



AGENDA

JANUARY 7, 2014

REGULAR MEETING
CITY COUNCIL
CITY OF YUBA CITY

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
January 7, 2014
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.

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 Brad Howell**
2. **Presentation from the Friends of Parks and Recreation Foundation**

Public Hearing

3. **Tax-Exempt Bond Financing for Kingsbury Real Estate Holdings, LLC**

Recommendation:

- 1) Conduct the Public Hearing under the requirements of the Tax Equity & Fiscal Responsibility Act (TEFRA) and the Internal Revenue Code of 1986, as amended
- 2) Adopt the Resolutions approving the City of Yuba City joining the ABAG Finance Authority for Nonprofit Corporations, executing associate membership agreement with the Authority and approving the issuance of Industrial Development Bonds by the Authority to Finance the acquisition and installation of a manufacturing facility to be owned by Kingsbury Real Estate Holdings, LLC

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 December 17, 2013

Recommendation: Approve the City Council Meeting Minutes of December 17, 2013.

7. Feather River Air Quality Management District (FRAQMD) Agreement No. VF13-04 – Acceptance of Blue Sky Grant for \$38,000 for the Yuba City Class II Bike Lanes Project 2014 and Agreement No. VF 13-05 – Acceptance of Blue Sky Grant for \$8,500 for the May is Bike Month 2014 Project

Recommendation:

- a. Adopt a Resolution authorizing the Public Works Director to execute FRAQMD Agreement No. VF 13-04, accepting \$38,000 in Blue Sky Grant funds for the Yuba City Class II Bike Lanes Project 2014 including the necessary budget adjustments outlined in the fiscal impact
- b. Adopt a Resolution authorizing the Public Works Director to execute FRAQMD Agreement No. VF 13-05, accepting \$8,500 in Blue Sky Grant funds for the May is Bike Month 2014 Project including the necessary budget adjustments outlined in the fiscal impact

8. Annual Community Facilities District Report Pursuant to Government Code Section 53411

Recommendation: Note & File Community Facility District Annual Report

General Items

9. Plumas Boulevard Median Extension (Plans & Specifications)

Recommendation: Adopt a Resolution approving the plans and specifications for the Plumas Boulevard Median Extension Project and authorizing advertisement for bids on the project. [Engineer's Estimate - \$100,000]

10. Helen Avenue Drainage Improvements Project (Plans and Specifications)

Recommendation: Adopt a Resolution approving the plans and specifications for the Helen Avenue Drainage Improvements Project and authorizing advertisement for bids on the project

11. Establishment of an Economic Development Work Plan Advisory Committee

Recommendation: Establish an Economic Development Work Plan Advisory Committee of business and community leaders that will assist in the Comprehensive Update to the City's Economic Development Work Plan

Business from the City Council

12. Appointments to City of Yuba City Boards and Commissions

Recommendation: Approve the City Council Screening Committee Recommendations for Appointments

13. City Council Reports

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

Adjournment



Proclamation

of the City Council

BRAD HOWELL

Public Works Maintenance Worker III

July 24, 1982 – December 27, 2013

WHEREAS, Brad Howell retired from the City of Yuba City with 31 years of dedicated service on December 27, 2013; and

WHEREAS, Brad began his City career as a Public Works Maintenance Worker II, then promoted to the position of Public Works Maintenance Worker III in November of 1991, and then to the position of Equipment Operator in May of 1992; and

WHEREAS, Brad spent 31 years of his career with the City maintaining city streets, sidewalks, curbs, gutters, signs, markings and storm drain systems; and

WHEREAS, Brad's knowledge in Public Works maintenance activities proved to be invaluable and he could always be counted upon to share that knowledge with his colleagues along with new employees; and

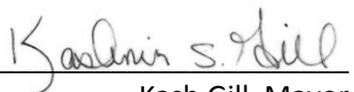
WHEREAS, Brad was always willing to respond to any emergency situation or assist his fellow employees with any task and;

WHEREAS, Brad received acknowledgements from the City Council for his dedicated work efforts during the high water concerns in May of 1986 and January 1997; and

WHEREAS, Brad Howell has always been a conscientious, dedicated and loyal employee of the City of Yuba City Public Works Department and has earned the respect of his fellow 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 Brad's 31 years of outstanding and loyal service to the City of Yuba City, and sincerely urge all residents of Yuba City to join with me in recognizing Mr. Brad Howell for all of his contributions to the Yuba City community.

Done this 7th day of January 2014, at the City of Yuba City, County of Sutter, State of California.


Kash Gill, Mayor



Presentation by: Sharen Cornils, President of the Foundation

CITY OF YUBA CITY
STAFF REPORT

Date: January 7, 2014
To: Honorable Mayor & Members of the City Council
From: Administration
Presentation By: Darin E. Gale, Economic Development Manager

Summary

Subject: Tax-Exempt Bond Financing for Kingsbury Real Estate Holdings, LLC

Recommendation: 1) Conduct the public hearing under the requirements of the Tax Equity & Fiscal Responsibility Act (TEFRA) and the Internal Revenue Code of 1986, as amended.

2) Adopt the resolutions approving the City of Yuba City joining the ABAG Finance Authority for Nonprofit Corporations, executing associate membership agreement with the Authority and approving the issuance of Industrial Development Bonds by the Authority to Finance the acquisition and installation of a manufacturing facility to be owned by Kingsbury Real Estate Holdings, LLC.

Fiscal Impact: None.

Purpose:

To enable Kingsbury to build a new manufacturing facility in Yuba City using tax-exempt debt.

Background:

The ABAG Financial Authority for Non Profit Corporations (Authority) is a Joint Powers Agency formed to help eligible nonprofits and other borrowers to gain access to tax-exempt debt financing. The Authority simplifies the debt issuance process for both the borrower and the jurisdiction in which the borrower is located by issuing conduit tax-exempt bonds or certificates of participation to finance projects with demonstrated public benefit.

Industrial Development Bonds (IDB) financing is a program offering economical tax-exempt conduit financing to the manufacturing industry on behalf of the Authority's member jurisdictions. Tax-exempt IDB financing was authorized in federal tax law to promote investment in land, buildings and equipment associated with domestic manufacturing and processing operations, and consistent with the Authority's role in the promotion of economic development in its membership region.

IDBs utilize federal and state tax-exemptions to allow qualified private companies borrower \$2.0 to \$7.5 million at below-market interest rates normally reserved only for municipalities. Typically, IDBs reduce financing costs by 20% to 30% when compared to conventional funding alternatives

The Joint Exercise of Powers Agreement provides that the Authority is a public entity, separate and apart from each member executing such agreement. The debts, liabilities and obligations of the Authority do not constitute debts, liabilities or obligations of the members executing such agreement.

The Bonds to be issued by the Authority for the Project will be the sole responsibility of the Borrower, and the City will have no financial, legal, moral obligation, liability or responsibility for the Project or the repayment of the Bonds for the financing of the Project. All financing documents with respect to the issuance of the Bonds will contain clear disclaimers that the Bonds are not obligations of the City or the State of California, but are to be paid for solely from funds provided by the Borrower.

Participation by the City in the ABAG will not impact the City's appropriations limits and will not constitute any type of indebtedness by the City. Outside of holding the TEFRA hearing, adopting the required resolution, no other participation or activity of the City or the City Council with respect to the issuance of the Bonds will be required. In the past the City has held TEFRA hearings for the new Goodwill and Sutter North facilities.

Analysis:

Kingsbury is a family owned Philadelphia based leader in design and manufacturing of tilt-pad fluid film thrust and journal bearings for all types of rotating machinery with a service center located in Yuba City. Kingsbury opened its Yuba City facility in 2007 to provide 24/7 emergency repair and field service support of all makes of hydrodynamic babbitted thrust, journal and combination bearings.

The proceeds of the Bonds will be used to: (1) finance and refinance the acquisition and development of an approximately 33,000 square foot facility for the design, manufacture and repair of babbitted fluid-film thrust and journal bearings and associated systems, including fixtures, furniture and equipment, to be located at 219 Burns Drive, Yuba City, California 95991 and (2) pay certain expenses incurred in connection with the issuance of the Bonds.

This project is to be owned and operated by the Borrower, and located in the City. In order for all or a portion of the Bonds to qualify as tax-exempt bonds, the City of Yuba City must conduct a public hearing (the "TEFRA Hearing") providing for the members of the community an opportunity to speak in favor of or against the use of tax-exempt bonds for the financing of the Project. Prior to such TEFRA Hearing, reasonable notice must be provided to the members of the community. Following the close of the TEFRA Hearing, an "applicable elected representative" of the governmental unit hosting the Project (in this case, the City Council) must provide its approval of the issuance of the Bonds for the financing of the Project.

Fiscal Impact:

None to the City. This IDB will provide up to \$3,500,000 in funds for the Kingsbury Yuba City project

Alternatives:

Do not approve the resolution

Recommendation:

- 1) Conduct the public hearing under the requirements of TEFRA and the Internal Revenue Code of 1986, as amended (the "Code").
- 2) Adopt the resolutions approving the City of Yuba City joining the ABAG Finance Authority for

Nonprofit Corporations (Authority), executing associate membership agreement with the Authority and approving the issuance of Industrial Development Bonds (IDB) by the Authority to Finance the acquisition and installation of a manufacturing facility to be owned by Kingsbury Real Estate Holdings, LLC (the Borrower).

Attachments:

1. Resolution Approving Associate Membership to Authority
2. Associate Membership Agreement
3. Resolution approving issuance of IDB financing by the Authority
4. Notice of Public Hearing

Prepared By:

Submitted By:

/s/ Darin E. Gale

Darin E. Gale
Economic Development Manager

/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
APPROVING ASSOCIATE MEMBERSHIP BY THE CITY OF YUBA CITY IN THE
ABAG FINANCE AUTHORITY FOR NONPROFIT CORPORATIONS AND
AUTHORIZING AND DIRECTING THE EXECUTION OF AN ASSOCIATE
MEMBERSHIP AGREEMENT RELATED TO ASSOCIATE MEMBERSHIP BY
THE CITY IN THE AUTHORITY**

WHEREAS, the City of Yuba City, California (the “City”), a municipal corporation, duly organized and existing under the Constitution and the laws of the State of California; and

WHEREAS, the City, upon authorization of the City Council, may, pursuant to Chapter 5 of Division 7 of Title 1 of the government Code of the State of California, commencing with Section 6500(the “JPA Law”) enter into a joint exercise of powers agreement with one or more other public agencies, pursuant to which such contracting parties may jointly exercise any power common to them; and

WHEREAS, the City and other public agencies wish to jointly participate in financing programs for the benefit of businesses and nonprofit entities within their jurisdictions offered by membership in the ABAG Finance Authority for Nonprofit Corporations (the “Authority”) pursuant to an associate membership agreement and Joint Exercise of Powers Agreement relating to the ABAG Finance Authority for Nonprofit Corporations (the “Agreement”); and

WHEREAS, under the JPA Law and the Agreement, the Authority is a public entity separate and apart from the parties to the Agreement and the debts, liabilities and obligations of the Authority will not be the debts, liabilities or obligations of the City or the other members of the Authority; and

WHEREAS, the form of the Associate Membership Agreement (the “Associate Membership Agreement”) between the City and the Authority is attached as Exhibit A hereto; and

WHEREAS, the City is willing to become an Associate Member of the Authority subject to the provisions of the Associate Membership Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Yuba City, hereby finds, determines and declares as follows:

Section 1. The City Council hereby specifically finds and declares that the actions authorized hereby constitute public affairs of the City. The City Council further finds that the statements, findings and determinations of the City set forth in the recitals above are true and correct.

Section 2. The Associate Membership Agreement presented to this meeting and on file with the City Clerk is hereby approved. The Mayor, the Vice Mayor, the City Clerk and other officers or officials of the City are each hereby authorized and directed, for and on behalf of the

City, to execute and deliver the Associate Membership Agreement in substantially said form, with such changes therein as such officer may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof.

Section 3. The officers and officials of the City are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to consummate, carry out, give effect to and comply with the terms and intent of this resolution and the Associate Membership Agreement. All such actions heretofore taken by such officers and officials are hereby confirmed, ratified and approved.

Section 4. This resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED by the City Council of the City of Yuba City, California, on January 7, 2014, by the following vote:

AYES:

NOES:

ABSENT:

Kash Gill, Mayor

Attest:

Terrel Locke, City Clerk

Attachment:

Exhibit A – ABAG Finance Authority for Nonprofit Corporations Associate Membership Agreement
2218431.1

ASSOCIATE MEMBERSHIP AGREEMENT

by and between the

ABAG FINANCE AUTHORITY FOR NONPROFIT CORPORATIONS
and the
CITY OF YUBA CITY

THIS ASSOCIATE MEMBERSHIP AGREEMENT dated as of _____ 2014, is by and between the ABAG FINANCE AUTHORITY FOR NONPROFIT CORPORATIONS, a joint powers authority duly organized and existing under the laws of the State of California (the "Authority") and the CITY OF YUBA CITY, a municipal corporation duly organized and existing under the laws of the State of California (the "City").

WITNESSETH:

WHEREAS, certain public agencies of the State of California (collectively, the "Members"), have entered into a Joint Powers Agreement, dated as of April 1, 1990, revised as of September 18, 1990, and further revised as of June 9, 1992 (the "Agreement"), establishing the Authority and prescribing its purposes and powers; and

WHEREAS, the Authority has been formed for the purpose, among others, to assist nonprofit corporations and businesses to obtain financing for projects and purposes serving the public interest; and

WHEREAS, the Authority has determined that the City should become an associate member of the Authority.

NOW, THEREFORE, in consideration of the above premises and of the mutual promises herein contained, the Authority and the City do hereby agree as follows:

Section 1. Purpose. The purpose of this Associate Membership Agreement is to assist nonprofit corporations and businesses to obtain financing for projects and purposes serving the public interest within or impacting upon the City.

Section 2. Associate Members Status. The City is hereby made an associate member of the Authority for all purposes of the Agreement. From and after the date of execution and delivery of this Associate Membership Agreement by the City and the Authority, the City shall be and remain an associate member of the Authority.

Section 3 Restrictions on Rights of City. The City shall not have the right, as an associate member of the Authority, to vote on any action to be taken by the Authority or participate in debate. In addition, no officer, employee or representative of the City shall have any right to become an officer or director of the Authority.

Section 4. No Obligations of City. The debts, liabilities and obligations of the Authority shall not be the debts, liabilities and obligations of the City.

Section 5. Execution of the Agreement The parties to this Associate Membership Agreement have caused this Associate Membership Agreement to be executed and attested by their proper officers thereunto duly authorized, on the day and year first set forth above.

ABAG FINANCE AUTHORITY FOR
NONPROFIT CORPORATIONS

Signature, Title

CITY OF YUBA CITY

Kash Gill, Mayor

ATTEST:

Terrel Locke, City Clerk

Approved as to form

Timothy Hayes, City Attorney

RESOLUTION NO. ____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
REGARDING APPROVAL OF THE ISSUANCE OF INDUSTRIAL
DEVELOPMENT BONDS BY THE ABAG FINANCE AUTHORITY FOR
NONPROFIT CORPORATIONS TO FINANCE THE ACQUISITION AND
INSTALLATION OF A MANUFACTURING FACILITY WHICH IS TO BE
OWNED BY KINGSBURY REAL ESTATE HOLDINGS, LLC, A DELAWARE
LIMITED LIABILITY COMPANY**

WHEREAS, the ABAG Finance Authority for Nonprofit Corporations (the “Authority”) has expressed its intent to issue its industrial development bonds in the aggregate principal amount not to exceed \$3,500,000 (the “Obligation”) which will be used to finance the acquisition and installation of a new facility to be used for the design, manufacture and repair of babbitted fluid-film thrust and journal bearings and associated systems (the “Project”) at 219 Burns Drive, Yuba City, CA 95991, which are owned by Kingsbury Real Estate Holdings, LLC, a Delaware limited liability company and used by Kingsbury, Inc., a Delaware corporation; and

WHEREAS, this City Council is the elected legislative body of the City of Yuba City (the “City”); and

WHEREAS, in accordance with Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), the City Clerk provided for the timely publication of a Notice of Public Hearing, to the effect that a public hearing would be held at 6:00 p.m. in the City Hall, 1201 Civic Center Boulevard, Yuba City, California 95993, on January 7, 2014, regarding the issuance of the Obligation and the nature and location of the Project, a copy of which is attached hereto; and

WHEREAS, the City Council held a public hearing on January 7, 2014 and provided an opportunity to present arguments both for and against the issuance of the Obligation and the nature and location of the Project. This City Council has considered all testimony and comments submitted in connection with the issuance of the Obligation and the nature and location of the Project at the public hearing.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YUBA CITY RESOLVES AS FOLLOWS:

Section 1. This City Council does hereby find and declare that the above referenced recitals are true and correct.

Section 2. The City Council hereby approves the issuance of the Obligation by the Authority. It is the purpose and intent of the City Council that this resolution constitutes approval of the issuance of the Obligation by the Authority, by the applicable elected representative of the governmental unit having jurisdiction over the area in which the Project is located, in accordance with Section 147(f) of the Code.

Section 3. The officers of the City are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this resolution and the financing transaction approved hereby.

Section 4. This resolution shall take effect immediately upon its adoption.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City, State of California this 7th day of January , 2014.

AYES:

NOES:

ABSENT:

Kash Gill, Mayor

Attest:

Terrel Locke, City Clerk

APPEAL-DEMOCRAT

RECEIVED

1530 Ellis Lake Drive, Marysville, CA 95901 * (530) 749-4700

STATE OF CALIFORNIA * Counties of Yuba and Sutter

I am not a party to, nor interested in the above entitled matter. I am the principal clerk of the printer and publisher of THE APPEAL-DEMOCRAT, a newspaper of general circulation, printed & published in the City of Marysville, County of Yuba, to which Newspaper has been adjudged a newspaper of general circulation by The Superior Court of the County of Yuba, State of California under the date of November 9, 1951, No. 11481, and County of Sutter to which Newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Sutter, State of California under the date of May 17, 1999, Case No.CV PT99-0819. The Notice, of which the annexed is a copy, appeared in said newspaper on the following dates:

December 24, 2013

I declare under penalty of perjury that the foregoing is true and correct. Executed at Marysville, California.

December 24, 2013



Date

Signature

City of Yuba City

Notice of Public Hearing

COPY:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on January 7, 2014, at 6:00 p.m., a public hearing as required by Section 147(f) of the Internal Revenue Code of 1986 will be held with respect to the proposed issuance by the ABAG Finance Authority for Nonprofit Corporations (the "Authority") of its revenue bonds in one or more series in an amount not to exceed \$ 3,500,000 (the "Bonds"). The proceeds of the Bonds will be used to: (1) finance and refinance the acquisition and development of an approximately 33,000 square foot facility for the design, manufacture and repair of babbitted fluid-film thrust and journal bearings and associated systems, including fixtures, furniture and equipment, to be located at 219 Burns Drive, Yuba City, California 95991 (the "Project"); and (2) pay certain expenses incurred in connection with the issuance of the Bonds. The facilities are to be owned by Kingsbury Real Estate Holdings, LLC, a Delaware limited liability company (the "Owner"), and are to be operated by Kingsbury, Inc., a Delaware corporation (the "User"). The Owner has filed an application with the Authority for financing assistance, and reference is made to the application for further particulars.

The Bonds and the obligation to pay principal of and interest thereon and any redemption premium with respect thereto do not constitute an indebtedness or an obligation of the City of Yuba City, the Authority, the State of California or any political subdivision thereof within the meaning of any constitutional or statutory debt limitation, or a charge against the general credit or taxing powers of any of them, but shall be payable solely from certain revenues duly pledged therefor and generally representing amounts paid by the Owner and the User.

The hearing will commence at 6:00 p.m., or as soon thereafter as the matter can be heard, and will be held in the City Council chambers, 1201 Civic Center Boulevard, Yuba City, California 95993. Interested persons wishing to express their views on the issuance of the Bonds or on the nature and location of the facilities proposed to be financed and refinanced may attend the public hearing or, prior to the time of the hearing, submit written comments.

All interested parties are invited to attend the hearing to express their opinions. Written or verbal statements will be accepted at, or prior to, the public hearing. Written statements should be mailed or hand delivered to the City Clerk's office, 1201 Civic Center Blvd., Yuba City, CA 95993.

If you challenge the approval of the proposed issuance by the ABAG Finance Authority for Nonprofit Corporations of the Bonds or any provision thereof in court, you may be limited to raising only those issues you or someone else

raised at the hearing described in this notice or in written correspondence delivered to the City of Yuba City at, or prior to, the meeting.

The Council Chambers are accessible by wheelchair. If you require auxiliary aids or services (i.e., signing services) to make a presentation to the City Council, the City will be available to assist you. Please contact the City Clerk's office (530-822-4817); TTY 530-822-4732) at least 72 hours in advance so such aids or services can be arranged.

/s/ Terrel Locke, City Clerk

December 24, 2013

Ad #00163847

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
DECEMBER 17, 2013
5:00 P.M. – CLOSED SESSION
6:00 P.M. – REGULAR MEETING**

Closed Session—Butte Room

- A. Conferred 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. Conferred 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

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

Roll Call

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

Absent: None

Invocation

Councilmember Dukes gave the invocation.

Pledge of Allegiance to the Flag

Councilmember Maan led the Pledge of Allegiance.

Presentations and Proclamations

1. Proclamation for the Retirement of Terry Brown

Mayor Gill presented a Proclamation to Park Maintenance Worker Terry Brown for 23 years of service to the Community.

2. Proclamation for the Retirement of Assistant Chief Jeff Webster

Mayor Gill presented a Proclamation to Assistant Police Chief Jeff Webster for 29 years of service to the Community.

Public Hearings

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

Mayor Gill opened the Public Hearing. Hearing no comment, he closed the Public Hearing.

Councilmember Starkey moved to adopt **Resolution No. 13-079** 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. Councilmember Buckland seconded the motion that passed with a unanimous vote.

Public Communication

4. Written Requests – none.

5. Appearance of Interested Citizens

The following person spoke:

Phillip Treanor, Yuba City regarding pensions.

Mayor Gill moved Item 15 forward on the Agenda, to accommodate interest from members of the audience.

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

The following person spoke:

Deana Ellis, Cresleigh Homes

Councilmember Dukes moved to adopt **Resolution No. 13-085** authorizing the extension of a temporary city-wide reduction of development impact fee subsidy for residential development projects beginning January 1, 2014, collecting \$10,955 per unit. Councilmember Maan seconded the motion that passed with the following vote:

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

NOES: None

Consent Calendar

Councilmember Maan moved to adopt the Consent Calendar as presented. Councilmember Buckland seconded the motion that passed with a unanimous vote.

6. Minutes of November 19 and December 3, 2013

Approved the City Council Meeting Minutes of November 19 and December 3, 2013

7. 2013 Homeland Security Grant Program

Accepted funding from the 2013 Homeland Security Grant and approved 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)

Approved the Services Agreement as approved by SBFCA Board and authorized the City Manager to execute it

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

Adopted **Resolution No. 13-080** 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

Adopted **Resolution No. 13-081** 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

Adopted **Resolution No. 13-082** 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

Councilmember Starkey moved to 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. Councilmember Dukes seconded the motion that passed with a unanimous vote.

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

Councilmember Starkey moved to: A) Adopt **Resolution No. 13-083** 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; and B) Adopt **Resolution No. 13-084** 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. Councilmember Maan seconded the motion that passed with a unanimous vote.

14. Wastewater Collection System Evaluation

Mayor Gill Noted and Filed Presentation.

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

Mayor Gill Noted & Filed Quarterly Investment Report

Business from the City Council

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

Councilmember Buckland moved to confirm the Appointments by the Mayor. Councilmember Maan seconded the motion that passed with a unanimous vote.

18. City Council Reports

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

Adjournment

Mayor Gill wished everyone a Merry Christmas and Happy New Year, and then adjourned the Regular Meeting of the City Council of the City of Yuba City at 7:10 p.m.

Kashmir Gill, Mayor

ATTEST:

Terrel Locke, City Clerk

CITY OF YUBA CITY
STAFF REPORT

Date: January 7, 2014
To: Honorable Mayor & Members of the City Council
From: Public Works Department
Presentation by: Diana Langley, Interim Public Works Director

Summary

Subject: Feather River Air Quality Management District (FRAQMD) Agreement No. VF13-04 – Acceptance of Blue Sky Grant for \$38,000 for the Yuba City Class II Bike Lanes Project 2014 and Agreement No. VF 13-05 – Acceptance of Blue Sky Grant for \$8,500 for the May is Bike Month 2014 Project

Recommendation:

- a. Adopt a resolution authorizing the Public Works Director to execute FRAQMD Agreement No. VF13-04, accepting \$38,000 in Blue Sky Grant funds for the Yuba City Class II Bike Lanes Project 2014 including the necessary budget adjustments outlined in the fiscal impact.
- b. Adopt a resolution authorizing the Public Works Director to execute FRAQMD Agreement No. VF13-05, accepting \$8,500 in Blue Sky Grant funds for the May is Bike Month 2014 Project including the necessary budget adjustments outlined in the fiscal impact.

Fiscal Impact: Total Project Estimate - \$66,500 broken down as follows:
\$38,000 – FRAQMD Agreement No. VF13-04
\$8,500 – FRAQMD Agreement No. VF13-05
\$20,000 – Account No. 921024-65501 (Striping and Markings)

Staff requests a revenue budget adjustment of \$46,500 for the revenue associated with these grants along with a supplemental appropriation to Account No. 921024-65501 (Gas Tax - Striping and Markings) to allow for expenditure of the grant funds.

Purpose:

To secure \$46,500 in Blue Sky Program grant funds to promote bike activities and improve the bike lane network. The overall goal is to reduce vehicle miles traveled and increase awareness of the bicycle facilities available in Yuba City.

Background:

Under the Blue Sky Program, FRAQMD annually solicits proposals for projects that will: 1) reduce air pollution emission from motor vehicles, 2) implement transportation control measures, or 3) establish public education programs that support and do not duplicate any of the District's efforts. The selected projects are funded through motor vehicle registration fees collected by FRAQMD per

Sections 44220 through 44247 of the Health and Safety Code (AB 2766) in an effort to meet the emission reductions mandated by the California Clear Air Act.

The City has received grant funding from the Blue Sky Program for the past three years and has been very successful in meeting the goals of the program. In addition, these grants have helped the City towards implementation of the Bicycle Master Plan which was adopted in February 2011. Below is a summary of past Blue Sky Program projects:

- 2011 – \$75,000 for outreach related to the benefits of bicycling, advertising of the City's bike facilities, promotion of May is Bike Month 2011, and installation of 3.25 miles of Class II Bike Lanes and 15.6 miles of Class III Bike Routes.
- 2012 – \$35,000 for the implementation of a bicycle parking program, distribution of educational materials in Punjabi and Spanish, and promotion of May is Bike Month 2012.
- 2013 – \$108,000 for promotion of May is Bike Month 2013 and the installation of 3.5 of Class II Bike Lanes.

Analysis:

In August 2013, FRAQMD issued a Request for Proposals for FY 13/14, in which \$300,000 was available for allocation to projects. After review of the Bicycle Master Plan and consultation with the Bicycle Advisory Committee, staff prepared two project proposals:

- Yuba City Class II Bike Lanes Project 2014 – Provides for the installation of Class II Bike Lanes on Percy Avenue between B Street and Morton Street. See Exhibit A.
- May is Bike Month 2014 Project – Promote May is Bike Month throughout the community through:
 - Development of promotional materials for distribution to the local media
 - Distribution of posters and flyers to local schools to encourage staff and students to participate
 - Hosting of energizer stations at schools
 - Provide promotional items to participants

The overall goal of both projects is to reduce vehicle miles traveled and increase awareness of the bicycle facilities available in Yuba City.

FRAQMD received several project proposals, and after review of all of the proposals, voted in December 2013 to award a total of \$46,500 to the City for both projects. The City has until December 31, 2014 to implement the projects, which will be implemented through coordination with the Bicycle Advisory Committee.

Fiscal Impact:

The total estimated project cost for the May is Bike Month 2014 Promotion is \$10,500. With the execution of the Agreement, the City will receive \$8,500 in Blue Sky Program funds from FRAQMD. The remaining \$2,000 will come from Road Funds through Account No. 921024-65501 (Striping and Markings) of which there is currently \$34,000 available.

The total estimated project cost for the Yuba City Class II Bike Lanes Project 2014 is \$56,000. With the execution of the Agreement, the City will receive \$38,000 in Blue Sky Program funds from FRAQMD. The remaining \$18,000 will come from Road funds through Account No. 921024-65501 (Striping and Markings).

Staff requests a revenue budget adjustment of \$46,500 for the revenue associated with these grants along with a supplemental appropriation to Account No. 921024-65501 (Striping and Markings) to allow for expenditure of the grant funds.

Alternatives:

1. Do not accept the grants.
2. Increase the City's contribution to expand the scope of the project.

Recommendation:

- a. Adopt a resolution authorizing the Public Works Director to execute FRAQMD Agreement No. VF13-04, accepting \$38,000 in Blue Sky Grant funds for the Yuba City Class II Bike Lanes Project 2014 including the necessary budget adjustments outlined in the fiscal impact.
- b. Adopt a resolution authorizing the Public Works Director to execute FRAQMD Agreement No. VF13-05, accepting \$8,500 in Blue Sky Grant funds for the May is Bike Month 2014 Project including the necessary budget adjustments outlined in the fiscal impact.

Prepared by:

/s/ Omar Valle

Omar Valle
Assistant Engineer

Submitted by:

/s/ Steven C. Kroeger

Steven C. Kroeger
City Manager

Reviewed by:

Department Head

DL

Finance

RB

City Attorney

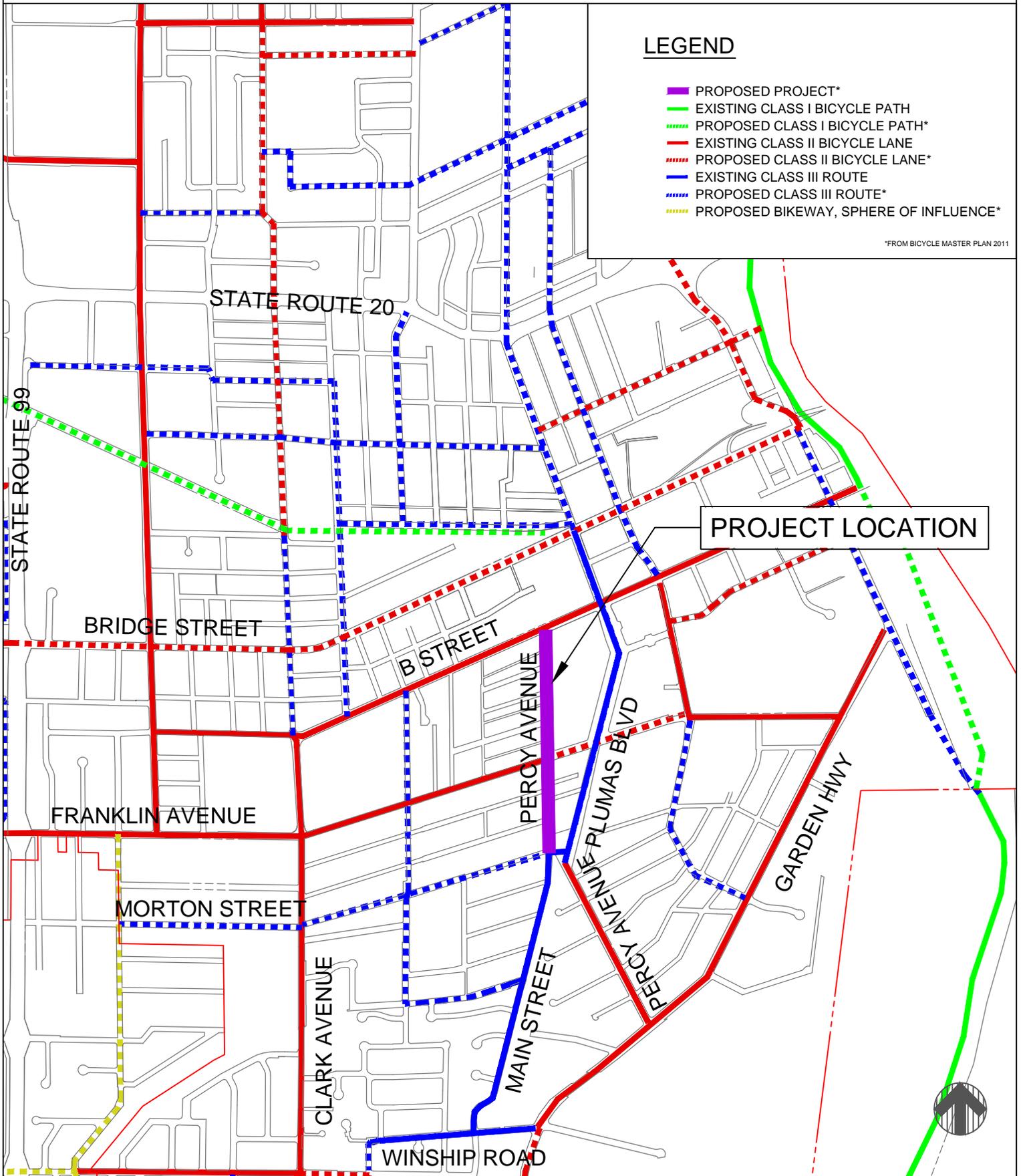
TH

Other

EXHIBIT A - PROJECT AREA

YUBA CITY CLASS II BIKE LANES PROJECT 2014

PERCY AVENUE



*FROM BICYCLE MASTER PLAN 2011

**AGREEMENT FOR USE OF MOTOR-VEHICLE
REGISTRATION SURCHARGE FEES**

FRAQMD Agreement No. VF13-04

This Agreement, dated December 2, 2013, is between the City of Yuba City ("Participant"), a political subdivision of the State of California, and the Feather River Air Quality Management District ("FRAQMD"), a body corporate and politic and a public agency of the State of California.

RECITALS

- A. Participant proposes the Yuba City Class II Bike Lanes Project 2014, which shall install Class II bike lanes on Percy Avenue from B Street to Morton Street.
- B. As part of its effort to reduce local air pollution from motor vehicles, FRAQMD is willing to fund a portion of this work from revenues it may receive under Chapter 7 of Part 5 of Division 26 (commencing with section 44220) of the Health and Safety Code, subject to the terms and conditions herein.

TERMS AND CONDITIONS

1. FRAQMD shall pay to Participant a total amount not to exceed **\$38,000.00**, within thirty days of receiving Participant's written invoice for the work described in section 2. Payment shall be made exclusively from revenues as specified in section B above, and is conditioned upon such revenues being available. Participant may submit partial invoices as work is completed throughout the term of the Agreement.
2. Participant shall use the funds paid under section 1 solely for the Yuba City Class II Bike Lane Project 2014 as described in Exhibit A, which is attached to this agreement and made part of it.
3. Participant shall submit a final "Project Evaluation" report that details the results of the Yuba City Class II Bike Lanes Project 2014 as further described in said Exhibit A, **with the final invoice.**
4. Participant acknowledges that in order to comply with Chapter 7 of Part 5 of Division 26 (commencing with Section 44220) of the Health and Safety Code the funds paid under section 1 must be used solely to reduce air pollution from motor vehicles, and for related planning, monitoring, enforcement, and technical studies necessary to implement the California Clean Air Act of 1988. Participant agrees to use all funds paid hereunder for such purposes.
5. If Participant fails to complete the work described in paragraph 2 by **December 31, 2014**, Participant shall refund all funds paid hereunder to FRAQMD, together with accrued interest within 30 days of FRAQMD's written demand therefore. Further, Participant shall refund to FRAQMD any funds paid hereunder which are not expended solely for the work described in paragraph 2 within 30 days of the work's completion.

6. Participant agrees to indemnify, defend (upon FRAQMD's written request), protect, and hold harmless FRAQMD and FRAQMD's officers, employees, and agents against all liabilities, claims, demands, damages, and costs (including reasonable attorneys' fees and litigation costs through final appeal) that arise in any way from acts or omissions by Participant or Participant's officers, employees, or agents while performing under this agreement. Participant's obligation under this section covers but is not limited to liabilities, claims, demands, damages, and costs arising from injury to, or death of, any person and from damage to, or destruction of, any property. Participant's obligation under this section will survive this agreement.

7. If Participant materially breaches this agreement, then FRAQMD may demand in writing that the breach be cured. If, within ten days after receiving such demand, Participant has failed to cure the breach to FRAQMD's reasonable satisfaction, then FRAQMD may give Participant written notice of termination. Upon such termination, Participant must submit to FRAQMD a final written report prepared in accordance with section 3 and must return to FRAQMD all funds paid under section 1 which have not been expended on the Yuba City Class II Bike Lane Project 2014. As used in this section, "material breach" includes but is not limited to Participant's use of funds paid under section 1 in a manner inconsistent with Chapter 7. FRAQMD's failure to insist on strict performance of this agreement, or to exercise any right or remedy upon breach of this agreement, shall not constitute a waiver of such performance, right, or remedy. No waiver is binding unless in writing, signed by FRAQMD.

8. Participant acknowledges that FRAQMD's sole responsibility concerning the Yuba City Class II Bike Lane Project 2014 described in section 2 is to contribute a portion of the program costs. FRAQMD has no responsibility for, or control over, development, implementation, and promotion of the Yuba City Class II Bike Lane Project 2014.

9. All correspondence regarding this agreement, including invoices, payments, and notices, shall be directed to the following persons at the following addresses and phone numbers:

City of Yuba City: Diana Langley
Interim Public Works Director
1201 Civic Center Blvd.
Yuba City, CA 95993
(530) 822-4792

FRAQMD: Christopher D. Brown, AICP
Air Pollution Control Officer
Feather River Air Quality Management District
1007 Live Oak Blvd., Suite B-3
Yuba City, California 95991
(530) 634-7659

If written, correspondence shall be sent either by personal delivery (including overnight delivery service) or by U. S. Mail, postage prepaid, and shall be considered delivered when actually received.

10. For a period of three years after final payment to Participant, this agreement shall be subject to the examination and audit of the State Auditor, whether at FRAQMD's request or as part of any audit of FRAQMD, and Participant shall retain copies of all documents and records pertinent to this agreement for such period.

11. This agreement reflects the contributions of both parties and accordingly the provisions of Civil Code section 1654 shall not apply in interpreting this Agreement.

12. This agreement shall be interpreted and applied in accordance with California law. If any conflict arises between sections 1 through 13 and Exhibit A, then sections 1 through 13 shall govern. Any litigation concerning it shall be brought in the Superior Court of Sutter County. The prevailing party in any such litigation shall be entitled to recover reasonable attorneys' fees in addition to any other relief to which it may be entitled.

13. This agreement sets forth the parties' entire understanding regarding the matters set forth in sections 1 through 12. It supersedes all prior agreements and representations, written and oral, and may be modified only by a written agreement signed by Participant and FRAQMD.

APPROVED FOR LEGAL FORM

FEATHER RIVER AIR QUALITY
MANAGEMENT DISTRICT

By: _____
District Counsel

By: _____
Christopher D. Brown, AICP, APCO

CITY OF YUBA CITY

By: _____
Diana Langley, Interim Public Works Director

**AGREEMENT FOR USE OF MOTOR-VEHICLE
REGISTRATION SURCHARGE FEES**

FRAQMD Agreement No. VF13-05

This Agreement, dated December 2, 2013, is between the City of Yuba City ("Participant"), a political subdivision of the State of California, and the Feather River Air Quality Management District ("FRAQMD"), a body corporate and politic and a public agency of the State of California.

RECITALS

- A. Participant proposes the May is Bike Month 2014 Project, which shall include energizer stations; a focus on soliciting schools, namely students and parents to sign up for MIBM; posting of activities on the bikeyubacity.com website and facebook; and recognition of the classroom(s) with the most miles.
- B. As part of its effort to reduce local air pollution from motor vehicles, FRAQMD is willing to fund a portion of this work from revenues it may receive under Chapter 7 of Part 5 of Division 26 (commencing with section 44220) of the Health and Safety Code, subject to the terms and conditions herein.
-

TERMS AND CONDITIONS

1. FRAQMD shall pay to Participant a total amount not to exceed **\$8,500.00**, within thirty days of receiving Participant's written invoice for the work described in section 2. Payment shall be made exclusively from revenues as specified in section B above, and is conditioned upon such revenues being available. Participant may submit partial invoices as work is completed throughout the term of the Agreement.
2. Participant shall use the funds paid under section 1 solely for the May is Bike Month 2014 Project as described in Exhibit A, which is attached to this agreement and made part of it.
3. Participant shall submit a final "Project Evaluation" report that details the results of the May is Bike Month 2014 Project as further described in said Exhibit A, **with the final invoice**.
4. Participant acknowledges that in order to comply with Chapter 7 of Part 5 of Division 26 (commencing with Section 44220) of the Health and Safety Code the funds paid under section 1 must be used solely to reduce air pollution from motor vehicles, and for related planning, monitoring, enforcement, and technical studies necessary to implement the California Clean Air Act of 1988. Participant agrees to use all funds paid hereunder for such purposes.
5. If Participant fails to complete the work described in paragraph 2 by **December 31, 2014**, Participant shall refund all funds paid hereunder to FRAQMD, together with accrued interest within 30 days of FRAQMD's written demand therefore. Further, Participant shall refund to FRAQMD any funds paid hereunder which are not expended solely for the work described in paragraph 2 within 30 days of the work's completion.

6. Participant agrees to indemnify, defend (upon FRAQMD's written request), protect, and hold harmless FRAQMD and FRAQMD's officers, employees, and agents against all liabilities, claims, demands, damages, and costs (including reasonable attorneys' fees and litigation costs through final appeal) that arise in any way from acts or omissions by Participant or Participant's officers, employees, or agents while performing under this agreement. Participant's obligation under this section covers but is not limited to liabilities, claims, demands, damages, and costs arising from injury to, or death of, any person and from damage to, or destruction of, any property. Participant's obligation under this section will survive this agreement.

7. If Participant materially breaches this agreement, then FRAQMD may demand in writing that the breach be cured. If, within ten days after receiving such demand, Participant has failed to cure the breach to FRAQMD's reasonable satisfaction, then FRAQMD may give Participant written notice of termination. Upon such termination, Participant must submit to FRAQMD a final written report prepared in accordance with section 3 and must return to FRAQMD all funds paid under section 1 which have not been expended on the May is Bike Month 2014 Project. As used in this section, "material breach" includes but is not limited to Participant's use of funds paid under section 1 in a manner inconsistent with Chapter 7. FRAQMD's failure to insist on strict performance of this agreement, or to exercise any right or remedy upon breach of this agreement, shall not constitute a waiver of such performance, right, or remedy. No waiver is binding unless in writing, signed by FRAQMD.

8. Participant acknowledges that FRAQMD's sole responsibility concerning the May is Bike Month 2014 Project described in section 2 is to contribute a portion of the program costs. FRAQMD has no responsibility for, or control over, development, implementation, and promotion of the May is Bike Month 2014 Project.

9. All correspondence regarding this agreement, including invoices, payments, and notices, shall be directed to the following persons at the following addresses and phone numbers:

City of Yuba City: Diana Langley
Interim Public Works Director
1201 Civic Center Blvd.
Yuba City, CA 95993
(530) 822-4792

FRAQMD: Christopher D. Brown, AICP
Air Pollution Control Officer
Feather River Air Quality Management District
1007 Live Oak Blvd., Suite B-3
Yuba City, California 95991
(530) 634-7659

If written, correspondence shall be sent either by personal delivery (including overnight delivery service) or by U. S. Mail, postage prepaid, and shall be considered delivered when actually received.

10. For a period of three years after final payment to Participant, this agreement shall be subject to the examination and audit of the State Auditor, whether at FRAQMD's request or as part of any audit of FRAQMD, and Participant shall retain copies of all documents and records pertinent to this agreement for such period.

11. This agreement reflects the contributions of both parties and accordingly the provisions of Civil Code section 1654 shall not apply in interpreting this Agreement.

12. This agreement shall be interpreted and applied in accordance with California law. If any conflict arises between sections 1 through 13 and Exhibit A, then sections 1 through 13 shall govern. Any litigation concerning it shall be brought in the Superior Court of Sutter County. The prevailing party in any such litigation shall be entitled to recover reasonable attorneys' fees in addition to any other relief to which it may be entitled.

13. This agreement sets forth the parties' entire understanding regarding the matters set forth in sections 1 through 12. It supersedes all prior agreements and representations, written and oral, and may be modified only by a written agreement signed by Participant and FRAQMD.

APPROVED FOR LEGAL FORM

FEATHER RIVER AIR QUALITY
MANAGEMENT DISTRICT

By: _____
District Counsel

By: _____
Christopher D. Brown, AICP, APCO

CITY OF YUBA CITY

By: _____
Diana Langley, Interim Public Works Director

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AUTHORIZING EXECUTION OF FRAQMD AGREEMENT NO. VF13-04
WITH FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT FOR
THE YUBA CITY CLASS II BIKE LANES PROJECT 2014.**

BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF YUBA CITY AS FOLLOWS:

That the Public Works Director is hereby authorized and directed to execute on behalf of the City of Yuba City FRAQMD Agreement No. VF13-04 between the City of Yuba City and Feather River Air Quality Management District for the Yuba City Class II Bike Lanes Project 2014.

That a copy of said Agreement is on file for reference.

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 7th day of January 2014.

AYES:

NOES:

ABSENT:

MAYOR

ATTEST:

CITY CLERK

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AUTHORIZING EXECUTION OF FRAQMD AGREEMENT NO. VF13-05
WITH FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT FOR
THE MAY IS BIKE MONTH 2014 PROJECT.**

BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF YUBA CITY AS FOLLOWS:

That the Public Works Director is hereby authorized and directed to execute on behalf of the City of Yuba City FRAQMD Agreement No. VF13-05 between the City of Yuba City and Feather River Air Quality Management District for the May is Bike Month 2014 Project.

That a copy of said Agreement is on file for reference.

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 7th day of January 2014.

AYES:

NOES:

ABSENT:

MAYOR

ATTEST:

CITY CLERK

CITY OF YUBA CITY
STAFF REPORT

Date: January 7, 2014
To: Honorable Mayor & Members of the City Council
From: Finance Department
Presentation By: Spencer Morrison, Accounting Manager

Summary

Subject: Annual Community Facilities District Report Pursuant to Government Code Section 53411
Recommendation: Note and File
Fiscal Impact: Information item only

Purpose:

Each year, per the government code, the Finance Department must report the background and current status of the Community Facilities District.

Background:

In accordance with Government Code Section 53411, a report concerning the Sunsweet Boulevard Community Facilities District 2004-1 is required to be filed annually with the City Council. This staff report serves to fulfill the requirement. The report must address the following items:

1. **The amount of funds collected and expended** – On May 12, 2005, the City issued \$3,250,000 in Community Facilities District Bonds. Of this amount, \$2,705,904 was placed into the project fund. The entire \$2,705,904 has been expended on the project. Special tax assessments were placed on the properties within the district in 2005 and the amount collected for calendar year 2013, as of December 31, is \$275,890 in assessments. These funds will be used to pay debt service.
2. **The status of the project required or authorized to be funded** – The project as defined by the “List of Authorized Facilities” (that was adopted as part of the resolution forming the district) is complete, including related improvements (traffic signal at Highway 99 and connector road to Walton Avenue on the south side of Sunsweet), with a Notice of Completion dated July, 2007.

Fiscal Impact:

Informational item only.

Alternatives:

Not Applicable.

Recommendation:

Note and file the annual Community Facilities District Report pursuant to Government Code Section 53411.

Prepared By:

Submitted By:

/s/ Spencer Morrison

Spencer Morrison
Accounting Manager

/s/ Steven C. Kroeger

Steven C. Kroeger
City Manager

Reviewed By:

Department Head

RB

City Attorney

TH

CITY OF YUBA CITY
STAFF REPORT

Date: January 07, 2014
To: Honorable Mayor & Members of the City Council
From: Public Works Department
Presentation by: Manu Dhaliwal, Assistant Engineer

Summary

Subject: **Plumas Boulevard Median Extension Project (Plans & Specifications)**

Recommendation: Adopt a resolution approving the plans and specifications for the Plumas Boulevard Median Extension Improvement Project and authorizing advertisement for bids on the project. [Engineer's Estimate - \$100,000]

Fiscal Impact: Engineer's Estimate: \$100,000- Account No. 921185-65501 (Plumas Boulevard Median Extension)
\$100,000 – Road Funds

Purpose:

To improve the safety of the intersection at Plumas Boulevard and Town Square by extending the Plumas Boulevard median to restrict left-turns to and from Town Square.

Background:

A number of complaints have been received for the intersection of Plumas Boulevard and Town Square in regards to the number of accidents and "near-misses" that occur at the intersection. Public Works staff has investigated the intersection and determined that the width of the roadway and the existing landscaped median create limited site distance for drivers trying to turn left into and out of Town Square. Due to the proximity of the medical offices in the vicinity, the intersection also receives steady foot traffic of both employees and patients.

To make the intersection safer for both pedestrians and vehicles, staff is proposing to extend the median on Plumas Boulevard, closing the intersection and prohibiting left turns to and from Town Square (Exhibit A). Staff has contacted the adjacent medical facilities to confirm the potential median extension. The facility owners are in favor of the project.

Analysis:

The project involves the removal of the existing asphalt road section at the center of Plumas Boulevard, extension of the landscaped median, and replacement of five (5) existing curb ramps with ADA compliant curb ramps. In addition, the project includes some minor concrete work on C Street to provide ADA compliant access at the bus stops located west of Wilbur Avenue.

The plans, specifications, and estimate for the project have been completed. With Council approval of the plans and specifications and authorization to bid, staff anticipates the following schedule to complete the project, weather permitting:

Advertise for bid:	January 2014
Open bids:	January 2014
Award contract:	February 2014
Start of construction:	April 2014
Complete construction:	May 2014

The plans and specifications for the project are on file in the Public Works Department for review.

Construction management and inspection will be administered by the City's Public Works Department.

Fiscal Impact:

The estimated total construction cost of the project is \$100,000 from CIP Account No. 921185-65501 (Plumas Boulevard Median Extension). An appropriation of unallocated road Funds to CIP Account No. 921185-65501 (Plumas Boulevard Median Extension) is anticipated at the time of contract award.

Alternatives:

1. Identify alternate funding source.
2. Delay or modify the recommended action to approve the plans and specifications.

Recommendation:

Adopt a resolution approving the plans and specifications for the Plumas Boulevard Median Extension Project and authorizing advertisement for bids on the project.

Prepared by:

Submitted by:

/s/ Manu Paul S. Dhaliwal
Manu Paul S. Dhaliwal
Assistant Engineer

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

Reviewed by:

Department Head

DL

Finance

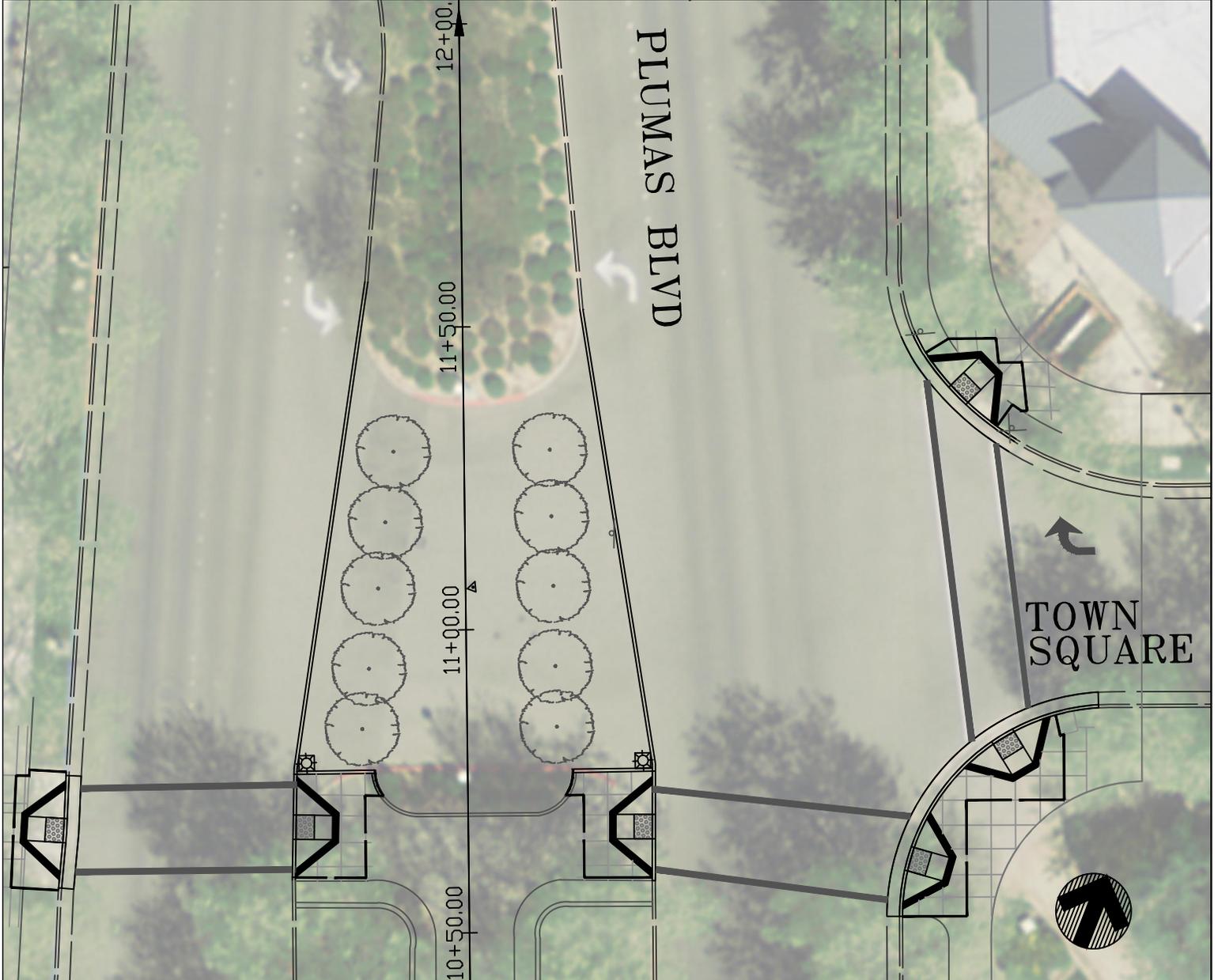
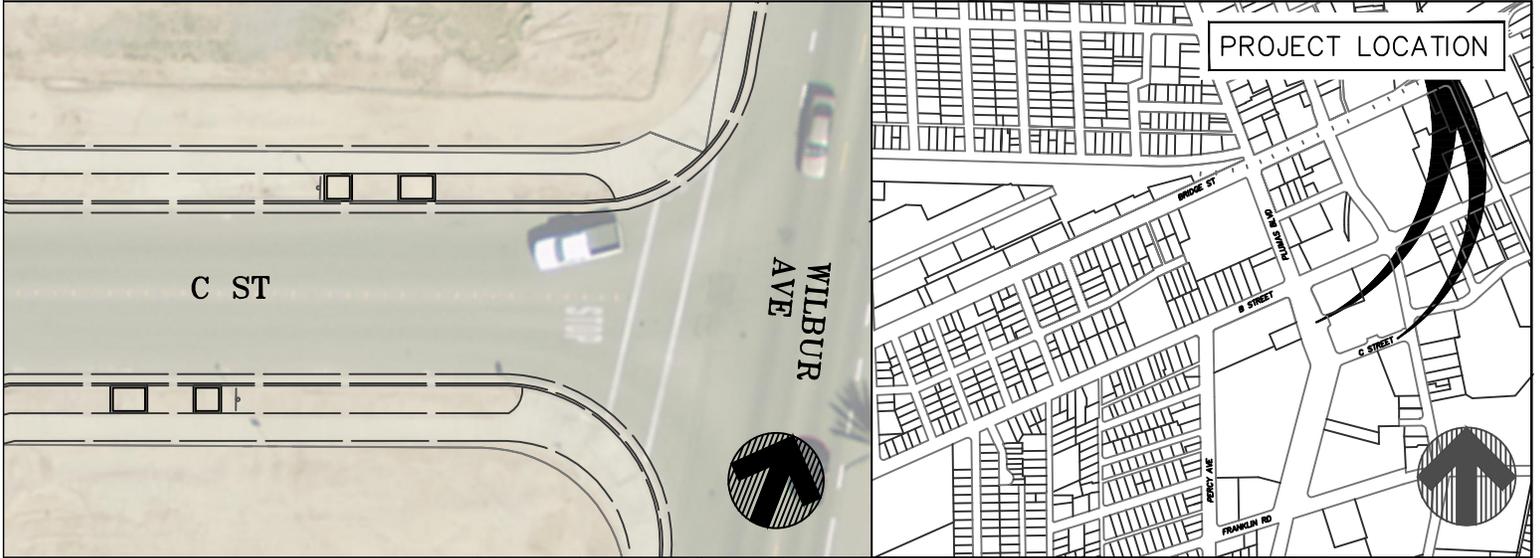
RB

City Attorney

IH

Other

PLUMAS BLVD MEDIAN EXTENSION IMPROVEMENT PROJECT EXHIBIT A – PROJECT AREA



RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
APPROVING THE PLANS AND SPECIFICATIONS FOR THE PLUMAS
BOULEVARD MEDIAN EXTENSION IMPROVEMENT PROJECT AND
AUTHORIZE ADVERTISEMENT FOR BIDS ON THE PROJECT.**

BE IT RESOLVED AND ORDERED by the City Council of the City of Yuba City that the plans and specifications for the Plumas Boulevard Median Extension Improvement Project be approved.

BE IT FURTHER RESOLVED AND ORDERED by the City Council of the City of Yuba City that the Department of Public Works is hereby authorized and directed to advertise for bids for the Plumas Boulevard Median Extension Improvement Project.

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 7th day of January 2014.

AYES:

NOES:

ABSENT:

MAYOR

ATTEST:

CITY CLERK

CITY OF YUBA CITY
STAFF REPORT

Date: January 7, 2014
To: Honorable Mayor & Members of the City Council
From: Department of Public Works
Presentation by: Omar Valle, Assistant Engineer

Summary

Subject: Helen Avenue Drainage Improvements Project (Plans and Specifications)
Recommendation: Adopt a resolution approving the plans and specifications for the Helen Avenue Drainage Improvements Project and authorizing advertisement for bids on the project.
Fiscal Impact: Engineer's Estimate \$248,000. Account No. 921025-65501 (Drainage Improvements).

Purpose:

Establish a drainage system on Helen Avenue between South Barrett Road and Clark Avenue.

Background:

The Public Works Department is moving forward with the design of the Helen Avenue Drainage Improvements Project. This project consists of establishing a drainage system on Helen Avenue between South Barrett Road and Clark Avenue (Exhibit A).

The existing road does not have sufficient drainage facilities to prevent storm water runoff from saturating the shoulder and puddling along the edge of the road into residents' driveways. It is not uncommon for large puddles to remain along the entire roadway for several days after a significant rain event.

As a result, staff proposes to extend the existing storm drain facilities near Clark Ave westward through all of Helen Avenue. The proposed design will install drain inlets on both sides of the road at approximately 500 feet apart.

Analysis:

Public Works has prepared the plans, specifications, and estimate for the Helen Avenue Drainage Improvements Project. With Council approval of the plans and specifications and authorization to bid, staff anticipates the following schedule to complete the project:

Advertise for bid:	January 2014
Award Contract:	February 2014
Start of construction:	March 2014
Completion:	May 2014

The plans and specifications for the project are on file in the Public Works office for review.

Construction management and inspection will be administered by the City's Public Works Department.

Fiscal Impact:

The estimated total construction cost is \$233,000. Additional project costs will include project management and construction inspection by Public Works staff, estimated at approximately \$15,000. The resulting total project cost is estimated to be approximately \$248,000. Sufficient funds are budgeted in Account No. 921025 (Drainage Improvements) to construct this project, funded through the Road Fund.

Alternatives:

Delay or modify recommended action.

Recommendation:

Adopt a resolution approving the plans and specifications for the Helen Avenue Drainage Improvements Project and authorizing advertisement for bids on the project.

Prepared by:

Submitted by:

/s/ Omar Valle

/s/ Steven C. Kroeger

Omar Valle
Assistant Engineer

Steven C. Kroeger
City Manager

Reviewed by:

Department Head

DL

Finance

RB

City Attorney

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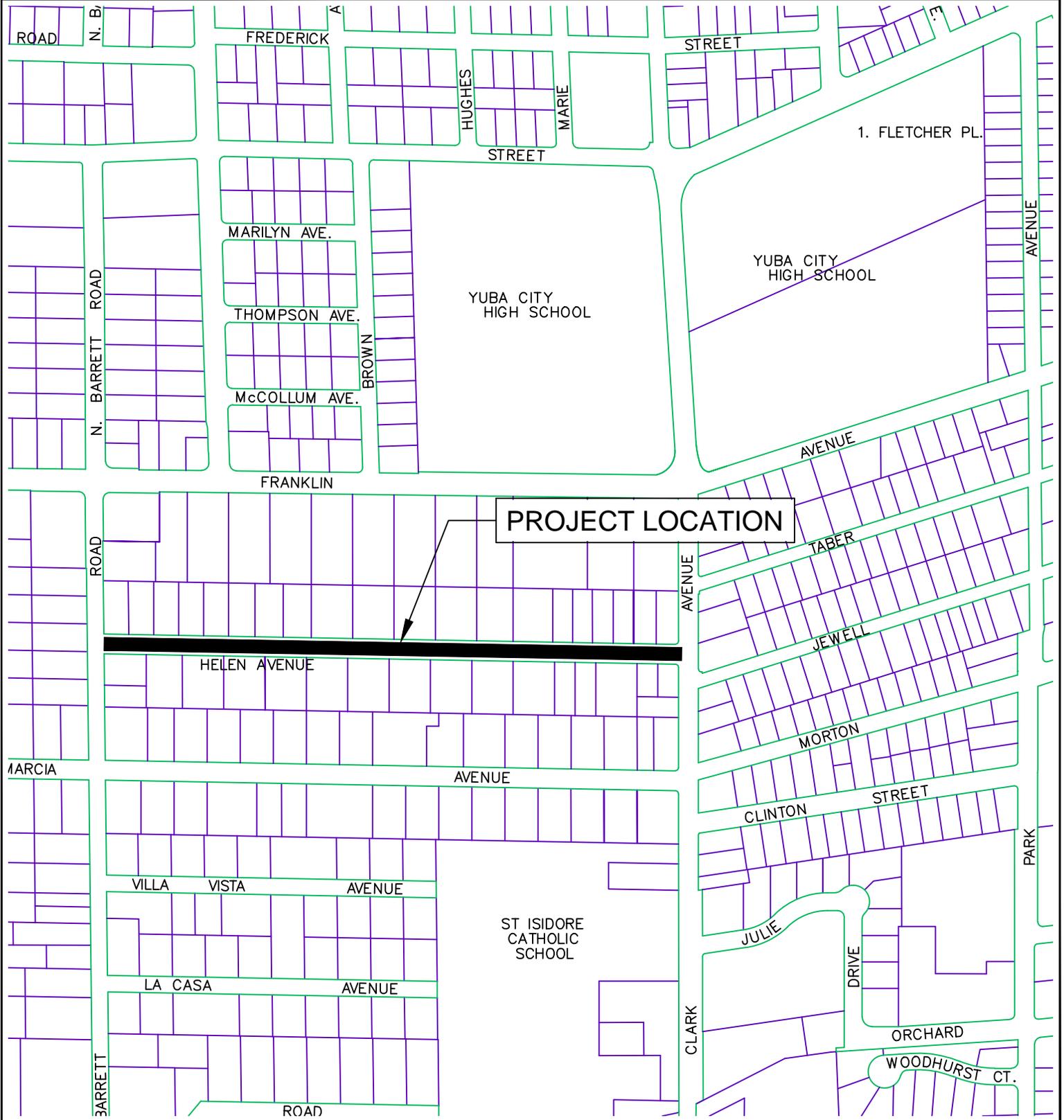
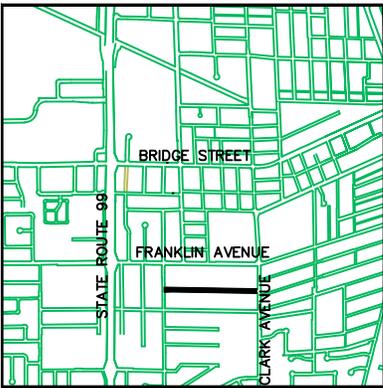
Other

EXHIBIT A - PROJECT AREA

HELEN AVENUE DRAINAGE IMPROVEMENT PROJECT



SCALE: 1" = 400'



RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
APPROVING THE PLANS AND SPECIFICATIONS FOR THE HELEN
AVENUE DRAINAGE IMPROVEMENTS PROJECT AND
AUTHORIZING ADVERTISEMENT FOR BIDS ON THE PROJECT.**

BE IT RESOLVED AND ORDERED by the City Council of the City of Yuba City that the plans and specifications for the Helen Avenue Drainage Improvements Project be approved.

BE IT FURTHER RESOLVED AND ORDERED by the City Council of the City of Yuba City that the Department of Public Works is hereby authorized and directed to advertise for bids for the Helen Avenue Drainage Improvements Project.

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 7th day of January 2014.

AYES:

NOES:

ABSENT:

MAYOR

ATTEST:

CITY CLERK

CITY OF YUBA CITY
STAFF REPORT

Date: January 7, 2014
To: Honorable Mayor & Members of the City Council
From: Administration
Presentation By: Darin Gale, Economic Development Manager

Summary

Subject: Establishment of an Economic Development Work Plan Advisory Committee
Recommendation: Establish an Economic Development Work Plan Advisory Committee of business and community leaders that will assist in the Comprehensive Update to the City's Economic Development Work Plan
Fiscal Impact: \$25,000 to Chabin Concepts for consulting services from existing FY 2014 Budget Allocations

Purpose:

Comprehensive Update to the City's Economic Development Work Plan

Background:

In January 2008 the Council established an Economic Development Advisory Group of 25 community and business leaders. The Advisory Group drafted an economic development work plan that was adopted in 2008. The work plan established both short and long-term goals, which have been the foundation for the City's economic development efforts for the past six years.

Since the adoption of the 2008 work plan the Council successfully implemented many of the goals of the work plan. This includes but is not limited to the following:

- Establishment of the Yuba City Economic Development Commission, providing direction to the Council and Economic Development Manager through bi-monthly commission meetings and annual reports to the Council.
- Corridor Enhancements along Hwy 99, 20 & Garden Highway
- Business Retention & Expansion Programs
- Opening of the Yuba City Campus of the Yuba Community College District
- Updated City Branding & Promotion
- Flood Control Improvements

Analysis:

With many of the goals of the work plan implemented, the Yuba City Economic Development Commission decided it was time to reengage a group of business and community members to draft a new five-year economic development work plan. Each of the Council Members and Economic Development Commissioners have suggested a variety of business sectors and community leaders

to include in this process. With these suggestions Mayor Gill and Chairman Greg Heckman of the Yuba City Economic Development commission will finalize the advisory committee members.

The advisory committee would hold three workshops over a four-week period. Each of the workshops will be publically noticed and community members will be encouraged to attend and participate. Once the workshops are completed the Economic Development Commission will review and provide a finished work plan for the Council to consider by the end of May.

Fiscal Impact:

\$25,000 to Chabin Concepts for consulting services from existing FY 2014 Budget Allocations

Alternatives:

- 1) Do not establish an Economic Development Work Plan Committee and use only the Economic Development Commissioners to update the work plan.
- 2) Do not update the City's Economic Development Work Plan

Recommendation:

Establish an Economic Development Work Plan Advisory Committee of business and community leaders that will assist in the Comprehensive Update to the City's Economic Development Work Plan

Prepared By:

Submitted By:

/s/ Darin Gale

/s/ Steven C. Kroeger

Darin Gale
Economic Development Manager

Steven C. Kroeger
City Manager

Reviewed By:

Finance
City Attorney

RB
TH

CITY OF YUBA CITY
BUSINESS FROM THE CITY COUNCIL

Date: January 7, 2014
To: Honorable Members of the City Council
From: City Council Screening Committee
Report By: Kash Gill, Mayor

Summary

Subject: Appointments to City of Yuba City Boards and Commissions
Recommendation: Approve the City Council Screening Committee Recommendations for Appointments
Fiscal Impact: None.

Purpose:

To fill vacancies on the Yuba City Boards and Commissions.

Background:

On Thursday, December 19th, 2013, the City Council Screening Committee, consisting of Mayor Gill and Vice-Mayor Dukes, held interviews for one position on the Planning Commission, three positions on the Senior Commission, and one alternate position on the Economic Development Commission.

The following appointments are being recommended:

Commission	Name	Term
Planning	Preet Didbal	01/01/14 – 12/31/17
Senior	Pam Epley	01/01/14 – 12/31/17
Senior	George Robinson	01/01/14– 12/31/17
Senior	Tanna Thomas	01/01/14 – 12/31/17
Economic Development (Alternate)	Christine Ivory	01/01/14 – 12/31/17

Recommendation:

Approve the City Council Screening Committee Recommendations for Appointments

CITY OF YUBA CITY

City Council Reports

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

Adjournment