



**** AMENDED ****

AGENDA

MARCH 18, 2014

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***

AMENDED AGENDA
REGULAR MEETING OF THE
CITY COUNCIL
CITY OF YUBA CITY
COUNCIL CHAMBERS
MARCH 18, 2014
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 labor negotiators Steve Kroeger and Natalie Walter regarding negotiations with the following associations: Yuba City Police Officers, Police Sergeants, Yuba City Firefighters Local 3793, Yuba City Fire Management, Confidential Employees, Executive Services Employees, First Level Managers, Mid Managers, and Public Employees Local No. 1, pursuant to Section 54957.6 of the Government Code.

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. **National Agricultural Day, March 25th – Proclamation recognizing Agriculture's role in American Life**

1a. Proclamation for March is Young Professional Month

2. **Award of Excellence to Eric Brubaker, Gauche Aquatic Park Life Guard**
3. **Proclamation for Police Officer of the Year 2013, Gang Investigator Michael Bullard**

Ordinance

4. **Ordinance Prohibiting Camping on Public Property and Public Right of Ways within the Corporate City limits of Yuba City**

Recommendation: Adopt a Revised Ordinance, specific to Overnight Camping in the Yuba City River Bottoms and Addressing all Public Property and Public Right of Ways, waiving the second reading

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.

5. 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.

6. 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.

7. Minutes of March 4, 2014

Recommendation: Approve the City Council Meeting Minutes of March 4, 2014

8. PG&E Gas Line Easement

Recommendation: Adopt a Resolution authorizing the City Manager to execute an Easement Deed, granting a gas line easement to Pacific Gas & Electric Company, to relocate a gas main through the west Feather River Levee (adjacent to APN 51-530-023)

9. Sale of Surplus Property – Case 821 C Articulated Wheel Loader

Recommendation: Authorize staff to act in the best interest of the City to solicit bids and award the sale of a Case 821 C Loader to the highest bidder

General Items

10. Utility Payment Processing and Utility Bill Printing and Mailing Proposal (RFP 14-02) including enhanced Electronic Options

Recommendation: Award contracts to Infosend, Inc. from Anaheim, CA and TWI from Blacksburg, VA for utility payment processing and statement printing and mailing for one year with the possibility of four one-year extensions, finding that it is in the best interest of the city

11. Expansion of the City's Sphere Of Influence (SOI) Southern Boundary Line for New Development Opportunities

Recommendation: Authorize staff to move forward with the necessary public outreach for a Sphere of Influence change south of the City's current boundary limits

Business from the City Council

12. City Council Reports

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

Adjournment



Proclamation

of the City Council

National Agricultural Day March 25, 2014

WHEREAS, National Agricultural Day is a day when food producers, agricultural associations, corporations, universities, government agencies and countless others across America gather to recognize and celebrate the abundance provided by American agriculture; and

WHEREAS, Sutter County is probably best known for the development of the world famous Thompson Seedless Grape and, consequently, for the birth of the raisin industry, and also for being the Peach Capital and home of the former Prune festival; and

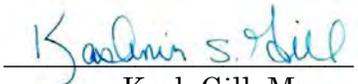
WHEREAS, Yuba City is known as Northern California's Agricultural Hub and is home to major agricultural based businesses such as, Sunsweet, the World Famous Shockwave Shakers by Orchard Machinery Corporation, Nelson Manufacturing, Wilbur Ellis, Taylor Bro Farms, Sierra Gold Nursery, and SWECO; and

WHEREAS, According to the Sutter and Yuba County Agricultural Crop Reports the regional combined gross value is over \$660,000,000 and our products are marketed all over the world; and

WHEREAS, Agriculture provides jobs throughout the farm and food industry, including employment for farmers, ranchers, scientists, processors, shippers and retailers. The foundation of our Regional Economy has been, currently is and will continue to be based in agriculture and agricultural businesses; and

WHEREAS, The Stewardship of America's farmers and ranchers ensures a sustainable resource base for future generations. Yuba Sutter Farmers and Ranchers uphold the rural character of the Nation as they provide the most abundant and most affordable food and fiber supply in the world.

NOW, THEREFORE, BE IT RESOLVED, in recognition of the preeminent role that agriculture plays in the daily life of every American, in acknowledgement of the future progress and prosperity of the Yuba Sutter Economy, and in appreciation of farmers and ranchers across the Nation, that I, Kash Gill, Mayor of the City of Yuba City and on behalf of the entire City Council do hereby proclaim **March 25th, 2014 to be National Agricultural Day.**


Kash Gill, Mayor



Award of Excellence – Eric Brubaker

Eric Brubaker began working as a Lifeguard and Swim Instructor for the City of Yuba City in 2007 at the Gray Avenue Pool, when he was 16 years old. When the Gauche Aquatic Park opened he continued in both capacities and was promoted to Pool Manager in 2009. After the 2010 Summer Season, Eric left Yuba City and pursued his degree in Global Studies in Santa Barbara, California.

In August 2013, Eric returned to Yuba City and was rehired as a Pool Manager and is continuing his education to become an Emergency Medical Technician. Eric eventually plans to become a Firefighter.

On Wednesday, February 19, 2014, around 11:00 a.m., a regular swim guest at Gauche Aquatic Park was sitting at one of the tables during a short break. The guest had been swimming and was planning on getting back into the pool after the break. Eric was off-rotation when he was summoned by another guest, stating that someone was down on the deck. Eric responded immediately and found the guest facedown, unresponsive and unconscious. The guest was bleeding from the head and Eric assessed that the guest was not breathing and there was no pulse. Eric immediately went into action and began cardiopulmonary resuscitation and administering rescue breathing. He placed the Automated External Defibrillator pads on the guest and after an analysis, the defibrillator advised to administer a shock. Eric administered the shock and the guest was revived, but still unresponsive and incoherent. Eric continued to make the guest comfortable and monitored the situation until Emergency Medical Service arrived. Thanks to Eric's quick response, reaction and care, the guest survived and later had a three-way heart bypass and is doing well.

On behalf of the Council, I, Kash Gill, Mayor of Yuba City do hereby present the Award of Excellence to Eric Brubaker. You are to be commended for your quick response to a situation that saved a life.

Done on this 18th day of March, 2014 at the City of Yuba City, County of Sutter, State of California.



Proclamation

of the City Council

Yuba City Police Department's 2013 Officer of the Year Gang Investigator Michael Z. Bullard

WHEREAS, Mike Bullard was born in Lake County, California and was raised in Clearlake Oaks on the shores of Clear Lake. From an early age, he developed a love for sports, physical fitness and a desire to become a member of the elite "Navy Seals"; and

WHEREAS, Mike Bullard Joined the Navy in 2000, completing the toughest training in the United States Armed Forces to reach his lifetime goal of becoming an elite *United States Navy Seal* and assigned to Seal Team 7; and

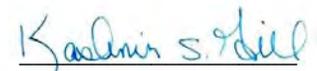
WHEREAS, Mike in 2004 and 2005 was deployed for two tours in Iraq. During his first tour, in a two month period he was part of 15 convoys, 11 direct action missions and helped capture 29 enemy combatants. Mike tragically saw friends and Team mates killed and injured during his deployments; and

WHEREAS, Mike Bullard joined the Yuba City Police Department in 2006 where he has shown a strong desire to share his knowledge with other officers in his assignments as a Patrol Officer, Range Master, Gang Investigator and SWAT Team Member, gaining the admiration and support of his peers; and

WHEREAS, Mike attributes his career success to the support of his loving wife, Shannon and his two children. He also credits the men and women of Yuba City Police Department for their support and friendship which he highly values and he finds time to volunteer as a Wrestling Coach at River Valley High School.

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 **Gang Investigator Mike Bullard** on the occasion of being selected as the **Yuba City Police Department's 2013 Officer of the Year**;

Done on this 18th day of March, 2014 in the City of Yuba City, County of Sutter, State of California.


Kash Gill, Mayor

CITY OF YUBA CITY
STAFF REPORT

Date: March 18, 2014
To: Honorable Mayor and Members of the City Council
From: Police Department
Presentation By: Jeremy Garcia, Assistant Chief of Police

Summary

Subject: Ordinance prohibiting camping on public property and public right of ways within the corporate City limits of Yuba City

Recommendation: Adopt a Revised Ordinance, specific to Overnight Camping in the Yuba City River Bottoms and Addressing all Public Property and Public Right of Ways, waiving the second reading

Fiscal Impact: No costs are associated with the implementation of the proposed ordinance

Purpose:

To prohibit camping on public property and public right of ways.

Background:

City employees have been tasked with cleaning up campsites on public property and public right of ways. These clean ups expose city workers and citizens to hazardous conditions including human infectious waste and other hazardous materials. Disposal of these materials is costly and hazardous.

Some of the temporary and permanent campsites erected within the city limits have been constructed in a fashion and at locations that make access by emergency personnel difficult during times of emergency. This puts the campers, campsite visitors, and emergency personnel at a greater risk if an injury, illness, accident or disaster should occur.

Analysis:

Currently, the City municipal code does not contain language addressing camping on public property or public right of ways beyond the river bottoms and City parks. The proposed ordinance contains comprehensive language to include all public property and public right of ways.

Camping is currently authorized at the Yuba-Sutter Boat Docks Recreational Vehicle Campground and Marina, located at #80 Second Street, Yuba City (Assessor's Parcel No. 52-570-006).

Fiscal Impact:

No costs are associated with the implementation of the proposed ordinance.

Alternatives:

Do not adopt the ordinance or provide staff with direction for modifying the proposed ordinance.

Recommendation:

Adopt a Revised Ordinance, specific to Overnight Camping in the Yuba City River Bottoms and Addressing all Public Property and Public Right of Ways, waiving the first reading

Prepared By:

Submitted By:

/s/ Rob Landon

/s/ Steven C. Kroeger

Rob Landon
Police Chief

Steven C. Kroeger
City Manager

Reviewed By:

Finance
City Attorney

RB

TH

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
REPEALING AND REENACTING CHAPTER 20 OF TITLE 5 TO THE YUBA CITY
MUNICIPAL CODE REGARDING CAMPING IN THE
CITY OF YUBA CITY**

THE CITY COUNCIL OF THE CITY OF YUBA CITY DOES HEREBY ORDAIN AS
FOLLOWS:

Section 1. Chapter 20 of Title 5 of the Yuba City Municipal Code is hereby repealed.

Section 2. Chapter 20 of Title 5 is hereby added to the Yuba City Municipal Code to read as follows:

CHAPTER 20

CAMPING IN YUBA CITY

Sections:

5-20.010	Purpose
5-20.020	Definition
5-20.030	Prohibition
5-20.040	Exception(s)
5-20.050	Violation

Section 5-20.010 Purpose.

The purpose of this chapter is to prohibit camping on public property and public right of ways within the corporate city limits of Yuba City. City services can be utilized to clean up campsites on public property and public right of ways. These clean ups can expose city workers and citizens to hazardous conditions including human infectious waste and other hazardous materials. Disposal of these materials is costly and hazardous.

Temporary and permanent campsites erected within the city limits are often constructed in a fashion, and/or at a location that makes access by emergency personnel difficult during times of emergency. This puts the campers, campsite visitors, and emergency personnel at a greater risk if an injury, illness, accident or disaster should occur. Camping on public property and public rights of way, within the city of Yuba City, increases demand for public services in areas which are not easily accessible by emergency or city services.

Section 5-20.020 Definition.

For purposes of this chapter, camping is defined as residing in or using property for one or more nights for living accommodation purposes, such as sleeping activities, or making preparations to sleep (including the laying down of bedding for the purpose of sleeping), or storing personal belongings (including but not limited to clothing, sleeping bags, bedrolls, blankets, sheets, luggage, backpacks, kitchen utensils, cookware, and

similar material), or making any fire or using any tents, regularly cooking meals, or living in a parked vehicle. These activities constitute camping when it reasonably appears, in light of all the circumstances, that a person(s) is using property, as a living accommodation for one or more nights regardless of his or her intent or the nature of any other activities in which he or she might also be engaging.

Section 5-20.030 Prohibition.

It is unlawful for any person to camp in or upon any public property or public right of way, unless otherwise specifically authorized by this Code or by a resolution of the City Council in emergency circumstances.

Section 5-20.040 Exception(s).

Notwithstanding the prohibition of Section 5-20.030, camping shall be allowed in the Yuba Sutter Boat Docks Recreational Vehicle Campground and Marina, located at #80 Second Street, Yuba City (Assessor's Parcel No. 03-290-006) and as may be permitted within City parks by the City's Parks and Recreation Director.

Section 5-020.50 Violation.

Any person violating the provisions of Section 5-20.030 shall be deemed guilty of a misdemeanor and shall be subject to the penalty provisions of Chapter 2 of Title 1 of the Yuba City Municipal Code.

Section 3. This ordinance shall be effective thirty (30) days after its adoption and after it is adopted, it shall be published as provided for by law.

Introduced and read at a regular meeting of the City Council of the City of Yuba City the 4th day of March, 2014, and adopted at a regular meeting thereof held on the ____ day of _____, 2014.

AYES:

NOES:

ABSENT:

Kash Gill, Mayor

ATTEST:

Terrel Locke, City Clerk

Approved as to Form:

Tim Hayes, City Attorney

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
MARCH 4, 2014
5:00 P.M. – CLOSED SESSION
6:00 P.M. – REGULAR MEETING**

Closed Session—Butte Room

- A. Conferred with labor negotiators Steve Kroeger and Natalie Walter regarding negotiations with the following associations: Yuba City Police Officers, Police Sergeants, Yuba City Firefighters Local 3793, Yuba City Fire Management, Confidential Employees, Executive Services Employees, First Level Managers, Mid Managers, and Public Employees Local No. 1, pursuant to Section 54957.6 of the Government Code.

Regular Meeting—Council Chambers

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

Roll Call

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

Absent: None

Invocation

Councilmember Buckland gave the invocation.

Pledge of Allegiance to the Flag

Councilmember Starkey led the Pledge of Allegiance.

Presentations and Proclamations

1. Proclamation for the Retirement of Manuel “Manny” Cardoza

Mayor Gill presented a Proclamation to Manny Cardoza in honor of his retirement after 34 years of dedicated service to the City.

Public Hearings

2. Authorization to Accept FY 2013/14 California Citizens Option for Public Safety (COPS) Grant – (approximately \$100,000)

Mayor Gill opened the public hearing, hearing no comment, he closed the public hearing.

Councilmember Starkey moved to: A) adopt **Resolution No. 14-22** authorizing the Chief of Police to Accept the FY 2013/2014 California Citizens’ Option for Public Safety (COPS) Funding and Approve Expenditure Recommendations; and B) authorize the Chief Financial Officer to make Budget adjustments as necessary. Councilmember Maan seconded the motion that passed with a unanimous vote.

Ordinance

3. Ordinance Prohibiting Camping on Public Property and Public Right of Way within the Corporate City Limits of Yuba City

Councilmember Dukes moved to introduce a Revised Ordinance, specific to Overnight Camping in the Yuba City River Bottoms and Addressing all Public Property and Public Right of Ways, with additional language added to Section 5-20.040, and waived the First Reading. 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:

Jon Munger, Yuba-Sutter Farm Bureau regarding Drought Conditions

Consent Calendar

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

6. Minutes of February 18, 2014

Approved the City Council Meeting Minutes of February 18, 2014.

General Items

7. Program Development Agreement with Chevron Energy Solutions

The following persons spoke:

Annie Morse, Chevron Energy Solutions
Patrick Yost, Chevron Energy Solutions

Councilmember Dukes moved to A) authorize the City Manager to negotiate and execute a Program Development Agreement with Chevron Energy Solutions for an amount not to exceed \$25,000, subject to legal review; and B) authorize the Finance Director to make a supplemental appropriation of \$25,000 from Unallocated General Fund CIP to Account No. 901186 (City-wide Energy Efficiency Project). Councilmember Maan seconded the motion that passed with a unanimous vote.

8. Financial Report for the Six Months Ended December, 31, 2013

Noted and Filed the December 31, 2013 Financial Report

Business from the City Council

9. City Council Reports

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

Adjournment

Mayor Gill adjourned the Regular Meeting of the City Council of the City of Yuba City at 7:09 p.m.

Kash Gill, Mayor

ATTEST:

Terrel Locke, City Clerk

CITY OF YUBA CITY
STAFF REPORT

Date: March 18, 2014
To: Honorable Mayor & Members of the City Council
From: Department of Public Works
Presentation by: Benjamin Moody, Senior Engineer – City Surveyor

Summary

Subject: PG&E Gas Line Easement
Recommendation: Adopt a Resolution authorizing the City Manager to execute an Easement Deed, granting a gas line easement to Pacific Gas & Electric Company, to relocate a gas main through the West Feather River Levee (APN 51-530-023)
Fiscal Impact: None.

Purpose:

Grant a gas line easement to PG&E through the West Feather River Levee.

Background:

Pacific Gas & Electric Company (PG&E) has been directed by the Sutter Butte Flood Control Agency (SBFCA) to remove and relocate a portion of a natural gas pipeline that crosses the West Feather River Levee. The proposed location is behind PG&E's Yuba City Gas Holder facility. The current location is near the vicinity of Queens Ave. and Market St., please see the attached exhibit.

Due to SBFCA's planned levee improvements, PG&E is required to modify the gas line alignment so that the line does not conflict with the slurry wall improvements. In order to facilitate the new alignment, PG&E needs to obtain an easement from the City, as the City is the property owner of the levee at the proposed location.

Analysis:

Staff has reviewed the Easement Deed and confirmed that the alignment and easement provisions are to the satisfaction of the City and SBFCA. There is an existing easement to the north for the original alignment that has been conditioned to be relinquished back to the City, upon finalization of the new pipeline.

Staff recommends that it is in the best interest of the City to coordinate with PG&E to dedicate the easement, so that the levee improvement work can be constructed and certified in accordance with state and federal standards.

Fiscal Impact:

Staff has required PG&E to pay a \$1,000 non-refundable deposit for the administrative costs to process the easement dedication.

The value of the easement has not been determined;

- The easement location is through the levee, so the existing value of the land and land use is very limited.
- PG&E will release all interest in the existing easement to the north once the new alignment work is finalized.
- As part of the SBFCA levee improvement project the subject property will be relinquished to the State, so that the State will be the future property owner, with PG&E having the easement from the state.

Staff has not indicated that the City desires compensation for the easement on the basis that the work to realign the gas line was initiated due to SBFCA's pending levee improvements and that PG&E will relinquish the north easement.

Alternatives:

Require compensation for the easement or deny dedication of the easement.

Recommendation:

Adopt a resolution authorizing the City Manager to execute an Easement Deed, granting a gas line easement to Pacific Gas & Electric Company, to relocate a gas main through the west Feather River Levee (APN 51-530-023)

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

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AUTHORIZING THE CITY MANAGER TO EXECUTE AN EASEMENT
DEED, GRANTING A GAS LINE EASEMENT TO PACIFIC GAS &
ELECTRIC COMPANY, TO RELOCATE A GAS MAIN THROUGH THE
WEST FEATHER RIVER LEVEE (APN 51-530-023)**

WHEREAS, The Sutter Butte Flood Control Agency has directed Pacific Gas and Electric Company to remove and relocate a portion of the natural gas pipeline that crosses the west Feather River Levee, due to pending levee improvement work; and

WHEREAS, The City of Yuba City owns the property known as Assessor Parcel Number 51-530-023, which Pacific Gas and Electric Company desires to obtain a gas line easement to relocate their facilities within; and

WHEREAS, The City Council of the City of Yuba City hereby finds and declares that it is in the best public interests that said easement deed be granted by the City of Yuba City, and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the City Manager, Steven C. Kroeger is hereby authorized to execute an Easement Deed granting Pacific Gas and Electric Company an easement across City property, APN 51-530-023, for the gas line.

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 18th day of March 2014.

AYES:

NOES:

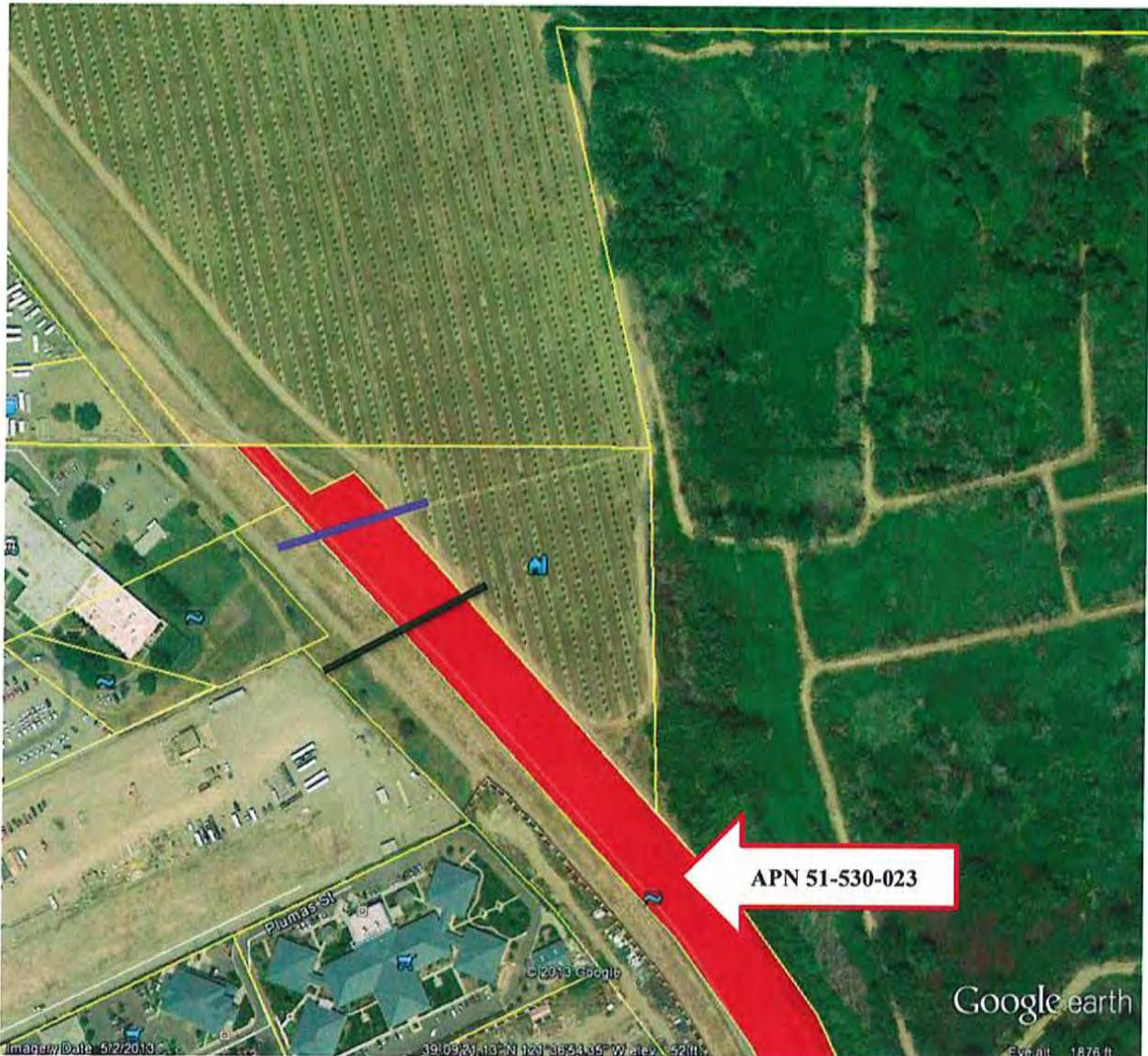
ABSENT:

MAYOR

ATTEST:

CITY CLERK

Feather River West Levee – Line 050A-1 Realignment (Yuba City)



Assessor Parcel Number 51-530-023, Sutter County – Ownership vested with The City of Yuba City

Black line across APN 51-530-023 represents approximate location of new pipeline.

Purple line across APN 51-530-023 represents approximate location of existing pipeline.

RECORDING REQUESTED BY AND RETURN TO:

PACIFIC GAS AND ELECTRIC COMPANY
245 Market Street, N10A, Room 1015
P.O. Box 770000
San Francisco, California 94177

Location: City/Uninc _____

Recording Fee \$ _____

Document Transfer Tax \$ _____

- This is a conveyance where the consideration and Value is less than \$100.00 (R&T 11911).
- Computed on Full Value of Property Conveyed, or
- Computed on Full Value Less Liens & Encumbrances Remaining at Time of Sale

(SPACE ABOVE FOR RECORDER'S USE ONLY)

Signature of declarant or agent determining tax

2115-03-1802

EASEMENT DEED

2013293 (06-13-000) 8 13 2
YUBA CITY HOLDER

CITY OF YUBA CITY, a Municipal corporation

hereinafter called Grantor, in consideration of value paid by PACIFIC GAS AND ELECTRIC COMPANY, a California corporation, hereinafter called Grantee, the receipt whereof is hereby acknowledged, hereby grants to Grantee the right at any time, and from time to time, to excavate for, install, replace (of the initial or any other size), maintain and use such pipe lines as Grantee shall from time to time elect for conveying gas, with necessary and proper valves and other appliances and fittings, and devices for controlling electrolysis for use in connection with said pipe lines, and such underground wires, cables, conduits, appliances, fixtures and appurtenances, as Grantee shall from time to time elect for communication purposes, together with adequate protection therefor, and also a right of way, within the hereinafter described easement area lying within Grantor's lands which are situated in the City of Yuba City, County of Sutter, State of California, and are described as follows:

(APN 51-530-023)

The lands described in the deed from William L. Jaeger and Patricia A. Jaeger to the City of Yuba City in the deed dated July 25, 2001 and recorded as Document Number 2001-0016317, Sutter County Records.

The aforesaid easement area is described as follows:

A strip of land of the uniform width of 30 feet extending from the southwesterly boundary line of said lands northeasterly to the northeasterly boundary line of said lands and lying 15 feet on each side of the line described as follows:

Commencing at a point in the southwesterly boundary line of the parcel of land conveyed in the deed from Hub Partners, a California General Partnership to William L. Jaeger and Patricia A. Jaeger, husband and wife dated August 23, 1993 and recorded in Book 1583 of Official Records at page 681, Sutter County Records, and running thence

(a) north 44°28'33" east approximately 20 feet

to a point from which the Rebar and Cap excepted as marking the most northerly corner of the parcel of land described in the deed from Riley Kingsbury and Mabel F. Kingsbury to Pacific Gas and Electric Company dated June 1, 1949 and recorded in Book 308 of Official Records at page 69, Sutter County Records bears north 69°30'13" west, 51.09 feet; thence continuing

(b) north 44°28'33" east approximately 76.47 feet

to said southwesterly boundary line of said lands described in the deed dated July 25, 2001, being the TRUE POINT OF BEGINNING of said line; thence continuing

(1) north 44°28'33" east approximately 184.29 feet

to said northeasterly boundary line of said lands.

The foregoing description is based on a survey made by Pacific Gas and Electric Company in August 2013. The bearings used are based on the Parcel Map filed for record January 21, 2004 in Book 7 of PARCEL MAPS at page 4, Sutter County Records.

Grantor further grants to Grantee:

(a) the right of ingress to and egress from said easement area over and across said lands by means of roads and lanes thereon, if such there be, otherwise by such route or routes as shall occasion the least practicable damage and inconvenience to Grantor, provided, that such right of ingress and egress shall not extend to any portion of said lands which is isolated from said easement area by any public road or highway, now crossing or hereafter crossing said lands;

(b) the right, from time to time, to trim or to cut down any and all trees and brush now or hereafter within said easement area, and shall have the further right, from time to time, to trim and cut down trees and brush along each side of said easement area which now or hereafter in the opinion of Grantee may interfere with or be a hazard to the facilities installed hereunder, or as Grantee deems necessary to comply with applicable state or federal regulations;

(c) the right to use such portion of said lands contiguous to said easement area as may be reasonably necessary in connection with the installation and replacement of said facilities;

(d) the right to install, maintain and use gates in all fences which now cross or shall hereafter cross said easement area; and

(e) the right to mark the location of said easement area by suitable markers set in the ground; provided that said markers shall be placed in fences or other locations which will not interfere with any reasonable use Grantor shall make of said easement area.

Grantee hereby covenants and agrees:

(a) not to fence said easement area;

(b) to promptly backfill any excavations made by it on said easement area and repair any damage it shall do to Grantor's private roads or lanes on said lands; and

(c) to indemnify Grantor against any loss and damage which shall be caused by any wrongful or negligent act or omission of Grantee or of its agents or employees in the course of their employment, provided, however, that this indemnity shall not extend to that portion of such loss or damage that shall have been caused by Grantor's comparative negligence or willful misconduct.

Grantor reserves the right to use said easement area for purposes which will not interfere with Grantee's full enjoyment of the rights hereby granted; provided that Grantor shall not erect or construct any building or other structure, or drill or operate any well, or construct any reservoir or other obstruction within said easement area, or plant any trees or vines, or construct associated supporting structures, within ten feet of the edge(s) of the pipeline(s), or diminish or substantially add to the ground cover over said facilities, or construct any fences that will interfere with the maintenance and operation of said facilities.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

Dated _____, 20____.

CITY OF YUBA CITY, a Municipal corporation

By _____

By _____



APPROVED AS TO DESCRIPTION

Curt C. Castro, PLS 8714

The Area: 6
Land Service Office: Sacramento
Operating Department: Gas Transmission
USGS location T. 15 N., R. 03 E., NW ¼ Sec 14
FERC License Number(s): N/A
PG&E Drawing Number(s): SL-1204 sh 2
PLAT NO: 2154D4
LD of any affected documents:
LD of any Cross-referenced documents:
TYPE OF INTEREST: 5, 52
SBE Parcel Number:
(For Quitclaims, % being quitclaimed)
Order #: 30960540
JCN: 06-13-091
County: Sutter
Utility Notice Numbers:
851 Approval Application No. N/A Decision _____
Prepared By: BCS
Checked By: C4CK
Revision Number: 1
Ver2 Edited Drawing SL-1204 Sh2 for line change. 1/29/14 BCS

T. 15 N., R. 3 E., M.D.M.
NW 1/4 SEC 14

A & K BHATTI TRUST
APN 51-580-005

30' PG&E EASEMENT
LD# 2115-03-0383

10' PG&E EASEMENT
LD# 2115-03-0223

A & K BHATTI TRUST
APN 51-580-004

PROPOSED
CUT-OFF WALL

30' WIDE PG&E ESMT
LD 2115-03-1802

PROPERTY LINE

CITY OF YUBA CITY
DOC #2001-0016317
APN 51-530-023

COUNTY OF SUTTER
APN 51-470-004

FD: R&C

TIE: N69°30'13"W
51.09'

WILLIAM &
PAT JAEGER
APN 51-530-021

PG&E
YUBA CITY GAS HOLDER
APN 51-470-007

PG&E FEE STRIP
LD# 2115-03-1778
DOC #2013-0018824

PG&E GAS R/W LINE
LD# 2115-03-0063

AUTHORIZATION
30960540

BY D. DOYLE
DR B. SOULE
CH C. CASTRO
O.K.
DATE 9/24/13

YUBA CITY
UG GAS HOLDER
ESMT FROM YUBA CITY

PACIFIC GAS AND ELECTRIC COMPANY
San Francisco California



JCN 06-13-091

AREA NORTH VALLEY
COUNTY SUTTER
SCALE 1" = 60'

SHEET NO. 2 OF 3

DRAWING NUMBER CHANGE
SL-1204 1

RECORDING REQUESTED BY AND RETURN TO:

PACIFIC GAS AND ELECTRIC COMPANY
Land Energy Delivery
Address
City, California Zip code

Location: City/Uninc _____
Recording Fee \$ _____
Document Transfer Tax \$ _____

- This is a conveyance where the consideration and Value is less than \$100.00 (R&T 11911).
- Computed on Full Value of Property Conveyed, or
- Computed on Full Value Less Liens & Encumbrances Remaining at Time of Sale

Signature of declarant or agent determining tax

(SPACE ABOVE FOR RECORDER'S USE ONLY)

LD# 2115-03-1806

QUITCLAIM DEED

2014178 (06-13-091) 3 14 2
YUBA CITY HOLDER

PACIFIC GAS AND ELECTRIC COMPANY, a California corporation, hereinafter called PG&E, hereby quitclaims to LEVEE DISTRICT NUMBER ONE OF SUTTER COUNTY or their respective successors in interest, in severalty and upon the same tenure as their interests appear of record, the real property, situate in the City of Yuba City, County of Sutter, State of California, described as follows:

(APN 51-580-004)

The rights, interest and permission as set forth in the document from Levee District Number One of Sutter County to Pacific Gas and Electric Company, a corporation in the agreement dated September 11, 1928 and recorded in Book 92 of Deeds at page 380, Sutter County Records.

The real property hereby quitclaimed is no longer necessary or useful to PG&E in the performance by it of its duties to the public.

Dated _____, 20____.

PACIFIC GAS AND ELECTRIC COMPANY,
a California corporation,

By _____
Wayne Toutges
Land Surveying and Engineering Support
North Valley

2115-03-0058

THIS AGREEMENT made this 11th day of September, 1928, by and between PACIFIC GAS AND ELECTRIC COMPANY, a corporation, the party of the first part, and LEVEE DISTRICT NUMBER ONE OF SUTTER COUNTY, acting by and through its Board of Directors, the party of the second part,

W I T N E S S E T H:

That the party of the first part has applied to the party of the second part for permission to cross the levee of said District on the west side of the Feather River four hundred and eighty feet south of the Yuba City sewer crossing with an eight inch H. P. gas main, and the said party of the second part has granted said application subject to the conditions as herein contained.

It is understood that the said party of the first part is to lay said pipe so that it goes straight up the levee on the river side making a forty-five degree angle at the top and sloping down to the toe at a forty-five degree angle, and making another forty-five degree angle at the top of the levee then following to the toe of the levee to the Sutter County Hospital keeping within ten feet of the toe of said levee. Said party of the second part is to make no excavations in the levee to a greater depth than is sufficient to lay said pipe and cover the same. No wooden anchors of any variety are to be used in the levee or the bank of the river above the present water level. All trenches to be back-filled and tamped with pneumatic tampers.

Said party of the second part reserves the right at all times to require the said party of the first part to make any adjustments of said pipe which might be made necessary by repairing or strengthening said levee.

And said party of the first part agrees for itself, its successors and assigns, that it will at all times hold said District and the Board of Directors, and each thereof, harmless

from any claim for damages made by any person who might prove negligence against said District or said Board of Directors by reason of permitting the laying of such pipe through and across said levee. And said party of the first part, for itself, successors and assigns, agrees to and with said levee District and the Directors thereof, that it will defend any suit or suits which might be brought against said District or against said Directors for any damages caused by the laying or the maintaining of said pipe in said levee.

IN WITNESS WHEREOF the said party of the first part has caused its corporate name and seal to be hereunto affixed by its proper officers thereunto duly authorized, and said party of the second part has caused its name to be signed hereto by its Directors.

PACIFIC GAS AND ELECTRIC COMPANY

By

[Signature]

Vice-President & General Manager

By

[Signature]

Assistant Secretary

LEVEE DISTRICT NUMBER ONE OF SUTTER COUNTY.

By

[Signature]

Director

By

[Signature]

Director

By

[Signature]

Director.

APPROVED
[Signature]
VICE PRESIDENT & GENERAL MANAGER
PACIFIC GAS AND ELECTRIC COMPANY

Approved as to Form
[Signature]
Attorney for Pacific
Gas and Electric Company

APPROVED
[Signature]
SUG. LAND DEPT.

CITY OF YUBA CITY
STAFF REPORT

Date: March 18, 2014
To: Honorable Mayor & Members of the City Council
From: Public Works Department
Presentation by: Diana Langley, Public Works Director

Summary

Subject: Sale of Surplus Property – Case 821 C Articulated Wheel Loader
Recommendation: Authorize staff to act in the best interest of the City to solicit bids and award the sale of a Case 821 C Loader to the highest bidder.
Fiscal Impact: Estimated revenue from this sale is in the range of \$30,000 - \$60,000. Funds received from the sale will be placed in Account No. 620-49210 (Sale of City Property).

Purpose:

To sell a Case 821 C Loader which has been determined to be surplus property.

Background:

The Utilities Department purchased a Case 821 C Articulated Wheel Loader for the Wastewater Treatment Plant in 2006. The loader was used to move and load dried biosolids during the summer months, and to clear weeds and make road improvements occasionally at the City's disposal ponds. The purchase price was \$152,501 and the loader has approximately 4,000 hours.

Analysis:

With the City contracting with Recology to haul off the biosolids on a daily basis, the loader is no longer needed. In the future, if a loader of this size is required to do any work at the disposal ponds, the City will rent one for the task.

Section 2-6.09 of the City's Municipal Code requires that when the sale of City property, valued at in excess of \$50,000, has become obsolete or unusable is to be disposed of, it shall be done through the formal bid process. The formal bid process typically includes: development of bid package, identification and notification of potential buyers, advertising in the paper, bid opening, and bid results brought to Council for award of sale. Staff is proposing to modify the typical formal bid process by selling the Loader through BidCal.com, an auction service out of Chico that specializes in government surplus auctions. The City has used BidCal.com on multiple occasions to sell surplus property. Bidding would start on April 5th and continue through April 8th with preview days on April 5th and 7th. Staff will advertise the auction in the paper and notify potential buyers of the auction. Staff believes that the City will receive a better price for the Loader by going through an auction service than if the City were to solicit bids.

Fiscal Impact:

Estimated revenue from the sale is in the range of \$30,000 to \$60,000. Funds received from the sale will be placed in Account No. 620-49210. BidCal.com charges a 9% fee, which includes all fees associated with the auction including transporting the Loader to their yard in Chico and advertising the auction.

Alternatives:

1. Retain the loader.
2. Solicit bids through the traditional formal bid process.

Recommendation:

Authorize staff to act in the best interest of the City to solicit bids and award the sale of a Case 821 C Loader to the highest bidder.

Prepared by:

Submitted by:

/s/ Diana Langley

/s/ Steven C. Kroeger

Diana Langley
Public Works Director

Steven C. Kroeger
City Manager

Reviewed by:

Department Head

DL

Finance

RB

City Attorney

TH

CITY OF YUBA CITY
STAFF REPORT

Date: March 18, 2014
To: Honorable Mayor & Members of the City Council
From: Finance/IT Department
Presentation By: Spencer Morrison, Accounting Manager

Summary

Subject: Utility Payment Processing and Utility Bill Printing and Mailing Proposal (RFP14-02) including enhanced Electronic Options

Recommendation: Award contracts to Infosend, Inc from Anaheim, CA and TWI from Blacksburg, VA for utility payment processing and statement printing and mailing for one year with the possibility of four one-year extensions finding that it is in the best interest of the city.

Fiscal Impact: The 2014-15 vendor payment is expected to be \$34,000 and will be made from account 1510-62745. Implementation will result in a net savings to the city of \$24,000 per year if Council approves of Finance passing along a convenience fee to the credit card e-payment customers.

Purpose:

To provide enhanced service to our customers for printing, mailing and e-solutions options for the city's utility bills and late notices.

Background:

In 2007, city staff solicited bids through an RFP for printing and mailing utility bills. At that time, alternative payment solutions were not an option, nor was a service considered feasible. The city did not proceed. Recently, city staff met again to discuss the option of enhancing services, including new payment solutions such as pay-by-phone, pay-by-web and mobile, and e-bill presentment. After reviewing all items and prioritizing the city's desire to provide these innovative services and to make available the most modern technology to our customers, staff determined that the project had merit and a proposal was put together. A proposal package was prepared and advertised in accordance with the city ordinance. Seven vendors submitted proposals.

Analysis:

Staff completed a proposal process using an evaluation committee composed of staff from the Finance/IT and Utilities Departments. The evaluation was a two-part process. Each committee member evaluated the proposal based on the established criteria. The top four vendors were then asked to provide the committee with a presentation. The committee then evaluated the presentations for each product.

Next, the Finance staff evaluated all aspects of the billing and payment costs for pay-by-phone (Interactive Voice Response or IVR), pay-by-web and mobile, as well as printing, mailing, and electronic presentment of utility bills. The top three vendors were then notified and asked to validate our cost analyses of their services. The following is the annual pricing for each bid based on staff's

estimation of payment solution adoption by ratepayers for the implementation year, plus years 1, 3, and 5.

<u>Vendor</u>	<u>FY 2014-15</u>	<u>FY 2015-16</u>	<u>FY 2016-17</u>	<u>FY 2017-18</u>
Infosend/TWI	\$34,167	\$36,011	\$36,326	\$36,919
Billtrust	\$31,093	\$33,095	\$33,361	\$33,850
CCS	\$40,284	\$41,192	\$41,948	\$43,394

This pricing assumes a \$2.50 convenience fee for online and over the phone credit card transactions which includes all merchant services fees and vendor per-transaction fees resulting in \$0 net cost to the city. Using a convenience fee model results in a net savings of an estimated \$24,000 each year, the approximate cost the city currently pays for merchant services. Infosend provides superior, more user-friendly options for close to the same cost of the utility printing and billing services the city is currently providing. Our ratepayers may expect the following options:

	Online/Mobile Credit Card	Online/Mobile Check	Pay-by-phone Credit Card	Pay-by-phone Check	Electronic Funds Transfer	In Person Transactions
Cost Per Pmt.	\$2.50	Free	\$2.50	Free	Free	Free

TWI partners with Infosend to provide credit card and interactive voice response (IVR) services and provides these services for hundreds of local governments and municipal utilities. All TWI pricing and costs are included in Infosend's bid pricing.

Fiscal Impact:

The 2014-15 vendor payment is expected to be \$34,000 and will be made from account 1510-62745 with no additional appropriations required. Implementation will result in a net savings to the city of \$24,000 per year if Council approves of Finance passing along a convenience fee to the credit card e-payment customers.

Alternatives:

- 1) Direct staff to complete a new proposal
- 2) Direct staff to continue performing existing services and do not award contract

Recommendation:

Award contracts to Infosend, Inc. from Anaheim, CA and TWI from Blacksburg, VA for utility payment processing and statement printing and mailing 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

City Attorney

TH

CITY OF YUBA CITY
STAFF REPORT

Date: March 18, 2014

To: Honorable Mayor & Members of the City Council

From: Community Development Department

Presentation By: Aaron Busch, Community Development Director

Summary

Subject: Expansion of the City's Sphere Of Influence (SOI) southern boundary line for new development opportunities.

Recommendation: Authorize staff to move forward with the necessary public outreach for a Sphere of Influence change south of the City's current boundary limits.

Fiscal Impact: For the initial public outreach component of this project, the costs could be \$20,000 which will be funded from Account No.901080-65514 (General Plan Update CIP). Costs associated with a Sphere Of Influence Expansion (i.e. special reports, technical studies, and environmental analysis) are significant. These costs are typically borne by private developers and property owners seeking to develop the subject property. In some cases, the City could elect to be financially involved to assist with the completion of the necessary documents. Once the project is completed, those groups that funded the preparation of the documents can seek reimbursement from the other property owners within the boundaries of the new project through the reimbursement agreement process.

Background:

On October 29, 2013, the City Council participated in a special joint workshop with the Sutter County Board of Supervisors ("Board") on a variety of topics that affected both agencies. One of those topics discussed was the possible southern expansion of the City's existing Sphere Of Influence (SOI) to accommodate new development and job creating opportunities. This subject has been a topic of discussion with Sutter County ("County") since the County initiated their General Plan update which was subsequently approved by the Board in April, 2011. At that time, the City had approached the County on the possible expansion of the southern SOI boundary line for purposes of providing new opportunities for industrial land use at the southwest corner of the Highway 99 and Bogue Road intersection.

In response to the City's request, the County included in their General Plan update document an exhibit that identified a potential southern expansion of the current SOI boundary line. Exhibit A is a map which shows the location of the possible adjusted SOI boundary line. Please be advised that there is no predisposed purpose for the boundary line as it is currently drawn. This possible boundary adjustment represents one possible alternative for consideration.

At the joint Council/Board workshop meeting, both groups concurred that the expansion of the southern SOI boundary line for purposes of creating new job opportunities for the region would be in the best interest for both agencies and communities. Further, both groups directed their respective Planning Departments to explore the best means for initiating the SOI expansion process.

Since that meeting, City staff has received a proposed development request from a private property owner/developer to expand the southern boundary line of the existing SOI. In the attached letter (Attachment 1), David Lanza, Managing Partner for Newkom Ranch LLC., is proposing to prepare the necessary studies and plans for a new development project south of the existing SOI boundary. As seen in the attached letter, the project includes a request to receive pre-annexation zoning for 161.2 acres of land under their control, and another 48.6 acres of land controlled by other ownership groups. A copy of the site map is included with Attachment 1. Included as part of the request, Mr. Lanza proposes to prepare a technical master plan for a larger area that will address critical infrastructure issues such as: water; wastewater; storm drainage; and, traffic. According to the proposal, the technical master plan will cover all properties south of Bogue Road, between Highway 99 and Garden Highway, to Stewart Road.

In addition to the preparation of the technical master plan, Mr. Lanza is aware that the proposed request will also require his group to prepare these other components for the properties identified in Attachment 2 Figure No. 2:

- CEQA environmental document (most likely an Environmental Impact Report)
- Municipal Services Report (for LAFCO)
- General Plan Amendment (to adjust the SOI boundary and provide proper land use)
- Rezone (to provide pre-annexation zoning)
- Development Agreement (establish Developer/City obligations)

Discussion:

The proposed Newkom Ranch master plan is a sizeable project that would be fully funded by private property owners and would bring new commercial and residential opportunities to the community. The proposed project however, does not incorporate all of the area identified on the County General Plan Map for potential inclusion in the city's SOI as part of the proposed master plan area. As shown on Exhibit A, the possible SOI boundary line extends south of Stewart Road to Barry Road, and west of Highway 99 to include approximately 120 acres at the southwest corner of the Bogue Road/Highway 99 intersection.

At this time it is not clear if any of the property owners outside of the boundaries of the proposed Newkom Ranch master plan (but within the possible SOI boundary) are interested in being in the City's SOI. To date, staff has not been approached by any property owner south of Stewart Road showing interest in annexing into the city limits. As previously noted, when the County included the possible SOI boundary adjustment in their General Plan, there was no definitive purpose for the location of the boundary line. It was more of a practical decision in order to provide a boundary line at a signalized intersection (Barry Road).

Staff believes that it would be worthwhile for the City to explore if there are any other property owners in the subject area who may be interested in having their property included in an expanded SOI or even annexed into the city. The cost to amend the SOI will remain the same, regardless of the amount of property included in the expansion and since it is a very complex process to complete, there could be value in only pursuing an expansion one time, versus multiple times. Furthermore, if more properties are included in the process, then there is more potential for greater cost sharing among the property owners involved. However, it should also be noted that the cost to prepare a master plan could increase slightly if more properties are included and the cost of infrastructure improvements could increase substantially because larger improvements may be needed.

Given the above discussion, staff is suggesting two approaches for pursuing the expansion of the southern SOI boundary line. These two options are provided below:

Option One (Recommended)

Prior to proceeding forward with the processing of the Newkom Ranch proposal, direct staff to explore if other property owners beyond the master plan boundary (but within the boundary shown in the County General Plan exhibit) are interested in a possible SOI boundary adjustment. To achieve this task, staff would contract with a professional consultant that has public relations experience with this subject and who could solicit feedback from other property owners. The consultant would be used to reach out to all affected property owners about the subject of a possible SOI expansion and to explain the processes involved. Property owners would be given a period of time to consider the matter before being required to provide the city with a formal response about the inclusion of their property in the SOI expansion or not. Once the deadline has expired, staff would evaluate the responses and incorporate those other properties seeking involvement as best as possible (since LAFCO requires connectivity among properties).

If other property owners are interested in participating in an expansion of the SOI, then the technical studies being prepared for the master plan would be expanded to include those properties as part of the evaluation process and pay their fair-share cost of the project. However, prior to proceeding forward with the processing of the project, the matter would be brought to the City Council for further discussion and direction regarding the project boundaries and funding methodology.

Option Two

Proceed with the Newkom Ranch master plan as proposed by the developer and do not explore if there is any interest from other property owners outside the developer driven master plan boundaries. All costs associated with the preparation of the plan and the associated technical and environmental studies would be borne by the developer. If this option is preferred, then the Council may direct staff to accept the proposed letter of intent from the developer and have the applicant submit the necessary applications including the full cost reimbursement agreement for staff’s time on the project.

Fiscal Impact:

For the initial public outreach component of this project, the costs could be \$20,000 which will be funded from Account No.901080-65514 (General Plan Update CIP). Costs associated with a Sphere Of Influence Expansion (i.e. special reports, technical studies, and environmental analysis) are significant. These costs are typically borne by private developers and property owners seeking to develop the subject property. In some cases, the City could elect to be financially involved to assist with the completion of the necessary documents. Once the project is completed, those groups that funded the preparation of the documents can seek reimbursement from the other property owners within the boundaries of the new project through the reimbursement agreement process.

Alternatives:

Do not process the Newkom Ranch request for expansion of the southern SOI boundary line.

Recommendation:

Authorize staff to move forward with the necessary public outreach for a Sphere of Influence change south of the City’s current boundary limit.

Prepared By:

Submitted By:

/s/ Aaron M. Busch

/s/ Steven C. Kroeger

Aaron M. Busch
Community Development Director

Steven C. Kroeger
City Manager

Reviewed By:

Department Head

AB

Finance

RB

City Attorney

TH

NEWKOM RANCH LLC

710 Third Street, Marysville, California 95901

(530) 743-7877

January 10, 2014

Aaron Busch
Community Development Director
City of Yuba City
12001 Civic Center Boulevard
Yuba City, CA 95993

Subject: Request for Pre-Annexation Zoning
161.2 plus or minus acres located near Bogue Road
Sutter County, CA

Dear Mr. Busch

Newkom Ranch LLC would like to request pre-annexation zoning of our 161.2 acres of land commonly referred to as the Newkom Ranch. The property is located south of Bogue Road, north of Stewart Road, east of State Route 99, and west of Railroad Avenue within in Sutter County (see attached figure no. 1). The following APN's comprise our property.

APN	Acres	Ownership
23-040-001	26.7	Newkom Ranch LLC
23-040-004	28.0	Newkom Ranch LLC
23-040-005	56.0	Newkom Ranch LLC
23-040-062	27.3	Newkom Ranch LLC
23-040-064	18.3	Newkom Ranch LLC
23-380-007	4.9	Newkom Ranch LLC

In addition to our property, we would like to request pre-annexation zoning on 48.6 plus or minus acres south of Bogue Road adjacent to the current city limits (see attached figure no. 2). The following APN's comprise the additional properties.

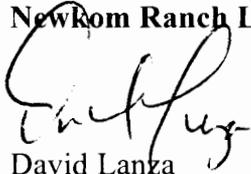
APN	Acres	Ownership
23-350-013	4.75	Sarb Thiara
23-350-015	1.00	Hamidreza Kourdoni
23-350-016	3.28	Jodhani Rev Living Trust ETAL
23-350-017	3.45	Luis Betancourt
23-040-075	2.89	Unknown
23-040-083	7.73	Doug Petersen ETAL
23-040-084	17.84	Department of Transportation
22-080-025	5.00	Doug Petersen ETAL
	2.66	Pacific Gas and Electric

As part of the pre-annexation zoning, Newkom Ranch will prepare a technical master plan for the entire area currently not within the City limits north of Stewart Road, east of State Road 99, south of Bogue Road, and west of Garden Highway. The purpose of the technical master plan will be to address sewer, water, storm drainage, and traffic circulation for the entire area. Some of the area east of Railroad was master planned as part of the South Yuba City Improvement District and will be considered in our Technical Master Plan.

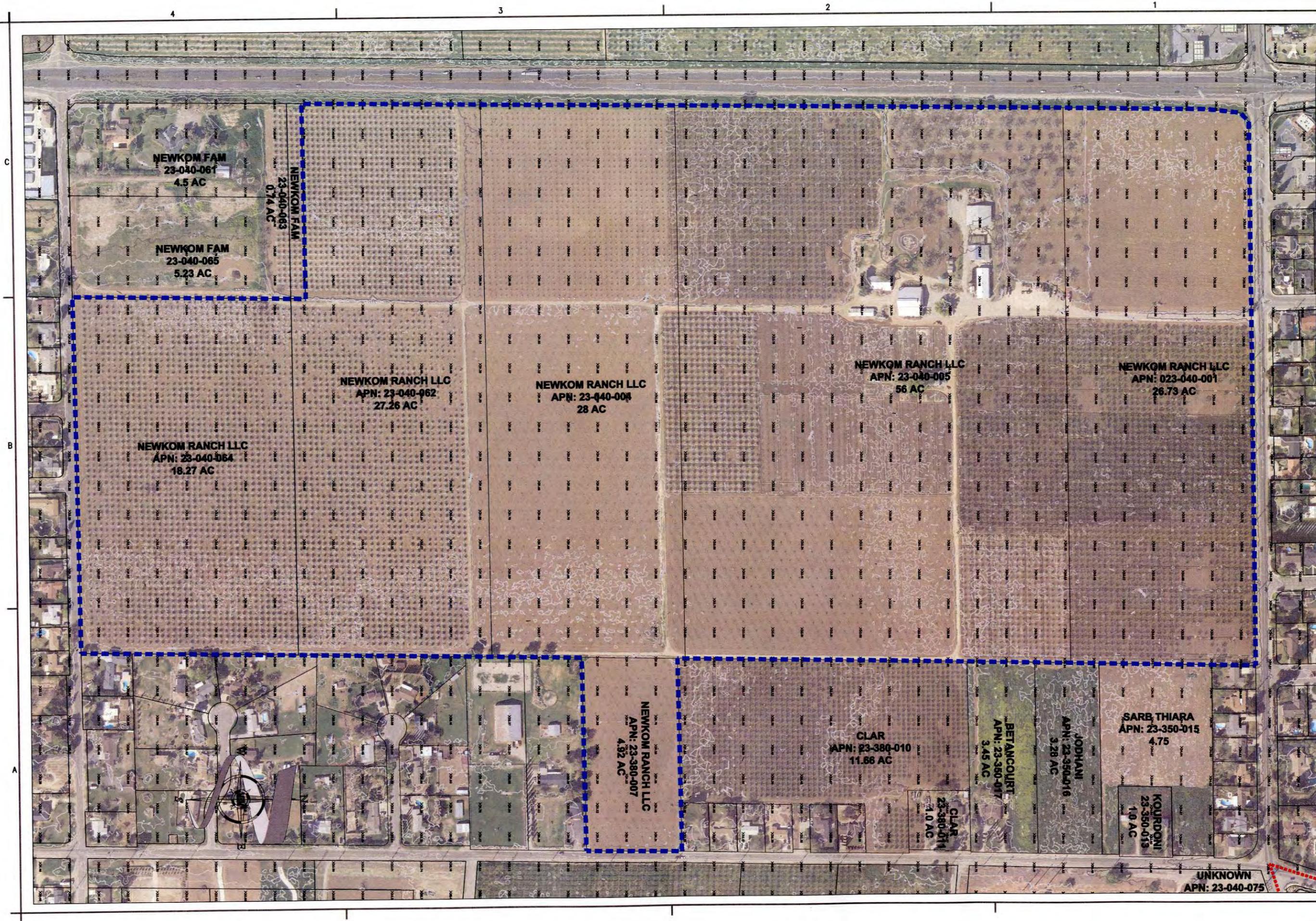
We are currently working on our land use plan for the property. In general it will consist of a commercial center near the intersection of Bogue Road and State Route 99 and residential development. We are working with potential retail/grocery firms and developers to determine the right shape and size of the center. We hope to have the land use plan developed over the next month.

It is our understanding from previous meetings that the City of Yuba City may want to modify the pre-annexation limits beyond our request. We would like to meet and discuss the City plans, reimbursements, and other specifics of the project at your convenience. Please contact me at 530-743-7877 or 530-713-7805 with any questions. Thank you for your consideration.

Sincerely,
Newkom Ranch LLC



David Lanza
Managing Partner



Revised	Date	Description

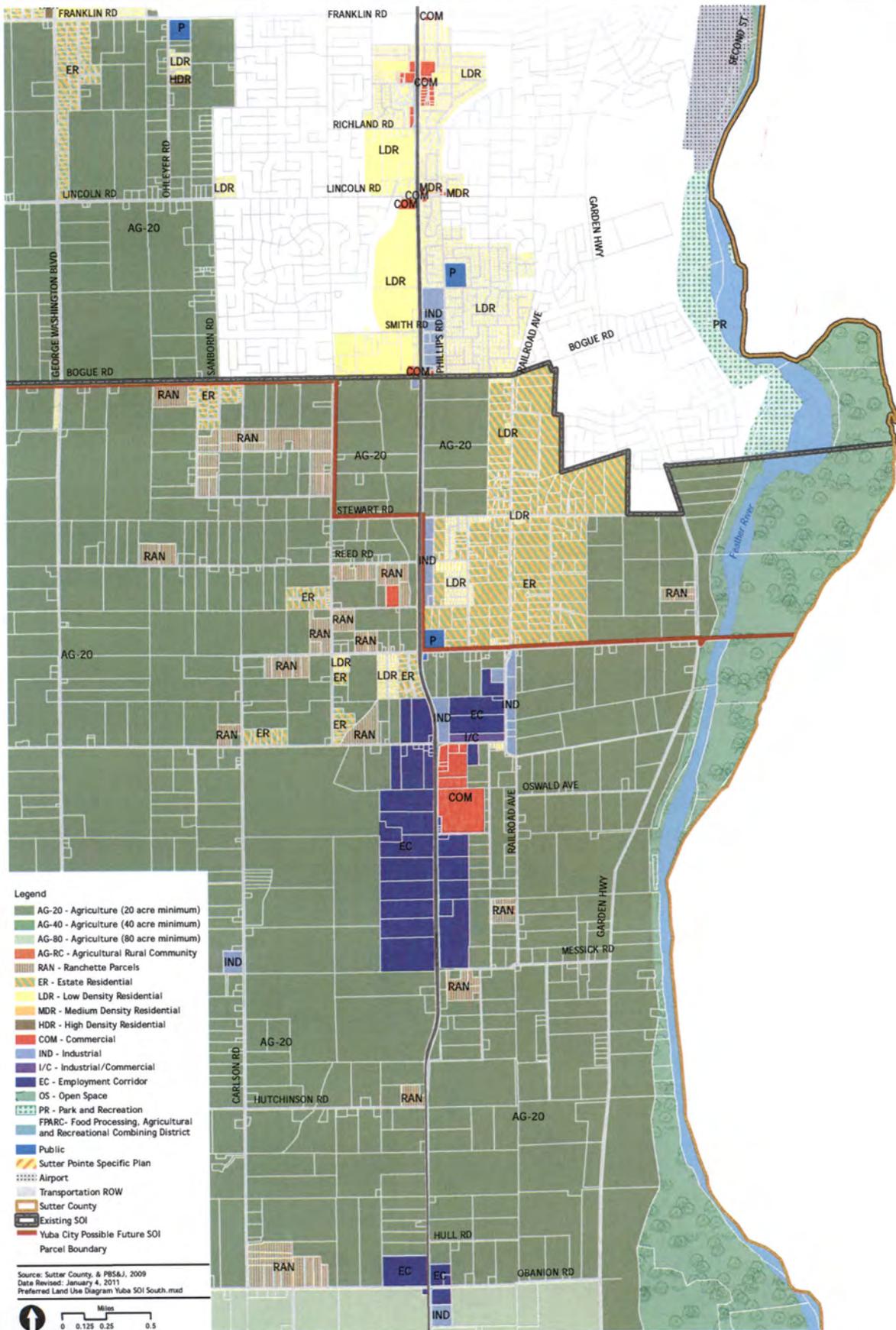
Prepared by:	MIMING ORRATED	Date:	01-09-2014	Rev:	001
Drawn by:	SHIM	Design file no.:	14134		
Reviewed by:	JMS	Drawing Code:			
Submitted by:	Sean M. Minard	File name:	01-09-2014		
		Plot date:	01-09-2014		
		Plot scale:			

FIGURE NO. 1
PROJECT SITE
NEWKOM RANCH LLC

Job Title:

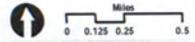
CONSTRUCTION DOCUMENTS FOR:
Newkom Ranch LLC
Newkom Ranch Master Plan
Yuba City, California

Drawing reference number



- Legend**
- AG-20 - Agriculture (20 acre minimum)
 - AG-40 - Agriculture (40 acre minimum)
 - AG-80 - Agriculture (80 acre minimum)
 - AG-RC - Agricultural Rural Community
 - RAN - Ranchette Parcels
 - ER - Estate Residential
 - LDR - Low Density Residential
 - MDR - Medium Density Residential
 - HDR - High Density Residential
 - COM - Commercial
 - IND - Industrial
 - I/C - Industrial/Commercial
 - EC - Employment Corridor
 - OS - Open Space
 - PR - Park and Recreation
 - FPARC - Food Processing, Agricultural and Recreational Combining District
 - Public
 - Sutter Pointe Specific Plan
 - Airport
 - Transportation ROW
 - Sutter County
 - Existing SOI
 - Yuba City Possible Future SOI
 - Parcel Boundary

Source: Sutter County, & PBS&J, 2009
Date Revised: January 4, 2011
Preferred Land Use Diagram Yuba SOI South.mxd



CITY OF YUBA CITY

City Council Reports

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

Adjournment