. Indemnity and Hold Harmless. In exchange for City providing the Services to SBFCA, SBFCA agrees to indemnify, defend and hold harmless the City, its officers (including but not limited to Robin Bertagna, the City's Finance Director) and employees from and against any and all claims, loss, costs, expenses (including but not limited to, attorney's fees and costs incurred by the City), injury or damage arising out of (i) any negligent or intentional actions of SBFCA arising out of this Agreement, and (ii) any actions of the City, its officers and employees arising out of this Agreement, except to the extent caused by the negligent acts or intentional misconduct of the City, its officers or employees. SBFCA's obligation to indemnify under this Agreement encompasses costs arising out of Services that were incurred prior to the execution of this Agreement.

5. Entire Agreement. This Agreement supersedes any and all agreements, either oral or written, between the Parties with respect to the rendering of Services. No other agreement, statement, or promise not contained in this Agreement shall be valid and binding. Any modification of this Agreement will be effective only if in writing and signed by the Party to be bound.

6. Severability. If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will continue in full force without being impaired or invalidated in any way, and the Parties hereby agree that the portion so held invalid, unenforceable, or void shall, if possible, be deemed amended or reduced in scope, or otherwise be stricken from this Agreement to the extent required for the purposes of validity and enforcement thereof.

7. Section Headings for Convenience Only. The section headings herein are for the purpose of convenience only and are not intended to define or limit the contents of any section.

8. Waiver. The failure of either Party to insist on strict compliance with any of the terms, covenants, or conditions of this Agreement by the other Party shall not be deemed a waiver of that term, covenant, or condition nor shall any waiver or relinquishment of any right or power at any one time or times be deemed a waiver or relinquishment of that right or power for all or any other times.

9. Assignment. This Agreement cannot be assigned by either Party without the prior written consent of the other Party.

10. Governing Law. This Agreement shall be governed by the laws of the State of California.

11. Counterpart Originals. This Agreement may be signed in counterpart originals.

Sutter Butte Flood Control Agency

James Gallagher, SBFCA Board Chair

City of Yuba City

Steven C. Kroeger, City Manager

Exhibit 1

Scope of Services

Yuba City Finance and Information Technology (IT)
Services for Sutter Butte Flood Control Agency (SBFCA)

Financial Services

- Pursuant to JPA Agreement, hold and account for all funds of SBFCA.
- Process all payments to vendors/contractors/service providers as requested and approved by SBFCA.
 - For payment requests by check/warrant, SBFCA's request shall include:
 - Expense account number(s)
 - Signature approving payment by either the Executive Director or Director of Engineering (pursuant to SBFCA policy)
 - Requested date of check run for payment
 - Detailed back up documentation such as the invoice that payment is being requested for. The details must include all related items (including any billings from sub-contractors) sufficient to substantiate the entire payment amount being requested so as to provide a complete and accurate audit trail.

SBFCA will use its best efforts to provide payment request by close of business Monday for Yuba City's regular Thursday check runs.

SBFCA will communicate directly with Yuba City Finance Management to determine if accommodations can be made for any request submitted after close of business Monday for a check payment to be made that same week. Yuba City will use its best effort to meet special requests, but have no obligation to do so.

- For payment requests related to right-of-way acquisition to be made by wire transfer, the request shall include:
 - Expense account number(s)
 - Signature approving payment by the Executive Director (pursuant to SBFCA policy)
 - Requested not later than date for payment to be made by wire transfer
 - SBFCA will include appropriate back-up documentation to create an adequate audit trail for the expenditure of funds.

SBFCA will use its best efforts to provide wire requests by close of business Monday for a payment not earlier than Thursday.

SBFCA will communicate directly with Yuba City Finance Management to determine if accommodations can be made for any request submitted after close of business Monday for a check payment to be made that same week. Yuba City will use its best effort to meet special requests, but have no obligation to do so.

- For Cal Card purchases SBFCA shall submit a completed Cal Card Monthly Procurement Form, which shall include:
 - Expense account number(s)
 - Detailed Receipts for purchases made

- Signature approving payment by the Executive Director (pursuant to SBFCA policy)
 - Requested not later than five days of receipt of Cal Card Statement from bank
- Provide support for SBFCA's independent audit as needed during the annual audit period
- Create expense accounts, as specified by SBFCA, for the purpose of tracking SBFCA expenditures
- Prepare custom reports on expenditures to aid SBFCA in preparing requests for reimbursement from its granting agencies
- Pursuant to the JPA Agreement, act as the Treasurer of Agency. In this capacity:
 - Take the necessary actions and provide the needed authorizations for the issuance of notes and bonds by SBFCA in consultation with SBFCA and its financial advisors.
 - Process debt service interest and principal payments in accordance with outstanding debt obligation schedules upon the request of SBFCA.
 - Provide ongoing, as needed support for disclosure requirements and administration of outstanding debt.

Information Technology Services

- Specify, procure, set up and configure computer equipment for SBFCA employees upon SBFCA's request and at SBFCA's expense
- Set up and maintain MS Exchange/e-mail services for SBFCA employees
- Set up and configure remote access to the City's Pentamation and Sire systems for designated SBFCA staff (and any future systems that might replace these systems currently in place)
- Trouble shoot technical problems, as requested and if necessary

CITY OF YUBA CITY
STAFF REPORT

Date: December 17, 2013
To: Honorable Mayor & Members of the City Council
From: Public Works Department
Presented by: Benjamin K. Moody, Senior Engineer – City Surveyor

Summary

Subject: Declare Portions of 211 & 217 Walton Ave. Public Road Right of Way and Public Utility Easement
Recommendation: Adopt a resolution declaring portions of City owned property along Walton Avenue Public Road Right of Way and Public Utility Easement as described in Exhibit A and depicted in Exhibit B
Fiscal Impact: Minimal staff time

Purpose:

To provide the planned, ultimate road right of way and utility easement widths for two City properties along Walton Avenue.

Background:

The City of Yuba City is interested in establishing the ultimate road right of way and public utility easement widths along City roadways for future use. The General Plan calls for Walton Avenue to be upgraded to a 4-Lane major arterial.

The City owns two neighboring parcels; 211 Walton Avenue (Old Fire Station #4) and 217 Walton Avenue (residential). Currently City staff is working to obtain proposals for the use and potential sale of these properties.

Analysis:

Staff recommends that it would be in the best interest of the City to designate the necessary road right of way and easements for the City owned properties along Walton Avenue. By declaring the easements while the City owns the parcels, the City can avoid any issues with obtaining the easements in the future.

Fiscal Impact:

The City can declare its own property as public easement without payment or reimbursement of funds. Minimal staff time is anticipated for processing and recording the easement declaration.

Alternatives:

Do not adopt the resolution.

Recommendation: Adopt a resolution declaring portions of City owned property along Walton Avenue Public Road Right of Way and Public Utility Easement as described in Exhibit A and depicted in Exhibit B

Prepared by:

Submitted by:

/s/ Benjamin K. Moody

Benjamin K. Moody
Senior Engineer – City Surveyor

/s/ Steven C. Kroeger

Steven C. Kroeger
City Manager

Reviewed by:

Department Head

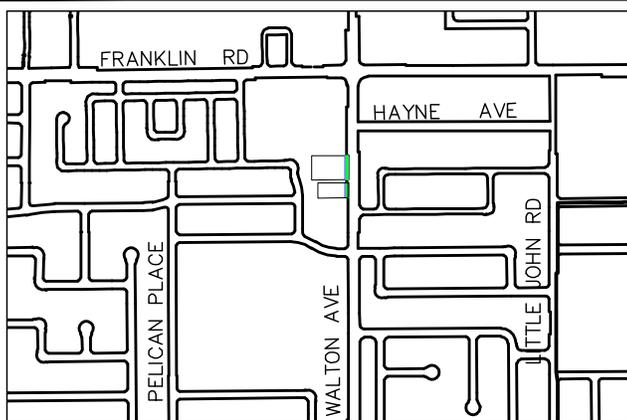
DL

Finance

RB

City Attorney

TH

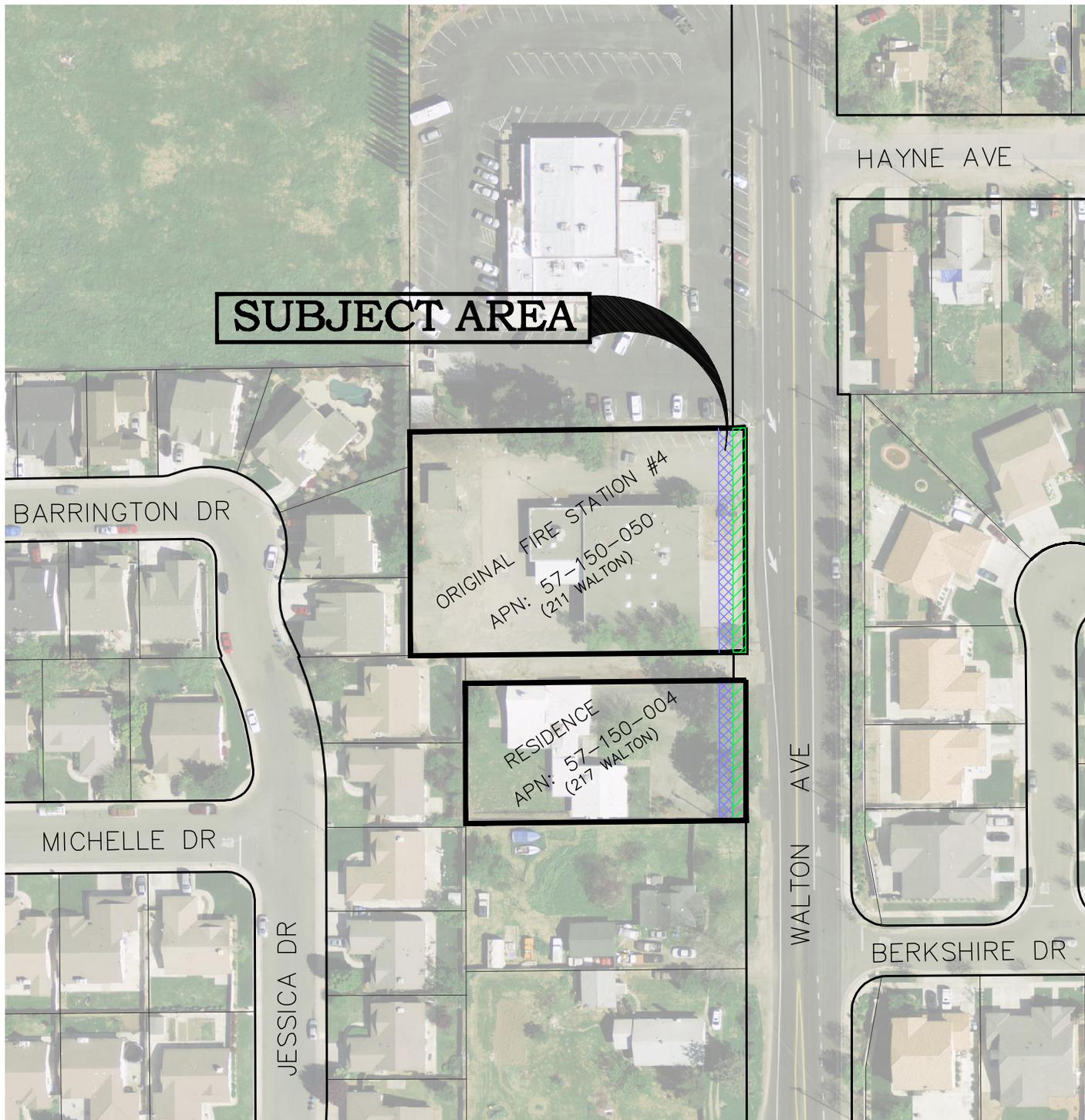


RIGHT-OF-WAY AND PUE DECLARATION ON WALTON AVE

-  RIGHT-OF-WAY TO BE DECLARED
-  PUE TO BE DECLARED



SCALE: 1" = 100'



RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
DECLARING PORTIONS OF CITY PROPERTY; APN: 57-150-050 & 57-
150-004 PUBLIC ROAD RIGHT-OF-WAY AND PUBLIC UTILITY
EASEMENT.**

WHEREAS, the City of Yuba City owns the properties; Assessor Parcel Numbers 57-150-050 and 57-150-004; and

WHEREAS, the City of Yuba City desires to implement the policies and recommendations of the City General Plan to provide for the necessary road right of way and utility easements; and

THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of Yuba City that the public road right-of-way and public utility easement hereinafter described in Exhibit A and depicted in Exhibit B, are necessary for present and prospective public use and hereby declares that the City of Yuba City establish a public road right-of-way and public utility easement in, upon, over and across that portion of APN 57-150-050 and APN 57-150-004 more particularly defined in Exhibit A and Exhibit B, which are attached hereto and made a part of by this reference.

BE IT FURTHER RESOLVED AND ORDERED by the City Council of the City of Yuba City that the Department of Public Works shall cause a certified copy of this resolution, including Exhibit A, attested by the City Clerk, to be recorded in the office of the Sutter County Recorder.

The foregoing resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 17th day of December 2013.

AYES:

NOES:

ABSENT:

Kash Gill, Mayor

ATTEST:

Terrel Locke, City Clerk

EXHIBIT A

The City of Yuba City, a Municipal Corporation, hereby declares a public road right-of-way over, under, and across the real property in the City of Yuba City, County of Sutter, State of California described as follows:

All that portion of Lots 7 & 8, as shown on that certain map entitled "Mary Gray Tract No. 2" filed in the Office of the County Recorder of Sutter County, California on October 10, 1919 in Book 3 of Surveys, page 28, being more particularly described as follows:

Parcel 1

The east 9.0 feet of the parcel of land described in document number 2009-0019527 filed in the Office of the County Recorder of Sutter County on December 11, 2009.

Together with a 10.0 foot public utility easement, as indicated on Exhibit B, lying westerly of, and contiguous to, the above described right-of-way. Said easement shall be for, but not limited to: overhead and underground electrical; water; sewer; gas; storm drainage; communication services; streets including curb, gutters, and sidewalks; and all appurtenances thereto.

APN: 57-150-050

Parcel 2

The east 9.0 feet of the parcel of land described in document number 2003-0007173 filed in the Office of the County Recorder of Sutter County on March 21, 2003.

Together with a 10.0 foot public utility easement, as indicated on Exhibit B, lying westerly of, and contiguous to, the above described right-of-way. Said easement shall be for, but not limited to: overhead and underground electrical; water; sewer; gas; storm drainage; communication services; streets including curb, gutters, and sidewalks; and all appurtenances thereto.

APN: 57-150-004

Owner expressly covenants not to unreasonably restrict, obstruct, or interfere with said public utility easements or the use thereof by the City, its agents, or any franchisee.

END OF DESCRIPTION

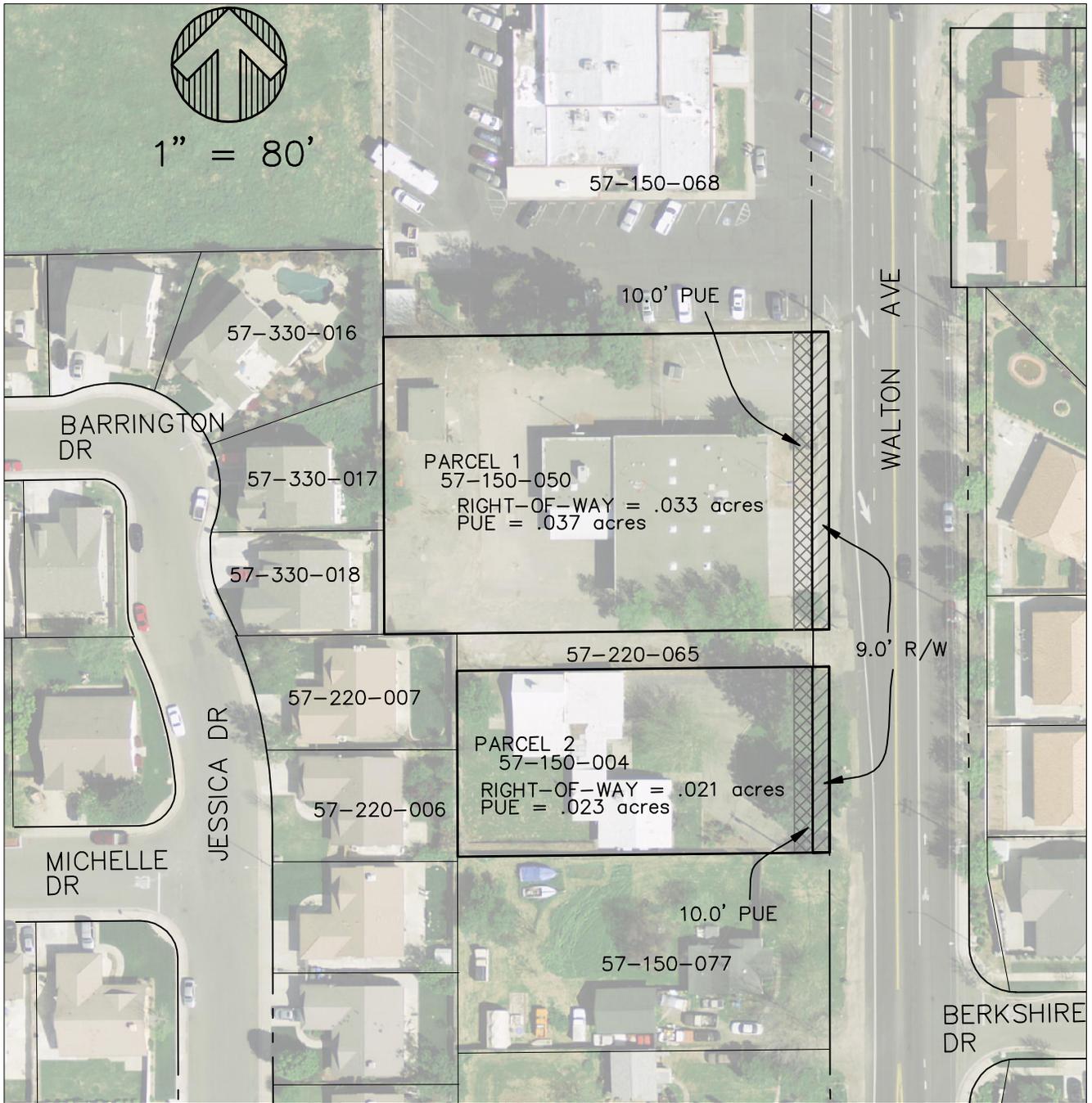


PREPARED BY

DATE : _____



1" = 80'



PARCEL 1
57-150-050
RIGHT-OF-WAY = .033 acres
PUE = .037 acres

PARCEL 2
57-150-004
RIGHT-OF-WAY = .021 acres
PUE = .023 acres

LEGEND

--- EXISTING RIGHT of WAY

 RIGHT-OF-WAY TO BE DECLARED

 PUBLIC UTILITY EASEMENT TO BE DECLARED



Declare_211 Walton.dwg

RESOLUTION No. _____	DOCUMENT NO. _____
CITY of YUBA CITY	
211 & 217 S. WALTON AVE	
EXHIBIT "B"	
57-150-050 & 57-150-004	
SUBMITTED BY: sal	DATE DRAWN: 12-9-13
	DRAWN BY: sal
	CHECKED BY: staff
	DWG. No. 5327 A

CITY OF YUBA CITY
STAFF REPORT

Date: December 17, 2013
To: Honorable Mayor & Members of the City Council
From: Finance Department
Presentation By: Spencer Morrison, Accounting Manager

Summary

Subject: Transportation Development Act (TDA) Claim for FY 2013-2014 of \$1,779,980
Recommendation: Adopt a Resolution authorizing submission of the City's FY 2013-2014 TDA claim to the Sacramento Area Council of Governments (SACOG).
Fiscal Impact: \$1,779,980 in revenue will be received by the City for Streets and Roads Fund projects as approved in the FY 2013-2014 CIP Budget.

Purpose:

To authorize the submission of the TDA claim to SACOG.

Background:

The City Council is requested to approve the following allocation of the City's fiscal year Local Transportation Fund (LTF) revenues as indicated below:

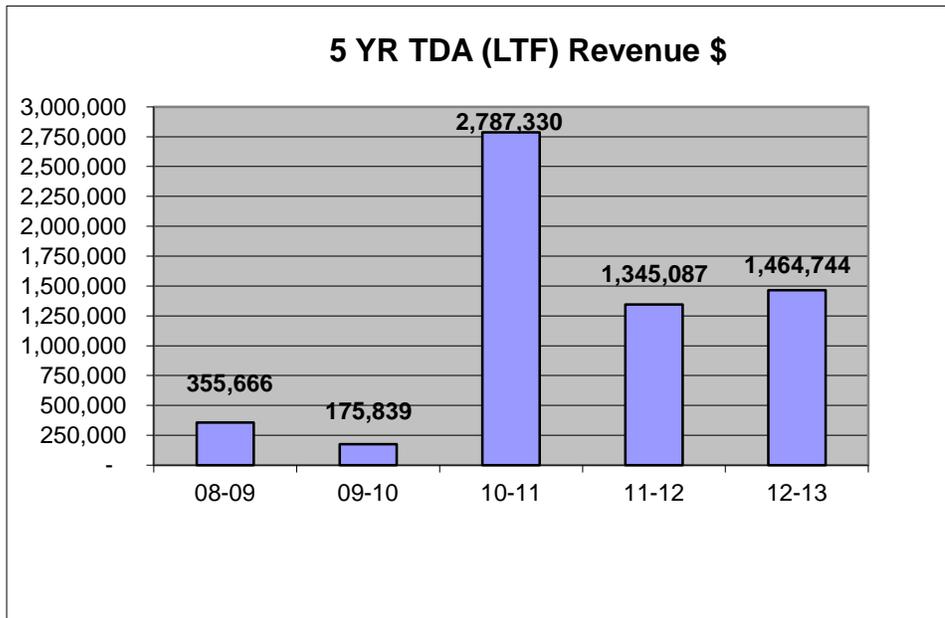
Yuba City Streets & Roads Fund	\$1,779,980
Sacramento Area Council of Governments (SACOG)	83,790
Yuba-Sutter Transit Authority (YSTA)	<u>1,032,775</u>
Total	<u>\$2,728,965</u>

Analysis:

The Sales Tax rate in Sutter County is currently 7.50%. A total of 0.25% of the 7.50% rate is collected by the State and allocated back to each city and county (based on population) for local transportation services and projects. The City of Yuba City's share of these funds for FY 2013-2014 totals \$2,728,965, an increase of 8% from the apportionment of \$2,517,342 for FY 2012-13. Of this amount, YSTA is apportioned a share (in accordance with our Joint Powers Agreement), SACOG receives a portion for planning costs, and the remainder is placed in the City's Streets and Roads fund.

YSTA will use their portion, \$1,032,775, to provide community-wide transit services. The YSTA portion has increased 6% from last year, and has increased an average of 3% per year in the five years prior, FY 2008-2009 through FY 2012-2013.

The following chart illustrates five years of TDA (LTF) claim receipts history.



Fiscal

Impact:

Yuba City's LTF allocation is typically around \$1 million annually, however, in FY 2008-09 and 2009-10 SACOG allocated part or all of the City's portion to YSTA for capital projects, reducing the City's share. In FY 2010-11, SACOG reapportioned the amount available to Sutter County jurisdictions after an accounting error at the County was discovered for fiscal years 2007-08, 2008-09, and 2009-10. The reapportionment makes up approximately \$1.4 million of the City's FY 2010-11 allocation. The FY 2013-2014 Adopted Budget estimates TDA revenues at \$1,779,980.

Alternatives:

There are no alternatives if the City intends to receive the funds.

Recommendation:

Adopt a resolution authorizing submission of the City's FY 2013-2014 TDA claim to the Sacramento Area Council of Governments (SACOG).

Prepared By:

/s/ Spencer Morrison

Spencer Morrison
Accounting Manager

Submitted By:

/s/ Steven C. Kroeger

Steven C. Kroeger
City Manager

Reviewed By:

Finance Director

RB

City Attorney

TH

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA
CITY AUTHORIZING SUBMISSION OF THE FY 2013-2014
TRANSPORTATION DEVELOPMENT ACT CLAIM TO THE
SACRAMENTO AREA COUNCIL OF GOVERNMENTS**

Whereas, the State of California enacted the Transportation Development Act (TDA) in 1972 to provide funds for transportation needs each fiscal year; and

Whereas, the Sacramento Area Council of Governments (SACOG) is designated as the Transportation Planning Agency for the City of Yuba City to receive claims for approval pursuant to TDA rules and regulations; and

Whereas, SACOG has adopted funding of apportionment for the Local Transportation Funds for Fiscal Year 2013-2014; and

Whereas, after transportation needs have been met, any unused funds may be used for street and road improvements.

Now, therefore, be it resolved that the attached Fiscal Year 2013-2014 TDA claims be hereby approved and forwarded to SACOG and that the Finance Director is hereby authorized to make the necessary budget amendments, transfers, accounting entries, etc. to carry out the Council's policies and directives related to this matter.

Passed and Adopted by the City Council of the City of Yuba City this 17th day of December, 2013 by the following vote:

Ayes:

Noes:

Absent:

Kash Gill, Mayor

Attest:

Terrel Locke, City Clerk

**TRANSPORTATION DEVELOPMENT ACT
CLAIM CHECKLIST**

Please check the following items as either included with the attached TDA claim package or on file at SACOG.

Item	Claimant	Attached	On File
TDA-1 Annual Transportation Development Claim	All Claimants	✓	N/A
TDA-2 Project and Expenditure Plan (for the fiscal year of this claim and prior fiscal year)	All Claimants	✓	N/A
TDA-3 Status of Previously Approved Projects	All Claimants	✓	N/A
TDA-4 Statement of Conformance	All Claimants	✓	N/A
TDA-5 TDA Claim Certification	All Claimants	✓	N/A
Resolution by governing body that authorized the claim	All Claimants	✓	N/A
CHP Safety Compliance Report (completed within the last 13 months)	Claimants for transit service		
Statement of projected or estimated revenues and expenditures for the prior fiscal year	Claimants for transit service		
Adopted or proposed budget for the fiscal year of the claim and the prior fiscal year	Claimants for transit service		
Signed copy of transit service contract	Claimants for transit service		
Areawide transfer agreement and resolution	Claimants for transit service		
Information establishing eligibility under efficiency criteria	Claimants for transit service		
Certification that claim is consistent with Capital Improvement Program	Claimants for transit service		
Compliance with PUC Sections 99155 and 99155.5	Claimants for transit service		
STA Operator Qualifying Criteria calculation based on Section 99314.6	Claimants for transit service		

TDA-1
TRANSPORTATION DEVELOPMENT ACT CLAIM

TO: Sacramento Area Council of Governments
 1415 L Street, Suite 300
 Sacramento, CA 95814

FROM:

Claimant	City of Yuba City
Address	1201 Civic Center Boulevard
City	Yuba City Zip Code 95993
Contact Person	Robin Bertagna, Finance Director
Telephone	530-822-4615
E-Mail	rbertagn@yubacity.net
Facsimile	530-822-4694

The above claimant hereby requests, in accordance with authority granted under the Transportation Development Act and applicable rules and regulations adopted by the Sacramento Area Council of Governments (SACOG), that its request for funding be approved as follows:

LTF:	
\$1,779,980	FY 2013-2014
	FY
	FY
	FY
	FY

STA:	
	FY

Submitted by: **Spencer Morrison**

Title: **Accounting Manager**

Date: **October 10, 2012**

**TDA-2
ANNUAL PROJECTION AND EXPENDITURE PLAN**

Claimant: City of Yuba City							Fiscal Year: 2013-2014		
Project Title and TDA Article Number	Sources of Funding								
	TDA LTF	TDA STA	Transit Fares	Measure A	Road Fund	Developer Fees/ Const. Tax	Federal/ State	Other	Total
Article *. Section 99400	\$1,696,190								\$1,696,190
SACOG Planning	83,790								83,790
TOTAL REQUEST	\$ 1,779,980	\$	\$	\$	\$	\$	\$	\$	\$ 1,779,980

TDA-3
STATUS OF PREVIOUSLY APPROVED PROJECTS

Instructions — Describe the status of all prior fiscal year TDA claim projects and any projects from previous years that are still active, as follows:

- Include both operating and capital budgets
- Approved amounts should be specified in TDA claims approved by SACOG
- Expenditures should be to date
- Project status should be either “Complete” or “Active”

Fiscal Year	Project Title	Amount Approved		Expenditures		Project Status
11/12	Streets and Roads	\$1,345,087		\$1,345,087		Complete
12/13	Streets and Roads	\$1,696,190		\$1,558,709		Active
TOTAL		\$3,041,277	\$	\$2,903,796	\$	

TDA-4
STATEMENT OF CONFORMANCE

Form TDA-4 must be completed and signed by the Administrative Office of the submitting claimant.

The CITY OF YUBA CITY
hereby certifies that the Transportation Development Act claim for fiscal years 2013-2014
in the amount of \$ 1,779,980 (LTF) and \$ 0 (STA)
for a total of \$ 1,779,980 conforms with the requirements of the
Transportation Development Act and applicable rules and regulations (see Attachment A for listing of
conformance requirements).

Certified by Chief Financial Officer _____

Title Finance Director

Date December 10, 2013

TDA-5
TDA CLAIM CERTIFICATION FORM

I, **Robin Bertagna,** Chief Financial Officer for the **City of Yuba City**

do hereby attest, as required under the California Code of Regulations, Title 21, Division 3, Chapter 2, Section 6632, to the reasonableness and accuracy of the following:

- (a) The attached budget or proposed budget for FY 2013-2014
- (b) The attached certification by the Department of the California Highway Patrol verifying that N/A is in compliance with Section 1808.1 of the Vehicle Code, as required in Public Utilities Code Section 99251.
- (c) The estimated amount of _____ maximum eligibility for moneys from the Local Transportation Fund and State Assistance Fund, as defined in Section 6634 is \$ 1,779,980.

Signature of Chief Financial Officer _____

Agency Name City of Yuba City

Date December 10, 2013

CITY OF YUBA CITY
STAFF REPORT

Date: December 17, 2013
To: Honorable Mayor & Members of the City Council
From: Parks and Recreation Department
Presentation By: Gary Marler, Public Works Superintendent

Summary

Subject: Submission of re-certification application for Tree City USA Designation

Recommendation: Adopt a Resolution authorizing the City to submit an application for re-certification to the National Arbor Day Foundation for consideration of the City continuing its designation as a Tree City USA community.

Fiscal Impact: Selection as a Tree City USA community is based, in part, on the annual expenditure for tree-related programs and services within a community (i.e. tree crew manpower costs, tree purchases, equipment, etc.).

Purpose:

To continue to expand and maintain the city's urban forest.

Background:

The City staff is requesting that the City Council authorize the submission of an application for re-certification to the National Arbor Day Foundation for consideration of Yuba City maintaining its designation as a Tree City USA community.

For the past thirteen years, the City of Yuba City has earned the designation of Tree City USA community based upon: 1) having an annual Arbor Day observance; 2) spend at least \$2.00 per capita on tree-related programs; 3) have a tree ordinance, and; 4) have a tree advisory board, which is the Parks & Recreation Commission. This designation says a lot about the quality of life and planning standards of a community.

The City's efforts to expand and maintain its urban forest continues on and the City staff would like to assure that the organization's efforts continue to be recognized. As such, we are requesting that the City Council again adopt a Resolution authorizing the City to submit an application for re-certification to the National Arbor Day Foundation for consideration of the City continuing its designation as a Tree City USA community. Communities who have received the designation must submit an application for re-certification on an annual basis for continuity with their Tree City USA designation.

Fiscal Impact:

Selection as a Tree City USA community is based, in part, on the annual expenditure for tree-related programs and services within a community (i.e. tree crew manpower costs, tree purchases, equipment, etc.).

Alternatives:

Not applicable

Recommendation:

Adopt a Resolution authorizing the City to submit an application for re-certification to the National Arbor Day Foundation for consideration of the City continuing its designation as a Tree City USA community.

Prepared By:

/s/ Gary Marler _____
Gary Marler
Public Works Superintendent

Submitted By:

/s/ Steven C. Kroeger _____
Steven C. Kroeger
City Manager

Reviewed By:

Department Head
Finance
City Attorney

DL
RB
TH

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE
NATIONAL ARBOR DAY FOUNDATION FOR CONSIDERATION OF
YUBA CITY BEING DESIGNATED A TREE CITY USA COMMUNITY.**

WHEREAS, trees play an important role in the quality of life of a community in providing needed shade and cooling, aesthetic beauty, and increased property values; and

WHEREAS, the planting of trees today allows us to pass along a legacy of community and environmental awareness to future generations; and

WHEREAS, the City of Yuba City has made a significant policy statement regarding the important role trees play in the development and redevelopment of public and private property within the City, as exhibited by the Town Center project, the requirement for landscape maintenance districts, 50% shade requirement on all parking lots, including access areas within 15 years of the tree being planted, and the continued introduction of upcoming residential developments; and

WHEREAS, the City of Yuba City was designated a Tree City USA community for 1999 through 2012 by the National Arbor Day Foundation; and

WHEREAS, Tree City USA communities must submit an application for re-certification on an annual basis to maintain their designation.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Yuba City does hereby authorize the City staff to submit an application for re-certification to the National Arbor Day Foundation for their consideration of Yuba City continuing to be designated as a Tree City USA community for the year 2013.

The foregoing Resolution of the City Council of the City of Yuba City was duly introduced, passed and adopted at a regular meeting thereof held on the 17th day of December, 2013.

AYES:

NOES:

ABSENT:

Kash Gill, Mayor

ATTEST:

Terrel Locke, City Clerk

CITY OF YUBA CITY
STAFF REPORT

Date: December 17, 2013
To: Honorable Mayor & Members of the City Council
From: Finance Department
Presentation By: Spencer Morrison, Accounting Manager

Summary

Subject: Copier Service Contract

Recommendation: Authorize the execution of a five (5) year contract with the possibility of five (5) one year (1) year extensions to Advanced Document Concepts of Chico, CA to provide twelve (12) new digital copiers with the finding that it is in the best interest of the City.

Fiscal Impact: Based on historical copy volumes, the cost of this contract over the five (5) year period is approximately \$91,500. Funds for FY13/14 expenditure are included in the adopted budget.

Purpose:

To replace twelve (12) existing copiers with new digital copiers for use in various City facilities.

Background:

The current copier lease was completed in FY03. In FY08, staff researched various options for replacing the City's copiers including piggybacking off another entities contract. It was determined that the best option was to extend the current contract with Advanced Document Concepts. Now, after ten years of service the copiers are reaching the end of their useful life and are consistently having anywhere from 1 to 2 days of downtime every month. Certain copiers will no longer have parts available for service, making it a necessity to replace these copiers.

Analysis:

Staff is recommending this lease be made by piggybacking on a Sutter County bid. Sutter County completed a competitive proposal using a two phase evaluation process and made an award to Advanced Document Concepts at the July 9, 2013 meeting. The county received bids from seven (7) vendors. A committee evaluated those vendors and narrowed the candidates down to three (3), who then participated in the second phase of the evaluation. The three (3) final candidates and the Sutter County review committee ratings were as follows:

<u>Vendor</u>	<u>Points</u>	<u>Price per copy</u>
Advanced Document Concepts	189	\$.0058
Discovery	178	\$.0069
Ray Morgan	144	\$.0088
Current city pricing		\$.01 to \$.039

Sutter County will receive approximately fifty (50) copiers while the City will only need twelve (12) copiers. Sutter County General Services reports they are happy with the new copiers and the service that is being provided. If staff were to issue a separate bid, the possibility of receiving a price of \$.0058 per copy would be highly unlikely for the smaller number of copiers the City needs.

Fiscal Impact:

Based on historical copy volumes, the cost of this contract over the five (5) year period is approximately \$91,500. Funds for FY13/14 expenditure are included in the adopted budget.

Alternatives:

- 1) Direct staff to complete a formal bid
- 2) Do not purchase

Recommendation:

Authorize the execution of a five (5) year contract with the possibility of five (5) one year (1) year extensions to Advanced Document Concepts of Chico, CA to provide twelve (12) new digital copiers with the finding that it is in the best interest of the City.

Prepared By:

/s/ Vicky Anderson

Vicky Anderson
Administrative Analyst

Submitted By:

/s/ Steven C. Kroeger

Steven C. Kroeger
City Manager

Reviewed By:

Department Head

RB

Finance

RB

City Attorney

TH

Current Rental Program

<u>Location</u>	<u>Model #</u>	<u>Monthly Usage</u>	<u>Cost Per Page</u>	<u>Monthly Cost</u>	<u>Proposed Model</u>	<u>Lease Payment</u>	<u>Cost Per Page</u>	<u>Monthly Maintenance Cost</u>	<u>Total Monthly Cost (New)</u>
City Hall Administration	KM-8030	9,100 Pages	0.0390	\$354.90	TASKAlfa 8000i	\$182.50	\$0.0058	\$52.78	\$238.28
Police Department	KM-6030	19,200 Pages	0.0300	\$576.00	TASKAlfa 6500i	\$130.50	\$0.0058	\$111.36	\$241.86
Police Department	KM-3530	1,200 Pages	0.0200	\$24.00	TASKAlfa 3500i	\$94.50	\$0.0058	\$6.96	\$101.46
Utilities Department	KM-3035	1,925 Pages	0.0200	\$38.50	TASKAlfa 3500i	\$94.50	\$0.0058	\$11.17	\$105.67
Utilities Department	KM-5530	1,100 Pages	0.0200	\$22.00	TASKAlfa 3500i	\$94.50	\$0.0058	\$6.38	\$100.88
Water Treatment	KM-2530	1,100 Pages	0.0200	\$22.00	TASKAlfa 3500i	\$94.50	\$0.0058	\$6.38	\$100.88
Senior Center	KM-3530	1,650 Pages	0.0200	\$33.00	TASKAlfa 3500i	\$94.50	\$0.0058	\$9.57	\$104.07
General Services	KM-5530	2,200 Pages	0.0200	\$44.00	TASKAlfa 3500i	\$86.00	\$0.0058	\$12.76	\$98.76
Fire Department	KM-5530	1,400 Pages	0.0200	\$28.00	TASKAlfa 3500i	\$94.50	\$0.0058	\$8.12	\$102.62
Aquatics Park	KM-2530	1,850 Pages	0.0140	\$25.90	TASKAlfa 3500i	\$94.50	\$0.0058	\$10.73	\$105.23
City Hall Community Dev.	KM-5530	4,000 Pages	0.0200	\$80.00	TASKAlfa 5500i	\$107.50	\$0.0058	\$23.20	\$130.70
New Location					TASKAlfa 3500i	\$94.50			
Totals		44,725		\$1,248.30		\$1,262.50		\$259.41	\$1,524.91

Total Monthly Increase.....\$276.61

* All New Systems are configured with Dual Scann Document Feeders, Finishers, Hole Punch & Large Capacity Paper Decks

** No Hole Punch on the General Services Machine

CITY OF YUBA CITY
STAFF REPORT

Date: December 17, 2013
To: Honorable Mayor & Members of the City Council
From: Public Works
Presentation by: Mandeep S. Chohan, Senior Engineer

Summary

Subject: Purchase of Solar Energy System located at the Wastewater Treatment Facility

Recommendation:

- a. Adopt a Resolution authorizing the City Manager to execute - (i) Termination Agreement, and (ii) Bill of Sales, Transfer of Warranties and Assignment and Assumption of Easement Agreement – by approving the purchase of the Solar System, in the amount of \$2,398,711, located at the Wastewater Treatment Facility.
- b. Adopt a Resolution authorizing the Finance Director to establish and execute a Promissory Note between the Sewer Enterprise Fund and City of Yuba City for a 20-year term at 4% interest in the loan amount of \$2,398,711 for the purchase of Solar System located at the Wastewater Treatment Facility. The City will purchase the Promissory Note to be held as a pooled cash investment.

Fiscal Impact: The Solar System purchase price of \$2,398,711 equates to an annual debt service of \$174,500 (rounded) based on 20 year loan at 4% interest. The annual debt service plus estimated maintenance cost roughly equates to annual cost of electricity; therefore, there is no budgetary fiscal impact.

Purpose:

To purchase the Solar System located at the Wastewater Treatment Facility.

Background:

In 2006, the Council Authorized the City Manager to enter into a Solar Services Agreement (Agreement) with Solar Star YC, LLC (Provider) to provide solar electricity to the Wastewater Treatment Facility. The Agreement allowed the Provider to construct a 0.7 mega-watt (rounded) Solar System (System) on City property at no cost to the City. The System's ownership was subsequently transferred to MMA YC Power, LP. MMA YC Power, LP is currently owned by SunEdison. The Agreement term is 20 years and requires the City to purchase electricity from the Provider at a predetermined price per kWh. The Agreement provides an option to the City to purchase the System any time after December 2013. The 2013 purchase price provided in the Agreement is the greater of the fair market value of the System or \$2,398,711. If the City does not purchase the System then the solar electricity price per kWh will increase from \$0.1404 to \$0.239 in

January 2014 with the annual escalator of 5% thereafter. The system has been in service since January 2008.

To date, based on Sunpower Corporation's (Sunpower Corporation constructed the System for the Provider) online power monitoring website, the System's solar-generated electricity has reduced emissions of carbon dioxide by over 4,400 tons. These emission reductions are equivalent to planting over 900 acres of trees or not driving 9,000,000 miles.

Analysis:

Staff has consulted with NHA Advisors (Finance consultant) and their sub-consultant Terra Verde Renewable Partners (Solar Energy consultant) for the Solar Agreement analysis, System Condition Assessment and Fair Market value opinion. The System was determined to be in good condition, generating over 7% (average) more electricity during the past six years than the original estimate in the Agreement. It is estimated that it would cost over \$3 million to construct a similar system in the current market conditions. NHA Advisors' analysis concludes that the list price in the agreement to buy the System for \$2,398,711 is reasonable and is in the best interest of the City.

SunEdison, current Owner of the System, was contacted by City staff to exercise the purchase option in the Agreement. Following negotiations, Sun Edison agreed to sell the System for the termination value identified in the Agreement (\$2,398,711).

By purchasing the System at the above mentioned price, the City will avoid over \$2.8 million in costs that would otherwise be incurred if the City had to purchase the solar electricity at the predetermined cost in the Agreement over the remaining term (14 years) of the Agreement. In addition, the City will avoid approximately \$3.5 million for the expected remaining life (year 15 through year 29) of the System by not purchasing the electricity from PG&E. The table below shows the estimated accumulative cost which can be avoided by purchasing the system.

No. of Years	Accumulative Avoided Cost
1	\$122,749
5	\$747,736
10	\$1,776,364
14	\$2,862,535
20	\$4,223,228
25	\$5,443,231
29	\$6,416,645

NHA Advisors analyzed the option of using the City's internal funds to finance the Purchase of the System on a 20 year loan term at 4% interest (current market rate). In the past, the City has used an inter-fund loan structure to finance small capital projects. The inter-fund loan financing will avoid the transaction costs associated with conventional bank loans or bond issuance. Based on NHA Advisors analysis and recommendation, it is determined that financing the System purchase through issuing a Promissory Note from the Sewer Enterprise fund to the City pooled cash investment is in the best interest of the City.

The System is located at the storm detention basin on the south side of the Wastewater Treatment Facility (Exhibit A). There is a private property access road between the solar system and the Wastewater Treatment Facility. The Provider acquired an easement (20 year term) from the private property owner to install the overhead power lines from the solar system to the Wastewater

Treatment Facility through the access road. Through the purchase of the System, the Provider will be assigning the existing easement to the City. The private property owner verbally agreed to amend the existing easement for the life of the System at no fee to the City. The staff is working with the private property owner to amend the existing easement.

Termination Agreement, and Bill of Sales, Transfer of Warranties and Assignment and Assumption of Easement Agreement documents are included in Exhibit B.

Fiscal Impact:

The Solar System purchase price of \$2,398,711 equates to an annual debt service of \$174,500 (rounded) based on 20 year loan at 4% interest. The annual debt service plus estimated maintenance cost roughly equates to annual cost of electricity; therefore, there is no budgetary fiscal impact.

Alternatives:

- a. Do not purchase the System and continue to purchase the solar energy from the Provider. By not purchasing the System, City will not be able to avoid over \$2.8 million of the solar electricity costs.
- b. Finance the System through conventional bank loan or bonds. City will be paying transaction costs associated with such loan structure.

Recommendation:

- a. Adopt a Resolution authorizing the City Manager to execute - (i) Termination Agreement, and (ii) Bill of Sales, Transfer of Warranties and Assignment and Assumption of Easement Agreement – by approving the purchase of the Solar System, , in the amount of \$2,398,711, located at the Wastewater Treatment Facility.
- b. Adopt a Resolution authorizing the Finance Director to establish and execute a Promissory Note between the Sewer Enterprise Fund and City of Yuba City for a 20-year term at 4% interest in the loan amount of \$2,398,711 for the purchase of Solar System located at the Wastewater Treatment Facility. The City will purchase the Promissory Note to be held as a pooled cash investment.

Prepared by:

Submitted by:

/s/ Mandeep S. Chohan

/s/ Steven C. Kroeger

Mandeep S. Chohan
Senior Engineer

Steven C. Kroeger
City Manager

Reviewed by:

Department Head

DL

Finance

RB

City Attorney

TH

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AUTHORIZING THE CITY MANAGER TO EXECUTE - (I) TERMINATION AGREEMENT, AND
(II) BILL OF SALES, TRANSFER OF WARRANTIES AND ASSIGNMENT AND ASSUMPTION
OF EASEMENT AGREEMENT – BY APPROVING THE PURCHASE OF THE SOLAR
SYSTEM, LOCATED AT THE WASTEWATER TREATMENT FACILITY.**

BE IT RESOLVED AND ORDERED by the City Council of the City of Yuba City that the City Council of the City of Yuba City is approving the purchase of the Solar System located at the Wastewater Treatment Facility in the amount of \$2,398,711 with the finding that the purchase price of the Solar System is less than the anticipated electrical and other energy costs that would be incurred by the City of Yuba City in the absence of such purchase; therefore, the City Council finds that it is in the best interest of the City of Yuba City to purchase the Solar System.

BE IT RESOLVED AND ORDERED by the City Council of the City of Yuba City that the City Council of the City of Yuba City is authorizing the City Manager, on behalf of the City of Yuba City, to execute - (i) Termination Agreement, and (ii) Bill of Sales, Transfer of Warranties and Assignment and Assumption of Easement Agreement of the Solar System located at the Wastewater Treatment Facility.

CERTIFICATION

I do hereby certify that the foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 17th day of December, 2013.

AYES:

NOES:

ABSENT:

Kash Gill, Mayor

Attest:

Terrel Locke, City Clerk

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AUTHORIZING THE FINANCE DIRECTOR TO ESTABLISH AND EXECUTE A
PROMISSORY NOTE BETWEEN THE SEWER ENTERPRISE FUND AND THE CITY OF
YUBA CITY FOR THE PURCHASE OF SOLAR SYSTEM**

BE IT RESOLVED AND ORDERED by the City Council of the City of Yuba City that the City Council of the City of Yuba City is authorizing the Finance Director, on behalf of the City of Yuba City, to establish and execute a Promissory Note between the Sewer Enterprise Fund and the City of Yuba City for a 20-year term at 4% interest in the loan amount of \$2,398,711 for the purchase of Solar System located at the Wastewater Treatment Facility.

CERTIFICATION

I do hereby certify that the foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 17th day of December, 2013.

AYES:

NOES:

ABSENT:

Kash Gill, Mayor

Attest:

Terrel Locke, City Clerk

EXHIBIT A

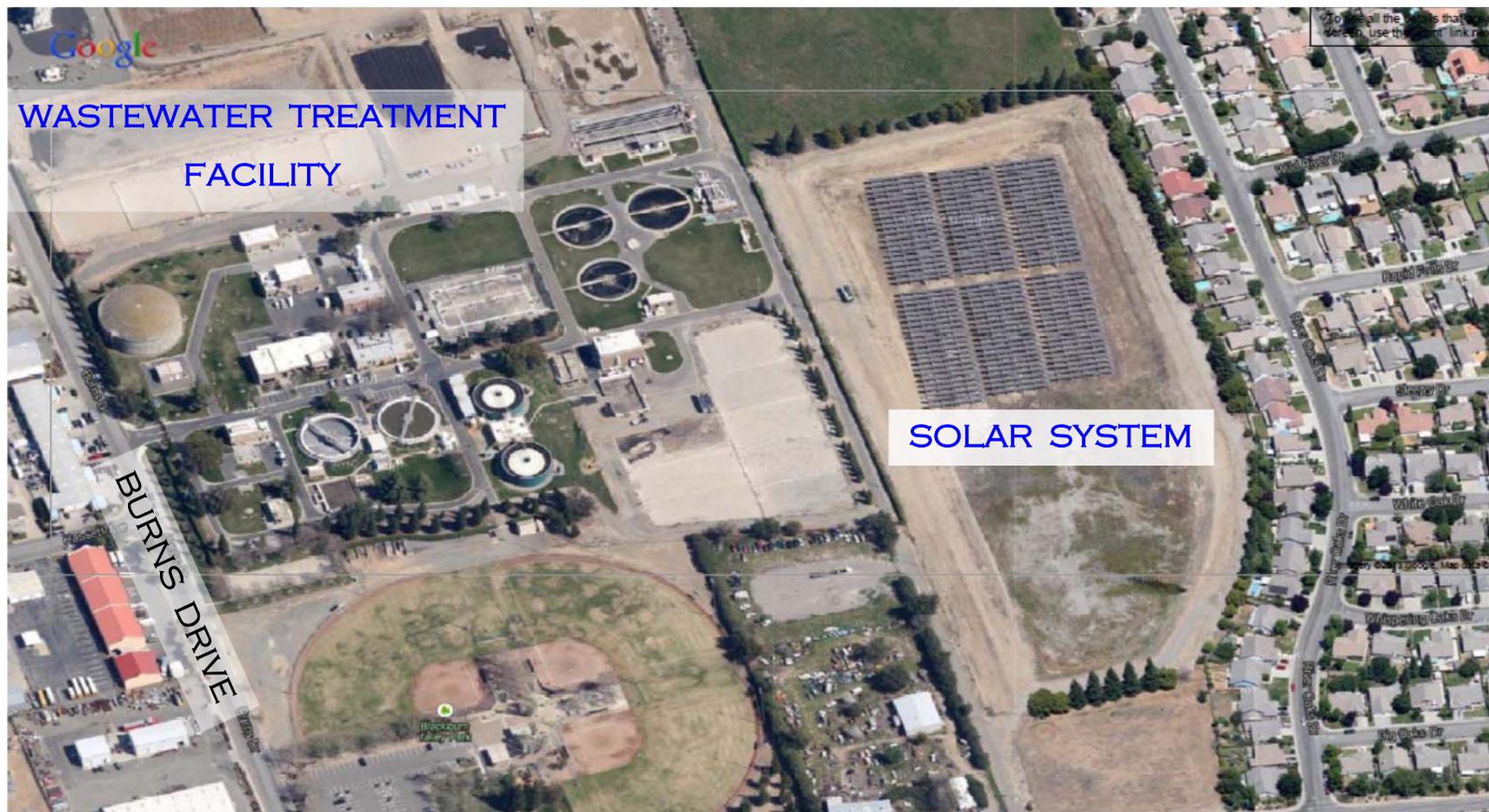


FIGURE 1: SOLAR SYSTEM AND WASTEWATER TREATMENT FACILITY

EXHIBIT B

TERMINATION AGREEMENT

THIS TERMINATION AGREEMENT (this “**Termination Agreement**”), dated as of December __, 2013, is entered into by and between MMA YC Power, LP, a Delaware limited partnership (“**Provider**”) and the City of Yuba City, California, a California municipal corporation (“**Customer**”). Each of Provider and Customer shall be referred to herein individually as a “**Party**” and collectively as the “**Parties**”.

RECITALS

A. WHEREAS, Provider (as successor in interest to Solar Star YC, LLC, a Delaware limited liability company (“**Solar Star**”) pursuant to that certain Assignment and Assumption and Consent to Assignment, dated as of October 10, 2006, by and among Provider, Customer, and Solar Star), and Customer are parties to that certain Solar Services Agreement, dated as of October 10, 2006, by and between Solar Star and Customer, as amended by that certain Letter Agreement regarding Corrections to the Solar Services Agreement, dated as of October 19, 2006, by and among Provider, Customer and Solar Star, and as further amended by that certain First Amendment to Solar Services Agreement, dated as of February 26, 2008, by and between Provider and Customer (the “**SSA**”);

B. WHEREAS, Section 10.6 of the SSA provides an option for Customer to purchase the solar systems that generate the electrical energy delivered to Customer pursuant to the SSA (the “**Systems**”);

C. WHEREAS, on August 10, 2013, Customer provided notice that Customer desires to exercise its option to purchase the Systems in accordance with Section 10.6 of the SSA;

D. WHEREAS, Provider and Customer have agreed to terminate the SSA simultaneous with the sale of the Systems to Purchaser and desire to enter into this Termination Agreement in order to evidence such termination and to release one another from their respective obligations thereunder.

NOW, THEREFORE, in consideration of the mutual promises and agreements set forth herein, the Parties hereby agree as follows:

AGREEMENT

1. Termination of the SSA. Provider and Customer hereby agree that as of the execution and delivery of this Termination Agreement by both Parties (the “**Termination Time**”), the SSA shall terminate without liability to any Party and shall be null and void and of no further force or effect.

2. Release of Liability. Each Party hereby acknowledges and confirms that from and after the Termination Time no Party shall have any further obligations to any other Party arising from or related to the SSA. Each Party hereby irrevocably, and unconditionally releases, acquits, satisfies and forever discharges the other Party and such other Party’s employees,

personal representatives, administrators, executors, successors, heirs and assigns (collectively, the “**Released Parties**”), from and against any and all claims, demands, causes of action, including, but not limited to, negligence and all other tort actions, suits, controversies, judgments, damages, debts, obligations, equities, statutory claims or liabilities, trespasses, losses, expenses and liabilities, of whatever kind or nature whether in law or in equity, arising out of or relating to the SSA (collectively, the “**Obligations**”) that such Party may have against the Released Parties prior to the date hereof and each Party agrees that it will forever waive any right to make any claim or seek any recourse against the Released Parties related thereto. The release in this Section 2 is a full and final release, applying to all known or unknown, foreseen or unforeseen, anticipated or unanticipated, suspected or unsuspected, asserted or unasserted, liquidated or unliquidated, existing or contingent, direct or derivative Obligations that existed, may have existed or may hereafter arise in any manner or degree from facts and circumstances whether known, or in addition to or different from those now believed to be true, occurring prior to the date of this Termination Agreement.

3. Waiver of Section 1542. Each of the Parties believes it is fully familiar with the facts giving rise to this Termination Agreement and the releases contained herein, and agrees that this Termination Agreement shall remain fully effective and binding as to each of them even if the facts turn out to be different from what they now believe them to be. Each Party understands and, as to those releases set forth in Section 2 of this Termination Agreement, hereby waives the effect of Section 1542 of the California Civil Code, which provides:

“§1542. A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR.”

EACH PARTY AGREES TO ASSUME THE RISK OF ANY AND ALL UNKNOWN, UNANTICIPATED OR MISUNDERSTOOD DEFENSES, CLAIMS, CAUSES OF ACTION, CONTRACTS, LIABILITIES, INDEBTEDNESS AND OBLIGATIONS WHICH ARE RELEASED BY THIS TERMINATION AGREEMENT AND EACH PARTY HEREBY WAIVES AND RELEASES ALL RIGHTS AND BENEFITS WHICH IT MIGHT OTHERWISE HAVE UNDER THE AFOREMENTIONED SECTION 1542 OF THE CALIFORNIA CIVIL CODE WITH REGARD TO THE RELEASE OF SUCH UNKNOWN, UNANTICIPATED OR MISUNDERSTOOD DEFENSES, CLAIMS, CAUSES OF ACTION, CONTRACTS, LIABILITIES, INDEBTEDNESS AND OBLIGATIONS. TO THE EXTENT (IF ANY) ANY OTHER LAWS SIMILAR TO SECTION 1542 OF THE CALIFORNIA CIVIL CODE MAY BE APPLICABLE, EACH PARTY WAIVES AND RELEASES ANY BENEFIT, RIGHT OR DEFENSE WHICH IT MIGHT OTHERWISE HAVE UNDER ANY SUCH LAW WITH REGARD TO THE RELEASE OF UNKNOWN, UNANTICIPATED OR MISUNDERSTOOD DEFENSES, CLAIMS, CAUSES OF ACTION, CONTRACTS, LIABILITIES, INDEBTEDNESS AND OBLIGATIONS.

4. Successors and Assigns. This Termination Agreement shall be binding upon and shall inure to the benefit of Customer and Provider and their respective successors and permitted assigns.

5. Counterparts. This Termination Agreement may be executed simultaneously in two or more counterparts, each of which shall be deemed as original, but all of which together shall constitute one and the same agreement. Facsimile or PDF signatures shall be deemed original.

6. Governing Law. This Termination Agreement shall be governed by and construed and interpreted in accordance with the laws of the State of California, without regard to principles of conflicts of laws.

7. Documentation. Each Party shall execute and deliver such additional instruments, agreements, and documents and take such other actions as any other Party may reasonably require in order to carry out the intent and purpose of this Termination Agreement.

8. Severability. If any term or provision of this Termination Agreement shall be held invalid or unenforceable, the remainder of this Termination Agreement shall not be affected.

9. No Third Party Beneficiaries. This Termination Agreement is solely for the benefit of Customer and Provider and their successors and permitted assigns and no right or cause of action shall accrue by reason hereof for the benefit of any third party not a party hereto.

10. Entire Agreement. This Termination Agreement constitutes the entire understanding between the Parties with respect to the subject matter hereof and supersedes all negotiations, prior discussions and prior agreements and understandings relating to such subject matter.

[Remainder of page intentionally left blank; Signature page follows]

IN WITNESS WHEREOF, the Parties have caused this Termination Agreement to be executed and delivered as of the day and year first written above.

MMA YC Power, LP,
a Delaware limited partnership as Provider

By: MMA Solar Fund III GP Sub, Inc.,
its general partner

By: _____
Name:
Title:

City of Yuba City, California,
a California municipal corporation as Customer

By: _____
Name:
Title:

**BILL OF SALE, TRANSFER OF WARRANTIES
AND ASSIGNMENT AND ASSUMPTION OF EASEMENT AGREEMENT**

This BILL OF SALE, TRANSFER OF WARRANTIES AND ASSIGNMENT AND ASSUMPTION OF EASEMENT AGREEMENT (this “**Agreement**”) is executed as of December __, 2013 (the “**Effective Date**”), by and between MMA YC Power, LP, a Delaware limited partnership (“**SELLER**”) and the City of Yuba City, California, a California municipal corporation (“**BUYER**”). SELLER and BUYER will sometimes each be referred to herein as a “**Party**,” and collectively as “**Parties**.”

WHEREAS, SELLER (as successor in interest to Solar Star YC, LLC, a Delaware limited liability company (“**Solar Star**”) pursuant to that certain Assignment and Assumption and Consent to Assignment, dated as of October 10, 2006, by and among SELLER, BUYER, and Solar Star), and BUYER are parties to that certain Solar Services Agreement, dated as of October 10, 2006, by and between Solar Star and BUYER, as amended by that certain Letter Agreement regarding Corrections to the Solar Services Agreement, dated as of October 19, 2006, by and among SELLER, BUYER and Solar Star, and as further amended by that certain First Amendment to Solar Services Agreement, dated as of February 26, 2008, by and between SELLER and BUYER (the “**SSA**”);

WHEREAS, Section 10.6 of the SSA provides an option for BUYER to purchase the solar systems that generate the electrical energy delivered to BUYER pursuant to the SSA (as further described in Appendix I, the “**Systems**”);

WHEREAS, on August 10, 2013, BUYER provided notice that BUYER desires to exercise its option to purchase the Systems in accordance with Section 10.6 of the SSA;

WHEREAS, SELLER desires to sell and transfer title to the Systems, and BUYER desires to purchase from SELLER the Systems;

WHEREAS, SELLER desires to transfer any warranties applicable to the Systems (the “**Warranties**”, each of which is attached hereto in Appendix II), to the extent that such Warranties are existing and transferrable, and BUYER desires to obtain such Warranties;

WHEREAS, SELLER desires to assign to BUYER and BUYER desires to assume from SELLER all rights, title, interest in and obligations under the Overhead Transmission Line Easement Agreement, as defined below;

NOW THEREFORE, in consideration of the mutual promises set forth below, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. SELLER shall sell and transfer title to the Systems to BUYER for payment in the sum of Two Million, Three Hundred Ninety-Eight Thousand, Seven Hundred and Eleven Dollars (US \$2,398,711) (the “**Purchase Price**”).

2. SELLER, in consideration of the payment of the Purchase Price, the receipt and sufficiency of which are hereby acknowledged, hereby sells, conveys, transfers, assigns, sets over and delivers to BUYER all of its right, title and interest in and to the Systems.

3. The Warranties, to the extent that such Warranties exist and are transferrable, are hereby automatically transferred and assigned to BUYER.

4. SELLER hereby assigns to BUYER all of its rights, title and interest in, and obligations under, that certain Overhead Transmission Line Easement Agreement by and between John Michael Smith and Marilee Smith, husband and wife, and their successors and assigns as “Grantor”, and MMA YC Power, LP as “Grantee”, dated as of February 29, 2008, a memorandum of which was recorded as document number 2008-006486 in the Official Records of Sutter County, California (the “Overhead Transmission Line Easement Agreement”), and BUYER hereby accepts such assignment of rights, title, and interest of SELLER in the Overhead Transmission Line Easement Agreement and assumes all obligations of SELLER thereunder arising on and after the Effective Date. BUYER agrees to pay, perform and discharge all obligations, liabilities and duties of SELLER which accrue and are to be performed and discharged under the Overhead Transmission Line Easement Agreement, when and as they become due on and after the Effective Date.

5. SELLER warrants to BUYER that SELLER has good and marketable title to the Systems, and that the Systems are sold free of all liens, encumbrances, liabilities, and adverse claims of every nature and description whatsoever as of the Effective Date.

6. The Parties agree that after execution of this Agreement they will from time to time upon the request of the other Party and without further consideration execute, acknowledge and deliver in proper form any further instruments and take such other action as the other Party may reasonably require to effectively carry out the transfer contemplated by this Agreement.

7. This Agreement, including Appendix I and Appendix II hereto, contains the entire understanding of the Parties with respect to the subject matter of this Agreement. SELLER shall sell and convey to BUYER and BUYER shall accept the Systems “as-is, where is, with all faults” without representation or warranty except as expressly stated herein. Except for the representations and warranties expressly made by SELLER in Section 4, SELLER makes no express or implied representation or warranty on behalf of or with respect to itself or the Systems (including the ability of the Systems to have any particular aggregate capacity), or the merchantability, usage, suitability or fitness for any particular purposes of the Systems. There are no representations, promises, warranties, covenants or undertakings regarding the transfer of the Systems or the Warranties other than those expressly set forth or provided for in Section 3 or Section 4, and SELLER hereby disclaims any representation or warranty, whether express or implied, except for those expressly set forth in Section 3 or Section 4. This Agreement supersedes all prior agreements and understandings between the Parties with respect to the transfer contemplated herein.

8. Should any action be brought in connection with this Agreement, including, without limitation, actions based on contract, tort or statute, the prevailing party in such action

shall be awarded all costs and expenses incurred in connection with such action, including reasonable attorneys' fees.

9. If any one or more of the provisions herein, or any application thereof, shall be invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions contained herein, and any other application thereof, shall not in any way be affected or impaired thereby and shall be enforced to the greatest extent permitted by law.

10. This Agreement and all claims or controversies arising out of or relating to this Agreement shall be governed by and construed in accordance with the law of the State of California, without regard for its conflict of laws principles that would result in the application of any law other than the law of the State of California. Venue for all actions arising from this Agreement shall be in the United States District Court in the City and County of San Francisco, California, or if such court is without jurisdiction, then in the Superior Court of California in and for the City and County of San Francisco, California.

11. This Agreement may be executed simultaneously in two or more counterparts, each of which shall be deemed as original, but all of which together shall constitute one and the same agreement. Facsimile or PDF signatures shall be deemed original.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, this Bill of Sale and Transfer of Warranty Agreement is executed as of the date set forth above.

SELLER:
MMA YC POWER, LP,
a Delaware limited partnership

By: MMA Solar Fund III GP Sub, Inc.,
its general partner

By: _____
Print Name:
Title:

BUYER:
CITY OF YUBA CITY, CALIFORNIA,
a California municipal corporation

By: _____
Print Name:
Title:

CITY OF YUBA CITY
STAFF REPORT

Date: December 17, 2013
To: Honorable Mayor & Members of the City Council
From: Public Works
Presentation by: Diana Langley, Interim Public Works Director
Mandeep Chohan, Senior Engineer

Summary

Subject: Wastewater Collection System Evaluation
Recommendation: Note and file presentation.
Fiscal Impact: Informational item only.

Purpose:

To provide a preliminary assessment of the City's Wastewater Collection System and re-evaluation of the Wastewater System Master Plan.

Background:

The City Council adopted the Wastewater System Master Plan Update (Master Plan) in December 2005. The Master Plan was prepared by Kennedy/Jenks Consultants (Kennedy/Jenks). The Master Plan identified capital improvement projects for the Wastewater Treatment Facility and for the Wastewater Collection System (Collection System). The identified projects, in the Master Plan, for the Collection System included repair and rehabilitation to improve and extend the useful life of the existing Collection System, and alternatives to expand the Collection System to accommodate growth within the City's Sphere of Influence (SOI).

Through the Master Plan process, a hydraulic model was created of the existing Collection System and three Alternatives were developed to build new sewer trunk lines to accommodate future development to the west. Over the past few years, little development has occurred. However, within the last few months, the City has received two applications for Tentative Maps in the area of George Washington Boulevard and El Margarita Road south of State Route 20. These new applications, along with a desire to be proactive in creating development opportunities within the City, has prompted staff to re-evaluate the capacity of the existing Collection System and the Alternatives for expansion of the Collection System to serve development to the west.

Analysis:

Staff has been working with Kennedy/Jenks to re-evaluate the Collection System hydraulic model. Key assumptions were revisited based on current wastewater flow trends to the Wastewater Treatment Facility and available flow monitoring data.

The main focus of the model re-evaluation efforts was on the major trunk lines within the City, particularly the Walton Avenue, Lincoln Road, and Garden Highway trunk lines. These trunk lines are the backbone of the Collection System infrastructure that serves the majority of the City. The hydraulic model showed that some segments of the Walton Avenue and Lincoln Road trunk lines are currently at capacity under peak flow conditions (wet weather conditions during peak time of day). However, additional flow monitoring is recommended within the Collection System to further calibrate the model, particularly during wet weather conditions. Staff will be working to have flow monitors installed over the next few months to gather the additional data, and will follow-up with a report to Council at a later date.

As mentioned previously, staff is also re-evaluating the Alternatives identified in the Master Plan to serve the area to the west within the City's SOI. The current Alternatives were developed at a time when development was occurring at a rapid pace. They did not take into account a phased approach that is necessary for the current economic environment. Staff is developing new alternatives that consider a phased approach, so that some development can occur, allowing the collection of connection fees to then help fund the larger improvements required. Staff will bring forward the new Master Plan Alternatives as they are refined.

Fiscal Impact:

Informational item only.

Alternatives:

None

Recommendation:

Note and file presentation.

Prepared by:

/s/ Mandeep S. Chohan
Mandeep S. Chohan
Senior Engineer

Reviewed by:

Department Head

Finance

Submitted by:

Steven C. Kroeger
Steven C. Kroeger
City Manager

DL

RB

CITY OF YUBA CITY
STAFF REPORT

Date: December 17, 2013
To: Honorable Mayor & Members of the City Council
From: Community Development Department
Presentation By: Aaron M. Busch, Community Development Director

Summary

Subject: Continuation of reduced development impact fees for single-family residential development.

Recommendation: Adopt a Resolution authorizing the extension of a temporary city-wide reduction of development impact fees for residential development projects beginning January 1, 2014.

Fiscal Impact: The potential difference in the amount of development impact fees collected is \$10,593 per unit.

Background:

At their February 5, 2013 City Council meeting, the Council approved an extension of the reduced impact fee program in response to a request from Interwest Homes about the possibility of the City continuing to collect reduced development impact fees for single-family residential units. Earlier that year, Interwest Homes had requested the extension of the reduced impact fee program because they had utilized their final building permit under the prior reduced fee program that expired in December, 2012.

The prior reduced fee program was initiated in June 2009, when the City Council approved a request from Interwest to reduce the development impact fees for single-family residential development to the 2004 rates so that Interwest could complete the abandoned Canterbury Estates subdivision. At that time, Interwest proposed that the reduced impact fee would allow them to remove blight within the subdivision and promote an increase in local economic growth through the use of local contractors and use of local goods and services associated with the new construction activity.

As a reminder, Interwest was allotted a total of 48 units (over a two-year period) under the reduced fee program. At the same time, the City established a citywide pool of 24 units with the same reduced fee for all other single-family residential development. As it turns out, the citywide unit pool was not utilized by many other home builders and Interwest eventually acquired 6 of those units.

In accordance with the City Council's last action on that reduction program in May, 2010, the reduced fees were to be prepaid (by July 1, 2011) and then builders were allowed 18 months to

utilize the reduced fees for permits. As of December, 2012, the fee reduced permits had all been utilized and the reduced fee program has expired. In 2012, the City issued a total of 15 single-family building permits, of which 14 were obtained by Interwest.

With the expiration of the prior fee reduction program, Interwest Homes proposed a new reduced fee program that consisted of a multi-year program which included several components:

- During the first year, Interwest would continue paying the 2004 impact fee rate, plus the current levee and Sutter County impact fees.
 - o Interwest would guarantee obtaining (paying for) a minimum of 20 single-family permits during the first year.
 - o Interwest would continue to utilize local sub-contractors and suppliers for their new construction.
- During each subsequent year that the reduced fee program is in effect, Interwest would increase the fee amount paid by approximately \$5,000 per unit (or 1/3 of the difference between 2004 and ultimate fee) each year.

In response, the Council approved the request from Interwest Homes subject to an annual review at the end of each calendar year. The Council also added that it reserved the right to further increase the amount of the impact fee to be collected each year based on the market and economic conditions at the time.

As the end of 2013 approaches, staff is bringing the matter back to Council for further discussion on the amount to be collected beginning in January 2014.

Analysis:

To date, the City has issued 48 single family residential permits in 2013, of which, 39 were obtained by Interwest Homes. Given the slight improvement from last year (and prior years) staff believes that it is appropriate to continue forward with the previously approved fee reduction program, including an incremental increase as originally planned.

Provided below is a summary of the development impact fees assessed in 2004, the adjusted 2004 impact fee (includes current levee fee); and the current fee amount with levee fee.

2004 Impact Fee	Adjusted 2004 Impact Fee (w/levee)	Current Impact Fee (w/levee)
\$5,658/unit	\$8,943/unit	\$24,833/unit
	Difference =	\$15,890/unit

Based on the above difference in fee costs of \$15,890 per unit, an incremental increase as originally proposed by Interwest Homes and approved by the Council would equate to \$5,297 each year (\$15,890 divided by 3 = \$5,297). When this amount is added to the adjusted 2004 impact fee rate, the new impact fee amount for single family residential permits in 2014 would be \$14,240 per unit. This would reduce the difference between the collected fee and the ultimate fee from \$15,890 per unit to \$10,593 per unit.

Please note that this amount does not include the Sutter County impact fees or any other City fees such as water and sewer connection fees.

The proposed incremental increase is reflected in the attached Resolution (Exhibit A). As with the prior year, the reduced impact fee program would apply to anyone seeking to obtain a building permit for single family residential development projects. The Resolution also includes provisions for another annual review at the end of 2014, as well as a provision for the City Council to bring the item back for Council consideration in the event that the local economy picks up significantly and building permit activity increases dramatically to warrant a subsequent increase of the impact fee costs prior to end of 2014.

Another item addressed in the attached Resolution that was not discussed as part of this year's program is the subject of pre-payment of impact fees prior to the deadline for new increases in the fee. Recently Interwest Homes had approached staff about the possibility for pre-paying impact fees for future single family residential building permits in anticipation of the increase at the beginning of 2014. Staff had advised Interwest Homes that this subject was not discussed as part of the original program and that such a matter needs to be addressed by the Council during the annual review.

The City allows developers to submit plans for a building permit before a planned fee increase or a new code update to secure the existing fees and codes in effect at the time of submittal. However, to be eligible for such a guarantee, the building permit(s) must be for specific projects or in this case, homes for specific lots. Prepayment of fees for homes that were not assigned to a specific lot number is not be eligible for the locking in of the lower fee. This process is highlighted in the attached Resolution so there is no misunderstanding.

Fiscal Impact:

The potential difference in the amount of development impact fees collected is \$10,593 per unit if no other increases are incorporated. The initial fee reduction approved for Interwest and citywide resulted in a total fee reduction of approximately \$420,960. While this may appear a significant number, the fiscal analysis does not place a value on job retention or secondary commerce created as a result of the new construction activity. Furthermore, the proposed reduction represents only 0.03 percent of the overall \$1.4 billion dollar improvement budget that is to be funded by the payment of development impact fees.

Recommendation:

Adopt a Resolution authorizing the extension of a temporary city-wide reduction of development impact fees for residential development projects beginning January 1, 2014.

Alternative Recommendations:

1. Recommend no continuation of the fee reductions and collect current impact fees at full value.
2. Recommend no increase be added and continue to collect the adjusted 2004 fee.

Prepared By:

/s/ Aaron M. Busch

Aaron M. Busch
Community Development Director

Submitted By:

/s/ Steven C. Kroeger

Steven C. Kroeger
City Manager

Reviewed By:

Finance

RB

City Attorney

TH

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING A CONTINUED TEMPORARY
CITYWIDE FEE REDUCTION FOR RESIDENTIAL HOMEBUILDERS
ON NEW SINGLE FAMILY RESIDENTIAL UNITS**

WHEREAS, as a result of the on-going unprecedented economic and real estate environment, the City Council has previously reduced the development impact fees (“DIF”) for single-family residential projects in an effort to promote new residential development and new economic growth for the community; and,

WHEREAS, the City Council approved a Temporary Citywide Fee Reduction for 48 units utilizing the 2004 fee rates on June 2, 2009; and,

WHEREAS, the City Council approved an extension of the Temporary Citywide Fee Reduction for another 24 units utilizing the 2004 fee rates on May 4, 2010; and,

WHEREAS, all of the fee reduced permits authorized by the City Council had been utilized prior to the December 2012 deadline and the reduced fee program had expired; and,

WHEREAS, the City Council approved an extension of the Temporary Citywide Fee Reduction program through the end of December 2013, on February 5, 2013, and;

WHEREAS, the Council approved the extension subject to an annual review in December 2013 for purposes of discussing a phased increase in the fee amount to be collected beginning in January 2014, and,

WHEREAS, the City of Yuba City expects the fee reduction will result in job retention and new secondary commerce throughout the community as a result of new residential construction activity stimulated by the fee reduction.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Yuba City as follows:

SECTION 1.

The temporary citywide fee reduction program is hereby extended as follows:

- A. Beginning January 1, 2014 the development impact fee to be collected for new single family residential building permits shall be the 2004 impact fee amount (\$5,658) plus an increase \$5,297 for a sub-total of \$10,955 per unit. In addition, homebuilders would also be responsible for paying the then current levee,

school, County impact, water, and sewer fees. All fees shall be paid upon the issuance of building permit.

- B. Pre-payment of building permit fees (including the temporary reduced impact fee) prior to this planned increase shall only be allowed for specific lot numbers or addresses. Pre-payment of building permit fees for speculative lots is not allowed. If building permit fees have been pre-paid for a specific lot, the building permit shall comply with all applicable timelines of the California Building Code.
- C. This temporary fee reduction shall be valid until December 31, 2014. Prior to said expiration date, the City Council shall revisit this subject to determine if additional adjustments shall be made for the beginning of 2015. This provision does not preclude the City Council from bringing this matter back sooner for reconsideration of additional increases in the event the local economy and development industry dramatically improves.

The foregoing Resolution was duly and regularly introduced, passed and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 17th day of December, 2013:

AYES:

NOES:

ABSENT:

Kash Gill, Mayor

ATTEST

Terrel Locke, City Clerk

CITY OF YUBA CITY
STAFF REPORT

Date: December 17, 2013
To: Honorable Mayor & Members of the City Council
From: City Treasurer
Presentation By: Spencer Morrison, Accounting Manager/City Treasurer

Summary

Subject: Presentation of Investment Report – Quarter Ended September 30, 2013
Recommendation: Note & File Quarterly Investment Report
Fiscal Impact: Informational item only

Purpose:

To provide information regarding the investment of City funds.

Background:

In accordance with the City's adopted Investment Policies, staff has prepared the attached investment report for City Council review for the previous quarter (July, August, and September).

Analysis:**Portfolio Highlights:**

- As of September 30, 2013, the City's overall investment portfolio (estimated market value) totaled \$84,558,628, an increase of \$884,605 since the previous quarter.
- Notable transactions during the quarter that affected cash flows included: 1) Received Regional Surface Transportation Program Funds of \$1.3 million; 2) Paid various debt service payments for \$3.3 million; and 3) Received state revolving loan fund reimbursement for wastewater projects for \$2.2 million; 4) Permit fees for the Sierra Central development project for \$1.6 million; 5) Flood control project expenditures and bond project fund drawdowns netting an increase of \$2.1 million; and 6) Liquidation of the Gauche bond debt service savings reserve fund for \$1.3 million.
- The Portfolio shows a "paper loss" of \$158,754 as of September 30th. This represents the amount of money that the City would lose if it were to liquidate its entire portfolio at the end of the reporting period. However, such losses would not be realized if the investments are held until maturity (which is the City's general investment strategy).
- Portfolio interest earnings continue to remain very low. For the quarter ended 9/30/13, four investments matured or were sold with an average yield of 2.57%. The funds were re-invested in five investments with an average yield of 1.63%. This contributed to the continued low "Weighted Average Yield to Maturity" of the City's total investment portfolio of 1.77 years for the quarter.
- The City's cash flow needs will be met by the roughly \$31.3 million as of September 30th (approximately 38.8% of the "City Held Investments" portfolio value) that is currently

invested in LAIF, CAMP, Umpqua and in the City's Wells Fargo account, which are wholly liquid.

Outlook: Rates increased steadily higher into September only to reverse due to weaker-than-expected employment and economic data, a shake-up for the Fed chair, and the Fed's surprise announcement to delay adjusting the pace of its bond purchases until it sees more evidence of sustainable economic progress. The domestic economy continues to grow modestly with growth forecasts into next year being reduced creating an environment of uncertainty.

Summary Overview: The City's Investment portfolio continues to remain safe and stable. Each investment continues to be in compliance with State law and the City's formal Investment Policies. Our three primary objectives for the City's portfolio are safety, liquidity and then yield. With this in mind, staff continues to conservatively look for opportunities in today's volatile marketplace while remaining focused on our primary objectives.

Fiscal Impact:

Informational Item only.

Recommendation:

Staff recommends that Council note and file the Quarterly Investment Report for the period ending September 30, 2013.

Prepared and Submitted By:

/s/ Spencer Morrison

Spencer Morrison
Accounting Manager/City Treasurer

Reviewed By:

City Manager

[SK](#)

Finance

[RB](#)

City Attorney

[TH](#)



City of Yuba City

Treasurer's Quarterly Investment Report

AS PRESCRIBED BY CALIFORNIA GOVERNMENT CODE SECTION 53646

September 30, 2013

**City of Yuba City – Month-By-Month Comparison Report
September 30, 2013**

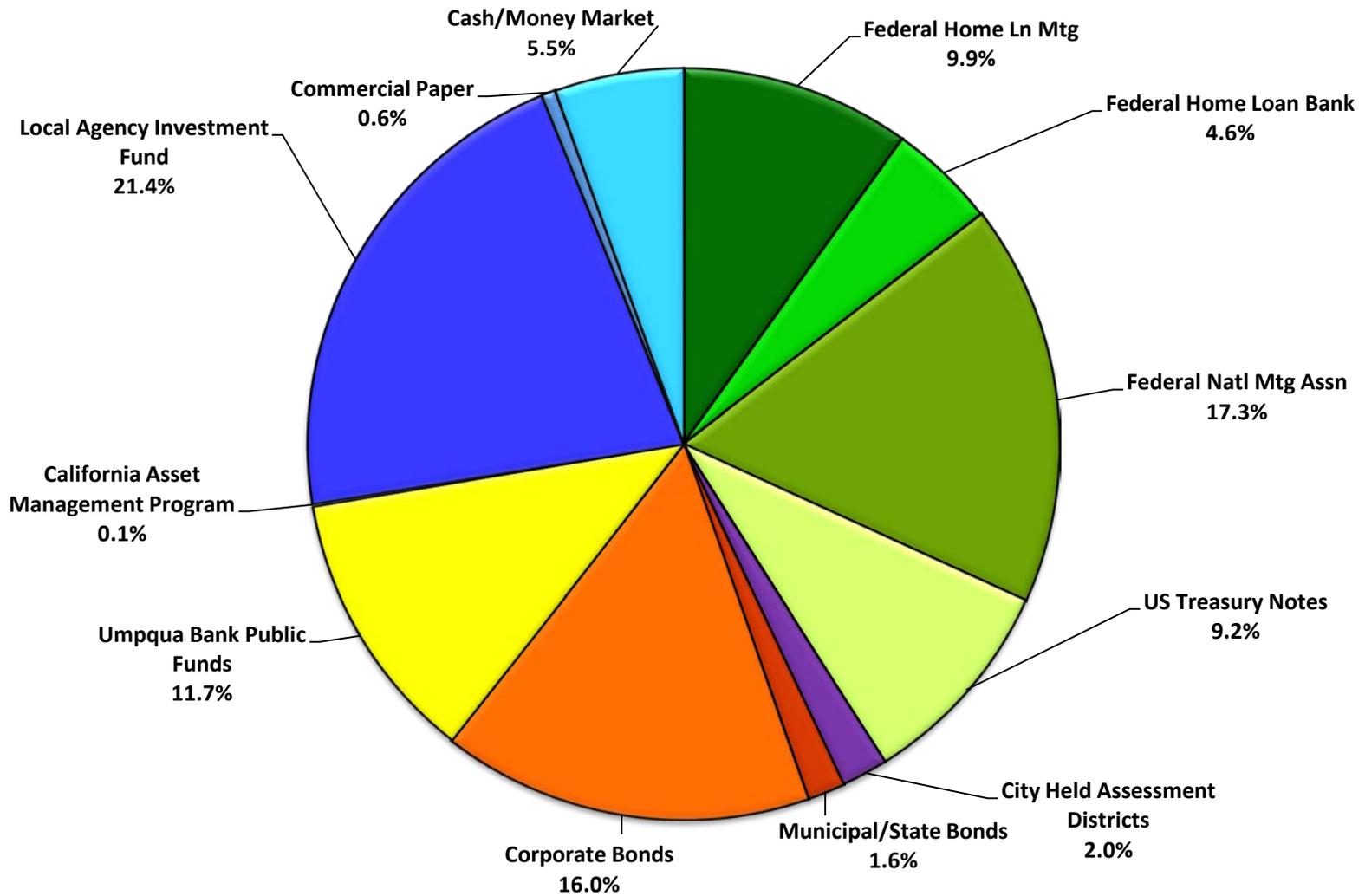
The following table provides a comparison of the portfolio for the quarter ended September 30, 2013, and the previous quarters ended December 2012, March 2013, and June 2013.

Portfolio Comparison				
	12/31/12	3/31/13	6/30/13	9/30/13
Cost Basis	\$76,429,459	\$81,925,185	\$83,332,541	\$84,718,095
Estimated Market Value	76,739,266	82,120,200	83,001,971	84,558,628
Unrealized Gains/(Losses) ⁽¹⁾	61,392	176,211	(329,307)	(158,754)
Liquidity	33.3%	34.9%	36.7%	38.8%
Weighted Average Years: Maturity of City Held Funds	1.871 years	2.040 years	1.571 years	1.77 years
LAIF Interest Rate	0.33%	0.29%	0.24%	0.26%
CAMP Interest Rate	0.180%	0.140%	0.100%	0.100%
Umpqua Bank Public Funds Money Market Interest Rate	0.340%	0.290%	0.25%	0.27%
Portfolio: Weighted Average Yield to Maturity at Market	1.09%	1.07%	1.00%	0.95%
CPI (Annualized)	2.0%	1.1%	1.8%	1.2%

Note: (1) This represents the amount of money that the City would gain if it were to liquidate its entire portfolio at the end of the reporting period. However, such gains might not be realized if the investments are held until maturity (which is the City's historical investment strategy).

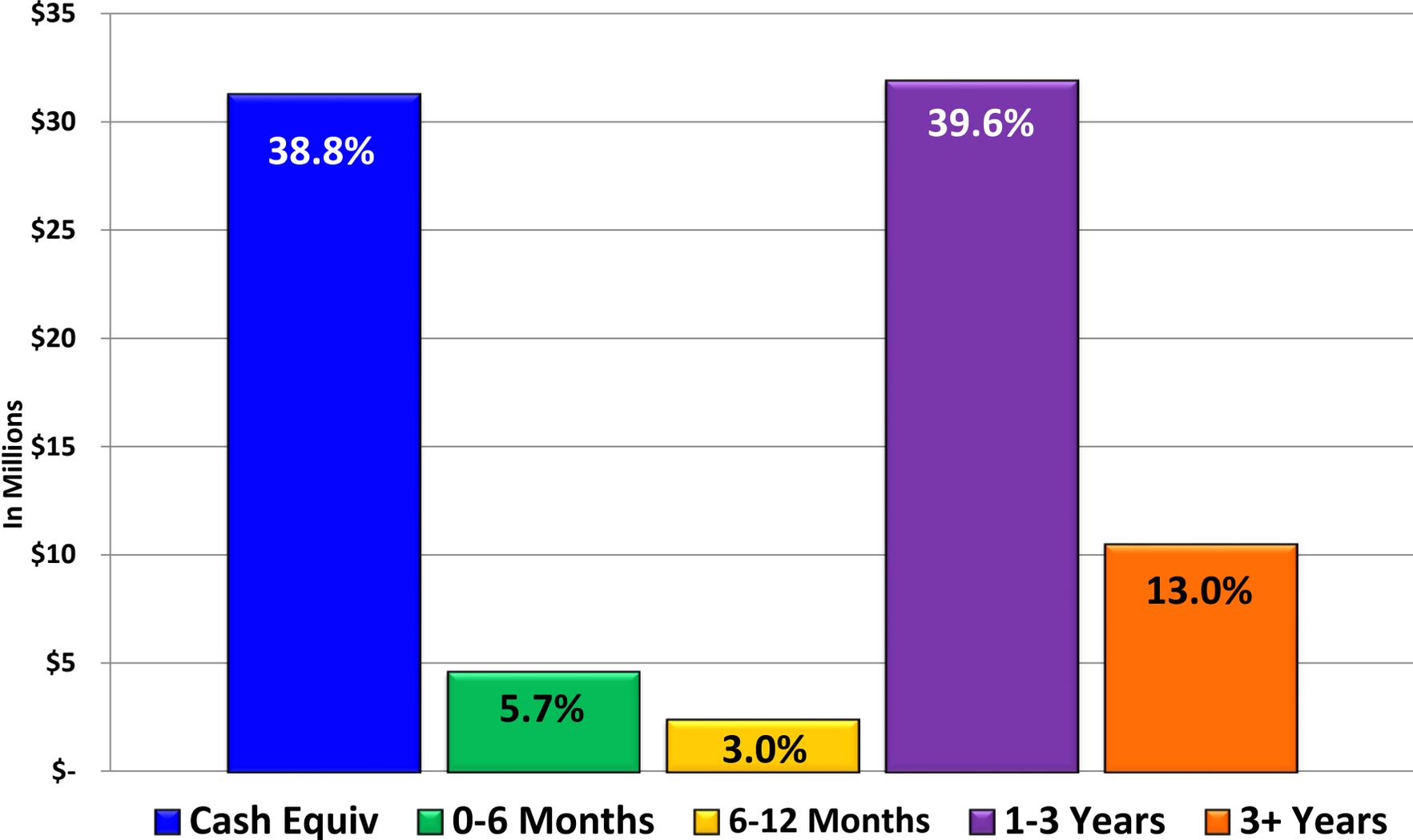
City of Yuba City – Quarterly Investment Report
September 30, 2013

Composition of City Held Investments



City of Yuba City – Quarterly Investment Report
September 30, 2013

City Held Investment Portfolio Maturity Distribution



**City of Yuba City
Monthly Investment Statement**

City Held Investments

September, 2013

No.	Description of Security	CUSIP NO.	Maturity Date	Coupon Rate	Yield to Maturity	Cost Basis	Estimated Market Value	Unrealized Gain/(Loss)
1	Local Agency Investment Fund (LAIF)	N/A	Daily	0.257%	0.257%	\$ 17,275,906	\$ 17,275,906	\$ -
2	Calif. Asset Management Program (CAMP)	N/A	Daily	0.100%	0.100%	102,510	102,510	-
3	Wells Fargo Money Market & Checking Accts.	N/A	Daily (Sweep)	0.000%	0.000%	4,036,259	4,036,259	-
4	Umpqua Bank Public Funds Money Market	N/A	Daily	0.270%	0.270%	9,480,861	9,480,861	-
5	Reich&Tang Money Market	431114701	Daily	0.010%	0.010%	433,297	433,297	-
6	ING Discount Commerical Paper	4497W0XB9	10/11/13	0.000%	0.200%	499,722	499,980	258
7	Federal Natl Mtg Assn	31398AUJ9	12/11/13	2.875%	2.820%	354,007	351,922	(2,085)
8	Federal Natl Mtg Assn	31398A5W8	12/18/13	0.750%	0.480%	1,006,180	1,001,500	(4,680)
9	Westpac Banking Corp	96121TLT3	02/14/14	1.448%	1.470%	575,000	577,133	2,133
10	Federal Natl Mtg Assn	3135GOAP8	02/27/14	1.265%	1.440%	1,193,340	1,205,688	12,348
11	US Treasury Notes	912828PZ7	03/15/14	1.125%	1.240%	925,361	930,023	4,662
12	Wal Mart Stores, Inc.	931142DA8	04/15/14	1.625%	1.720%	204,447	206,595	2,149
13	Wal Mart Stores, Inc.	931142DA8	04/15/14	1.625%	0.882%	509,955	503,890	(6,065)
14	US Treasury Notes	912828RB8	08/15/14	0.500%	0.400%	1,002,813	1,003,360	548
15	Federal Home Ln Mtg	3137EACV9	08/27/14	1.000%	0.540%	707,903	705,642	(2,261)
16	Federal Home Loan Bank	313370JS8	09/12/14	1.375%	0.594%	767,693	758,595	(9,098)
17	Federal Home Loan Bank	313374CZ1	09/22/14	1.000%	0.922%	502,640	504,055	1,415
18	Federal Home Ln Mtg	3137EACY3	11/25/14	0.750%	0.640%	1,458,626	1,459,425	800
19	US Treasury Notes	912828RV4	12/15/14	0.250%	0.360%	1,270,866	1,276,390	5,524
20	General Electric	3692G5M2	01/09/15	2.150%	0.820%	514,620	510,375	(4,245)
21	Berkshire Hathaway Fin Corp	084664AT8	01/15/15	4.850%	0.580%	543,460	527,755	(15,705)
22	Federal Natl Mtg Assn	3135G0HA4	01/30/15	0.750%	0.580%	502,481	500,815	(1,666)
23	Federal Home Ln Mtg	3137EACH0	02/09/15	2.875%	0.790%	1,124,036	1,087,286	(36,750)
24	Bank of New York Mellon	06406HCC1	02/20/15	1.200%	1.230%	159,854	161,437	1,583
25	US Treasury Notes	912828MR8	02/28/15	2.375%	0.510%	663,986	649,247	(14,739)
26	General Electric	36962GP65	03/04/15	4.875%	1.400%	883,816	846,568	(37,248)
27	Federal Home Loan Bank	3133XWX95	03/13/15	2.750%	0.760%	534,800	517,810	(16,990)
28	Cooperatieve Centrale RAIF B	21684BEP5	04/29/15	0.600%	6.100%	575,000	572,930	(2,070)
29	IBM Corp Global Notes	459200HD6	05/11/15	0.750%	0.830%	444,261	447,172	2,911
30	Wells Fargo & Co	94974BFE5	07/01/15	1.500%	0.650%	712,719	708,778	(3,941)
31	US Treasury Notes	912828NP1	07/31/15	1.750%	0.670%	1,871,551	1,847,592	(23,959)
32	Federal Natl Mtg Assn	3135GONG4	08/07/15	0.500%	0.510%	874,913	875,158	246
33	Federal Home Loan Mortgage Corp	3134G4ER5	08/19/15	0.500%	0.480%	1,675,804	1,676,089	285
34	Microsoft Corp	594918-AG-9	09/25/15	1.625%	1.545%	501,600	511,610	10,010
35	MassMutual Global FDG II	57629WBM1	09/28/15	2.300%	1.405%	1,030,650	1,030,010	(640)
36	Federal Natl Mtg Assn	31398A4M1	10/26/15	1.625%	0.980%	1,282,295	1,280,575	(1,720)
37	Bank of New York Mellon	06406HBS7	01/15/16	2.500%	0.690%	577,231	568,651	(8,580)
38	CA St. Go Bonds	13063BN73	02/01/16	1.050%	0.970%	200,676	199,954	(722)
39	Microsoft Corp	594918AK0	02/08/16	2.500%	0.470%	746,487	729,050	(17,437)
40	JP Morgan Chase & Co	46623EJU4	02/26/16	1.125%	1.070%	750,195	749,138	(1,057)
41	Federal Natl Mtg Assn	3136G1FP9	03/11/16	0.750%	0.560%	502,890	501,365	(1,525)

**City of Yuba City
Monthly Investment Statement**

City Held Investments

September, 2013

No.	Description of Security	CUSIP NO.	Maturity Date	Coupon Rate	Yield to Maturity	Cost Basis	Estimated Market Value	Unrealized Gain/(Loss)
42	Federal Natl Mtg Assn	3135G0VM2	03/14/17	0.750%	0.720%	1,000,800	986,620	(14,180)
43	Feder Home Ln Mtg	3134G3SE1	03/21/16	1.000%	1.000%	1,002,150	1,002,990	840
44	General Electric Cap Corp	36962G5C4	05/09/16	2.950%	1.100%	580,580	574,943	(5,637)
45	Toyota Motor Credit FLTN/RT	89236TAL9	05/17/16	0.800%	0.810%	244,900	244,784	(116)
46	US Treasury Notes	912828QX1	07/31/16	1.500%	0.910%	514,141	512,655	(1,486)
47	Berkshire Hathaway Fin Corp	284664BX8	08/15/16	0.950%	1.000%	314,833	315,410	577
48	East Hillcrest Assessment District		09/02/16	6.000%	6.000%	23,419	23,419	-
49	US Treasury Notes	912828RJ1	09/30/16	1.000%	0.960%	428,935	429,382	447
50	Federal Natl Mtg Assn	3135G0WY5	11/14/16	0.550%	0.550%	1,900,000	1,883,508	(16,492)
51	Federal Natl Mtg Assn	3135GOES8	11/15/16	1.375%	1.180%	1,261,500	1,270,825	9,325
52	US Treasury Notes	912828RX0	12/31/16	0.875%	0.890%	434,694	436,496	1,802
53	US Treasury Notes	912828SC5	01/31/17	0.875%	0.880%	324,937	325,787	850
54	Federal Natl Mtg Assn	3136G0CZ2	04/25/17	1.350%	0.530%	1,014,520	1,004,770	(9,750)
55	Berkshire Hathaway Fin Corp	084664BS9	05/15/17	1.600%	1.510%	199,846	201,690	1,844
56	US BankCorp MTNS Bank	91159HHD5	05/15/17	1.650%	1.160%	766,478	754,380	(12,098)
57	Federal Home Ln Mtg	3134G3WV8	06/06/17	1.200%	1.120%	501,925	499,680	(2,245)
58	Federal Home Ln Mtg	3137EADH9	06/29/17	1.000%	0.820%	1,008,550	997,700	(10,850)
59	IBM Corp Global Notes	459200GJ4	09/14/17	5.700%	1.596%	494,211	492,108	(2,103)
60	Federal Home Ln Mtg	3137EADL0	09/29/17	1.000%	0.910%	577,369	570,113	(7,256)
61	Federal Home Loan Bank	313381B20	12/08/17	0.750%	0.450%	999,000	975,980	(23,020)
62	Federal Natl Mtg Assn	3135G0RT2	12/20/17	0.000%	0.880%	749,820	736,823	(12,997)
63	Federal Home Loan Bank	3137EADN6	01/12/18	0.750%	1.007%	987,580	974,440	(13,140)
64	Federal Natl Mtg Assn	3136G1KN8	04/24/18	1.500%	1.100%	1,517,230	1,497,540	(19,690)
65	Colgate Palmolive Co	19416QEB2	05/01/18	0.900%	1.000%	427,949	416,958	(10,991)
66	Microsoft Corp	594918AS3	05/01/18	1.000%	1.010%	139,912	136,368	(3,544)
67	Apple Inc.	037833AJ9	05/03/18	1.000%	1.080%	254,059	245,629	(8,430)
68	Apple Inc.	037833AJ9	05/03/18	1.000%	1.170%	495,880	481,625	(14,255)
69	Federal Natl Mtg Assn	3135G0WJ8	05/21/18	0.875%	1.040%	864,435	850,098	(14,337)
70	Chevron Corp SR Notes	166764AE0	06/24/18	1.718%	1.718%	365,000	363,817	(1,183)
71	Darrough Drive Assessment District		09/02/24	6.000%	6.000%	108,826	108,826	-
72	Buttes Vista 2000-1 AD		09/02/25	2.730%	2.730%	688,226	688,226	-
73	Buttes Vista 2002-1 AD		09/02/27	2.730%	2.730%	680,978	680,978	-
74	Staple/Ashley/Dennis Assessment District		03/02/30	6.000%	6.000%	134,432	134,432	-
75	Yuba City RDA TABs	988234EP1	09/01/32	5.375%	6.460%	960,000	1,103,088	143,088
	U.S. Consumer Price Index (Inflation)		September, 2013		1.200%			
Total City Held Investments						\$ 80,947,822	\$ 80,734,485	\$ (213,337)

City of Yuba City Investment Report

Investments Held by Other Fiscal Agents (1)

September, 2013

No.	Description of Debt Issuance	Account Type	Description of Security	Maturity Date	Coupon Rate	Yield to Maturity	Cost Basis	Estimated Market Value	Unrealized Gain/(Loss)
76	RDA Tax Allocation Series A - 2004	Reserve	Blackrock T-Fund	Daily	0.010%	0.010%	5,977	5,977	-
77		Reserve	Federal Natl Mtg	02/27/14	1.250%	1.240%	1,109,000	1,125,309	16,309
78		Principal	Blackrock T-Fund	Daily	0.000%	0.000%	-	-	-
79		Interest	Blackrock T-Fund	Daily	0.000%	0.000%	-	-	-
80	Housing Set-Aside Series B - 2004	Reserve	Fedea Home Ln	09/01/39	Discount	5.260%	302,394	312,959	10,566
81		Reserve	Blackrock T-Fund	Daily	0.010%	0.010%	4,947	4,947	-
82		Principal	Blackrock T-Fund	Daily	0.000%	0.000%	-	-	-
83		Interest	Blackrock T-Fund	Daily	0.000%	0.000%	-	-	-
84	Sunsweet Blvd CFD - 2005	Reserve	LAIF	Daily	0.257%	0.257%	214,991	214,991	-
85		Reserve	Blackrock T-Fund	Daily	0.010%	0.010%	3,057	3,057	-
86		Installment	Blackrock T-Fund	Daily	0.010%	0.010%	120,783	120,783	-
87	Gauche Park COP - 2006	Reserve	Federal Natl Mtg	06/01/36	Discount	5.040%	769,133	768,420	-
88		Reserve	Blackrock T-Fund	Daily	0.010%	0.010%	29,483	29,483	-
89		Lease	Blackrock T-Fund	Daily	0.010%	0.010%	18	18	-
90	RDA Tax Allocation Bonds - 2007	Reserve	Fed Home Ln Mtg	09/01/39	Discount	5.260%	1,159,894	1,187,603	27,708
91		Reserve	Blackrock T-Fund	Daily	0.010%	0.010%	17,774	17,774	-
92		Project	Blackrock T-Fund	Daily	0.010%	0.010%	24,713	24,713	-
93		Principal	Blackrock T-Fund	Daily	0.000%	0.000%	-	-	-
94		Interest	Blackrock T-Fund	Daily	0.010%	0.010%	-	-	-
95	Wastewater Revenue Refunding - 2011	Debt Service	Blackrock T-Fund	Daily	0.010%	0.010%	-	-	-
96	2013 Water Rev COP - Escrow	Debt Service	Uninvested Cash	Daily	0.000%	0.000%	-	-	-
97	2013 Water Rev COP - Cost of Issuance	Debt Service	Blackrock T-Fund	Daily	0.010%	0.010%	-	-	-
98	2013 Water Rev COP - Debt Service	Debt Service	Blackrock T-Fund	Daily	0.010%	0.010%	8,109	8,109	-
	U.S. Consumer Price Index (Inflation)			September, 2013		1.200%			
Total Non-City Investments							\$ 3,770,273	\$ 3,824,143	\$ 54,583

TOTAL CITY & NON-CITY INVESTMENTS	\$ 84,718,095	\$ 84,558,628	\$ (158,754)
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I certify to the best of my knowledge: (i) That this statement reflecting all City investments is accurate and complete; (ii) That each investment conforms with the City's investment policies, as well as California's Government Code; and (iii) That sufficient cash flow liquidity is available to meet the next six months of estimated disbursements.

Signed: Spencer Morrison
 Spencer Morrison, City Treasurer

Date: 6/10/2013

**City of Yuba City - Quarterly Investment Transaction Report
September 2013 - Summary**

Account Types	Balance 6/30/2013	Balance 9/30/2013	September Activity
City Held Investments			
Local Agency Investment Fund	\$ 18,267,810	\$ 17,275,906	\$ (991,904)
California Asset Management Program	102,491	102,510	18
Umpqua Bank Public Funds Money Market	9,474,204	9,480,861	6,658
Cash/Money Market	663,730	4,469,556	3,805,826
Federal Agency Securities	26,775,662	25,677,009	(1,098,653)
US Treasuries	6,984,545	7,410,931	426,386
Commercial Paper	-	499,980	499,980
Certificates of Deposit	1,150,684	1,150,063	(621)
Municipal/State Bonds	1,321,336	1,303,042	(18,294)
Corporate Bonds	11,405,305	11,728,746	323,441
City-held Assessment Districts	1,635,881	1,635,881	0
Total City Held Investments	\$ 77,781,648	\$ 80,734,485	\$ 2,952,837
Trustee Held Investments			
RDA Tax Allocation Series A - 2004	\$ 1,123,824	\$ 1,131,286	\$ 7,462
Housing Set Aside Series B - 2004	314,421	317,907	3,485
Sunsweet Blvd CFD - 2004	482,303	338,830	(143,472)
Water Revenue Certificates - 2005	1	-	(1)
Gauche Park COP - 2006	2,062,432	797,922	(1,264,510)
RDA Tax Allocation 2007	1,221,481	1,230,090	8,609
Wastewater COP Refunding - 2011	0	-	(0)
Water COP Refunding - 2013	15,857	8,109	(7,748)
Total Trustee Held Investments	\$ 5,220,319	\$ 3,824,143	\$ (1,396,176)
Total	\$ 83,001,968	\$ 84,558,628	\$ 1,556,661

**Investment Activity
July-August-September 2013**

Description of Security	Broker	Settlement Date	Maturity Date	Trade Date	Activity Type	Coupon Rate	Yield to Maturity	Cost Basis
SALES/REDEMPTIONS								
FHLMC Notes		07/03/13	07/03/17	07/03/13	Sales	2.250%	1.890%	508,525
CME Group Notes		08/01/13	08/01/13	08/01/13	Maturity	5.400%	0.922%	544,025
FNMA Notes	Citigroup Global Markets	08/15/13	10/26/15	08/06/13	Sales	1.625%	0.980%	282,782
FNMA Notes		09/23/13	09/23/13	09/23/13	Maturity	1.000%	0.960%	350,431
Total Sales/Redemptions								\$ 1,685,763
PURCHASES								
ING US FDG Disc Corp Paper	JP Morgan Chase	07/03/13	10/11/13	07/02/13		0.000%	0.200%	499,722
Berkshire Hathaway Corp Bond	Wachovia Cap Mkts, LLC	08/15/13	08/15/16	08/06/13		0.950%	1.000%	314,833
FHLMC Notes	Chase Securities	08/19/13	08/19/15	08/13/13		0.500%	0.480%	428,935
US Treasury Notes	Morgan Stanley	09/25/13	09/30/16	09/24/13		1.000%	0.650%	428,935
IBM Corp Notes	Chase Securities	08/02/13	09/14/17	07/30/13		5.700%	1.596%	594,211
Total Purchases								\$ 2,266,636



City Council Reorganization 2012 - 2013

Mayor John Buckland

Mayor Pro Tem Kash Gill
Council Member John Dukes

Council Member Tej Maan
Council Member Craig Starkey

Council Committee Assignments

ANIMAL SERVICES JPA B.O.D.

Dates/location TBA
John Buckland
John Dukes (alt: Tej Maan)

BEALE MILITARY LIAISON COMMITTEE

Dates/location TBA
John Dukes

CONSOLIDATED AREA HOUSING AUTH. B.O.D.

1st & 3rd Wednesday, 12:15, 448 Garden Hwy, 671-0220
Tej Maan
Craig Starkey (alternate)

FEATHER RIVER AIR QUALITY MGMT DISTRICT

Every other month: 1st Monday of Feb, Apr, Jun, Aug, Oct & Dec,
4:00 p.m., 938 - 14th St, Marysville, 634-7659
Kash Gill
Tej Maan (alternate)

GILSIZER DRAINAGE DISTRICT

2nd Wednesday 4:00, Council Chambers, County PW 822-7450
John Buckland
John Dukes
Kash Gill (alternate)

IGR (INTERGOVERNMENTAL RELATIONS)

Rotates City/County/quarterly noon (Inactive at this time)
John Buckland
John Dukes

LAFCO (LOCAL AGENCY FORMATION COMMISSION)

4th Thursday 4:00, Council Chambers, Doug Libby, 822-7400
Tej Maan
Craig Starkey (alternate)

NORTH SACRAMENTO VALLEY INTEGRATED REG'L WATER MGMT. GROUP

Qtrly., Contact Dan Peterson, Sutter Co., X7450
Kash Gill

REGIONAL WASTE MANAGEMENT

3rd Thursday 4:30, 915 - 8th St., Marysville, Yuba Co. Offices, Keith Martin, 634-6890
Craig Starkey
John Buckland (alternate)

SACOG (SAC. AREA COUNCIL OF GOVT'S.)

3rd Thursday 9:00, 1415 "L" St., Ste. 300, Sacto, 916-340-6205
John Buckland
Kash Gill (alternate)

SCHOOL DISTRICT LIAISON COMMITTEE

Dates TBA - Superintendent Office, 750 Palora, 822-5200
John Buckland
Kash Gill

SCREENING COMMITTEE

Dates TBA. Held in Butte Room, City Clerk's office, 822-4610
John Buckland
Kash Gill

SUTTER BUTTE FLOOD CONTROL AGENCY

2nd Wednesday, 1:30-3:00, Council Chambers, mailing add: 1227 Bridge St., 755-9859
John Dukes (alt: Tej Maan)
Kash Gill (alt: John Buckland)

SUTTER CO. AIRPORT COMMITTEE

Qtrly.-3rd Wednesday of Jan, Apr, Jul & Oct, 4:00 p.m., Garden Hwy, Bob Starr, Co. P.W., 822-7473
John Buckland
Tej Maan (alternate)

YUBA-SUTTER REG'L. ARTS COUNCIL

4th Wed., 5:00 p.m. - 624 E St., Marysville, 742-2787
Craig Starkey
Kash Gill (alternate)

YUBA-SUTTER TRANSIT AUTHORITY

3rd Thursday 4:00, 915 - 8th St., Marysville, Yuba Co. Offices, Keith Martin 634-6880
Craig Starkey
Tej Maan
Kash Gill (alternate)
John Dukes (alternate)

CITY OF YUBA CITY

City Council Reports

- Councilmember Buckland
- Councilmember Maan
- Councilmember Starkey
- Vice Mayor Dukes
- Mayor Gill

Adjournment